

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Eighteenth Legislature
31st Day

Monday, April 4, 1977.

The Assembly met at 2:00 o'clock p.m.
On the Orders of the Day.

INTRODUCTION OF GUEST

MR. R.L. COLLVER (Leader of the Conservative Party): — Mr. Speaker, it gives me a great deal of pleasure to introduce to you and through you to this Assembly the Member of Parliament for Dartmouth, Halifax East, Mr. Mike Forrestall. Mike is visiting with us in Saskatchewan for a few hours and he has made a comment on how dry it appears. We haven't had a chance to tell him that we had that million dollar rain last week and are praying for another one this coming week.

HON. MEMBERS: — Hear, hear!

WELCOME TO STUDENTS

MR. W. J. B. ALLEN (Regina Rosemont): — Mr. Speaker, I should like to introduce to you and through you to the House this afternoon a group of 22 students from Martin Collegiate in my constituency. They are seated in the Speaker's Gallery. They are accompanied today by their teacher, Fred Steingener and a special guest from Winnipeg, Liz Bridges. I should like to welcome the students to the House this afternoon and I will look forward to meeting with you a little bit later. Of course, I would like to offer a special hello to Miss Bridges from Winnipeg.

HON. MEMBERS: — Hear, hear!

MR. E.A. BERNTSON (Souris-Cannington): — Mr. Speaker, from the Rosetown constituency — the MLA for Rosetown can't be with us today — a group of 25 students from the Rosetown Division III School. I am kind of going off the top of my head here, but their teachers, Mr. DeBois and Mrs. Berntson are accompanying them. Mr. Speaker, through you to the rest of the House I welcome them and wish them a pleasant stay here and a safe journey home.

HON. MEMBERS: — Hear, hear!

QUESTIONS

JUVENILE CAMPS IN THE NORTH

MISS L. B. CLIFFORD (Wilkie): — A question to the Minister of Social Services.

Mr. Minister because of the conflicting reports of the conditions and treatment at the Wilderness Camps, Klahonie and also Ranch Ehrlo, is the Minister considering holding an inquiry to look into this with representatives from Social Services, DNS and also a representative from each one of the camps?

HON. H.H. ROLFES (Minister of Social Services): — Mr. Speaker, I don't know whether I am the appropriate Minister to respond to that. I think it should have been directed to either the Attorney General or the Minister of Northern Saskatchewan but certainly from my point of view I would not rule out the setting up of an inquiry. We do want to make absolutely certain that the young people who make use of the camps get a fair hearing and also that they will be given the kind of services that we expect that kind of camp to give to those individuals, I think, who find themselves in a situation where they could if the camps were not there have ended up in another institution. So at this particular time I will not rule out the possibility of an inquiry from my point of view but I do want to discuss it further with my colleague the Attorney General and my colleague the Minister of Northern Saskatchewan.

MISS CLIFFORD: — Supplementary, Mr. Speaker. Could I ask another question of the Attorney General, if he would consider forming the inquiry from representatives from Social Services, DNS and the two camps to look into the different conflicting reports of these wilderness camps?

HON. R. ROMANOW (Attorney General): — Mr. Speaker, I can't add anything further to that which has been already stated by my colleague the Minister of Social Services. The Member will know that I have given an answer earlier that there has been an ongoing RCMP investigation of the matters related, which in the light of the publicity given to this matter will proceed as fast as it can. I think that any question of an inquiry has to be kept in concert with the activities of the RCMP.

HIRING OF SECRETARY-TREASURER RM 490

MR. R. E. NELSON (Assiniboia-Gravelbourg): — Mr. Speaker, I have a question of the Minister of Municipal Affairs. Has a permit or a certificate or any other paper been issued by your department or been requested from your department regarding the hiring of a Secretary-Treasurer of Garden River, No. 490?

HON. G. MacMURCHY (Minister of Municipal Affairs): — Mr. Speaker, I would ask the Hon. Member to put the question on the Order Paper. I don't have the answer to the question in my mind right now, or I will take it as notice and reply to the Hon. Member later.

MR. NELSON: — A supplementary, Mr. Speaker. I wonder if the Minister would agree if it has not been issued, not to issue such a permit until such time as an inquiry board has brought in a report on the firing of the former Secretary-Treasurer of the RM.

MR. MacMURCHY: — Mr. Speaker, I think I indicated Friday to the Hon. Member that as yet we have not made a decision on an inquiry and as soon as we do it will be announced and we will follow up from there.

RCMP INQUIRY INTO RM 490

MR. E. F. A. MERCHANT (Regina Wascana): — Mr. Speaker, a question on the same subject though to a different Minister. I wonder if the Hon. Attorney General would indicate whether he is aware that the Commercial Fraud Section of the RCMP in Prince Albert have been asked to do an investigation into the affairs of the RM 490 of Garden River and I wonder whether the Minister asked that that inquiry be conducted and if the Minister would indicate what the nature of the inquiry is and would the Minister also indicate why, when questioned in the House after that date, he indicated that he knew of no such inquiry and knew of nothing happening along those lines?

MR. ROMANOW: — Mr. Speaker, to answer the first part of the question first because I didn't know and I don't. If the RCMP Fraud Squad in Prince Albert is investigating they are doing that without any specific direction from myself. I can't vouch for department direction or discussion, I am not even familiar with that. The investigation by the RCMP of the RM of Garden River, if that is the case, I can only assume is proceeding as normally as any RCMP investigation would on any other matter.

MR. MERCHANT: — A supplementary, Mr. Speaker. Would the Minister be prepared to inquire of the RCMP regarding the investigation and report to the House on the nature of the investigation and who requested that an investigation of this nature take place?

MR. ROMANOW: — Well, Mr. Speaker, I can't undertake to specifically agree to those points that have been raised by the Hon. Member. I will undertake to inquire of the RCMP to inform myself of the situation now that it has been raised in the Legislature, but I can't undertake at this point that I will be able to provide the Hon. Member with the specific answers to the points that he raises. Quite obviously this may have some impact on the nature of the investigation, if such is the case, that the RCMP is conducting. I am sure all Members would agree that we wouldn't want to see that unduly prejudiced or impaired as a result of politics.

NORTHERN CAMPS - HUMAN RIGHTS RECOMMENDATION

MR. G.N. WIPF (Prince Albert-Duck Lake): — Mr. Speaker, last week we asked the Minister of Northern Saskatchewan to advise us when he turned the evidence over to the Attorney General's Department for the investigation on the camps in the North, we did not get an answer. When we asked the Minister last week why he did not implement the recommendations of the Saskatchewan Human Rights Commission as to further investigation into that camp. Would the Attorney General in the absence of the Minister of Northern Saskatchewan today tell us when this matter was turned over to his department for investigation and tell us today the reason, if he knows, for the failure to implement the Saskatchewan Human Rights Commission's recommendation?

MR. ROMANOW: — Mr. Speaker, I don't have

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the exact date handy but I am reasonably confident that the matter was referred to the Department of the Attorney General on or about February 10th, 1977 and I expect sometime after February 10th, 1977. I can't answer the question with respect to the Saskatchewan Human Rights Commission proposals, other than to say that from a reading of the proposals they are certainly not as represented by the Conservative caucus inasmuch as many of the points raised by the Commission were, as I recollect the report, sympathetic to the objectives of Wilderness Challenge.

MR. WIPF: — Supplementary. There was a bit of a delay to investigate this matter I see but on this weekend there has been an investigation called into the leak of these documents, I was reading in the newspaper. Would the Minister not agree that the real question is, what went wrong on how to prevent it in the future not whether or not the documents were leaked.

MR. ROMANOW: — I think that that is an important issue. I think that is an issue of what went wrong. I think also an important issue is the fact that somebody knew that a criminal investigation of the Royal Canadian Mounted Police was going on and is still going on. Notwithstanding that it appears that somebody in a civil service position or otherwise forwarded certain documents to Members of the Conservative Party, who also knew that an RCMP investigation was going on, but who chose to disregard that and to make it a big political issue. That I think is an important collateral point.

MR. H.W. LANE (Saskatoon Sutherland): — Mr. Speaker, I believe the Attorney General has missed the thrust of the question. The thrust of the question was in light of the fact that there were weeks and in many instances months of delay in investigating reports, how was it that you were able to act so expeditiously on the matter of the leak. That, it seems from press reports was acted on within a matter of hours. Why couldn't the camps be acted on with the same expeditiousness?

MR. ROMANOW: — Mr. Speaker, on or about February 1, 1977, was the first time that the Royal Canadian Mounted Police orally reported to the Members of the Department of Northern Saskatchewan on this matter. On or about the 7th or the 10th of February less than a week thereafter the Department of Northern Saskatchewan, having been first presented with the evidence cancelled the licence of Wilderness Challenge. How that could be represented to be unnecessarily delayed I don't know. Subsequent to that time the Royal Canadian Mounted Police took this matter under investigation, with the assistance of the solicitors in my department. Last week the Members of the Conservative Party chose to make this into a political issue. That is an important collateral issue from a party that represents itself as being concerned with law and order and the due process of law and order.

SOME HON. MEMBERS: — Hear, hear!

WAGE AND PRICE CONTROLS

MR. W. C. THATCHER: — Thunder Creek): — Mr. Speaker, question to the Minister of Finance. The Minister in his Budget address indicated that the provincial version of the wage and price controls would probably be removed in this province sometime around September. At that time the Minister, is aware, it was widely rumored that the Federal Government was in the process of probably taking a similar action. Since on the Budget, which came down last Thursday evening, it is now obvious that the Federal Government has no intention of removing the wage and price controls at this point in time. Has the Minister re-evaluated his position and perhaps changed his mind as to whether he should remove the provincial counterpart?

HON. W. E. SMISHEK (Minister of Finance): — Mr. Speaker, I don't know how the Hon. Member can read out of the Budget that was presented last week by Mr. Macdonald that that is so obvious because I don't think anybody else can interpret that it is obvious that the federal program is not going to be discontinued on or about October 14, of this year. I think that the whole matter is still not very clear and I don't read it as being obvious and I don't think the people of Canada can read it as being obvious and as far as the Province of Saskatchewan is concerned our position has not changed. It remains the same.

MR. THATCHER: — Supplementary question, Mr. Speaker. Would the Minister not agree that events of the past few months with respect to the Canadian dollar, the performance of industry and productivity in general in this country would indicate that probably this is not the time that this particular program, distasteful as it may be, should be removed. Would the Minister not consider it irresponsible for the province to dismantle its section of wage and price controls if the Federal Government chooses to leave them in their present situation?

MR. SMISHEK: — Mr. Speaker, I am becoming more and more convinced that the program, as it now stands, is doing the Canadian economy and the people of Canada more harm than it is doing anybody any good at the present time. So I cannot concur with the Hon. Member and I think that the program, the sooner the program is dismantled and the position is clarified by the Federal Government, I think it will help Canadian investment, it will also put at ease the conflict over opposition to the program by the trade union movement and the business community.

MR. THATCHER: — Would the Minister agree with me that productivity is probably one of the major problems that this country faces and as Minister of Finance I am sure the Minister is aware that under the wage and price controls, whether it be provincially or federally, when you are giving out increases in the 8.5 per cent to 10 per cent bracket consistently year after year, that in about seven years you have doubled their salaries. Therefore, in view of the general performance of the Canadian economy and the way that our dollar is declining right now, how can the Minister say that these controls should be ended? Would the Minister not agree with me that as distasteful as they are they must stay on?

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MR. SPEAKER: — Order! Next question.

JUVENILE CAMPS IN NORTHERN SASKATCHEWAN

MR. E. A. BERNTSON (Souris-Cannington): — A question to the Attorney General. In his reply to the question from the Member for Saskatoon Sutherland, are you indicating that the people of Saskatchewan have no right to know what is going on in these camps? Secondly, how are we in the Conservative Party to know that there is a police investigation going when your department has been keeping it under wraps?

MR. ROMANOW: — Mr. Speaker, the public has an absolute right to know. I remind the Hon. Member for Souris-Cannington that this matter was fully covered in the daily and public press of Saskatchewan at least one full month before the Conservative caucus thought to make a political issue of this. And the Leader of the Conservative Party feigns surprise at the back I see, but I have the clippings to verify that. So the public has a right to know and they did know. And now, as to you knowing whether or not the investigation was undertaken or not, the documents that the Member for Qu'Appelle tabled last week, he himself said were documents that the RCMP used in the investigation. I will talk about that at an appropriate time because there is a gross error in that as well. The documentation reveals that. And I am simply saying Mr. Speaker, to the Hon. Member for Souris-Cannington that the Conservative caucus in this matter has shown highest degree of irresponsibility that I have ever seen in years in the Saskatchewan Legislature.

SOME HON. MEMBERS: — Hear, hear!

MR. LANE (Saskatoon Sutherland): — Well if the Attorney General would then answer this question for me. We were given certain dates by the Attorney General as to when this came to his knowledge. He states that there is nothing new here. That everything was laid out before the press, that this is just a matter of rehashing of old issues. My question then is this. Are you saying now to this Legislature that from the questions that were asked and the documents tabled nothing new has come to your attention?

MR. ROMANOW: — I say, Mr. Speaker, that today, all of the material that supposedly has come forward from the Conservatives much of which is downright misleading material, and I wanted to debate that, we are going to debate that at an appropriate time, downright misleading. Particularly, the documents from the Member for Qu'Appelle and the words that he used to that, add nothing to what I know today.

MR. S. J. CAMERON (Regina South): — Mr. Speaker, on that same topic to the Minister of Social Services. I would like to draw some comment from the Minister of Social Services as to whether or not the important thing in this connection is to help learn from that experience and isn't the best way to have learned from it to establish a group of citizens in the province who inquire into what happens and most importantly to set forth for you some guideline for the future to see to it that this doesn't happen again?

MR. ROMANOW: — Mr. Speaker, I would like to answer that on behalf of the Hon. Member if I may. I think again we can simply repeat what the Minister for Social Services indicated. The question of the public inquiry cannot be ruled out. I can only say that the Member coupled his question in terms of trying to define the composition and scope of the inquiry. That I think no one can properly comment on at this time. I totally agree with the Member for Regina South that there is a lesson to be learned in this matter and to make sure with respect to Wilderness Challenge that the situation does not repeat itself there or otherwise. But with respect to a public inquiry I think all that can be said is what the Minister for Social Services said earlier, the Government at this stage has to keep all its options open.

MR. CAMERON: — Mr. Speaker by way of supplementary. I appreciate the fact that you have not ruled out an inquiry. I am going to ask you specifically, have you decided to conduct an inquiry?

MR. ROMANOW: — No.

MR. CAMERON: — By way of supplementary. Are you not setting about the process . . .

MR. SPEAKER: — I think I shall take a new question.

REPARATIONS PROGRAM

MR. MERCHANT: — Mr. Speaker, I am slow in asking this question because I wanted the Minister in charge of SGIO to have a copy of the interpretation bulletin, the tax interpretation bulletin which I sent to him.

If I might, Mr. Speaker, it may take about 35 seconds to set the scene. The Reparations Program, as Members know, is based on the assumption that people earn about \$1,000 and that the \$1,000 they receive by way of earnings is then taxable and that the amount to be paid by SGIO under the Reparations Program of \$750 assumes that the \$750 will not be taxable. I gave notice about Wednesday to Mr. Billesburger and now to the Minister of interpretation Bulletin 365, which came out on the 21st of March, which indicates that the money paid under the Reparations Program, would be taxable so that the \$750 would be taxable and would be a much lesser amount.

I wonder if the Minister would indicate whether, in his opinion, this will greatly delay the Reparations Program, to overstate the case, will this sort of blow the program out of the water because it changes the number so dramatically, it changes the cost to the Government so dramatically, that I wonder whether the program will now be set back for an indefinite period of time?

HON. E. WHELAN (Minister in charge of SGIO): — Mr. Speaker, I want to thank the Hon. Member for Wascana for sending the material across to us. We had a quick glance at it before he asked the question. I will take it as notice and this will give my legal people in the SGIO legal department ample

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opportunity to draft an answer to the question after careful scrutiny.

MR. MERCHANT: — I just ask the Minister that in his reply, when it comes, ask SGIO whether they can set a time schedule for the Reparations Program. I know that you are considering submissions; I know there may be changes, but would the Government indicate when they propose to bring forth the program, if at all.

MR. WHELAN: — Mr. Speaker, the matter is still under consideration and an announcement will be made in due course.

INQUIRY AT NORTHERN CAMPS

MR. J. G. LANE (Qu'Appelle): — Mr. Speaker, I should like to direct a question to the Attorney General.

Can he advise this Assembly that the investigation that is presently going on, or could he advise us as to the form of the investigation that is presently going on, that he has alluded to?

MR. ROMANOW: — Mr. Speaker, sometime last week, the exact date of which I do not have, but I would believe in the first half of last week, the RCMP completed the submission of an investigation report to the prosecutors in my department. That report is in the process of now being analyzed and determined by the prosecutors, presumably with the RCMP as required on the question of whether criminal charges can or should be laid.

The prosecutors of the department will be making the decision as soon as they can. I can't say anything more precisely as the number of days or time, but as soon as they can.

MR. LANE: — Does the present inquiry inquire into matters like the lack of counselling as set out in the Government documents tabled, the fact that there was no academic program; the failure of social workers to contact the wards sometimes for up to two and a half years. Does the investigation cover any of the non-criminal aspects of the matters raised?

MR. ROMANOW: — Mr. Speaker, the Hon. Member will know, I believe as a lawyer, that the RCMP's job is to gather evidence whether there is a suspected criminal offence. They are to gather the evidence and submit that to the prosecutors in the Department of the Attorney General, with the view to determining whether or not charges should or shouldn't be laid. Accordingly that is the framework in which the investigation is being conducted.

MR. H.W. LANE (Saskatoon Sutherland): — A final supplementary. When you received the matter from the Department of Northern Saskatchewan, on February 10th, did you receive all of the documents pertinent to the Wilderness Camps from the Department of Northern Saskatchewan?

MR. ROMANOW: — Mr. Speaker, this matter did not come to my attention from the Department of Northern Saskatchewan. I stand to be corrected because I don't have the file in front of me.

The RCMP report that I give to the Hon. Members, again, so that they write this down was on or about the 1st of February 1977. Within a week or so I received a full written report from the RCMP at that stage pursuant to my responsibilities and the prosecutors of my department's responsibilities in this area. That is the situation with respect to the matter.

CHARGES IN REGARD TO LICENCE RENEWAL DATES

MISS CLIFFORD: — A question to the Minister in charge of SGIO.

I was pleased to notice this morning on AM Magazine that you stated that the public will not be charged for any changes in renewal dates for licences. Does this mean that you have changed your policy and that in a memo that you sent on March 15th, to the licensors you stated that two-twelfths or 17 per cent of the licence fee could be charged if you changed the renewal date. Have you changed your policy in this matter?

MR. WHELAN: — Mr. Speaker, first I want to correct the Hon. Member for Wilkie, I did not say that there would be no charge for renewal date, I said under certain circumstances there would be no charge for renewal date. In a statement before Orders of the Day I made a specific reference to the procedure that would be followed and that procedure would be outlined in an amendment to the manual that goes to all licence issuers. Perhaps you were not in the House the day the statement was made, but it did indicate where they had been allocated a birthday month that they were not happy with and it had been done against their will, that there would be a negotiation undertaken. This is the sort of statement that I made and this is the sort of statement that I repeated this morning.

MISS CLIFFORD: — Excuse me, Mr. Minister. If in case I also missed this that day, but have you also considered increasing the remuneration to the agents that issue the licence so that more help can be hired at this time so that the length of time to issue licences will be decreased?

MR. WHELAN: — Yes, I did, Mr. Speaker. I did make a statement in the House. We will be looking at the costs; we would be considering remuneration and that we would be contacting issuers and I am sure that the Hon. Member knows that the time for each registration has been cut to a minimum and no longer are we receiving criticism for the lengthy procedure. I am sure that issuers have gotten used to the procedure, they know how to do it quickly now and it has been cut to a fraction of what it was originally.

I also explained why we were doing some of the things that we did and I am sorry the Hon. Member wasn't in the House that day.

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MISS CLIFFORD: — Final supplementary. You said you are considering a decision. Have you made a decision that you will increase the remuneration for this. I am not quite convinced yet, as you say I am, that the time has been that much decreased because I am still receiving complaints about it.

MR. WHELAN: — I said that we would be looking at it. There are many factors that we have to consider. We will be asking each of the issuers for specific information as to the time involved. We have to look at the procedure required to keep an issuer's office open 12 months of a year; we have to look at the fact that beginning October 1st there will be a registration fee paid for the second time, \$1 the first time. Incidentally, that fee was 30 cents in 1971 and it has been increased to \$1, and that fee will be paid a second time with very little effort on behalf of the issuer beginning October 1.

JUVENILE CAMPS IN NORTHERN SASKATCHEWAN

MR. LANE (Saskatoon Sutherland): — Mr. Speaker, I can appreciate the Attorney General's difficult position with respect to these wilderness camps if in fact he was not briefed prior to the beginning of February.

My question is this: — at the time when you were initially briefed about the wilderness camps, which I think you indicated was the beginning of February, was the Premier of the province also in attendance at that briefing session?

MR. ROMANOW: — The answer to that is No. And I want to categorically again refute the snide implication by the Member for Saskatoon Sutherland that somehow I should have been briefed prior to the time the RCMP submitted the report to my desk. The simple fact of the matter is that when the RCMP completed their job on or about the 1st of February, when they gave the oral report to the Department of Northern Saskatchewan they came to my department within a short matter of days thereafter, to me. That is a matter of criminal responsibility, a matter of the Department of the Attorney General. It doesn't relate to the Premier, it doesn't relate to the Minister of Northern Saskatchewan. If the charges are going to be followed as a consequence of that, or going to be laid they will be laid. I don't need reference or discussion with the Premier or anybody else involved.

POINT OF PRIVILEGE - CROWN CORPORATION REPORTS

MR. CAMERON: — Mr. Speaker, before the Orders of the Day, I wonder if I could raise with you a matter of privilege and I appreciate Mr. Speaker that I haven't given you notice under Rule 6 but under Rule 6 Mr. Speaker as you know you can waive notice having been given. And in these circumstances I would ask you to waive notice.

My issue of privilege is this: — that under the provisions of The Crown Corporations Act, Crown corporations are required by law in this province to file their annual reports either 15 days after the session commences or alternatively, no later than the 31st of March. Now we were today again handed two annual reports, one by the Saskatchewan Development Fund Corporation and one by the Saskatchewan Housing Corporation which is

clearly in breach of the provisions of the law in this province. And not only is it an issue in respect to which these corporations are in breach of the law, it is an issue that affects the privileges of the Members of the Assembly because clearly the law requires that these reports be in our hands 15 days after we commence sitting, or no later than the 31st of March. Yet we continue and I raised this issue last year, continue to have these reports given to us, oblivious by these corporations of the provisions of the law in respect to the filing of their reports.

MR. SPEAKER: — I realize the Member has me at a slight disadvantage and I would like to reserve any decision I will make on this particular matter until a later time. I will bring the decision forward as soon as I can.

MR. MERCHANT: — Could I just address one brief comment to you regarding the Point of Privilege. In its practical effect, the result is that because of the failure of the Government, be that negligence or whatever, to have the documents before us, we go through Estimates without having the information which we so vitally need in order to deal with those departments in Estimates. So that, for instance, the Saskatchewan Development Fund Corporation which was laid on our desk just recently is a document that I would have required some days ago. So that the rule is not a rule simply for the show of it or simply to set a date. I think the rule is for a good purpose.

MR. SPEAKER: — I think the points the Member was making, were made by the previous speaker.

MR. ROMANOW: — Mr. Speaker, I will be very short in my intervention. I'm sorry that I also did not understand the Member's concern arose when these things came across his desk. I am not putting any blame on him for not giving me notice, but I would ask Mr. Speaker, when you consider this matter, to consider the fact that as I understand it, there are varying dates for the tabling of various Crown corporations. They are not all uniform. I think if my memory serves me correctly, they are in some cases 90 days after the year end date of the Crown corporation. That may or not be a full answer to the Hon. Member. In any event even if this report is within the time period, his argument is that we should get them down as soon as we can in order to give the Opposition a chance to prepare before Crown Corporations Committee. That is a point that as House Leader I think is a valid one and I will undertake with my Ministers to make sure that this doesn't occur and if we have any more kicking around, we will try to get them down as quickly as we can. But as to the actual privilege and the legal points before you, Mr. Speaker, I would ask you to consider the fact that there are these uneven dates and uneven responsibilities on the Crown corporations.

MR. CAMERON: — Mr. Speaker, may I draw something to your attention.

MR. SPEAKER: — I think I was quite aware of the point the Attorney General was making, that there are varying dates of tabling of certain documents in the House and unless it is going . . . A final point.

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MR. CAMERON: — Both of these annual reports are corporations whose year ended December 31 and they ought to have been filed under the terms of the law within 90 days of December 31 and they weren't.

MR. ROMANOW: — I will check into it, Mr. Speaker.

MR. SPEAKER: — I will consider the matter and bring forth my decision later.

SECOND READINGS

HON. R. ROMANOW (Attorney General) moved second reading of **Bill No. 50 - An Act to amend The Magistrates' Courts Act.**

He said: — Mr. Speaker, there are before this Legislature some six proposed amendments to The Magistrates' Courts Act. The first in Section 2C, which recognizes that our Provincial Government has appointed at least four women to the bench, deals with the entitlement of the husband of a deceased judge to the same pension rights as a wife of a deceased judge if he has been dependent on the judge.

Sections 32 and 34 are being amended to ensure that the pension paid to a judge, or judge's widow or widower, is based on a continuous period of service immediately preceding the calculation of the pension and not on two or more shorter and separated periods of service.

Section 35B provides for the same pension benefits with respect to supplementary allowances and will be similar to those that are being proposed with respect to other provincial government pensions.

The proposed Section 36B is restricted to apply only to Chief Judge Ernie Boychuk. When Judge Boychuk was requested to assume the duties of Ombudsman, provision was made to permit his seniority as a judge to continue. However there was no means whereby he could continue to be covered under The Judges' Superannuation Act and therefore had to participate in the public superannuation plan. This would allow Judge Boychuk one year after January 1, 1976, the date of his appointment to Chief Judge of the Magistrates' Courts, to cease participating in the public service superannuation plan and upon so electing to treat his earlier services as a judge and his service as Ombudsman as continuous with his present service as a judge for the purposes of pensions.

Section 41 is designed to provide legislative protection to allow judges, magistrates and other justices of the peace to perform their function and exercise their discretions freely without fear of harassment of legal action, only however in those cases where they have exercised their discretion with reasonable and probable cause and without malice. As Members will realize, this section is not a blanket protection from liability but rather provides a special degree of proof in any action against a judge, magistrate or justice of the peace.

Mr. Speaker, most other provinces have such legislation. Section 717 of the Criminal Code of Canada recognizes the need and provides partial protection to judges acting under a federal

statute. There is, however, no provincial legislation providing the same protection for civil liability where there has been an honest excess in jurisdiction or an honest error made in the exercise of the judicial function.

Mr. Speaker, I move second reading of this Bill.

MR. CAMERON: — Mr. Speaker, I want to direct a comment or two to the Bill in more broad, general terms and it gives me an opportunity to raise again an issue with the Attorney General. That issue I have been raising with him for some time, but in respect of which I have seen absolutely no action taken despite the fact I continue to get from the Attorney General his assurances that he has the same concerns in respect to the problem I speak of as I have. Yet as I say we continue to see the practice go on every day in Magistrates' Courts.

The issue I refer to is the continuing large scale practice in the province of engaging lawyers in private practice to act from time to time and frequently as judges of the courts. Therefore you get the situation where a lawyer in private practice will one day defend a client before the very court that he is in the following day as judge. The third day you will find that same lawyer, who on day one has defended a client before the court, who on day two presides over the court as its judge, on day three prosecuting somebody else before that very court, always at the behest of the Attorney General who requests him to act as judge on day two and then who requests him to act as prosecutor on day three.

Now, this is a practice, as I say that I raised with him a year and a half ago and have raised with him from time to time since. Quite frankly, I have seen nothing in the way of action by him to clean up this problem. Here is the difficulty with it. It is demeaning of the judges of the Magistrates' Courts at a time when we should be doing all we can to enhance their stature because as the Attorney General knows, it is that branch of our courts which is dealing with the majority of people who come before the courts. In 95 per cent or 96 per cent or more of the people in the province who come into contact with the courts in this province come into contact with the Magistrates' Courts. Therefore they take away an impression about the judiciary and our judicial system from this court.

Mr. Justice Hall, who used to sit on the Supreme Court of Canada, one of the most distinguished jurists which Saskatchewan has ever produced, and whom the Attorney General engaged about three years ago to do a study of the Magistrates' Courts in the province indicated when he did that study, that this court was perhaps in terms of its effect on the public notion about justice in the province, the most important we have. He said at the time that the Attorney General and the Government continues to treat the Magistrates' Courts more as a branch of the civil service than it does as an important component of the judicial system. He indicated to the Attorney General that the Government is requiring our judges of the Magistrates' Courts to function, to use his words, in a judicial ghetto. One can't find stronger words of condemnation than those that were used by Mr. Justice Hall and yet as I say, we continue to see this practice, and it is a growing and frequent practice, of the Attorney General using lawyers in these circumstances as judges and again I take the opportunity on this Bill, which I will continue to do in the future whenever I have it, to raise with him this shoddy practice in the hope that soon we will see an

end of it.

MR. LANE (Qu'Appelle): — Mr. Speaker, Mr. Minister. The bar in Regina has been expecting for some time some new magistrates appointments. I had been under the impression that they were expected early in March. My question was and my remarks were going to be restricted to whether in closing debate on second reading, the Attorney General wouldn't give assurance to the people of Regina and the Regina Bar that the appointments will be made shortly. There is some concern. We in the Conservative caucus support the amendments of the Attorney General and I would appreciate receiving information.

MR. ROMANOW: — Mr. Speaker, I would first of all like to deal with the point raised by the Member for Qu'Appelle with respect to the new judges and I would like to give that assurance to him publicly that we will be appointing, I'm not sure whether it is two or one, but there will be at least I know one appointment within a matter of a few days I hope if everything can come into place, for Regina. I am also expecting that I will be able to make some announcement for Prince Albert and area about the same time and we will then be more or less up-to-date on the approved positions for Magistrates' Courts. This has proved to be a little more difficult than I had anticipated, getting reference checks and getting partnership agreements wound up and so forth. Nevertheless I am hopeful that before my Estimates come up, that soon, some kind of an announcement can be made.

Now, Mr. Speaker, just very briefly to the points raised by the Member for Regina South. These of course are, the Member himself admits, not new points, since he has been raising these certainly since last session. Mr. Speaker, I am sorry that I don't have the statistical information before me, but I want to hear this kind of information because the Chief Judge advises me that as of the last little while, the question of using practising members of the bar to act as magistrates has been all but eliminated. This is the assurance that I have been receiving from him, or is on the verge of being eliminated. We do have a vacancy which...

MR. CAMERON: — What . . .

MR. ROMANOW: — Well maybe so, but I tell you this that the comparison, what we have done in the last two years in that area is really quite exceptional compared to any other time in the history of the Magistrates' Courts in the Province of Saskatchewan.

MR. CAMERON: — You just stated that . . .

MR. ROMANOW: — I am advised that they are all but phased out and the Member gets up and says they aren't and I don't know whom to believe, whether it's the Member or whether it's the Chief Judge of the Province of Saskatchewan. But on occasion there may be some situation which arises where a lawyer is asked to act as a judge. There may be a judges' conference or a convention or there may be an exceptional circumstance or illness in this matter. But I tell you that no matter how bad the practice has been in the last six years since I have been Attorney General, and I say this sincerely, it's been just one heck of a lot better than it's ever been in the history of the Province of Saskatchewan and my

point in rising to say this is that we have something like 34 magistrates' positions in Saskatchewan today. I think there were something like 21 when I was Attorney General six years ago. It is not enough. We need more than 34 magistrates. I think we would like to have something in the order of 40 if I could get my Treasury Board colleagues doing some public pressuring to the Minister of Finance to pony up some more positions, we could use them. But with the 34 positions and with the new Regina department which is about to come on stream, Chief Judge Boychuk assures me that it will be only in exceptional circumstances this will occur. The Member for Regina South is a practising member of the Regina Bar and he may know on a day to day basis, and as I say I welcome his remarks because if this is not happening we are going to have to keep looking at it. And my only point in rising at this time is to say that the Member has over-dramatized it a bit with words like judicial ghetto and so forth.

MR. CAMERON: — Those are Hall's words.

MR. ROMANOW: — No, those are Hall's words that you subscribe to, Mr. Justice Hall having been asked by me to look at the situation and since the Hall Report there have been improvements which are unparalleled in the history of the Province of Saskatchewan.

MR. CAMERON: — We'll debate that.

MR. ROMANOW: — Yes, we will debate that one - improvements unparalleled in the Province of Saskatchewan, I will compare for you in terms of members, in terms of salaries, in terms of clerking positions, I'll debate you in terms of Alberta and Manitoba, any of the positions with respect to Hall, the degree of completion of his report. The Member says that he wants to debate that, I'll be more than happy debating that,, I just checked those a few days ago with the Chief Judge Boychuk in preparation for my Estimates coming up. I say to the Member that if the argument is that more needs to be done, I would concur. If the argument is that nothing has been done, I don't think he is arguing that or not enough has been done, under all the circumstances, I think I've got to disagree with him. It's not a perfect world, I've got to battle for budget funds as much as anybody else does and I'm simply saying that the emphasis on court funds in percentage increase is just one heck of a lot better than has ever been happening in the Province of Saskatchewan.

I'm very anxious to debate this in Estimates. I'm very anxious to meet with the Member for Regina South on this point and I think the Magistrates' Courts in Saskatchewan are at the best level that they have ever been. The courts have received unparalleled attention by no other government as we've given them and I believe, Mr. Speaker, that when Estimates arrive that even the Member will be satisfied as to that point.

SOME HON. MEMBERS: — Hear, hear;

Motion agreed to and Bill read a second time.

MR. ROMANOW (Attorney General) moved second reading of **Bill No. 68 - An Act to amend The Queen's Bench Act.**

He said: — Mr. Speaker, this is a fairly simple amendment which

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should have gone to Non-controversial Bills Committee. Section 87 of The Queen's Bench Act presently requires at least two chamber days to be held in Moose Jaw and Saskatoon each month.

Under Section 86 of the Act the Chief Justice of the Queen's Bench actually prescribes chamber sittings for the various judicial centres and it has been found that it is not necessary to have chamber sittings prescribed by statutes in the two cases of Moose Jaw and Saskatoon alone.

The amendment will have the effect of allowing the Chief Justice for the Court of Queen's Bench to prescribe chamber days in all cases as he does now as required and thereby to free him of that duty.

Mr. Speaker, I move second reading of this Bill.

Motion agreed to and Bill read a second time.

HON. W. E. SMISHEK (Minister of Finance) moved second reading of **Bill No. 76 - An Act to amend The Department of Finance Act.**

He said: — Mr. Speaker, the people of Saskatchewan and Members of the Legislative Assembly regardless of political persuasion can take pride in the excellence of the financial system and financial controls we presently have in this province. Over the years different governments and different senior government employees have contributed to the development of a system of checks and balances to ensure that the finances of the province are properly accounted for and there is an effective legislative control over the public purse.

It is interesting to note, Mr. Speaker, that at the federal level in Ottawa they are just now considering whether or not they should appoint a Comptroller General as recommended by the Auditor General. Mr. Speaker, we in Saskatchewan moved in that direction 13 years ago. In February of 1964, the Special Committee on Public Accounts Procedures recommended to the Legislature that there should be an independent legislative auditor responsible only to the Assembly and a comptroller of the Treasury would supervise the receipt of public money and control disbursements from the consolidated fund.

In subsequent years the office of the Provincial Auditor has been strengthened to enable him to discharge his legislative responsibilities. At the same time the Comptroller's office had been reorganized and re-staffed to ensure that adequate financial systems and controls are employed by government departments and various government agents. In response to new or changing circumstances, provisions under The Department of Finance Act have been amended from time to time.

The amendments in this Bill, Mr. Speaker, represent additional steps in the process of clarifying the intent of legislation and streamlining the administrative procedures which give effect to the legislation.

Mr. Speaker, the first amendments which are contained in Clause 2 of this Bill permits the Treasury Board to deposit money of other funds and agencies in the consolidated fund for investment purposes without removing the right of the agency or fund to these moneys. In his report to the Legislature in this Session the Provincial Auditor indicated that there were conflicting

legal opinions concerning the deposit of agency funds with the consolidated fund and he recommended a change in the legislation be considered in order to clarify the wishes of the Legislature.

Mr. Speaker, the intent of this amendment is to provide that particular clarification. Members will find that reference in the Auditor's Report this year. It is to permit money in special purpose funds to be deposited in a consolidated fund on terms and conditions specified by the Treasury Board. These can then be invested by the province but remain as a liability of the consolidated fund and to the depositing agency, board, commission or corporation.

Mr. Speaker, Clause 3 clarifies the responsibility of the Provincial Auditor in respect of those boards, agencies or corporations where there is a specific statutory provision concerning the audit of accounts. From time to time the Legislature has enacted legislation establishing an agency or corporation and has specifically provided in that legislation an auditor shall be appointed by the Lieutenant-Governor-in-Council or by order of the Treasury Board. However, the Department of Finance Act presently implies that the Provincial Auditor must audit all agencies of the Crown. This could lead to duplication of the audit. First the accounts are audited by an auditor appointed by the authority of the specific legislation and then the Provincial Auditor audits the accounts under the authority of The Finance Act.

Mr. Speaker, this is neither reasonable nor desirable. It simply does not make sense to require one competent auditor to duplicate the work of another competent auditor.

I want to make it abundantly clear, Mr. Speaker, to the Members of this Assembly that this is not, and I repeat, this is not an attempt to preclude the Provincial Auditor from auditing the accounts of any agency or any corporation. This amendment will allow the Provincial Auditor to rely upon the report of a designated auditor where such designated auditor has been appointed by the Lieutenant-Governor-in-Council or by Treasury Board pursuant to the statutory authorities. Members may be interested that similar practices and similar legislative authority exist in other provinces.

Mr. Speaker, I want to emphasize this point. The proposed legislation allows the Provincial Auditor to rely on the designated auditor's report. It does not compel him to rely on that report. Indeed, Mr. Speaker, the provision of sub clause 2 guarantees to the Provincial Auditor the right to obtain any information that he deems necessary from any agency or corporation notwithstanding the fact that another auditor may have been appointed.

Mr. Speaker, the third amendment which is contained in Clause 4 of this Bill deals with the matter of contracts. Section 55 of the Act presently reads that it could be interpreted that no department could enter into a contract that extends beyond the end of the fiscal year. This interpretation could pose a serious administrative problem for the Government. It could be a real disaster for suppliers. For example, if a department entered into a contract for delivery of certain office supplies or furniture or equipment and required the supplier in every case to make delivery before March 31 of each year, it might be inconvenient for the department but the supplier could be placed in an impossible situation.

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Mr. Speaker, this amendment will make it clear that contracts extended beyond the fiscal year may be entered into subject to requirements that payments made in the future years are conditional upon money having been provided and appropriated by the Legislature.

Similarly, Clause 5 extends to 30 days from 15 days the period at the end of the fiscal year during which payment may be made for an indebtedness incurred in the proceeding year. As all Members are aware, the province's fiscal year ends on March 31. Under provisions of Section 61 of The Finance Act payments may be made up to and including April 15 for work performed, goods received or services rendered in the proceeding fiscal year.

The proposal to extend this time period from 15 days to 30 days will mean that expenditures will more accurately be reflected in the year that they have been incurred. It will also eliminate much of the need to have the Legislature appropriate funds twice for the same goods or services.

The final amendment, Mr. Speaker, is primarily in the improvement in the administrative procedures. Section 63 presently requires all advance accounts to be repaid at the end of each fiscal year. This requirement serves no useful purpose and, indeed, creates inefficiencies. What it means is that persons who have received an accountable advance must repay the advance on March 31 only to have an advance reissued on April 1. We believe that there are adequate controls to ensure that accountable advances are not being abused and that the present method is both costly and cumbersome, Mr. Speaker. Therefore, Mr. Speaker, we propose to amend Section 63 to require advances to be repaid in accordance with regulations that may be established to meet the needs of specific programs.

Mr. Speaker, as I indicated earlier we are proud of the leadership this province has demonstrated in the implementation of sound accounting and financial practices and in fact other provinces today are coming to Saskatchewan to look at our procedures and some of them are copying the system that we have established. As I indicated, the Federal Government, too, is looking at the same kind of checks and balances and the same kind of a system.

We think that the amendments proposed, Mr. Speaker, in this Bill deserve the support of all Members of the Legislature.

Mr. Speaker, with those few words I move that this Bill be now read a second time.

MR. R. L. COLLVER (Leader of the Progressive Conservatives): — Mr. Speaker, I am certain that many of the Members opposite who don't appear to be in their chairs this afternoon and who are, yes, the same for our s as well, believe that this is just a nice little innocuous house cleaning bill. I'm afraid that they have not thought of some of the consequences of some of the provisions of this particular Bill and I hope to be able to draw some of them to their attention before we proceed to pass this Bill in second reading.

One of the things that I might just mention briefly is the fact that in this Bill under Clause 16a, this amendment is retroactive legislation. It's attempting to make legal that which the Minister of Finance, the Department of Finance have already succeeded in performing to which the Provincial Auditor has stated that this does not appear to be in compliance with the Act. So rather than in any way to encumber the Minister of Finance from performing any particular check of the position of the books, juggling of the numbers or juggling of the money supply which he may deem fit at the end of the year. He has come up with this Act to allow him to perform that which he has already done and that the Provincial Auditor has already commented upon.

The Minister of Finance, Mr. Speaker, has suggested that the intent of this Act is a streamlining of the bookkeeping, a streamlining of accounting, that the intent of this Bill is the streamlining of the Provincial Auditor's services. Nothing could be further from the truth! Nothing!

Mr. Speaker it is my intention to have quite a bit to say on this particular amendment and I therefore beg leave to adjourn the debate.

Debate adjourned.

MR. SMISHEK (Minister of Finance) moved second reading of **Bill No. 79 - An Act to amend The Tobacco Tax Act.**

He said: — Mr. Speaker, before I present the motion for second reading on this Bill to amend The Tobacco Tax Act, let me make a few introductory comments.

The Bill which is before the Assembly, Mr. Speaker, is designated to do two things. First, it raises the rate of tax on all tobacco products and secondly, it makes provision for collecting tax on tobacco when the packaging is measured in the metric units.

Let me deal with this latter point first, Mr. Speaker. In accordance with approved recommendations of the Federal Metric Commission, manufacturers may, in July of this year 1977, start to package tobacco products in packages where the weight is expressed in metric terms only. No reference will be made to ounces or pounds. Total conversion to metric size packages is expected to be completed by December of 1978. New sub-clause (f) is designed to facilitate the conversion from a tax based on ounces of tobacco to a tax based on grams. It is already known that the tax rate of cut tobacco has been increased from 2 cents per ounce to 4 cents per ounce. A tax of 7 cents on 25 grams of tobacco is the nearest possible equivalent to the rate of 4 cents per half ounce.

Mr. Speaker, I turn now to sub-clause (a) and (e) of the Bill which is before you. These are the clauses that will give effect to the increase in tobacco rates that I announced in the Budget Address on March 10. Mr. Speaker, these are sizeable increases in the tax rate, this I acknowledge and for which I make no apologies. As I indicated last year, smokers not only endanger their own health, they impose a financial burden on the rest of society and the rest of the community in terms of the cost of health care systems. We know that smokers use health facilities to a greater extent than non-smokers. Therefore it is only

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reasonable that they should contribute more to the cost of financing these health services. Based on the consumption pattern of the last year the new tax rate would generate an additional revenue of \$4.6 million.

Mr. Speaker, I sincerely hope that we fall far short of that figure because it will mean that our tax policy has been an effective deterrent to smoking.

Mr. Speaker, with those few remarks I move that this Bill be now read a second time.

SOME HON. MEMBERS: — Hear, hear!

MR. C.P. MacDONALD (Indian Head-Wolseley): — Mr. Speaker, I just have a couple of comments to make. I want to initiate my remarks by saying that I quit smoking on Monday . . .

SOME HON. MEMBERS: — Hear, heart

MR. MacDONALD: — One of the major reasons I quit smoking is that even on an MLA's salary and as a travel agent and the way the Minister is raising taxes I myself can't even afford to smoke.

SOME HON. MEMBERS: — Hear, hear!

MR. MacDONALD: — Without a question, Mr. Speaker, I want to point out one thing about this tax, it is a very, very dramatic increase in the tobacco tax. I would suggest it is the biggest increase that has ever been imposed on tobacco in the Province of Saskatchewan, at least in my memory and I have tried to search it as much as I can. It is a very severe increase.

The second point I should like to make is that the vast majority of people who will be paying this increased tax are the poor. The vast majority of working men who smoke are not necessarily in the high income levels. I think it is unfortunate that the Minister has to raise the taxes so dramatically. I wouldn't mind, Mr. Speaker - I am going to make the point when I talk about raising alcohol taxes - if I was convinced that the Minister was going to take the \$4.6 million and direct it to educational programs to point out to young people and to people as a whole in the Province of Saskatchewan, the dangers of smoking cigarettes, then I could justify and I would vote for this tax. But if he turns around and uses the \$4.6 million to put into the consolidated revenues to do as he pleases with and there is no effort to convert the \$4.6 million increase in tax revenues in tobacco and alcohol, to those directions to improve the health standards of the young people in particular by a good solid education program, I object to raising taxes on alcohol and cigarettes, and for not utilizing them for the overall educational benefit of the province and particularly those people I am referring to. I have got a few more things to say on this. Our Finance critic is not here and he has something to say on it. I beg leave to adjourn debate.

Debate adjourned.

HON. E. TCHORZEWSKI (Minister of Education) moved second reading of **Bill No. 83 - An Act to amend The Larger School Units Act.**

He said: — Mr. Speaker, a few brief comments on this brief Act to explain what it is that we are doing and why we are doing it.

First of all let me preface my comments on the Bill by saying that it is well known by all in this House that school boards throughout Saskatchewan have done, I think, an outstanding job over the years in providing for our school systems and our students, very excellent facilities in this province. Unfortunately school law has not always kept up with the times and I would submit that maybe this small amendment is one step in bringing our school law into the realities of the late 1970s and the early 1980s.

The purpose here is to raise the borrowing limit for school units from the present eight per cent of the assessment to 15 per cent of the assessment. This isn't new, this will bring The Larger School Unit Act into line with The School Act which has a limit of 15 per cent of assessment now. What we actually will be doing is eliminating a contradiction that now exists between school jurisdictions depending on whether they are a school unit or whether they are schools organized under The School Act. Assessments have not been increased to keep in line with the general increases in the costs of construction. Consequently as costs go up, more and more school boards are getting close to the borrowing limit of eight per cent so some difficulties are created.

The department had hoped and we had hoped as a Government that this change would not be necessary until the general consolidation of school law is implemented. Under the draft consolidation that is encompassed in the White Paper which I tabled not too long ago, the borrowing limit for all school jurisdictions would be 15 per cent. However, two different school units, the Hudson Bay School Unit and the Medstead School Unit are faced with the borrowing requirements in 1977 which would result in them exceeding the eight per cent. Consequently there is a need to make the amendment at this time.

I want to point out that the Saskatchewan School Trustees Association has agreed to the amendment and certainly the school units specifically affected by the eight per cent limit in 1977 are anxiously awaiting the amendment.

It should be emphasized that the amendment will not result in school boards incurring a financial burden, a hardship as a result of the additional borrowing which they will be permitted to undertake.

The Department of Education fully recognizes capital debt retirement for school facilities in computing the annual foundation formula grants.

It should also be emphasized that this amendment in no way changes the requirement that approval of the Local Government Board be obtained for any capital borrowing. The Department of Education and the Local Government Board will support capital borrowing only where school facilities are definitely required and where the magnitude of the project is such that borrowing must be undertaken to finance part of the cost.

With that brief explanation I move second reading of this Bill.

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MR. MacDONALD: — Mr. Speaker, just a very brief comment on this Bill and certainly I am going to support it. The Minister has very well evaluated the predicament that school boards find themselves in now with increasing costs of construction and the increased capital requirements now on the same estimate.

There is only one comment I should like to make. It emphasizes very clearly the straight jacket the school boards are in in financing school programs. Assessment does not change, it does not rise with inflation, it is fixed, in most cases, except occasionally reassessment takes place, that is over a very, very long and difficult period and of course to reassess the entire province is almost an impossibility. I should like to point out, to emphasize again the straight jacket that school boards and local governments find themselves in. The argument in Estimates of my colleague about the insufficient amount of grants paid this year and the tremendous increase that is going to be placed on property this year, is going to be emphasized, this Bill just emphasizes that straight jacket. That is why I hope the revenue sharing formulas that the Minister of Municipal Affairs has indicated will also take effect that the Minister of Education will have some way of finding some way that local government in the Department of Education will get some kind of increased grant on an automatic basis that will keep pace with inflation and rising costs.

Motion agreed to and Bill read a second time.

COMMITTEE OF THE WHOLE

BILL NO. 61 - An Act to amend The Theatres and Cinematographs Act, 1968.

HON. E. TCHORZEWSKI: — Minister of Culture and Youth): — Mr. Chairman, my officials are Mr. Don Morose, my deputy Minister of Culture and Youth, Mr. Milton Parker, who is in charge of the Film Classification Board and Mr. Glen Tuck, when we get to the other legislation, is the director of Facilities Program.

SECTION 1.

Section 1 agreed.

SECTION 2.

MR. S. CAMERON (Regina South): — May I simply ask the Minister to indicate generally and briefly what brought about the need for the amendments.

MR. TCHORZEWSKI: — You want a general outline on the whole piece of legislation. Mainly it is housekeeping because of things like transfer of the legislation. The old legislation says the Minister of Labour is in charge, we are changing this because the Minister of Labour is no longer in charge, it is in the Department of Culture and Youth and there is an appropriate amendment which gives a general definition of the Minister as designated by Executive Council. That is one of the things that is in the amendments and then there are a number of other things in with it. Secondly it puts in to legislation something that has been practised in policy for several years on a trial basis. There has not been in legislation the special "X" category. It was implemented in Saskatchewan several years ago, co-operatively between

distributors, theatre people and the film classification board on a trial basis. It is working well and everyone agrees that it ought to be in the legislation. If there should be a case of someone not abiding by the classification of Special "X" category then we would not be able to be in position to enforce it. As it was not in the legislation so it was thought that it was time because it had had its trial, it was working well, that we would put it in the legislation.

There are also a number of amendments, I think in Section 2, you will find some of them that deal with new technology that now exists in the film industry. So it was deemed necessary to include these things so that we could classify the different kinds of technology that is now utilized in the production and distribution of films.

MR. R. KATZMAN (Rosthern): — On the Minister's comments, is there any general way that, where for example, you say, tapes, cassettes and so forth, how do you get your hands on all these to view and categorize?

MR. TCHORZEWSKI: — By the same way as the big reel film - no change.

MR. KATZMAN: — So basically any film coming into this province goes through you before it goes to a theatre or has had to be previously given a classification before it goes to a theatre.

MR. TCHORZEWSKI: — Any film that comes into the province for public use, showing in theatres, and so on has to be first of all classified by the Film Classification Board, yes.

MR. KATZMAN: — Once it is classified the first time that's it. It can come in and out with no problems.

MR. TCHORZEWSKI: — That's right.

MR. KATZMAN: — Now on education films, who will be checking those over?

MR. TCHORZEWSKI: — The Department of Education.

MR. KATZMAN: — On films that are coming in from the United States that are classed as "educational" and going into some of the high schools and so forth, do not come through you, do you have any jurisdiction there at all?

MR. TCHORZEWSKI: — No, we don't, that's strictly education. The Film Classification Board basically deals with the entertainment world.

MR. KATZMAN: — Basically you are saying that only in the theatres is the only place you are concerned with. Not in high school theatres as the saying goes.

MR. TCHORZEWSKI: — I know we have high schools in Saskatchewan now that would certainly have the facilities to operate in the same capacity as the theatre. If the high school was operating and showing films for public purposes, for the public then yes, it

would fall under this legislation. If it's strictly educational then the jurisdiction that would be involved would be the Department of Education not the Film Classification Board.

MR. KATZMAN: — In other words, basically you are talking that anyone who pays for a film you'll be checking it over. Now, what about the University, they have a theatre where they show films, do you check all those?

MR. TCHORZEWSKI: — If it's a theatre that shows film for the public, then yes, it would be classified by the Film Classification Board.

MR. KATZMAN: — The other day, in discussion we discussed that some of the films being shown in drive-in theatres, facing highways or residences that have grown up around them and the classifications thereof. You suggested that you may have been able to do something so I believe you said that there were four films that the board had seen that they said cannot go into drive-in theatres but that can go into closed theatres. Are you tightening up that policy a little stronger?

MR. TCHORZEWSKI: — Since we were in Estimates about a week ago, we haven't tightened up that policy. But I did indicate to the Member for Regina South (Mr. Cameron) that yes, we had been making some restrictions and there were several films last year that we had classified that way and we are undertaking to do a review of the situation to see what we may be able to do or what we ought to do further.

MR. KATZMAN: — Under Section 8 would you not want a plaque put in another classification for those style of films? Because basically I don't know where your authority will come from otherwise.

MR. TCHORZEWSKI: — Not necessarily, under the general legislation there are obviously a number of regulations and what is necessary because what we would have to do is pass a rider with the regulation saying that a certain film cannot be shown in the drive-in theatres. That's the way it would be handled.

MR. KATZMAN: — Going the second step is there any way to stop on the television screen in the previews that now-a-days the new method is to show previews on television. And keeping an eye on what is allowed to be shown on the television set when you get to the films that are only allowed in theatres.

MR. TCHORZEWSKI: — No, as the Member will know the regulatory agency that regulates radio and television is the Canadian Radio and Television Commission. They have the jurisdiction and they would have to take the appropriate action in there if you are dealing with television programming.

What we do now is that we require, this I am told is the extent to which we are able to make a requirement, we require when an advertisement is placed whether it is in the newspaper or on television, or on the billboard, that it has to be

designated according to the classification under which it has been classified. If it is a Special "X" category film we require that it be clearly shown that it is a Special "X" film.

As to which portion of the film is shown on television to be used as advertising, I am told that once again that is some- think that CRTC has to regulate.

MR. KATZMAN: — Going with one more question. The other day when we were discussing Committee of Finance, I mentioned the problem that has arisen in some areas where you have classified a film as being shown and that the people who are showing that film are prosecuted by the Attorney General's Department. Will there be any way which when you classify a film that you can indicate to a theatre that this film may go beyond the point and, therefore, taking some blame off yourself when they show it they say, "You approved and we showed it. You should have told us that there was a possibility".

MR. TCHORZEWSKI: — Once again as I mentioned when we considered the Estimates, all the Film Classification Board can do is make a judgment call; to make a judgment on the basis of what they think may or may not go beyond what is the requirement of obscenity section of the Criminal Code. If it is deemed in the opinion of the board that a film or some portion of the film would contravene that section of the Criminal Code, then the distributor will be so instructed and is. If it is thought that the film would contravene the section then it is sent back to the distributor with the opinion that it would, in fact, contravene the Act.

MR. KATZMAN: — So what you are saying is occasionally you do send a film back saying it is against the Act. You rate it a Special "X" if you show it in Saskatchewan and you will probably be charged. But do you stop them from showing in Saskatchewan?

MR. TCHORZEWSKI: — The distributor will make his own decision. The board will send it back with the advice of the board to the distributor on what their opinion is. The distributor may make some changes in the film. He may decide to cut out some sections and send it back. If that happens the board will again review it.

MR. KATZMAN: — This is what I was trying to get to, that you send the film back to the distributor and say we think there are four or five minutes at such and such a point in the film that we don't think should be shown, but if you want to remove them we think that you will be able to show them with a Special "X" rating, otherwise we think they are against the Act.

MR. TCHORZEWSKI: — That is correct, Mr. Chairman.

MR. KATZMAN: — Would you consider putting in an additional category in 8(c) that could cover those films that could be shown indoors only and not at an outdoor drive-in?

MR. TCHORZEWSKI: — I am not quite sure what you are talking about. Are you

talking about the drive-in theatres?

MR. KATZMAN: — You suggested earlier that there were four films that you recommend be shown indoors only and not at drive-in theatres. Could you not develop a special category classification under 82(c) that would cover that situation because by the looks of it there is still some question as to where and when we should show it.

MR. TCHORZEWSKI: — The purpose of classification is for the public. It is not basically for the distributor. It is to let the public know what the content of the film is and, therefore, we classify it in certain categories so that the public can then decide, in their view, whether they want to take their time, or waste their time, whichever.

With regard to the question of a film that is a special kind of special "X", where it may be thought that in a drive-in theatre it would be unwise to show it because of the difficulties of enforcing the attendance. In that case all that is necessary is to put a rider on the classification and on the film, saying that it cannot be shown in the drive-in theatre and I am informed that we have done that on several occasions in 1976. You have to treat each film individually. It is very difficult to have a blanket thing.

MR. KATZMAN: — I don't disagree with the Minister. The only thing is that I am suggesting, as you say you have total control who goes into a closed theatre where on the open air theatre you do not. I should say that the theatre supposedly has control of who goes into the theatre and you have no control on a drive-in. My concern is if people realize that there is a difference in category there will be no slip up and it could end up in a drive-in theatre.

Section 2 agreed to.

Sections 3,4,5,6, as amended agreed to.

Section 7 repealed agreed to.

SECTION 8.

MR. KATZMAN: — Can the Minister, would he consider the request that I made earlier, the extra category?

MR. TCHORZEWSKI: — I really don't know what would be achieved. In fact, I am not sure that anything would be achieved which cannot already be done now. So I couldn't at this time, until I have had an opportunity to consider it in some detail with people in the theatre industry, to accept that kind of an amendment right now.

MR. KATZMAN: — You are saying that you don't see any reason for doing it and you are going to cover it by regulations and not by law. By the law you can put it in 8 2(c) and therefore it is there and it is solid rather than go with regulations that can be changed outside this House. Would you mind making that amendment?

MR. TCHORZEWSKI: — No, I have already indicated, Mr. Chairman, I think the amendment is unnecessary and I would, therefore, not support it.

MR. COLLVER: — I should like to ask the Minister if he is suggesting to this Assembly that merely because it can be done through regulation it is not necessary? Here we have a suggestion which the Minister admits is a good suggestion, to have separate category for films to be shown that should not be shown in drive-in theatres. Now, what harm can this possibly do to your category system to add a special category that states that certain films cannot be shown in these drive-in theatres?

MR. TCHORZEWSKI: — First of all, Mr. Chairman, I want to say that it is nice to have the Member for Nipawin back asking questions in the Legislature after many days of absence. We sort of missed him lately a little bit. I will match the number of days I spend in this House any time.

Mr. Chairman, in reply to the question of the Member for Nipawin, I think maybe we are sort of getting sidetracked on what purposes of the legislation and the Film Classification Board is. The purpose is to provide the public some knowledge about what the content of the film is. The purpose is not, to say, where the film is to be shown. Occasionally there may be a rider put on the film and the classification, saying that it would not be advisable for it to be shown in an outdoor theatre. That has been done.

I think the amendment is really so different from what the legislation is all about, that I think that it is quite unacceptable, simply because as I said, the purpose of the legislation, which established a classification procedure in Saskatchewan is to provide a classification. The classification purpose is to inform the public what the content of the film is, whether it is general, or whether it is adult, or "X" or Special "X". That is what it does.

What the Members in the Conservative ranks are asking is something that is beyond that. They are asking that the legislation have included in it a provision that the Classification Board not only inform the public about the content of the film, but that it also have a special classification saying where you cannot show a movie.

MR. COLLVER: — Mr. Chairman, would the Minister not agree that if a film is so, if you like, pornographic comes to mind, but probably that is the wrong word, but if a film is so bad, if you want, that it's kind of tasteless, that's the wrong word too, I'm groping for the word, but if the film is that bad that it cannot be shown out-of-doors, is the public not entitled to know that that is a special category of film that the board has decided is so bad that they cannot show it in a drive-in theatre and have restricted it to an indoor theatre, is the public not entitled to know that information?

MR. TCHORZEWSKI: — It is not a question of bad, Mr. Chairman, it is a question of classification and I think it is clear that the classification would state what the content of the film is and the public would decide whether it is bad in their point of view, depending on who the member of the public is.

MR. COLLVER: — Mr. Chairman, the point I am trying to make doesn't have to do with that word bad or good, perhaps pornographic is the right word. If you want to jump on that word and suggest a better word. You are the one who is bringing in classifications of films in this particular amendment and those classifications of films are going to explain to the public approximately in a very general way what kind of films they are. Now you have got a special category, you've admitted that there is a special category of the Special "X" films that presents certain scenes in such realistic terms that they cannot be shown or should not be shown in out-of-door theatres. Surely it is not too much to ask a very slight amendment to the Bill to ask that the Minister agree to rate those films publicly by law as opposed to allowing it to be up to a regulation to be decided by the board.

MR. TCHORZEWSKI: — Mr. Chairman, simply put if the film is of that nature it will not pass the classification. It will be sent back to the distributor because it will probably contravene the criminal code and those kinds of provisions are already there and are followed as best we can. By the Film Classification Board the public is informed what the classification is and I think the procedure right now is a pretty fair one.

MR. COLLVER: — The Minister has suggested that there is no need for this particular classification. And yet within the same 15 minute period has also suggested that four such films have been designated by regulation in the Province of Saskatchewan. What we are suggesting or the Member for Rosthern is suggesting is surely a good suggestion. If you have within your regulation and it is a good idea to do it by regulation, surely it is just as good an idea to do it by legislation, surely the Cabinet has enough power now, the Lieutenant-Governor-in-Council has enough power now. Is there anything wrong with putting it in the Act, that is what we are asking? Is it anything that would hurt the Bill, would it do the Bill damage, would it hurt the classification system, would it limit the board's ability to present this information to the public, to include it in the Bill as the Member for Rosthern has suggested?

MR. TCHORZEWSKI: — I don't precisely know if there is anything wrong with putting it in the Act. I want to make it clear that I am not disagreeing with the need for having some of the protective provisions that we have now, that's why we have and have had for years a Film Classification Board. I think it is very important that we provide information to the public, to parents about the kinds of films that are going to be shown in our theatres so that they can decide for themselves if they are adults, so that parents can decide for the children whether they should in fact be viewing some of those movies. Quite frankly, if you asked for my personal opinion some of those movies not only would I not send my children to, I don't think I would bother going myself. But that is my opinion on some of them, you have your own opinion on some of them as well. And whether the specific amendment that the Member for Rosthern mentioned is a good one, I don't know and I don't want to hastily say here as we are considering these Estimates that, yes, it is a good one, at this time. Furthermore, I think it would only be fair that we have an opportunity to discuss them with the distribution people and with theatre owners and other people who may be involved in the industry. I just don't think we should be jumping into this thing without having

done that.

MR. CAMERON: — Mr. Chairman, if I may have one last question. It is not for me to do your work but why don't you indicate to the Member for Nipawin because we discussed this last day, we are dealing here with two separate powers, one is the power of the board to classify a film, the other is a power which is already existent in the Classification Board to determine in what theatres a given film can be shown. Under Section 20 of the Act which isn't before us, the board has the power now to determine what film should be shown in outdoor theatres. I indicated that to you the other day. You indicated to me that you would take that Section 20 and the power you have there and devise a regulation so as to prevent category X films from being shown in drive-in theatres in certain circumstances, circumstances being where the screen is visible to people other than the patrons of the theatre. So the point is if you would indicate to him that under Section 20 of the Act you already have that power and you are devising regulations to permit you to exercise the power. So that his concern, which is a good one, which earlier was my concern, is being satisfied. That's the process.

MR. TCHORZEWSKI:—I don't disagree that his concern is a good one, I happen to share that concern. I thank the Member for maybe clarifying something which I tried to say earlier better than I did when I said it. Because I did indicate that it was my view that we did in fact have the power under the film classification legislation now and have to some extent acted under that power, therefore, I don't know what we are quarrelling about when we can already do that which we all seem to agree we ought to be doing.

MR. COLLVER: — Mr. Chairman, perhaps for the information of the Minister and also the Member for Regina South we are suggesting just a little bit more than what the Member for Regina South has suggested. He is suggesting that the power already exists. He is suggesting that there are two separate powers. We understand that, and we thank the Member for Regina South for his very interesting - and that is the purpose, surely, of this exercise called Committee of the Whole; surely the purpose is to make suggestions, for the Opposition to make suggestions, and if the Government recognizes it as a good suggestion, returns to re-examine its priorities or re-examine what it has presented, and perhaps act on it. That is what we are here for, surely. We are not here just to play politics. We are suggesting that, perhaps, there are certain categories of Special "X" films which are not in good taste to show in outdoor theatres, which the Member for Regina South has already suggested. But, we are also suggesting that those same kinds of films should be indicated to the public that that is what the board has decided, and therefore, given a special category, even if they go to an indoor theatre to see that kind of film.

If there is a film that is so explicit that it cannot be shown out-of-doors, we are suggesting that if the public wants to go indoors to see it, it should find out that it is that kind of film.

Now, surely, the public has a right to know that. Surely, it is not going to do any damage to make that as a special category. And, if you feel you have to go back and check with a few

of your officials, surely you can do so, with relative ease and bring the Bill back tomorrow or the next day. We are suggesting that this special category of film that is being shown out-of- doors should be labelled as such, or that cannot be shown out-of- doors but is good enough to appear in the province, should be labelled as such, so that the people who perhaps have to go indoors to see the film or want to go indoors to see the film, will know a little bit more about the kind of film it is. That is our suggestion. The Minister can take it for what it is worth. If he insists on not going back, then we intend to go to a vote on it, and we will see how you vote on it.

MR. TCHORZEWSKI: — Mr. Chairman, for the Member for Nipawin to come and say some pious statements about not playing politics is on the fringe of hypocrisy. Now, Mr. Chairman, surely if the Member in this Session has spent enough time in this House to even be able to read the titles from these Bills, he would know clearly that there is provision, as I indicated, and the Member for Regina South has indicated, that there is provision in the legislation to do precisely what he is asking that we do now. So, it doesn't make any sense to me, Mr. Chairman, why we need to be duplicating something that we can, and do, do.

To say that it is not a matter of playing politics is sheer nonsense on his part, and everybody in this House knows it, and I am sure that the press knows it, and I am sure that after this the public will know it too.

MR. E. F. A. MERCHANT (Regina Wascana): — Mr. Chairman, I have listened with interest, both to the comments of the Minister and the comments of the Member for Nipawin, and my colleague, and I say this as a comment, Mr. Chairman. I frankly believe that what the Hon. Member for Nipawin really would like to see is a return to some form of censorship and I think that would be a retrograde step, but I think that that is the direction in which the Member for Nipawin clearly would like to move, and I suggest to Members of the Committee that they should examine his comments in that light, because he's not that slippery. He's not so slippery that it is not obvious that that is the direction in which he would like to move, and I say to you, Mr. Chairman, I would be interested in knowing whether the Hon. Member for Nipawin is prepared to openly say that, yes, he would like to move back to a form of censorship, by which we take from people the right to decide whether they will see a good or a bad movie. I think that that is consistent with the rather narrow approach that he views in the way society should be handled, and, Mr. Chairman, I am not sure that that is really a question to the Minister, but I direct those comments to the Members of the Committee.

MR. KATZMAN: — I am glad to see that the Member for Wascana is in total agreement with censorship, which is not our policy. It is nice to see that he finally took a firm step forward as he always tries to do to cut everybody apart. But, as usual, he was totally ignorant of the facts, I think.

Mr. Minister, would you consider tabling or standing 8 and 17, so you can speak to the people in the industry, as you suggested earlier, and we will handle it later.

MR. TCHORZEWSKI: — Mr. Chairman, I don't think so, I really think if the Member has an amendment, we will consider it. But, the point of the matter is, Mr. Chairman, that the Members opposite from the Conservative Party who show up occasionally, are really trying to waste the time of this House, trying to get a headline and nothing else. I think the Member for Wascana puts it very well. It is becoming very clear in this House, that that party over there and those Members would like to see censorship. They have stated it clearly and definitely. Not only on film classification, Mr. Chairman, but I had the Member for Rosetown-Elrose get up in the House the other day under Estimates of the Provincial Library, and clearly state - and the other Members ought to read Hansard and double check - clearly state that some big brother of government, or something, that's what they usually call it, should be telling the people of Saskatchewan what they should have in their libraries.

Now, Mr. Chairman - yes Mr. Leader of the Conservative Party, you check that. He said the Provincial Government should have regulations saying what should or should not be distributed in our provincial libraries which are run by local library boards appointed by the municipalities. Now, that is a pretty clear indication of what the Conservative Party stands for when they talk about local autonomy, and about freedom of choice.

Now, if they want to go so far in this, if they want to go so far in our libraries, I wonder what their position would be at some point of time on things like freedom of the press, and so on.

MR. COLLVER: — Mr. Chairman, since we are right off the point now, perhaps we had better get right off the point and talk about it. Since you have allowed the others to present their views on what our views are, perhaps it would be better if we presented our views ourselves. Perhaps it would be of more interest to the Minister and the Member for Regina Wascana - well, you do it so much better.

Mr. Chairman, to suggest that a regulatory agency should have a power that the Minister agrees is a good power, but that the Legislative Act should not spell out that power, and to somehow take that statement to suggest censorship and library boards, surely is stretching beyond anyone's credulity.

The credibility of the Minister and the Member for Regina Wascana surely has got to be called into question here. We are suggesting to the Minister, and I will repeat it one more time for him, so that he can understand it. There are two reasons for our suggestion. Number one, why give a regulatory agency a power that is just as easy to put in an Act as it is to give them the power under a regulation. And, number two, surely the people are entitled to know that there is a special category that the Minister already recognizes, that is not fit for showing in outdoor movie theatres. Now those are the two facts, no more, no less. No censorship; information. Information about the kind of film that is being presented, and if the Minister is suggesting that people are not entitled to know that kind of information - that there are these films, that regulators in your regulatory agency can sit down and (a) watch these films, and (b) on top of that, mark them a Special "X", and then say, but wait a minute. This drive-in theatre over here - we must not let them show it because the people around might possibly be

offended by what is there. So, we won't let that drive-in show it. You are leaving a great deal to that regulatory agency outside the law, Mr. Minister. You are leaving in the hands of that regulatory agency, perhaps, the power to show in outdoor theatres that which this very Legislature would not believe should be shown in an outdoor theatre. Surely, if there is a special category created for that, and some regulations created by the Lieutenant-Governor-in-Council to cover that kind of film, that is good enough for the people of Saskatchewan in accordance with your regulations, but not good enough to be shown in a drive-in theatre. Surely, there is nothing wrong with that. Surely, it is better to put it in the Act than it is to put it in a regulatory agency. You have already agreed with it in substance.

MR. TCHORZEWSKI: — Mr. Chairman, if the Member would only take time to read some things that are in law and learn something about the law of Saskatchewan, he would know that it clearly is spelled out . . .

MR. CAMERON: — Section 20.

MR. TCHORZEWSKI: — . . . I have it before me — I checked it up, thank you very much, the kinds of things that can be done. And it precisely spells out under Section 20:

Subsection (b) Prescribing the conditions under which machines is referred to in subsection (a) shall be shown as;

(c) Licensing and governing the operation of film exchanges and;

(d) Prescribing the terms and conditions under which films may be sold, leased, exchanged or exhibited.

So it is already covered in Section 20, what the Member is talking about and it is pretty precise in the law. And so I don't know what we are wasting the time of the House arguing about, when really we are arguing about the same thing which is already in the law.

MR. MERCHANT: — Mr. Chairman, I say to the Minister that if he cannot see what the Conservatives are doing today, then well I am sure he can see. That, in fact, Mr. Chairman, what they do is they come into the House for a far different reason than other Members. I know, that having been elected to the Legislature, that even though I was elected to the Opposition benches, I hoped to be able to make some contribution to legislation, and that is the reason that you see from Liberal Members, the moving of amendments, the presentation of Bills, amendments to...

MR. CHAIRMAN: — Order, please!

MR. MERCHANT: — I am just bringing that matter around.

MR. CHAIRMAN: — I appreciate that, and I would like to draw it to the attention of all Hon. Members, that I think we have strayed considerably from this Section 8, and I would like to bring to their attention that we revert back to it as closely as possible, please.

MR. MERCHANT: — Mr. Chairman, if the Conservatives had really done any research and considered this matter, they would have been before the Committee today, moving an amendment along the lines that the Hon. Member for Nipawin thinks is appropriate. But, in fact, he did not do any consideration of the matter. And, I suggest Mr. Chairman, that what you really see is like a bunch of cowbirds. They come in here for a political show and they pick up on some issue that was resolved a week ago in this House, discussed a week ago, and the Hon. Member for Nipawin thinks well, as I am dropping in as I travel by, perhaps I can get a couple of inches of ink. Now, that is the reason...

MR. CHAIRMAN: — Order; I would like to repeat my ruling that I made earlier. That I would like you both to return to this. I allowed the Member for Nipawin to speak his speech a little while ago, and I have allowed the Member for Regina Wascana to say his remarks. Again, I would say - is Section 8 agreed.

MR. COLLVER: — It is our intention to make an amendment to this section. It is usually our intention to try to talk to the Minister and perhaps they would bring in a Ministerial amendment. Usually that has more chance of passing this Assembly than the kind of amendments the Member for Regina Wascana has a tendency to want to bring into this Assembly. However, if the Chairman would be kind enough to await our making up the amendment, then we will do so and make the appropriate amendment.

MR. MERCHANT: — When?

MR. COLLVER: — Right now.. instead of something else being called, we will have it ready.

MR. KATZMAN: — If the Attorney General.

MR. CHAIRMAN: — Order please! I think I would like to say to the Hon. Member for Regina Wascana that I think it is only common courtesy to give them an opportunity when they have asked to present an amendment, and I would hope that I would be likewise doing the same to any party that asked that.

Order please, while the Member for Nipawin is preparing the amendment, is the House agreed to proceed with items 9, 10 and 11.

Sections 9, 10 and 11 agreed.

Revert to Section 8.

MR. CHAIRMAN: — Order! First you must be prepared in an amendment to amend one section at a time and not endeavour to amend two sections which we see is the purpose of the amendment here. I would also say that he has not referred to Section 8 of the Bill which we are working on at the present time and I think it is very, very important and I say this in all sincerity that these amendments be drawn up properly and identified, the changes in them identified properly before they can pass the House and for these reasons I have to say that I find these

amendments out of order.

Amendment out of order.

MR. KATZMAN: — I saw an indication to the Minister earlier when we were referring to four films you have done this way, indoor only, that your deputy was giving you some hand signals, would you indicate how many films in the past year have been handled this way?

MR. TCHORZEWSKI: — I believe it is four.

MR. KATZMAN: — The deputy minister was wrong, I see. I am assuming then basically, Mr. Minister, even though you would rather not have a Special "X" indoor category or something along that line you would prefer to have that done in regulations only, and you don't think that this House should have any say.

MR. TCHORZEWSKI: — The House, Mr. Chairman, has a say in Section 20, therefore, I am not saying necessarily that we prefer to have it in regulations. Section 20, if the Member would only take the time to read it sometime at his leisure, he would find it is in the legislation and therefore we are acting within the legislation.

MR. KATZMAN: — Would this just not fortify the legislation by having the special category therefore advertised as the same and everybody will realize that it is that same category.

MR. TCHORZEWSKI: — No.

MR. SMISHEK: — On a Point of Order, is it not mandatory that a person rise and move an amendment. I don't think anybody has moved it.

MR. CHAIRMAN: — I think your point is well taken, I suppose this is a substitute amendment to his other one that we ruled out of order and I certainly would appreciate the Member standing and stating it.

MR. COLLVER: — Could I have it back and move it, then, just so that we get it absolutely straight, Mr. Chairman.

I move, seconded by Mr. Katzman (Rosthern) that:

Section 8, clause 2, subsection (c) be amended by adding the words "Special X - indoors".

Amendment negatived on the following Recorded Division:

YEAS — 5

Collver
Lane (Qu'Appelle)

Berntson
Katzman

Lane (Saskatoon Sutherland)

NAYS – 21

Thibault
Smishek
Romanow
Snyder
Baker
Lange
Kowalchuk

MacMurchy
Mostoway
Whelan
Kaeding
Dyck
Faris
Rolfes

Cowley
Tchorzewski
Vickar
Nelson (Yorkton)
Allen
Koskie
Johnson

Section 8 agreed.
Section 12 agreed.

Motion agreed to and Bill read a third time.

COMMITTEE OF FINANCE — DEPARTMENT OF LABOUR — VOTE 20

HON. G. T. SNYDER (Minister of Labour): — Mr. Chairman, to begin, it might be appropriate to introduce the officials that are with me, the Deputy Minister, Mr. Bob Mitchell to my left; behind him, Don Ross, Director of Research; to his right, the Director of Administration, Mr. Dave Wartman; to my right Mr. Bob Sass, Director of Occupational Health and Safety; and behind the rail, Mr. Bert Sheasby, Director of Safety Services; Pat More, Director of Administration, and Lyn Pearson, the Director of the Women's Bureau.

HON. MEMBERS: — Hear, hear!

ITEM 1

MR. E. F. A. MERCHANT (Regina Wascana): — Mr. Chairman, firstly in terms of your overall spending I note that in-1974-75, \$4.3 million was budgeted last year including the supplementaries, I am sorry, '75-76, last year it was \$4.3 million, last year including the supplementaries \$5.4 million spent; this year \$6.4 million, closer to \$6.5 million was budgeted, at a time when the Government claims to be in a period of restraint. Am I correct in assuming that yours is an expansionist department, if I can put it that way, that we are going to be looking at another million dollars a year, each year. The increases have been fairly dramatic, 25 per cent and now 20 per cent?

MR. SNYDER: — In general terms, Mr. Chairman, to answer the question of the Hon. Member, the Department of Labour has been under some pressure in the last number of months, in particular in light of the fact that the department has had placed upon it some additional requirements. I am thinking of programs that have had an additional effect upon the department, fire commissioner's office, safety services, inspection and things of that nature, have become more of an impressive demand upon the department because of the activities of some other departments and programs which they have generated. Additionally, we have seen not a large expansion in any particular area but we have seen increased emphasis on such things as Occupational Health and Safety, which I think in general terms has to be regarded as a new program beginning in its present form in 1972 and is in the process of providing services that I think are expected of that program.

Accordingly there has been slight expansion there. I suppose the largest field that I can point to directly is the expansion of the Women's Bureau which has been relegated to a more prominent position since it maintained the role of a single person agency back only a few years ago in 1971 and it now assumes its proper place, I believe, among the other women's divisions of other Departments of Labour across Canada.

MR. MERCHANT: — How many man-days were lost last year as a result of strikes?

MR. SNYDER: — In 1975 the number of work stoppages were 43, the number of workers involved 18,005, the number of man-days lost 166,367.

MR. MERCHANT: — I have those figures for last year, 1976 was the year I was interested in.

MR. SNYDER: — In 1976 there were 61 work stoppages, the number of workers 18,013, the number of man-days lost 137,219.

MR. MERCHANT: — Mr. Chairman, the Government I think takes the view and the Minister could correct me if I'm wrong, but takes the view that they should have a bias in terms of the question of whether there should be unionization or non-unionization. For instance not long ago the Government was not looking at the possibility of a union workmanship rule for the purposes of Government. In the last three years we have seen, perhaps, in part, because of that bias as interpreted by me - and I think the Government would agree that there is a bias - that they don't say that they should stay neutral on the question of whether there would be unions or not. We say that that is a matter where the Government should be neutral. That they should neither encourage nor discourage unions, as such, and unionization. In the last three years - in 1974, we lost 301,000 man-days. Last year 166,000 man-days - in 1975. In 1976 - 137,000 man-days. Much, much worse than even the worst of the Liberal years. Two and one-half times as bad as the worst of the Liberal years. And, Mr. Chairman, I am not sure whether 137,000 has moved us from number two in the world in terms of doing a lousy job, but I know at 166,000 days we were second only to Italy in man-days lost to strikes and I wonder whether the Minister would indicate whether there is any hope on the horizon. I see a great deal of money spent in conciliation and I approve of moving in that direction. What hope is there on the horizon, or are we going to be faced with a very, very bad strike record, as long as this Government is in power.

MR. SNYDER: — I think the Member, first of all, Mr. Chairman, is making some rather odious comparisons and additionally, I might indicate to him that while he would like, perhaps, to draw attention to statistics at one particular point in time, vis à vis statistics in 1976, the comparisons are not quite as he suggests.

In examining time lost per non-agricultural wage and salary earner, you will find Saskatchewan percentages are .050, compared to Canada's overall rate of 1.22. Nobody is suggesting that the statistics are enviable, but I suggest that the Member

really is not looking very objectively at the picture when he maintains that things are that badly out of tune. Certainly, there is no one who is terribly enamoured with the fact that there are any man-days lost as a result of strikes, but obviously this is one of the facts of life.

I should also make a comment or two, Mr. Chairman, with respect to the earlier suggestion that somehow or another there has been exhibited a bias relative to the Government's attitude concerning unionized workers, and the question of whether they should or should not be allowed to join a union. I think this is clear and unequivocal that The Trade Union Act and its provisions allow workers to make their own judgments with respect to whether they shall or shall not form a union. I believe that is Clause 3 of The Trade Union Act, if the Member would like to check it carefully, that provides the right of workers to organize into the union of their choice. Certainly there has been no coercion or intimidation on behalf of the Government to force them to join.

MR. MERCHANT: — Mr. Chairman, I might accept the comments of the Member were I not doing a comparison, not to the rest of Canada, but in fact to Saskatchewan's past. Because, I think that everyone will recognize that strikes are less likely in a province that has small industry and in a province where much of the industry is related to agricultural business. If we look back, Mr. Chairman, to the seven years when the Liberals were in power, without putting a great priority, particularly on labor, in 1964, 4,600 man-days lost, 1965 - 20,000, 25,000 the following year, 15,000; 45,000; 32,000; 54,000 - their worst year. Mr. Chairman, the Government record, I suggest with these kinds of losses through strikes, is, as the Minister says, not enviable in the least.

I wonder, Mr. Chairman, if I might direct the Minister's thinking to the possibility of co-determination, and whether this Government approves of that direction for labor management. I think, as the Minister probably knows, in recent years our labor costs have gone up dramatically. Our labor costs now, are far higher than the costs of many of our competitors and most particularly the Americans, which is a problem, because the Americans are both our largest customers and also our greatest suppliers. Europe has for some time, found co-determination to be very valuable. Great Britain is looking at the concept far more realistically. A paper by Lord Bulloch has got Great Britain looking at this concept. Indeed, about the only place in Europe that finds difficulty with it is Italy, and Italy has a horrendously bad man-days lost strike record, and I wonder whether the Minister would indicate whether he believes that co-determination is the thing. Is the Government studying means to move in that direction? Do you believe in a general way, that the public service should lead in terms of new ideas in the way labor-management relations should be carried on?

In short, should the Government use the public service, their relationships with SGEA, for instance, as setting an example for the rest of the economy? I think they should. I have said they should, for instance, over their employment of women. And I think this is another area where they should consider showing some leadership. I wonder, as well, whether the Minister would tell me whether the Government approves of the request of the Steel Workers that they become involved in PCS Cory. I

directed a question along those lines to the Minister in charge of the Potash Corporation, but they really are looking for something along the general framework of co-determination and I wonder whether the Minister viewed that as important in setting a better framework for the future, if indeed, you believe that co-determination is a better framework for the future?

MR. SNYDER: — The Member asks a number of questions, but before I proceed to some of the questions more directly, I think there are a number of factors that should be pointed out when the Member is attempting to draw comparisons between Liberal years pre-71, and the state of affairs with respect to 1976. He should remember first of all, that in 1964, we had a much smaller work force and the union membership at that point in time rested at about 48,000 people. That was the total number of those workers who were unionized. Compare this to 1976, and you can about double that figure. You can about multiply that by two as in 1976 there were approximately 86,000 unionized workers. Nursing homes and a number of other operations that were not unionized previously and a number of municipalities that had not been organized prior to 1971 have since that time been certified, meaning an increase of about 56 per cent in those people that you are talking about. So, once again, if you don't like comparisons between Saskatchewan and the rest of Canada, I suggest that a comparison that you make in 1976 is hardly applicable when you attempt to compare it with a point in time - a matter of some 10 years earlier.

I think there is another point that should be made, too. That is that pre-1971 we were not going through what is commonly referred to as that double-digit inflation period when raging inflation has put some additional burden on the industrial conditions of each individual industrial community. I think that has been a major factor in the number of man-days lost as a result of strikes. Not just in the Province of Saskatchewan, but you will see that that whole pattern emerged across the whole of Canada at that same point in time when the disruptions, the strikes and the walk-outs had picked up a very large tempo. A great degree of industrial unrest has been a result of the so-called double digit inflation.

On the question that the Member asks about co-determination or industrial democracy, or worker participation in undertakings, or call it what you may, I find myself very much attracted by it, except for the fact that I suppose you can talk to any number of people about industrial democracy and each one will have a considerably varying opinion as to what industrial democracy is all about. If you are talking about the European model. West Germany or the Scandinavian model, or the one that is in evidence in a number of other countries throughout the world, you will find no two that would be readily adaptable to the Saskatchewan situation. And, I suppose, we would have to say that any program presently in existence would probably not adapt itself totally to the Saskatchewan scene. I had the opportunity to have a good look at the Scandinavian model in Oslo some time ago, and had an opportunity to visit a plant outside of Oslo, Norway - Norsk Hydro, where they had been in operation some 26 years and had had one strike which lasted for three days which has to represent some pretty remarkable industrial relations, I suppose. And it should be remembered too, that because this is a remarkable success, that doesn't necessarily say that it would be successful here, because I think we are dealing, perhaps in terms of different people with different work experiences. It should be remembered that many of the people who went to work for Norsk Hydro directly following

World War II, came out of the same prisoner-of-war camps, and I think perhaps there was a different feeling of comradeship between management and labor because some of them had shared some of the same difficulties in a concentration camp during World War II.

I think, obviously, that the Government of Saskatchewan is interested in having a look at a number of different industrial relations techniques - more continuous bargaining, so that the adversaries don't face each other across the bargaining table just every 24 months, and have old wounds opened again, after 24 months of not having had the opportunity of dialogue and of exchange of ideas.

I think there are a number of other techniques that we can look at with a good deal of interest but in the final analysis I think everyone agrees that as yet, no one has developed a substitute for the process of free collective bargaining. There may be refinements of the process. I think, certainly industrial democracy has something to give to the whole industrial relations picture in the Province of Saskatchewan, and a number of trade unions are interested in seeing it happen. A number of people in Government circles and in private industry have indicated a willingness to try it. There is also a certain reluctance, of course, by some people who believe that they would become captive to the system and the adversary approach is the one most appropriate for their method of doing business. Certainly, it represents one of the approaches that we are looking at very carefully without anything more definitive to tell the Member, other than the fact that it does represent an idea among the many that we can search for in the time directly ahead.

MR. MERCHANT: — Mr. Chairman, this is, of course a difficult area to be specific about, and I agree with the Minister when he says that there are different forms of co-determination, some of which are not applicable here. I assume the Minister has had, however, an opportunity to look at the Steel Workers position regarding PCS Cory and I wonder if the Minister would indicate whether the Government intends to go along with that request or whether you intend to reject it out of hand. Or whether the Government feels that that is a good direction in which to move for PCS Cory.

MR. SNYDER: — I think it would probably be inappropriate for me to suggest how the Government is heading. This is, obviously, a suggestion that has arrived on the scene very recently, and I am sure that as a government, we have not had the opportunity to make an assessment and to work out detail or give you any indication at this time as to whether the form of industrial democracy is one which would be suitable to both the Corporation and the United Steel Workers of America. I don't believe that the Minister in charge of the Potash Corporation is in a position at this time to be any more definitive than I am, because I don't believe it has progressed beyond the early discussion stages.

MR. MERCHANT: — I am sure the Minister has people, perhaps people with him, who have read the specific proposal. Does the proposal appear suited to Saskatchewan needs? You say, in answer to the abstract question, well we can't answer the abstract question because there are all kinds of co-determination possible. Now, I say there is a specific question, a specific issue. You

understand the parties. Is that suited to Saskatchewan needs? You said I am in favor of some kind of co-determination. Now, does that suit our specific needs in this province?

MR. SNYDER: — My people tell me that as far as the Department of Labour is concerned, there has been no in-depth study and we have nothing at this point in time, to offer in the way of suggestions as to whether the suggestion brought forward by the United Steel Workers would fit into a neat package which would be acceptable to the Government, and whether what we would be prepared to accept would be acceptable to the United Steel Workers. It has not progressed to that point.

MR. MERCHANT: — The Minister said earlier that he is attracted by the concept. I suggest to you that the concept would be valuable for workers, because it would first avoid loss of work. It would secondly, be valuable for workers because it is apt to work out better conditions for their employment to take the matter out of the adversary system. But that the system is apt to be opposed in Canada by the big union bosses, not because they are concerned particularly about the good of their workers, but because they see that as a threat to their independence and perhaps a threat to their importance and their need to be maintained.

I wonder if the Minister would comment - he said that he personally is in favor. I am quoting now from a report by three members of the FLCIO who say essentially they reject co-determination as a trap devised by the enemies of workers to weaken unions, increase profits. They say true industrial democracy can only exist under a system of public ownership. I am quoting directly at this point.

In which owners own the means of production and that it will come when capitalists talk about (well they use the words) beating the drums for industrial democracy.

They are not calling for workers' control, what they are calling for is control of workers, and that report says that there is virtually no support for the concept among Canada's labor leaders and in fact that has been my feelings from what I have read. I've read that some labor leaders say that it's perhaps the genuine labor radicals who are prepared to look at co-determination but that most of the big union leaders aren't prepared to go down a tunnel because they can't really see the light at the end of the tunnel and perhaps they don't care that much about the further benefit for the workers but put their own self preservation first. I wonder if the Minister would comment on this on the one hand saying he thinks co-determination is the route to go.

Perhaps I over-sell that and secondly that labor leaders appear to say that they are not interested in co-determination. But even though it seems to be working well in Europe, I am sure we could spend an interesting evening looking at your slides of your trip at Government expense, but even though it is working well in Europe that it may not be appropriate to Saskatchewan.

MR. SNYDER: — I think the Member from Regina Wascana puts a

harsh interpretation on the whole thing when he suggests that all labor leaders of any significance seem to be opposed to the idea of co-determination or some concept of industrial democracy because I don't believe that to be the case. There have been some signs in the Province of Saskatchewan, as the Member himself indicated just a short time ago, that the steel workers have given an indication that they believe that some form of industrial democracy would provide a reasonable kind of a vehicle for negotiating the terms and conditions under which changes shall take place and a number of other matters of consequence to the workers and to the management of a plant in Saskatchewan.

The Oil, Chemical and Atomic Workers have also indicated an interest, I think a rather significant interest, in the whole question of industrial democracy and accordingly I think it is inaccurate to say that there hasn't been some interest shown and some positive assurances that a number of trade union leaders will at least look at the idea with an open mind. I think for example that there are a number of Crown corporations that might very properly be fit subjects for an experiment in industrial democracy and I would like to see at some time perhaps the Province of Saskatchewan leading the way in this connection as an experimental route. I think the idea is one that has some real merit and at the same time I acknowledge the fact that there are a large number of people in the trade union community who believe or who fear, I think they fear, that they might be placed in a position where a worker involved directly in the management process might somehow begin to see management's position with more clarity than they see their fellow workers' position. I think those are some of the concerns, but I don't think they are overriding concerns that place us in a position where it's not a viable idea to be considered and explored for some time in the future, if not the quite immediate future.

MR. MERCHANT: — Mr. Chairman, I wonder if I could move to a different area that interests me and I think is of great significance, equal pay for work of equal value. Mr. Chairman, in opening those comments let me say a few rather depressing things about the progress that we have been making in terms of women's employment and in terms of women earning equal amounts as a result of their work. I am not suggesting error in any way by the Government at this point though I have some questions and I may get back to it, but I urged the Government to move as they did towards an affirmative action program. I am pleased that they have done that. I don't know what progress has been made.

I am concerned to some extent that the Women's Bureau may be underfunded, but let me, Mr. Chairman, before I ask the Minister questions specifically about what should be done to grapple with this problem of equal pay for work of equal value, point out to the Committee that we really are not making very much progress in this area. That over 50 years ago we decided on the principle in essence that people doing work should receive the same amount of money for work of equal value. That was laid down by the International Labour Organization in 1919. Their words were: — "recognition of the principle of equal remuneration for work of equal value" - in the good old days they used bigger words Mr. Chairman. We had a whole series of laws that followed. In Ontario it was many years later, 1951, Saskatchewan in 1952, all of the provinces basically through the 1950's. Then in 1964 Canada signed, with the International Labour Organization, ratified the convention and Quebec passed the law, similar to

the law that we now have, which moved to prohibit discrimination on grounds of sex. In 1969 British Columbia followed in that direction, Newfoundland in 1969. We passed legislation in 1972 and I applaud the Government for taking that step and I say that the Liberals should have seen that that was a direction in which we should have been moving. The Federal Government in 1972 passed legislation prohibiting discrimination on grounds of sex and marital status and nothing has happened. We've got these laws passed but their effect is miniscule. Really we've made no progress at all.

Of the work force in Canada, a third of the work force is made up of women and we are not changing the numbers in terms of women working in the dead end, non-productive kinds of areas. We still have a third of our women working in clerical occupations, a fifth in service occupations, almost a fifth work in the lesser paying professions, like teaching and social work and nursing. But very, very few are in the really remunerative professions like practising law and getting elected to the Legislature and having to listen to you at the two or three dollars an hour that I earn by spending all my time here. The frightening thing, Mr. Chairman, is that though those numbers are in themselves unacceptable because it indicates women closeted in those dead end kinds of positions, but the frightening thing is that we are not making any progress.

Ten years ago, women accounted for 63 per cent of all workers in clerical occupations. Now they account for 72 per cent. We are moving in the wrong direction. In managerial positions virtually no change at all from 3.7 per cent 10 years ago to 4.2 per cent now. We continue to cluster women in the dead end, non-satisfactorily paying positions. There are 21.4 per cent of working women in service and recreational jobs, almost the same as the 22 per cent of 10 years ago. Now what is even more frightening is that even in those positions women are paid much, much less. We are not grappling with the affirmative action problem and I approve of the Government moving in that direction, but even when we get them the better jobs, they're discriminated against in terms of the money that they earn. In managerial positions, women make up 14.3 per cent of the total, the average earnings of men exceed those of women by 107.4 per cent. In clerical positions, where women make up 72 per cent of the work force, almost three-quarters, even there men earn 56.7 per cent more money.

In the service industries, where women account for 59 per cent of the work force, men earn 112 per cent more than women. In sales occupations, where women are starting to break into that market, 38 per cent of the people in sales, men earn 168 cent more than women. Professional occupations, 66 per cent more. Some of the numbers become hilarious. Babysitters, fulltime, full paid babysitters, the male fulltime all year round babysitters earn 127.5 per cent more than their female counterparts. Hairdressers, men earn over 50 per cent more than female hairdressers. Even cashiers, the tellers in . . .

AN HON. MEMBER: — Banks.

MR. MERCHANT: — No, it's not banks, the place you buy food - supermarkets - earn 26 per cent more if they're male than they do if they are female.

MR. MOSTOWAY: — Consulting firms.

MR. MERCHANT: — Consulting firms, I'm sure are the same. Waiters earn 55 per cent more than waitresses. Now, Mr. Chairman, I ask the Government what they propose.

MR. MOSTOWAY: — Whose figures are those?

MR. MERCHANT: — You wouldn't have the gall to question my figures. No, my figures are always accurate. They're mostly International Labour Conference figures, but they're Canadian figures and I say in fairness those are Canadian figures, not Saskatchewan figures and I don't have Saskatchewan figures, but I am sure they correspond. I remember saying to this House almost a year ago that the rather frightening fact that even in the Department of Social Services, men earned more than 50 per cent more than females with the same background and men tended to move into the managerial positions. Go and check those figures. I hate that look of shock on your face.

Now Mr. Chairman I am long in setting the pace but I think the Minister knows that we are not getting the job done. We are not succeeding in getting for females equal pay for work of equal value. And the problem is that all we have done in Government. . .

The Assembly recessed from 5:00 o'clock until 7:00 o'clock p.m.

MR. MERCHANT: — This is one of these opportunities when we can handle the affairs of the House without the constant annoyance of Conservative intervention. Mr. Chairman, I was waxing away, eloquent or not I don't know, about numbers in terms of equal pay legislation and all that I was doing in essence was setting the scene of the problem when we broke at 5:00 p.m. I think the Minister is aware of the problem. The difficulty seems to be that the passing of legislation in itself doesn't have much effect and I wonder whether the Minister has any plans this year for means by which to bring equal pay for work of equal value into a state of reality in this province.

MR. SNYDER: — Mr. Chairman, I thought with that lengthy commentary of the Member for Regina Wascana before we rose for dinner at 5:00 that he had not done so much of a job of delivering a criticism of this Government, but rather an indictment against the Liberal administration which preceded us in 1971 because I am sure that he and his colleagues should remember that there were virtually no women in a position of authority in the public service to be found when the previous administration left office. And for that matter, Mr. Chairman, they even refused to allow a very able lady Member to join their Cabinet.

Mr. Chairman, I think we have a fairly substantial and a fairly significant record of performance. Mr. Chairman, I was about to remind the House that the women's division has done a rather significant job in terms of investigating and enforcing equal pay and maternity leave provisions. I should remind the House also that the first woman deputy minister in the whole of Canada was appointed by this Government, also I believe we have a first in the legislative council who was a woman. In addition to this, some Members will be aware of the ADD program, which has been put in place, which is for the benefit largely

of people in secretarial positions and other positions which heretofore have been dead end positions and it has provided them the opportunity to upgrade, take university courses and apply themselves in a manner in which they will be fitted for more effective and efficient use of manpower in the Province of Saskatchewan. They should be reminded too. Members opposite should be reminded, of the new career development office which is in place and doing what I believe to be a very major job in terms of providing the kind of opportunities for women in the work force that have not been the case previous to this.

It should be remembered too, Mr. Chairman, that only a matter of a few days ago the chief electoral officer, who was appointed, was also a woman. It should be remembered that we presently have equal pay for similar work provisions and we are the leaders, we are the leaders along with Ontario in the enforcement of equal pay provisions in Canada. We greatly increased our investigative potential. There were 174 investigations conducted from April 1, 1976 to March 31, 1977. These were made up of 23 complaints and the rest of those were routine investigations. It is interesting to note then that during the year 174 investigations were conducted compared to 54 conducted during the three years previous. Something like \$18,000 in retroactive pay was collected.

I want to say Mr. Chairman that this isn't solving all of the problems, but I would like to suggest to you that the Women's Division is doing a great deal in terms of conducting a number of discussions that have been held with employers, with unions, with women's organizations.

I think a great deal has to be said for the change in attitude that has to take place. Certainly as the Member opposite indicated all of these things cannot be changed by a stroke of the legislative pen. The Member also asked whether the women's division was doing anything in terms of providing investigative work or an in-depth study with respect to equal pay for equal value and I can advise the Member that that is in progress. There is no jurisdiction in Canada, he probably knows, that has this legislation at the present time but we are in the process of conducting discussions with employers and with unions in women's organizations.

SOME HON. MEMBERS: — Hear, hear!

MR. MERCHANT: — Mr. Chairman, I feel that it is only fair and appropriate because there are two Opposition parties that I now give the other Opposition party an opportunity to show its concern for working people and I hope that after the other party has indicated their knowledge and interest in the matter that Mr. Chairman might be kind enough to recognize me again. They may, Mr. Chairman, be conducting an emergency caucus to discover what happened over that amendment vote that they brought in.

MR. CHAIRMAN: — Order! I think that we could get our minds to something here, after all that is what we are here to do.

MR. MERCHANT: — I agree, Mr. Chairman, although it is nice to have the Conservatives to bring some flavour of levity to the Chambers from time to time. Mr. Chairman, I noticed some kernel of encouragement from the Minister's comments. I believe he said

that the Women's Division was looking at the problem of equal pay for equal work but I must say I am very disappointed to get the implication from the Government that they are satisfied with the direction in which we are moving. We are not making any progress at all. Nothing really is happening in this area. It is not good enough to say that Saskatchewan and Ontario led Canada in terms of the legislation that has been passed. Passing the legislation doesn't seem to have the desired effect and the question becomes whether the Government is going to move in terms of the specific sorts of things that might be done to have some affect.

I wonder, Mr. Chairman, if I could ask the Minister specifically whether he has had an opportunity to look at the suggestions from the Saskatchewan's Business and Professional Women's Clubs. They made a number of proposals regarding amendments to legislation which I think would be some help in curing the problem that we have of one law but the law not having any effect and I don't know whether the Hon. Minister has looked at these matters. They were submitted to him not very many months ago in 1977.

MR. SNYDER: — We have looked at a number of proposals that have been offered by a number of organizations including the Business and Professional Women's organization, the Action Committee on the Status of Women and a number of other organizations. I think I would have to remind the Member of the suggestion he made earlier and one in which we concur, that these are things which will not be changed by a stroke of the legislative pen. Obviously attitudes are going to have to change and I think the educational program, the speaking engagements that the Women's Division has engaged in, a number of other educational activities and printed material and things of this nature will have a good deal of positive effect in this general direction. I think the Member opposite would be the first to suggest that these changes are not going to take place over night that obviously it is something that is going to come into being over an extended period of time and we are anxious to hurry that process on to the extent of our ability and we think we are doing reasonably well under the circumstances.

MR. MERCHANT: — Is it feasible to do a codification of jobs and job specifications in the same manner that the public service does a job specification breakdown and then be able to impose in some broad way rules about the job. Quite clearly, as the Minister knows, there is only a means of solving a problem if you can do a comparison between male employees and female employees. Would it be feasible to do as we do in the public service a job specification and then be able to say that person holds a job comparable to that person, even though those jobs are different, you clearly are not paying an equal amount for equal work.

MR. SNYDER: — I think what you are really relating to is the principle of equal pay for work of equal value and obviously this requires a pretty sophisticated kind of job evaluation and I believe some of what you are speaking of has already been accomplished perhaps not to the satisfaction of all parties concerned, but the city of Saskatoon and the Canadian Union of Public Employees have undertaken a job evaluation program in the city of Saskatoon which obviously has not worked out to the very best of advantage and probably doesn't represent a panacea by any stretch of the

imagination. In addition to that we had had a job evaluation which has been undertaken in the hospitals in Saskatchewan and that in itself has represented a pretty major kind of a task. To use a classic example of a male orderly and a female nurse's aid - they may be doing almost identical work on one particular ward but that is not to say that a male orderly and a female nurse's aid on another ward, whether it be obstetrics or gynecology or whatever, may not under different circumstances be doing identical work, so it requires a very sophisticated evaluation in which we have been involved over the last number of months.

MR. CAMERON: — Mr. Chairman, I wonder if I could ask the Minister a series of questions with respect to an area that I am interested in. Under The Labour Standards Act, and I suspect other Acts that you administer, you have investigative powers and I think you employ some investigative and inspection people, can you indicate how many people of an investigative variety you employ in your department and how many you are budgeting for in respect to the year up coming?

MR. SNYDER: — I am not sure that I got the Member's question correctly. There has been a considerable amount of noise on this side of the House which makes it very difficult on occasions. There are questions that are being asked from the other side. The question I believe was, how many investigative officers with the Labour Standards Branch: — there are 16 Labour Standards officers, additionally there are three investigative officers with the Women's Division. I don't think you were asking with respect to the investigation potential of the other safety services, such as, for instance, fire inspectors, boiler pressure vessels, people of that nature. My understanding of the question was that you wanted to know how many associated with the enforcement of labor standards.

MR. CAMERON: — Just a minute, my friend wants to know where we are - Item 1. That was the first question under The Labour Standards Act, I wondered how many investigators or inspectors. Then I was asking the question more broadly, that is, I would like to know the number of all investigative officers or inspectors or people who have a function of that kind that the department employs?

MR. SNYDER: — Well if you look under Item 11, under Safety Services you'll see a total of 81. This won't be entirely accurate because that will include additionally some supervisory people in addition to the inspectors associated with the Safety Services Branch of the department. In Occupational Health, 29. We could break it down for you if you give us a few moments or do you want that broken down further, that includes supervisory people.

MR. MERCHANT: — I'm sorry, what was the figure?

MR. SNYDER: — I'll break it down here. There are 24 electrical inspectors, 2 elevator inspectors, 12 boiler inspectors, 1 pressure welding inspector, 18 gas inspectors, 14 fire prevention officers and 2 radiation health officers in the Occupational Health and Safety Division. There are 73 in the Safety Services Branch.

MR. CAMERON: — Now can I ask you, too, I presume that, and here I talk for the time being about the inspectors who are doing the inspection of the labor standards, I presume that these people do a number of investigations throughout the year, compile material that goes into files, and that leads me to ask you what your policy is with respect to release of information that gets put in those files, that's number one, what's your policy with respect to release of that information; how long is that information stored by government, how long are your files retained?

MR. SNYDER: — Well I can answer the Member's question at least in part. The investigations are done on a confidential basis. The information collected may lead to a prosecution. Obviously under those circumstances, I suppose in that way it becomes something more of public knowledge, than investigations that are conducted in a routine way without anything being unearthed in the investigation. If a prosecution results that would be one set of circumstances. The number of investigations is carried in the annual report but the details of it are not, nor are they disclosed to anyone except in unusual circumstances for internal use.

MR. CAMERON: — Well, suppose I have a business that was the subject of some investigation by one of your investigative officers without complaint, I appreciate that you have the power to investigate with no complaint received, if I were the owner of a business subject to an investigation of that kind and no charge was laid, would you notify me that I had been the subject of some investigation that wasn't known to me?

MR. SNYDER: — Well, I don't think I would have to notify you that you had been investigated because the Labour Standards officer would call upon you and ask you to deliver up your books and under those circumstances the information would be made available to you and, as the employer, certainly in this case you would be aware that an investigation had taken place.

MR. CAMERON: — Well, that is the point of my inquiry. There may be some circumstances in which the employer wouldn't know it. For example, if the investigator went out and talked to a number of employees to gather some information, that may never become known to the employer. That isn't the principal point I am getting at. The point is, what access do people have that are the subject of some investigation to the material that you compile and then keep in the file. Now suppose I am an employer who has been the subject of some investigation, can I have access on request to that file to see what information is there and whether it is accurate?

MR. SNYDER: — I am sure you will appreciate there are some people who provide information to the Labour Standards Branch of the department and on occasions provide information directly to me. I can think of one within the last two weeks, who believed he was an employee under the definition of an "employee" under The Labour Standards Act, who brought a complaint to me outlined it letter and verse and I discovered that he could not under the terms of the Act be regarded as an employee and accordingly the matter dropped at that particular point. I would think under

those circumstances if the employer got wind of the fact that there had been a complaint lodged against him and he asked for any information surrounding that particular discussion or investigation, I think investigation is too harsh a word perhaps, I think probably the only information that would be offered him would be the fact that there had been a complaint made and it was found to have no substance. Under no circumstance do we divulge the full file nor do we provide the employer with the name of the employee who complained for obvious reasons, for fear of reprisals. Accordingly we do not provide an employer the name or specific file related to complaints that are brought to the Labour Standards Branch on behalf of an employee or by an employee.

MR. CAMERON: — I gather generally that you treat the information which you have acquired and retained in the files for some period which you will give me in a few minutes, as confidential. No one has access to it with the exception of the people or some of the people within the department and that an employer about whom the information has been gathered has no access to it.

MR. SNYDER: — With I suppose the possible exception of the Ombudsman whom you will know has the authority to investigate and can draw on files of the department for purposes of his investigation.

MR. CAMERON: — Are there any circumstances in which anyone from any other department could have access to files of that kind?

MR. SNYDER: — I am told that under some circumstances that the files of the department have been provided to the officials of the Federal Government for income tax purposes - the Department of Internal Revenue, by agreement.

Your earlier question as to the destruction of the files. In general, information is kept on file for a matter of four years. That is the general period of time that the files are kept.

MR. CAMERON: — There is growing concern I think across the country and indeed in other jurisdictions with the habit by government as government gets bigger and bigger, of collecting more and more information by one means or another under one statute or another about people, and these records and this information that is gathered is more often than not, treated by that particular department or that government as confidential information. Now, as you know, there is a lot of information which is gathered about people which may or may not be accurate. That is, it is never subjected to a test to determine whether it is accurate. So that people in many instances are becoming victims of information gathered and retained by government which is, in fact, inadequate and inaccurate. So, I am going to ask you the final question. Do you have any written policy guides of any kind with respect to the way in which information is gathered, the way in which its accuracy, if there exists any, is tested, and any regulations of this kind with respect to access by people about whom it has been gathered?

MR. SNYDER: — I think, generally, it has

to be understood that the information that is gleaned from the employer's records is based on the payroll records and the only use that it can be put to is for the enforcement of a violation of The Labour Standards Act, under equal pay for equal work, or some of the things that your colleague from Regina Wascana was talking about. And failing that, it would totally emasculate the department if they were not provided with the opportunity to gather the information that you are talking about. We are in a position where the information, as I indicated earlier, is treated discreetly; it is held in departmental files without ready access being given to anyone other than the cases which I drew attention to, namely, the Federal Department of Internal Revenue, and in the case of the Ombudsman when he is in a position where he requires that information to make a judgment as to whether an employee has been wronged.

MR. CAMERON: — I think you are misunderstanding me, the essence of my inquiry, in part. I have no objection to your inspectors, in proper circumstances and where authorized by law, gathering information. That is not my difficulty. It is what happens with the information once gathered. Now, my guess would be that you have had, and still continue to have, a whole series of investigations going on, which result in no prosecution, but result in a lot of information having been gathered and stored away in files, which you indicated you keep for four years. And a person who has been the subject of that investigation has no access to the material that you have gathered about him, to determine whether or not that information is accurate. And even though that information can work to his disadvantage and detriment in certain subsequent circumstances. I am a bit surprised, as a matter of fact, that you give the Income Tax Department and their officials, access to this kind of information.

One last specific question. Suppose a business is the subject of an inquiry by you, and you have the power to make an investigation without complaint, and your investigators go in and seize the books and take a look at the books and take copies of payroll, and so on. If there is no prosecution do you return that information to the person, or do you retain it?

MR. SNYDER: — I am not sure whether I have the full thrust of the question yet, but my understanding is that, first of all, it is not a matter of removing the books, if you are talking about returning that information to the person who was investigated. The situation is that, on a payroll examination, the determination is made as to whether there has been a violation under The Labour Standards Act. If there has been, then obviously, the employer is going to be aware of it, because he will be called upon to make restitution, retroactively or otherwise, and under those circumstances, he will certainly know that he has been in violation of the Act. If he has been found to be not in violation, then I am not sure that there is anything to be returned to him. It is not as though you had taken his books and absconded with them. It is a matter of gleaning information which makes a file, which is subsequently destroyed, with no black marks on the person's character or anything of that nature, other than the fact that a routine investigation was conducted to see whether minimum wage and hours of work and annual holiday provisions and statutory holidays had been observed. I do not think that there is anything in terms of damning information. It is not a moral crusade that they are attempting to go on. It is a matter of determining whether there have been any violations of The Labour

Standards Act.

MR. CAMERON: — Yes, I appreciate that. I ask you, in turn, to appreciate the point that I am making to you in broad, general terms. The more Acts that you eventually acquire to administer, and your department like every other one, has been acquiring more and more of these Acts, the most recent one being The Occupational Health provisions in that Act and the investigative powers thereto. The more need you have for investigators, as is obvious with the numbers you have given me, and the more then do you build up files of information about people, and I was asking the questions to determine whether or not you had any policy, and particularly written policy, with respect to the various questions about those files that I raised, that is access to the file by the person in respect to whom it, is maintained, the way in which information is used, who has access to it for example does MCIC have access to doctor's files that you may have and doctors are the subject of inquiry under these Acts, what is your policy with respect to the retention and destruction in due course, of that information how is that information tested as to accuracy? That is the area I am inquiring into a broad general area. I gather you do not have any written policy guides that are applied and adhered to within the department.

MR. SNYDER: — Apart from those that I have outlined to you, there is very limited reason for anybody wanting to have access to files which are related directly to payroll. It is not as though we were attempting to build a file on a person with respect to his moral character or his activities, other than those directly related to his employees and the payroll audit that our Labour Standards people do. And, accordingly, I hardly see this as a potential for building a file on a person, that might be damaging to his reputation. Perhaps I have missed the point, but I don't see what we are doing in any way as an infringement on a person's privacy.

MR. CAMERON: — The point, more specifically, is that I am not arguing with you. You seem to be defending the acquisition and build-up of material. That is another point. The point I am asking you specifically is - do you have any written policy or written guidelines with respect to the various questions that I asked, regarding this area about information you gather and how it is available? May I say in passing that you gather a whole lot more information than payroll information. For example, you will send an inspector over to a business under The Occupational Health Act and you may say a couple of banisters are not in the right place. They are too high. Or you may say to somebody operating a garage - you don't like the way in which the used oil is stored, or a whole variety of kinds of information you collect. But that is aside, the particular point is, what guidelines, if any, do you have with respect to the gathering, use and destruction of this information and the access to it?

MR. SNYDER: — We are moving away from what I thought we were talking about initially, and that was investigations under The Labour Standards Act. If you are talking about Occupational Health and Safety, when an Occupational Health officer investigates and discovers, as you say, that fire exits are not properly placed or that there is a deficiency in equipment or thermal environment is

inadequate, or lighting is inadequate, or guards on a piece of machinery are inadequate for the protection of life and safety of employees, certainly the employer has total access to all of that information and he has delivered up Correction Orders which indicate short-comings in his plant. So, certainly, there is a free flow of information there. I suppose we have no absolute written policy, principally because in general terms, the question has never been raised and I don't know of any employer who has expressed any degree of concern about the fact that we have that kind of information on file. With respect to Occupational Health and Safety, we provide that kind of information to him after an investigation has taken place, and some defects or deficiencies have been noted. With respect to Labour Standards, I have indicated the exceptions to the rule of secrecy, and that is under agreement to provide information to the Department of Internal Revenue. Additionally we provide information only in the circumstances of an investigation by the Ombudsman, and I think that sort of outlines the situation in general terms, with the destruction of files after four years.

MR. MERCHANT: — I should like to direct a series of questions regarding Workers' Compensation and areas of that nature, and I wonder if I could begin by receiving from the Minister, an indication of the total number of accidents reported in 1975; the total number of fatal accidents in 1975; and the same two numbers for 1976.

MR. SNYDER: — The question is not answered quite as simply as was suggested. Perhaps, compensation claims initially settled in 1975 and 1976 - will that serve the purpose? Compensation claims settled.

MR. MERCHANT: — Well okay, if the Minister then would give me the 1974 figure which I have from two sources, then I would know that I am on comparable figures going back to 1965 for purposes of my comparisons.

MR. SNYDER: — I think I have it here. It is - 1975 total number of claims - 33,039 in 1975 with 48 fatalities. In 1976 - 37,062 claims and 46 fatalities.

MR. MERCHANT: — Would the Minister be kind enough to indicate the last three or four years, if you have got those figures, the dollar value of pay-outs through the Workers' Compensation Board?

MR. SNYDER: — You may discover when you get your copy of the Annual Report of the Workers' Compensation Board, that the figures that I have given you may not appear to be accurate. These are accident claims reported, and then the footnote will say that 20 of these were found to be non-compensatable, so that reduces the figure of 66 down to the 46 which I have given you. Now these are reported claims and those that were found to be non-compensatable.

The figure of 48 will vary from the figure of 57. That is to say the fatal accidents in 1975 in the Annual Report will show 57, but the actual figure of compensatable fatal accidents was 48. The number of compensatable fatal accidents in

1976 was 46.

MR. MERCHANT: — Could the Minister, Mr. Chairman, give me the amount of money paid out by Workers' Compensation since 1970, for each year since 1970?

MR. SNYDER: — I will take notice of that question. You will note that there is no one here from the Workers' Compensation Board, and until two years ago, it was regarded as only a courtesy that we bring someone from the Board as it had never been done prior to that time. On about three consecutive occasions I brought someone here from the Workers' Compensation Board, only to have no questions directed to them, and accordingly today there is no one here. But, we can take note of the question, and will provide the answer to you if that will suffice. We do not have the actual amount of money paid out in claims since 1970.

MR. MERCHANT: — How many fatalities in the 66 fatalities, how many fatalities did that represent per 100,000 workers? Mr. Chairman, as I understand it for comparisons with national figures, the national figures are computed on the basis of per 100,000 workers.

MR. SNYDER: — We are attempting to do a little rapid mathematics here. If you are using the figure of 66, all of those fatalities were not compensatable fatalities, but 46 was the appropriate figure. If you use 46, based on 270,000 in the insured work force, then you are talking something like 18 per 100,000 workers.

MR. MERCHANT: — But in fact for purposes of Occupational Health and Safety and that's the comparison that I'm seeking now, it's about 23.

MR. SNYDER: — That's right. In using 66 it's about 22.

MR. MERCHANT: — Well 22, 270,000, 2.7 into 66 isn't 22 it is probably 24.

MR. SNYDER: — About 24.

MR. MERCHANT: — Mr. Chairman, we have in this province an Occupational Health and Safety program that this Government is very, very proud of. I say the Government is very, very proud of it but in fact the numbers wouldn't indicate the program is working very successfully. Neither in terms of success in stopping deaths, in stopping accidents, in stopping cost and I have some of the figures on Workers' Compensation pay outs and Workers' Compensation is going up very dramatically. We have the second worst record in Canada, in terms of mines.

MR. ROMANOW: — Where did you get that figure?

MR. MERCHANT: — From a pretty bad source, the Occupational Health and Safety Division, 1150 Rose Street, Regina, Province of Saskatchewan. In mining we have - and there it is done in terms of a

frequency rate of fatal accidents. We work on a frequency rate of .5, the frequency rate in New Brunswick is .9 and every other province is better than this province in terms of our record in mining. We are even worse than the Americans in their coal mining, in their mining operations where Members opposite would say they just run amuck in terms of people's safety. Their record is a .41 frequency, and what makes that poor record even more frightening is that Saskatchewan mining is probably the easiest of mining conditions, sodium sulphate, open pit coal mining and potash. We don't have the problems of gas, coal dust, explosions, of hard rock falling in the mines and nonetheless we have had a very serious problem with fatalities. No that was for 1975. I wonder if the Minister would indicate what the fatality rate - how many fatalities there have been in 1976 in our mines in Saskatchewan. Not for Workers' Compensation purposes but for Occupational Health, how many fatalities in 1976?

MR. SNYDER: — Once again the Member, for reasons best known to him, attempts to put the worst kind of a face on the Occupational Health and Safety Program for reasons that I don't quite understand. There was somebody at one time who said that there are lies, damn lies and statistics, and obviously it is possible to use statistics to your own advantage without paying very much regard to the facts, and there are a few facts that need to be considered, when you are talking in terms of the accident ratio in the Province of Saskatchewan. You should bear in mind that there has been an increase in the number of employers who have been assessed in 1976 over 1975 with 22,692 employers who were assessed in 1975 compared to 23,694, which obviously brings into the scope of things an additional thousand employers and all their employees. It should be noted also that there has been an extremely enlarged work force over the last number of years because of the generally buoyant conditions and the low unemployment rate in the Province of Saskatchewan and additionally a very youthful work force. It is filtering into some of the very dangerous occupations. We have also put in place a program whereby employees find it a good deal easier to have their claims brought before the Workers' Compensation Board. We have two worker's advocates in place who make that their total and complete job, in terms of providing assistance to the injured worker in order that his claim will be given proper recognition by the Board. We think in addition to this that the attitude of the Workers' Compensation Board over the last number of years has been significantly more lenient than was the case a few years ago when I can recall it was almost like pulling teeth, in order to get a claim recognized by the Board. And I think the Compensation Board is adjudicating more humanely and more reasonably and more honestly, maybe that is not a good word, but in any case I believe they are recognizing among other things some claims that might have been ignored by a previous board. In addition to that I think they are in the process of doing a better job of identifying occupational diseases that have made a significant difference in the claims that have been acknowledged by the Board.

Once again the Member when he was quoting, was quoting from last year's figures and he asked how a breakdown of the number of accidents in the mining industry really appears in terms of 1975 and 1976. At least those are the figures I have and I propose to offer them to him. The frequency of accidents in 1975 in the potash industry 33 in 1975, 26 in 1976 or 21.2 per cent decrease in potash mining. There were three fatalities in

1975. there was one fatality in 1976. In hard rock mining the frequency of accidents there were 87 in 1975, 80 in 1976 for a decrease of 8 per cent, 1 fatality in 1975 and 1 fatality in 1976. In solution mining, frequency 1975 - 25, 1976 - 16, a decrease of 36 per cent. In the contracting industry, contractors, contractor's frequency of accidents 126 in 1975 . . .

MR. MERCHANT: — No fatalities in solution mining.

MR. SNYDER: — No fatalities in solution mining. Contractors – 126 in 1975, 126 accidents in 1976, there were 96 or a 23.8 per cent decrease. One fatality in 1975 none in 1976. In coal mining 78 in 1975, 57 in 1976 or 26.9 per cent decrease with no fatalities reported. So it shows in total Mr. Chairman, 53 accidents in 1975, 47 in 1976 for 11.3 per cent decrease with no fatalities reported. So it shows in total Mr. Chairman, 53 accidents in 1975, 47 in 1976 for 11.3 per cent decrease, 5 fatalities in total in 1975 reduced to 2 in 1976. I am not suggesting that we are at all satisfied with the present level but it shows that we are heading in the right direction.

MR. MERCHANT: — How many lost time accidents did Intercontinental Packers have in 1976. I would like the figure for IPSCO and the same figure for IMC, because I suggest to Members of the House that those are three of the worst offenders against the safety of their own employees.

MR. SNYDER: — 1975 or 1976?

MR. MERCHANT: — 1976, I have 1975.

MR. SNYDER: — We do not have the 1976 figures yet. We can give you 1975.

MR. MERCHANT: — I have them. Mr. Chairman I know I approve of the Occupational Health Program. Indeed I feel nothing but sympathy when I see people who have been subject to accidents. But I am very troubled by an accident rate that continues to grow in this province that does not seem to have been affected by the Occupational Health and Safety Program. An Occupational Health and Safety Program that is costing a great deal of money. I hate to bore the House with figures but figures tell a story, and if you start in 1965 and move forward to 1976 here are the 12 years of accidents reported to the Workers' Compensation Board, 26,000 in 1965; 29,000 the following year; 29,007 the next year; 27,000 in the next year; 24,000 in 1970; 26,000 in 1971; 26,000 in 1972; 29,000 in 1973; 31,000 in 1974; 33,000 in 1975 and 37,000 in 1976 with virtually no change except for some bouncing around in terms of fatalities. In the same 12 years, 45, 41, 66; in 1967, 62; 1968 to 1973, 47, 36, 37, 54, 49; 65 in 1974; 57 in 1975 and 66 last year.

Now Mr. Chairman what effect is Occupational Health having? It is an expensive program, it is a program that, rightly or wrongly, caused many in small business to feel that the Government was deliberately putting a union organization into its midst. I am not asking the Minister to get up and defend that as though I make it as a charge. I don't. I say that that was the effect

that very many small businesses felt- that that was what was happening to them. They viewed it with great suspicion. They couldn't help but notice that this had some effect in bringing forth unionization perhaps out of their operations. In Government owned plants, IPSCO and Intercontinental Packers, virtually no progress at all. Intercontinental Packers in 1975 with, I can't seem, to find the figure, but with 600 employees had 170 accidents, as I recall it from memory, IPSCO is one of the most dangerous plants perhaps in this country. Now I am delighted to have IPSCO here, I am delighted to have Intercontinental Packers here. IMC has a terrible record. Simply a frightful record, and I know that steps have been made to crank down on IMC directly. I know that IMC has been prosecuted.

MR. COWLEY: — We are working on it.

MR. MERCHANT: — Yes and I am sure that once IMC falls under the general mercies of the Minister that its production can be shut down and accidents can be obliterated. There were 93 injuries at IMC in 1975 which was almost half of the total number of injuries in the potash industry in Saskatchewan. While IMC had about 23 per cent of the total employment in the potash industry. The sodium sulphate plant in Chaplin, had an unsatisfactory rate, I am not saying that it is alarmingly high, but had far too many accidents for such a simple mining operation, for something that should be safe. Now it is true that in the sodium sulphate operation there are some companies that have a worse record, but not very many. Mr. Chairman, I suppose it could be argued that because Saskatchewan has such a bad accident rate.

MR. MOSTOWAY: — Oh, Oh!

MR. MERCHANT: — Well you are one of the objects of the bad accident rate, I trust. A bad accident rate I say to the Member. No, it continues to have a very bad accident rate and this is something that isn't a joking matter. I am not trying to score political points on it. I am just wondering when Occupational Health is to start having the effect that Occupational Health is supposed to have. It is supposed to be the panacea for these accidents. I think that it may be a solution, but it has been in operation for a number of years now and it doesn't seem to be getting the job done and at that point I say to the Government you are spending a great deal of money on the program. What is wrong? Should you be re-examining this pet project of yours that doesn't seem to be getting the job done. How long do the workers of this province have to wait for Occupational Health to come out of its cocoon and start to have the effect that the dollars should justify?

MR. SNYDER: — I get a little annoyed with the Member when he stands in his place and expects that there will be absolute figures that can be shown to indicate the value or the worth of the program without giving consideration to a host of other factors that I have already explained to him. The fact of a very large increase in the Saskatchewan work force made up largely of young people, many of them just out of high school, obviously are not very skilled in terms of avoiding accidents, not having spent any time previously in the work force.

I indicated earlier that there is a larger number of industrial enterprises being covered under the Workers' Compensation

Act, 22,692 employers in 1975 an increase of about 1,000 in 1976 bringing with them obviously a large number of insured workers, and obviously you add that larger number of people to the work force it only stands to reason the number of accidents will probably also increase proportionately to the number in the work force if all mother things remain constant. We have seen in spite of the increase in the work force to 279,000, some 33,000 claims resulting in total claims; per hundred of workers it remains constant at 11.8. These statistics as I indicated give us reason to believe that we are holding our own and making some advances in connection with the Occupational Health and Safety Program.

The Member makes a fair bit of the costly nature of the program and I think that is an unfair analysis too. If you want to consider the cost of the program in other provinces you should know they are turning to Saskatchewan and looking at Saskatchewan's program as the most economical way to administer an occupational health and safety program by the committee method. As a matter of fact the Government of Manitoba, after having received some advice from a gentleman who has since joined the Department of Labour in Manitoba, has indicated that Saskatchewan's program was the most economical program to run and one of the most effective and accordingly the committee aspect of the Saskatchewan program is being regarded seriously in a number of other jurisdictions.

It should be noted, too, Mr. Chairman that cases involving only medical aid increased to the proportion of total claims from 50.1 per cent in 1975 to 55.5 per cent which indicates conclusively that the severity of injuries had been reduced considerably over the past year. I don't think there is anything absolute in terms of a program, nor do you expect to find all of the dramatic results and all of the solutions to a rather complex problem. For the Member to indicate that the program is not working, I think is lying, in face of the fairly substantial facts.

MR. MERCHANT: — Mr. Chairman, what kind of gobbledegook is that? The Minister well knows that the kind of groups that were taken into Workers' Compensation last year and to some extent the year before were people like cab drivers and so on, barbers were taken in. They were taken in as a means of raising money. Mr. Chairman I don't want to get drawn down his avenue of equivocating. The fact remains that the total number of injuries continues to rise fairly dramatically notwithstanding the Occupational Health Program. The total number of fatalities stays constant notwithstanding the Occupational Health Program. The best the Minister can say is when we include these hairdressers and barbers and cab drivers, who probably don't have accidents, we've maintained the same kind of ratio. We've maintained the same kind of ratio. Well, that's not good enough. You don't come into this House and ask for millions of dollars for an occupational health program and say, you see what a good job we are doing with these millions of dollars, we're maintaining the same kind of ratio and I'm pleased to see that you are making some kind of progress in mines, for instance, but I just say to the Government, I wonder when the program will start to really bite home and I don't think its biting home yet.

I also, Mr. Chairman, would ask the Minister particularly about grain-handlers. A very large area in this province, an awful lot of people involved in the processing of grain and it

is an area where occupational health should be involved in terms of grain dust and the noise and dirt that is involved and I wonder why the Government is not moving in that area and I suspect that in part it's because they find it difficult to move in that area when their good friends, the Pool, would find it expensive to change the elevators to make them as safe as they should be.

MR. SNYDER: — Well, I think the Member opposite knows that all the legal advice that we can find indicates to us that the operation of grain elevators falls under federal jurisdiction by federal statute which indicates quite clearly that this does not fall within provincial jurisdiction. Whether it should or whether it shouldn't is another question. I believe that there is no reason why a worker in the Province of Saskatchewan who is working in an industry which has proven to be as hazardous as the grain industry should not deserve a great deal more consideration than the Federal Government is giving. There are two inspectors in the whole of the province to cover all of those industries that fall under federal jurisdiction. Two inspectors, Mr. Chairman, one of whom spends almost all his time in the office leaving one remaining inspector for the whole of the Province of Saskatchewan to inspect and administer the so-called Occupational Health Program in our province and I think that is a pretty rotten record under the circumstances and if the Member opposite is interested in a real cheap economic program then he doesn't have to look very far because the Federal Government is running one and it sure isn't costing very much money. It isn't doing very much for injured workers and it isn't doing very much in order to identify or eradicate the problems in industry that are causing people to be maimed and their lives shortened because of the kind of hazards that they are exposed to in their occupation.

If the Member is looking for something cheap he doesn't have to look far, he just has to look at the Federal Government and see how they operate across the country.

MR. MERCHANT: — Mr. Chairman, it's a collateral matter. I wonder now if I might move into the Workers' Compensation office. Does the Government have any intention to establish a workers' compensation office in Prince Albert? I think the Minister would agree that the northern area has a great number of workers, it has the added difficulties of the mining industry in the North, does the Government have any intentions of moving in that direction?

MR. SNYDER: — This has been a hardy perennial and obviously the Government has looked very carefully at the possibility of establishing an additional position in Prince Albert. At the present moment statistics indicate to us that there is not a better reason for establishing an additional office in Prince Albert than there is, for example, establishing one in the city of Estevan. We would be servicing approximately the same number of people. We have looked at it carefully and at this time it isn't the intention of the Workers' Compensation Board to put in place an additional office in either Prince Albert or Estevan.

MR. MERCHANT: — Except, Mr. Chairman, for the question of distance and I wonder why the Government would choose to ignore that. It has not only been a perennial problem but a continued request from

the Saskatchewan Federation of Labour that a workers' compensation office be established in Prince Albert. I think it is a valid request and who better, I suppose would know the requirements than the Saskatchewan Federation of Labour which has, as I have said, said to the Government that this is the place, unless there is a switch and the Government is no longer listening to the Saskatchewan Federation of Labour.

Mr. Chairman, I wonder if I could ask the Minister a few questions about the levels of compensation and I thought I would start by asking the Minister if he knows of a place where I could find a cheap \$400 funeral.

MR. SNYDER: — No, I'm not well acquainted with the undertaking operations nor the appropriate level for burial of the dead, no I can't claim to be any expert.

MR. MERCHANT: — Well, I am, Mr. Chairman, I can honestly say to the Minister that a \$400 funeral is a pretty inadequate kind of funeral and that's the coverage that we provide for a deceased workman. I wonder, for a government that's capable of spending \$1.5 billion, we only have 50 or 60 fatalities, whether it wouldn't be possible for us to do a little better than \$400 for a funeral maximum and \$50 for the plot.

MR. SNYDER: — Well, I suppose this is something that is always subject to some review. I suppose the question arises in my mind as to whether an increase from \$400 to a figure of twice that would have the effect of providing a more respectable burial for the fatally injured worker or whether it would have the effect of more properly nourishing the undertaking establishment. I can't quite make up my mind who would be the prime beneficiary by adding to the \$400 figure. I rather wonder who would come out the net winner. If my memory serves me correctly, when I became Minister the figure was, I believe \$200. I believe it has been increased by 100 per cent since 1971 and I can't judge whether the cost of funerals has increased by 100 per cent during that time.

MR. MERCHANT: — No, I suspect Mr. Chairman, that it hasn't but I am sure that the Member well knows that the \$200 was woefully inadequate and the \$400 is still inadequate and I don't think, and I have said it before, and I suppose Government Members will go on doing as they do, but I don't really think that it's much of a justification when an area is clearly wrong for the Government to say, well, so did you. You were wrong too, that your mother, when she sat back there as a backbencher, she allowed these terrible things to go on, because that's really the suggestion. We are one generation apart from 1964. You are talking about Cabinet appointments. It's a one generation break at this point. Look around at this Liberal caucus and I don't think, Mr. Minister, that trying to justify areas of weakness by saying that a past government was weak in the area is going to accomplish as much.

I wonder if the Minister would comment on the fact that our ceiling on earnings is the sixth in this country, that the compensation available in this province based on a \$10,000 maximum is behind British Columbia, Alberta, Ontario, Newfoundland, Manitoba, Yukon, North West Territories.

MR. SNYDER: — I don't know whether the Member is talking about the thing that I am thinking about but if he is talking about the ceiling on which compensation is based, he will know that a provision in the Act makes allowances for tabulation to be made each September and if 10 per cent of those workers who have been injured during the previous 12 months have wages or a salary that exceeds the ceiling by \$1,000 then the ceiling is raised in \$1,000 increments which means at the present time our ceiling isn't \$10,000, it's \$16,000 as of January 1, 1976, if this is what the Member is talking about. I don't know where he has been because ours I believe, is at the top of the heap, at the absolute top of the heap. I don't know how the Member can stand in his place and complain, first of all about the expensive program and about assessments on employers being too onerous and at the same time, indicating that there should be more provided to undertakers in order that they may properly bury the dead and then give consideration to exorbitant increases that he would suggest and at the same time claim that the program is too expensive. You can't have it both ways. But the suggestions of a \$10,000 ceiling and our rates having fallen behind the other provinces just simply isn't accurate.

MR. MERCHANT: — Mr. Chairman, the Minister must be hearing echoes. He has never heard me in this House say, ever, that the rates are too high and as the Minister has the habit of doing from time to time, he assumes positions because he finds them consistent with his assumptions as to what the straw man that he faces may be and I've never said that. I don't recall any of my colleagues saying that. Whether some of the Conservatives in a moment of exuberance rose in their places and blurted out something to that effect - I don't even recall them doing that - may be the Member is thinking about last night's picture show or...

Has the New Zealand kind of scheme that was studied so closely, the Universal Sickness and Injury Plan, has that been sort of sidetracked? It came up in the Throne Speech last year and that's the last that I've heard of the program. I recall that the Government was very hot to get on to this one point. Everybody went to New Zealand to study it first hand and I wonder what's happened to that program.

MR. SNYDER: — No, it certainly hasn't been sidetracked and it's not gathering dust on a shelf. You'll remember that September last I believe it was. Judge Harold Pope and his committee brought down their findings. The report has received fairly wide distribution and at the same time an internal study was taking place. It will more properly forecast costs. I think the Member will recall that the Pope Committee actually recommended three particular areas of concern. One had to do with automobile accident insurance, the second was workers' compensation and they recommended some fairly significant changes in both programs and finally recommended a universal sickness and accident program as a final and third program in order to put together, what appears to be, and I believe an answer to one of the last remaining gaps in income protection in the Province of Saskatchewan. It's currently under study with some recommendations to be delivered to the Government in the not too distant future.

MR. MERCHANT: — I raised with the Minister in charge of SGIO earlier

today, information bulletin 365, I don't know whether the Minister was in the House. IT 365 lays down that, for the first time, money received to compensate for income will be taxable. Workers' Compensation payments will now be taxable if IT 365 is upheld. That as I understand it has not been the case in the past and this substitution for employment earnings now being taxable, will very dramatically increase the cost to the Workers' Compensation Board. Will this mean that there will be an increase in the nature of 25 to 35 per cent, because that's the loss that the workers will suffer now that they have to pay the tax?

MR. SNYDER: — I don't know what kind of an answer the Minister in charge of SGIO provided for you. There is no current indication to my knowledge that benefits paid to injured workers who are being compensated by Workers' Compensation will be taxable. There is no indication that I am aware of. I'm certain there is none, that the benefits paid will be taxable. You will know that they are paid on the basis of 75 per cent of their earnings and accordingly they are exempt from the income tax provisions.

MR. MERCHANT: — But that's just the point and I suggest that perhaps you do what the Minister said he was going to do, namely ask his lawyers and you will find that on March 21, in interpretation in The Income Tax Act, interpretation bulletin. Section 5, the Government has now indicated that awards and settlements made to compensate for earnings will now be taxable and this changes all automobile accident insurance provisions, it changes settlements, it means that where you used to get a \$20,000 settlement and half was to compensate for earnings, now that \$10,000 will be taxable and it affects Workers' Compensation benefits. The Government would do very well to look pretty closely at the matter because it may well mean that in short order you will have to compensate for that tax.

So the Minister would agree that the reason that you now pay 75 per cent of the person's earnings is because you, in essence, say to them, you don't have to pay tax, so if you don't have to pay tax we will keep that tax benefit. If you would have earned \$1,000 after tax you would have had about \$750 in your hands. That is the way the SGIO scheme Reparations Program would work and that is the assumption upon which workers' compensation is based.

It would appear that Workers' Compensation will now be tax- able. I suggest to the Minister if that is the case you are going to be looking at about 30 per cent increases in order to maintain the same kind of after tax payment in the pockets of the injured workman.

MR. SNYDER: — Obviously it is something that we will have a very close look at and would hope that the federal authorities haven't moved in the direction which the Member indicates he believes they may have moved. In any case it might be real wisdom for the Member to have a word with Otto Lang, if he is on first name basis with him, and perhaps convince him to convince his colleagues of the indiscretion of that kind of a move under the circumstances.

MR. MERCHANT: — Would the Minister be prepared to talk with his department to see if the March 21 bulletin, in their view, will affect workers' compensation; I give notice to the Minister that I will be questioning the Minister either in Estimates, if Estimates proceed beyond this evening or questioning the Minister in the House, because these are very significant matters in terms of the kinds of payments that will be required from workers and employers together.

I wonder if the Minister would tell me why Workers' Compensation continues to operate like a little private game. You can't get medical information, you can't see the information that has gone before the Board. Well, this isn't quite fair to people. They are not represented. They come before the board and they really need the help of counsel, so rather than employing a lawyer, it was the decision of the Government for whatever reason to employ a partial lawyer, a man like others that I _ know in the House, who had a year or two of law school but hadn't quite succeeded in completing his degree.

The result is that a flavour of suspicion is created over the Workers' Compensation. I am suspicious of them as a practising lawyer. The people who go before them are suspicious of the board. Why the game? Then to say that the in-house counsel, although he is not a lawyer, he can see the information. It seems to say that the Workers' Compensation Board will choose the lawyer for the person. They won't give the person the freedom to choose counsel of his own choice. Why won't the Workers' Compensation Board open their records? Why can't it operate like SGIO? Why can't it operate like the courts? Why is it impossible for the person so vitally dependant on the decision of the Workers' Compensation Board, why can't he know the information that they look at to make up their minds about him?

It absolutely affects him and he doesn't know what doctors have said. He doesn't know what information goes into that decision. It flies in the face of everything we understand in terms of the rule of law. I suggest to the Minister that before he became involved in government, when he was involved to some extent in the trade union movement and involved in his occupation, that he will well remember the objections that workers had. That they thought there was some private closed operation going on. The lawyer beside you and your colleagues who are lawyers, I dare say the Member for Quill Lakes (Mr. Koskie) every one of them would say to you, or certainly would have said before they went into government and for whatever reason thought there was some reason to protect the status quo, every single one of them, I am sure would say to you that they thought when they were in practice that was the wrong way to proceed and an unfair and improper way to proceed.

I say to the Minister, why doesn't this change? Why won't the Workers' Compensation Board become an open board the same way that every other tribunal or court of law that deals with people's rights is open. Why must people go before that tribunal which so much affects their lives and have that tribunal shrouded in a cloak of secrecy about the information upon which they have based their decision?

It is a wrong way for the board to run and it makes and invites suspicion, it invites people to disregard the way the board is operating and think badly of the board and the operation of the board.

MR. SNYDER: — Well I hope I can answer the question in less words than it took the Member to ask it.

You know this is a hardy perennial and I think he knows the answer to the question before he poses it. He will know full well that the medical profession is insistent upon confidentiality of their files. Obviously in the event that the files were going to be turned over to the injured worker in question, in many instances the doctor would be less than frank in a written diagnosis of the case. This is the matter that has been mentioned to us and insisted upon on numerous occasions. I can think of a number of records that I have seen, medical records, which indicate quite clearly evidence that I suppose would be unpalatable to the injured worker, where the suggestion has been made that this worker has a mental disorder rather than a physical disorder, then I would expect that the medical doctor in question would be very reluctant to report as freely and as openly as he does under the present circumstances. That is the prevailing practice and one which still has about it a fair bit of rationale as near as I am able to tell.

The Member indicated also that the workers' advocate does have access to the file. It was considered at the time one of the reasons for putting the workers' advocate in place to provide a more ready access to the board by a workers' advocate who is able to take from them all of the information on a confidential basis that is required.

Quite frankly, regardless of what the Member might think of partially trained advocates, I find that their success rate is extremely good. I think they have done a good job of re- presenting injured workers at no cost to the worker and I have seen on the other hand a letter written by a Regina lawyer, which my advocate would have written for nothing, that cost that particular employee \$200. That in itself sort of suggests to me that there is a good sound and logical reason for the advocate to be in place and able, I think, to properly represent the injured worker regardless of the fact that he may not carry an LLB behind his name.

MR. MERCHANT: — Again, may I ask you to rethink your precepts in this regard. Talk to your deputy and ask others who have dealt with the Workers' Compensation Board. I can't believe that your deputy would say to you that he thinks that the secrecy is a valuable thing to maintain. I know that your deputy, in practice, saw a great flow of letters from doctors that they knew full well would go to SGIO and knew full well would be turned over to the patient. Those letters that went to SGIO would clearly say in the little legal phrases, that the doctors use, the guy is a slacker and it jumps off the paper at you. You want to tear the letter up. You want to go back to the doctor and say it is none of your damn business. But they write these letters and they are very open with them. They would be very open with those letters with the Workers' Compensation Board. I think the reason why the Workers' Compensation Board wants to maintain this secrecy that sort of no one will be able to second guess them. Nobody will be able to say you ruled wrong on that.

I say to you that having come as you do from the trade union movement and having come as you do from a working man's occupation, you must have known hundreds of cases where the individuals involved might have been less dissatisfied if only

the shroud of secrecy had been removed. That it was the shroud of secrecy that convinced them that there was something wrong with the way in which they had been dealt with and that that is not something that is worth maintaining for what little benefit the Workers' Compensation Board may choose to see still exist.

I wonder if the Minister would comment, not about a specific policy or area, but the question of pensions and the portability of pensions. I am of the view that the trade union movement has done a relatively good job, particularly in the last four or five years of getting wage settlements and moving at a fair rate towards better economic circumstances, although I am disappointed to read figures that indicate that they are not, in the long haul, particularly closing the gap with the professions. They are doing well. There are other areas in which, I think, they should be moving and one of them is the problem of pensions and the portability of pensions. That is an area where government could step in. There is no reason, particularly for the Saskatchewan Government not to say to the industry that pensions have to be fully funded. We say that now and the pension inspection tries to protect those pensions. Why could those pensions not be fully funded, locked to the individual and portable for the individual? I say, locked, because I would like to see pension schemes by which if someone left a particular form of employment they wouldn't be able to cash that pension. That pension, they would be compelled to put into some form of registered retirement savings plan. The Government could lay down, the federal or provincial government, a whole group of plans that were acceptable. The result would be that rather than a 28 year old getting \$3,000 or \$4,000 out and buying himself a new car, he might have \$25,000 to \$30,000 more when he reached retirement towards his pension. I wonder why your Government isn't moving in that direction?

MR. SNYDER: — I was expecting, Mr. Chairman, that the Member for Regina Wascana had unearthed the notes of a speech that I have given on a number of occasions. I have to agree with him entirely that what is needed is a process by which a worker's pension, his contributions to a pension fund, are matched and locked in from day one. The question of portability concerns me somewhat less than it seems to concern him, principally because I think it is possible for a worker to be a member of half a dozen pension schemes from the day he begins work until he decides to retire at age 60 or 65. But the locking in and vesting provisions are the important feature of any pension plan. This, I expect, will ruffle the feathers of some females in the work force, because there has been the tendency in the past, as many Members will recall, for women on the work force not to regard that pension as being the ultimate in providing for them in their retirement years. They look upon their husband's pension more as the vehicle by which they will have an independent old age.

This, I hope, is a feeling that is dying among the women in the work force, but I still receive letters from them as a result of speeches that have been given by, for example, the Hon. Mr. Robbins on occasion not too long ago, where he expressed some of the same points of view that the Member for Regina Wascana just finished expressing.

You will know, Mr. Chairman, that some time ago we had a

pension study committee put in place, which has brought forward some recommendations that are under close scrutiny by the Government and at some point in the not too distant future, I trust they will be released for public consumption. But they, I am sure, take into account and recognize the need for a pension program which will provide for a locking in and vesting provision so that people when they reach that retirement age, will then have sufficient resources to meet their day to day requirements without lining up at the welfare wicket. I think this has been the tragedy of it all for many years, that people have been able to withdraw their contribution, leave the employer's contribution behind, move on to the next employer where they repeat that performance, withdraw their contribution and move on to another employer, leave the employer's contribution behind. This has been a kind of syndrome which we hope we will have a solution to at some point. It is certainly under active study.

MR. MERCHANT: — In this locking or investing do you have a timetable for that? Might we look for that kind of legislation before the 1979 election, for instance?

MR. SNYDER: — I can't tell the Hon. Member whether it will be served up prior to 1979 or not, that decision has not yet been made.

MR. MERCHANT: — Is the Government considering another thing that I think would be appropriate, an automatic first contract or if not an automatic first contract, compulsory arbitration regarding a first contract over, at least, the information of the structure. From my experience, not as extensive as it should be, and from all that I have read, and I don't think there is any question about it, the principal problem that we have in terms of man-days lost due to strikes flows from first contracts and either directly or the rancour that flows out of the first contract. And I think, for instance, of the Morris Rod Weeder dispute which created so many problems in getting down to the basics in the first place. I know that there are many in business who are frightened of the prospect of either a first contract that's imposed upon them or compulsory arbitration over a first contract. But I ask, is the Government looking at some means of curing that problem of getting the parties together because it seems that once business gets used to the fact that there is going to be a union around the place, a year later there just isn't the kind of problem that there was at the beginning? That's a trite thing to say, but I wonder whether the Government, knowing that to be the case, is moving to do anything about it?

MR. SNYDER: — Well, I think the Member draws attention to a mechanism that has probably worked, not badly in other areas of the country. For example, British Columbia has an arrangement for a first contract arbitration arrangement, when a stalemate existed, when a union had been certified and a first contract was unavailable to them because of a breakdown in communication and inability to put together a first contract. I suppose in the minds of many people it has some virtues in terms of some very difficult first contracts. I suppose I have a general hesitancy with respect to the whole thing because it has about it a flavour of compulsory arbitration which, once indulged in, is somewhat easier to indulge in a second and a third time. From that point of view, I suppose I have mixed feelings: — with respect to the proposition. We haven't discarded it entirely and certainly

we haven't embraced it.

MR. LANE (Qu'Appelle): — You referred to Mr. Robbins. Mr. Robbins has also made a statement about the problem with pensions, that one of these days the crunch is coming with the unfunded pension plans, that too much public money is tied in and if the draw comes at once, which it won't, but as the number of retired people increase, the impact on the public treasury could be dramatic. One of the real problems I think in our pension plans, is the lack of qualified people administering the plans. It's very, very easy with a statute to put it into so-called secure investments and get six, seven, or eight per cent. But the fact is inflation is running ahead of that and even if it's equal we're no further ahead. Would the Minister tell me what approach his department has taken in considering the matter of portability of pensions or other wise to using people, either say on a tendering basis as to what type of investment or proposals from pension managers from the private sector to see what they are prepared to propose? And I realize, of course, that one must be cautious of getting into high risk ventures, but given that qualification, would the Government be prepared in its pension considerations to putting it out for proposals from private pension managers?

MR. SNYDER: — I think perhaps the Member is reaching out somewhat beyond the authority of the Department of Labour and the Pension Benefits Branch, whose principle function is to register the pension plans in the Province of Saskatchewan and to ensure that money invested on behalf of employees are sound. The whole question of the study of pensions has been undertaken by a body which is working directly under the Hon. Wes Robbins who has done a rather complete evaluation. I'm not sure that I'm in a position to comment at great length about pensions because what I don't know about pensions obviously will fill volumes. I think the suggestion that the Member was making was that some thought be given to investing in somewhat more speculative ventures. Maybe I'm misreading what the Member was saying, but maybe you would like to clarify if for me.

MR. LANE: — What I was saying is that one of the basic problems seems to be the qualifications of the people doing the investing. The pension funds have surpassed in many governments, their capabilities to invest. My suggestion was on the broad problem of ensuring an adequate return, that perhaps we'd be less restricted by our statutory provisions, but secondly, that the administrators of pensions, government pensions or ones governed by government regulation, be put out to proposals by private pension fund managers as to the types of investment, expected rate of return, etc. That's my suggestion.

MR. SNYDER: — Well, I'm told, Mr. Chairman, that the money management of the Government has shown itself to be more than adequate. As a matter of fact the suggestion is that it has probably surpassed the investment in some other circles. The suggestion is that it would be impractical to farm out any amount of those moneys because the money management practises have shown themselves to be very adequate. I'm not sure that I can add any more than that at this point in time.

MR. LANE: — Has your department allowed

or accepted investments of pension funds into the Potash Corporation of Saskatchewan in any way shape or form?

MR. SNYDER: — The answer is No.

MR. LANE: — I'd like to direct a series of questions now, Mr. Minister to the general question of the Fire Marshall's Branch. Can the Minister advise me why the Fire Marshall's Branch closed down the Persephone Theatre in Saskatoon?

MR. SNYDER: — I'm afraid I'm not aware of it. My people of the Safety Services Branch are not aware that it had been closed down. Red hot movies, maybe.

MR. LANE: — I'm advised that the Branch closed down the Persephone Theatre in Saskatoon because there were inadequate or lack of safety exit lights. Are you aware of that situation?

MR. SNYDER: — Sounds like a good possibility.

MR. LANE: — Now has the Fire Marshall's office given a safety clearance certificate or whatever you designate it as, to the Saskatchewan Centre of the Arts?

MR. SNYDER: — I'm inclined to believe the question that the Member asked with respect to the closing of the theatre in Saskatoon may very well have been closed as a result of an order by the Fire Chief, the Saskatoon Fire Chief, rather than the Fire Marshall's office.

In answer to your second question, the Centre of the Arts, has had some deficiencies that have been noted, that I believe are shortly in the process of being rectified, but there are some deficiencies. Basically, I believe an emergency lighting system was one of the remaining deficiencies.

MR. LANE: — So it really hasn't had the certificate that you give and I forget the name, since it was opened. Is that right?

MR. SNYDER: — I am told we don't give out certificates.

MR. LANE: — I ask you whatever designation you use, a clearance or whatever. The Centre of the Arts hasn't had a clearance from the Fire Marshall's Branch.

MR. SNYDER: — No, it hasn't been cleared in total.

MR. LANE: — Can you list the deficiencies? You've mentioned the safety lights, safety exit lights. What other deficiencies in the Centre of the Arts.

MR. SNYDER: — Basically the deficiencies revolved around the basic unit to provide the emergency lighting and secondly the lighting

itself I think it was regarded as being inadequate. I believe in the meantime they are operating with a battery pack as an emergency lighting device as I understand it. And I'm only recalling that from another incident some time ago, but I believe it was as a result of discussions in another area.

MR. LANE: — Well would the Minister not admit that there has been some concern from officials responsible for the Saskatchewan Centre of the Arts, that should there be a fire, and should the theatre or the Centre be fairly fully occupied, that there would be not emergency lighting and that, in fact, there is perhaps a serious danger, should that situation arise?

MR. SNYDER: — I'm told that the lighting is inadequate. They are operating with a battery pack which would illuminate the premises hopefully to provide the minimum requirements for egress of the audience in the event of any kind of a problem.

MR. LANE: — Mr. Minister, you are not satisfied with the safety regulations as now?

MR. SNYDER: — No, we're not.

MR. LANE: — Do you have authority to take action if such a situation exists, and if so, what action have you taken with regard to the Saskatchewan Centre of the Arts and its deficiencies

MR. SNYDER: — we regard it as a potential hazard to life and limb then of course, the Provincial Fire Commissioner's office has the option of shutting the place down and saying it shall not be used until the deficiencies are rectified. Usually under all circumstances, unless there is an imminent danger, an attempt is made to accommodate the building and the owner of the building in question.

MR. LANE: — Well, in this particular case is it the failure of the Government to take action or what action has the Government taken to ensure that the Saskatchewan Centre of the Arts does comply and if it hasn't taken action, can you give me the reasons.

MR. SNYDER: — All I can tell the Member is that the Fire Commissioner's office has been in touch and will continue to monitor the operation and attempt to have a satisfactory resolution to the problem.

MR. KATZMAN: — Mr. Minister, you were talking earlier about work stoppages re Occupational Health. Could you tell me how many work stoppages there were and how many of them required action to be taken? When I refer to work stoppages, I refer when your people are called in to stop a job in progress.

MR. SNYDER: — I don't know quite what the Member is attempting to arrive at, but there has been no set of circumstances where an Occupational Health officer has moved in to my knowledge or to the knowledge of the director, where they have moved in and required that an operation be shut down.

MR. KATZMAN: — Are you saying that if somebody phones in that an operation is unsafe, that when your people go out they have not shut down any jobs that were not safe in this province in the last few years.

MR. SNYDER: — It hasn't been found necessary to shut down a plant or any operation of that nature. There has been no mandatory closure at this point in time, I'm told by the director. The director indicates to me that we have on several occasions required that employees do not enter trenches that have not been properly sloped or properly shored in order to protect the worker from cave-ins. But that hadn't stopped, did not stop the construction on the site or anything of that nature nor did it involve the closure of a plant, an industrial plant, but that portion of the operation was asked or demanded to be closed until such time as preventative measures were taken.

MR. KATZMAN: — What other areas besides the trenching have you had to step in, along this line?

MR. SNYDER: — In these kinds of isolated cases I am told there have been a number of instances where improper guards have not been placed over moving machinery where scaffoldings have not been secure and accordingly an Occupational Health officer has been called in as a result of what we call a 68C, where the worker has refused to do a piece of work because it was regarded to be unusually dangerous. The position was upheld by an inspecting Occupational Health officer who required that the trench be shored or that the scaffolding be put securely in place or what ever or the guard be replaced on a piece of machinery. And those are too numerous to mention I am told.

MR. KATZMAN: — On Compensation payments, in most cases I believe there is an assessment given to every industry which they pay. Is there any portion of the province where you handle the compensation for them but they pay the total cost plus a percentage for you handling the case?

MR. SNYDER: — The Government of Canada is self-insured and until some time ago, I think only a matter of two years ago, the CPR was a self-insurer. I think at this point in time the Government of Canada is the only one that I know of. You know I must indicate to you again we don't have anyone from The Workers' Compensation Board to give you detailed information here. If I had been given any indication that we were going to get deeply into the administration of the WCB we would have had some- one appear on the scene, but in general terms the Government of Canada is the self-insurer and I don't believe there are any others.

MR. KATZMAN: — Since you don't have anybody with you today could you when you come back into Estimates have somebody and one of the questions they can check on, is it not a fact that some of the major cities also carry themselves, I understand? Does Saskatoon not pay you on a fee for service on a back basis, as their council was reported to on Saturday?

MR. SNYDER: — Not a fee for service.

MR. KATZMAN: — That's why I say check again. On Labour Standards investigations now, do you routinely go into a certain type of industry to do an investigation of hours of work or do you only go in on request.

MR. SNYDER: — We make inspections upon request when there is a complaint phoned in, usually by a worker, and in many instances after he has been severed, after he has finished his job. When he no longer works for that firm that is usually when the complaint arises for non-payment of minimum wage or statutory holidays or whatever. In addition to operating on a complaint, we attempt to make a complete round of the retail and industrial establishments once every 24 months. It is our attempt to make an examination in the course of events to make a circuit every 24 months.

MR. KATZMAN: — Are you referring to strictly within the cities or with all industry within the province?

MR. SNYDER: — Throughout the whole of the province we attempt to make it every 24 months. We don't always accomplish it but that is the aim and the objective.

MR. KATZMAN: — How often do you do the Government departments?

MR. SNYDER: — I don't know of any audit on complaint and I don't know of any complaints of a very recent nature. At this point in time I don't know of anyone who isn't receiving minimum wage and I don't know of anyone who isn't being paid for the statutory holidays if they are entitled to it, and I don't know of anybody that isn't being paid at the rate of time and one-half for overtime in the event that they qualify as an employee under the terms of the Act.

MR. KATZMAN: — How often within Government departments are you involved with people being allowed to be at work and therefore being qualified to receive payment even though it is not claimed?

MR. SNYDER: — Do that one again.

MR. KATZMAN: — Well, you know the typical case I always refer to, is Saskatoon getting nailed for ten years back pay while the fellow slept on the job. But on that basis how often do you have a problem in some departments where a person is allowed to remain on duty without authorization and then claiming back pay in the Government area?

MR. SNYDER: — Well, we don't have people remaining on duty without the consent of the employer. If the employer allows the employee to remain there and perform the service obviously then he is subject to all the provisions of the overtime statute. If he works in excess of 40 hours in any given day,

or 8 hours in any given day, 40 hours in any given week with the consent or knowledge of the employer, then obviously he should be entitled to overtime pay.

MR. KATZMAN: — Using that exact example that you just brought in about working more than 40 hours or so forth, I sent to your Deputy Minister a while ago a schedule for a one month employee who was covered on an averaging system. If he will follow it through he will discover that in the first week he is working the regular hours, the second week he is behind so I am setting up an average for him, the third week he is over and on the fourth week he balances. There are numerous occasions, when I say government I now refer to civic governments as well, that work employees on this method. Obviously you have no schedule on the average time and as I think the Minister is aware that I was one of these people who worked on a system like this for many years. A person can work as many as 14 hours in a day even though the Averaging Act and so forth says 10 as I read the legislation in many areas, and yet there is no overtime required until at the end of the four weeks, 160 hours.

MR. SNYDER: — Our averaging permits provide that upon agreement between the employer and the employee that you can average 160 hours over a four week period, providing that no day exceeds 10 hours on any given day. Now if you are working in excess of 10 on any given day like 14, then anything in excess of 10 on any day is to be paid at the rate of time and one half. Otherwise you would have to name the employee or at least name the position because I am not all sure that you are talking about an employee who is covered under the Act. If he is a field worker or someone who is excluded from the provisions of the Act that is another ball game.

MR. KATZMAN: — On the schedule that I gave you it shows a zero day plus the other hours across. I think what you are saying to me is that the fellow who worked the 14 and the 16 by your Act is violating the Act even though you are not enforcing it.

MR. SNYDER: — Well, Mr. Chairman, all I can say is, this is a specific case. You know I don't know the circumstances surrounding it and obviously we can't handle it at long distance unless the Member wants to make us aware of the person involved or of the circumstances. Then by all means we'll have a look at it with- out any question. But if he is the employee then he had better see his friendly Labour Standards officer in Saskatoon.

MR. E. C. MALONE (Leader of the Opposition): — Mr. Chairman, I just have a couple of questions of the Minister. I believe Mr. Minister, you were in the House last week when I asked the Minister of Finance during the Question Period about the intentions of your Government of getting together with management and labor prior to the ending of wage and price controls in Saskatchewan. At that time, of course, the Minister indicated that he thought this was a good idea, at least he did so on TV and indicated that he was going to take steps to see that that was done. My question of you now is, have you had any meetings with your counterpart, the Minister of Finance, about this. If so have you made any recommendations to

him as to whom he should be meeting with. It comes to mind that SGEA seem to be having certain problems right now in negotiating an agreement with the Government. Have you discussed the matter with the Minister and if so, what recommendations have you made?

MR. SNYDER: — There have been some discussions coming out of the annual brief that the Saskatchewan Federation of Labour presented to the Government only a week ago when some of the initial discussions took place revolving around not only the brief that they presented but some comments and some discussion that was Initiated by those of us who met with them at that time. There will be some continuing dialogue between now and October obviously.

MR. MALONE: — I wonder if the Minister is in a position to tell me at this time just what position you have taken, what recommendations, if any, that you have made?

MR. SNYDER: — I can't tell you in detail at this point.

MR. MALONE: — Is it a matter of you can't tell me or just won't tell me at this time because of the submissions being made to Cabinet and presumably Cabinet secrecy applying to it?

MR. SNYDER: — I think it is obvious at this point in time there hasn't been a firm or precise policy. I am not at all sure that we will be able in six months time to deliver up a detailed analysis of the exact direction we expect every trade union in the province will travel, or the exact position that will be assumed by all of the employers in the province. In general terms there will be continuing discussions and some additional dialogue. I don't think I can be any more definitive at this time other than to tell you that we will be discussing the matter in some detail with the trade union movement and with the business community obviously.

MR. MALONE: — Are you in a Position at this time to advise this House as to what guidelines, perhaps that is an improper term, because of the situation, but are you in a position to tell us what you as Minister of Labour feel would be an appropriate basis for discussion so far as labor's demands are for increases, a percentage perhaps or something along those lines.

MR. SNYDER: — No, I don't think we are going to be in a position where we are going to be dictating a policy or outlining any firm or precise guidelines or naming any numbers or percentages because I don't think that a percentage that could be named initially would be appropriate in all cases. Secondly, I am still of the belief that the free collective bargaining system is the most appropriate way of determining how wages and working conditions will be established in the Province of Saskatchewan. I think it is a system that lends itself more properly in a democratic province like Saskatchewan than any other and we think that if tight reins are to be held on spending that tough bargaining is the answer and responsibility on the part of both parties

MR. MALONE: — I take it that the position that you would prefer is to allow individual bargaining units and individual employers to settle their own differences after the wage and price controls are lifted. Is that a fair comment from your answer?

MR. SNYDER: — I would be interested in what the Leader of the Opposition would suggest as an alternative.

MR. MALONE: — What I would suggest as an alternative from what apparently the Minister of Finance agreed to, Mr. Minister, was some preliminary discussions between management and labor with Government instituting these discussions to make sure that we don't get back to two years ago where we had a never ending cycle of increasing wages and increasing prices. From your answer to me tonight I can only assume that you are differing and disagreeing with the Minister of Finance (Mr. Smishek) who stood up in this House last week and accepted the suggestion as being a good idea. Now I am asking you now who is speaking for the Government, you or the Minister of Finance?

MR. SNYDER: — We both speak for ourselves and we indicated quite clearly that discussions would take place. I don't believe the Minister of Finance at any time indicated to you that the Government would be establishing any arbitrary guidelines or laying down any firm proposals with respect to absolute percentage increases or things of that nature but that there would be continuing dialogue. I don't believe he assured you of anything more than that and I am not assuring you of anything more than that at this point in time.

MR. MALONE: — I am asking you what form is the continuing dialogue going to take. Surely you and the Minister of Finance will be the two Ministers most directly involved in this and I am asking you just what you are prepared to do to start this continuing dialogue going and what contribution, if any, you intend on making other than just saying we are going to leave it to the free collective bargaining to work it out.

MR. SNYDER: — As I indicated earlier we had an initial discussion which dealt, at least in part, with this topic with the Saskatchewan Federation of Labour when they presented their annual brief and we will be looking for further opportunities to discuss the matter in some detail at a later point in time.

MR. MALONE: — What did you say in your initial discussion and when is the next meeting proposed with the Saskatchewan Federation of Labour?

MR. SNYDER: — I am not sure that there is an absolute date programmed, not to my knowledge at this point, but there will be in the future.

MR. MALONE: — I am sorry but I didn't hear the Minister's answer.

MR. SNYDER: — As far as I am aware there has not been an exact date set for a future meeting. I expect there will be in the not too distant future.

MR. MALONE: — Well let me finally ask you then, is your staff working on a date for a future meeting. Is Mr. Mitchell making arrangements or somebody else on your staff with the appropriate officials of the Saskatchewan Federation of Labour and when do you anticipate such a meeting, two weeks, two months, six months?

MR. SNYDER: — I don't think we are going to deliver up our timetable at this point in time. Many of the discussions will be of a formal nature, many more of them will be of an informal nature.

MR. MERCHANT: — Would the Government consider a program by which there was an encouragement or perhaps compulsion to employ a certain number of disabled workers so that people who are on compensation would not find themselves just cast aside and incapable of obtaining any employment whatsoever. In England, for instance it lays down that three per cent of the workers, if that number applied to that company, in all cases the number of applicants exceeds that amount, that three per cent of the work force, with certain companies, there are small company exemptions, but for any large company three per cent of the workers have to either be disabled or have some special requirement. I know that the Government is looking with renewed vigor at programs along those lines for the Government and I applaud them in doing that, a program that would open positions for people perhaps suffering from cerebral palsy or the mentally retarded, as well as people who have suffered some injury. I applaud that and I ask whether the Government might consider some similar form of program for private companies?

MR. SNYDER: — Well I think the idea is admirable. I have had an opportunity to see the effects of the program in Great Britain. I think they have made what has to be regarded as a moderate start on a program for rehabilitation of injured workers, some of them who have been severely handicapped and accordingly are probably not performing to the maximum that employers would wish that they would but the three per cent figure for a large corporation, I suppose, is one which will be manageable and certainly it's one that, I think, would attract me. We haven't made any specific plans to foist that upon the business community of Saskatchewan. I would imagine that other Members in your caucus and Members opposite would probably raise a hue and a cry at that stage about taking away management's prerogative from them to run their business. While I, in turn applaud the suggestion made by the Member for Regina Wascana, I can also visualize Members from benches opposite raising large cries of anguish about the Government superimposing themselves on the non-suspecting business community and more government domination and interference with private business.

I'm very much attracted to the idea, I think, particularly for the employers employing more than 200 people, I think probably some compulsion, if you like, to oblige them to hire one or two or three per cent of their total working force providing the person can make something of a worthwhile contribution certainly is a step in the right direction. I think it has some merit.

MR. MERCHANT: — Has the Government abandoned the program which required the employment of a certain percentage of native people?

MR. SNYDER: — I think you are talking about a supernumerary program some years ago which was largely ineffective because at the end of the supernumerary program there were no permanent jobs for the supernumeraries to fit into and that was the major failing of the supernumerary program under the previous administration. I think there have been a number of programs that have been attempted with somewhat varying degrees of success and I think probably when the Minister of Social Services has his Estimates before have been a great deal more effective than others. Some communities seem to lend themselves to programs of job creation and the involvement of departments of government to a greater degree than is the case in certain other geographic areas.

MR. MERCHANT: — I would hope that the Government has decided to reject almost out of hand the Saskatchewan Federation of Labour's request that jurisdiction over interim injunctions and injunctions in labor disputes be passed to the Labour Relations Board. That's the first in a series of questions I have about the Labour Relations Board. I wonder if the Minister would indicate whether there is any intention to give further consideration to that request. I gather that at the time you pretty well rejected the request out of hand.

MR. SNYDER: — I'm not at all sure that that's the official position of the Saskatchewan Federation of Labour, as a matter of fact I don't believe it to be the official position of the Saskatchewan Federation of Labour that injunctions should be placed in the hands of the Labour Relations Board. As a matter of fact I believe their most recent brief within the last 10 days or two weeks indicated the contrary.

MR. MERCHANT: — The secretary treasurer of the Labour Relations Board, a man who worked not long ago with the Minister, indicated in press reports or it was indicated in press reports that he had expressed a desire on behalf of the Saskatchewan Federation of Labour that the jurisdiction over interim injunctions be passed to the Labour Relations Board. Did the Minister not see that and are you suggesting that that's not their position?

MR. SNYDER: — That's right.

MR. MERCHANT: — Just in passing and I am passing over the Labour Relations Board where I asked a number of questions last year, I congratulate the Government on the choice of the current chairman. Admittedly the jury isn't in on the chairman but I've long wondered when both the Liberals and the NDP were in power, why it was impossible to find anyone who didn't seem to bend over backwards to show his bias and it would appear to me in the early going at least that the new Board is working in a fairer and more judicial way and I congratulate the Government on that choice and just hold on to that while I continue congratulating you because I don't want you to fall out of your chair. I hope

to see better things from the Labour Relations Board as a result of the decision which I have to assume comes from the administration to seek a more unbiased person and encourage that person to view his job in a judicial way rather than as a projection of the desire of the Government which, I believe, in the past has showed a marked union bias.

Last year, Mr. Chairman, I introduced legislation which the Government was only too quick to defeat which would have allowed a pooling of units. It would have allowed, say, the different unions involved in grain handling, although that is a federal jurisdiction. As an example, now the 16 unions involved in grain handling each can shut down the grain handling industry. It would have allowed one or more of those unions or the employer to apply to the Labour Relations Board to force a uniform termination date. Now in the grain handling industry as the Minister knows, that was one of the recommendations of the Bayda Report that there be a uniform termination date and that was worked out on a voluntary basis. But in other industries we see different unions each able to shut down a particular operation. IPW for instance can shut down the Power Corporation, OCAS can shut down the Power Corporation. It would be better, I suggest, if both unions had a uniform termination date and where that's true where there are two unions with the Power Corporation, it is true in a geometric progression where there are five, six, or eight unions, each which are capable of shutting down an operation. The result is that there is a tendency to whipsaw within the company itself. There is a tendency within negotiations to say to the company, well, there are only this small percentage of the workers out. Your losses are large, pay the strangle hold price that we see for this small percent- age and then the larger unions whipsaw back with that larger percentage and the effect is that a great number of man-days are lost or potentially lost and there is a greater potential for strikes.

There is also loss to the unions and to management. The opportunity for one union to take part in some of the negotiations with their fellow union, to say to their fellow union, well, you are expecting too big a piece of the pie.

I wonder whether the Minister might indicate to the House his view on legislation of that nature. I think that that would be a good direction in which to move so that you wouldn't have the situation where one union could shut down a large plant even though they may represent a small minority of the workers within that plant.

MR. SNYDER: — I think in total, Mr. Chairman, the Member resents what I suppose is short of the Utopian point of view, assuming that there is some possibility of having critical contracts all expire in a preconsidered time. I think, in general terms it sounds awfully attractive. I suppose it would be delightful if he were in a position where you didn't have contracts expiring in a hospital, for example, where paramedical workers and some others weren't able to withdraw services on different calendar dates. Obviously there are some real advantages of having contracts with co-terminus dates and we have travelled in that direction, at least in part, I think, especially in the construction industry where we had had industry wide bargaining and in the nursing homes where most of the nursing homes of the province are signatories to a provincial agreement. I think in some measure we have travelled in that direction but to pass legislation that

would mandatorily have contracts expire at a particular point in time, I think, is fraught with difficulties that boggle the mind and I'd be interested in seeing a working paper that the Member might like to put together to indicate how that sort of thing could be accomplished because I see all sorts of hooks and problems involved in attempting to accomplish what he suggests would be a good idea and I think in some instances would probably be desirable.

MR. MERCHANT: — Why would it not be possible for amendments to be passed - indeed introduced those amendments last year and you chose not to enact them - why would it not be possible for amendments to be passed that would permit an application to the Labour Relations Board to satisfy the Labour Relations Board that that was desirable. That application could be made by one of the unions which would then ask for a co-terminus date or made by the employer. The wage package, etc, would be either extended or shortened and prorated in terms of the appropriate increase, whatever the numbers would mean, and that's the kind of thing that could be worked out in a fair way by the Labour Relations Board. You could, quite easily have, as you say in hospitals an application which would result in all of the unions having their contracts concluded at the same time. You wouldn't have people saying that we've got to go out on strike because we are in a catch-up situation. You wouldn't have those kinds of comparisons at least everybody in the industry would know that they have either done very well or done very badly together. Part of the problem that causes labor strife is one union within the same company trying to do better for its workers than another union within the same company and if we go back to the Power Corporation part of the problem there was the competition of IBW and OCAW to prove that they were doing a better job for their workers, to prove perhaps that they were being more aggressive, that they were prepared to go out on strike for a longer period of time. I'm surprised that the Minister said, yes, that would be a kind of utopian answer and then says that there are difficulties. The difficulties are miniscule. All you do is pass the straightening out of the dates to the Labour Relations Board when an application is made.

MR. SNYDER: — Well, I think, Mr. Chairman, that there are obvious advantages to what it is the Member is suggesting but once again being a democratically based political party, we like to see these things happen without too much coercion or too much pressure by government and we think in general terms that some of the agreements are generally moving in that general direction. I am not sure, I think the OCW and the IBW are close on to a I'm not dead sure but I believe they are close to having a common expiry date and there are a number of other instances that we can point to. Another classic example is the Public Service Commission which is now in the process of negotiating an agreement with the bona fide public service and the labor services employees in order that they will have a common expiry date. So I think in general terms the movement is in the right direction. In some cases we will be able to accomplish all of that in a short period of time and probably in others we will never be able to accomplish the ultimate in having all of the agreements expire at one time as we would probably like.

MR. ROMANOW: — Stop the clock. Tony.

MR. MERCHANT: — I thought that we went from 7:00 o'clock to 10:00 o'clock. . . . Well we will see at 10:00 o'clock.

How much information is required of unions, to what extent does the Government, to protect workers ask the unions to report to them with statements with their pension operations, things of that nature, how detailed is the reporting to the Government by the trade unions?

MR. SNYDER: — I am told there is a requirement by the Federal Government. It's a federal statute which provides for them to report in some detail. As far as I'm aware, there is no provincial statute that carries that requirement.

MR. MERCHANT: — Agreed, that is my understanding.

I wonder why the Government would not look in terms of protecting the worker as first requiring detailed and audited statements of the financial operations of the unions. I would accept that those things should be confidential but if you ask for confidential and extremely valuable information through the Ministry of Mineral Resources, for instance, of mining companies and oil companies, and the potash companies surely you should be able to ask that kind of information of trade unions in order to protect the investment of the trade union members.

I wonder, secondly, why the Government does not give some right of appeal when union membership is suspended. Some right of appeal back to Government, to take the matter, it has become a matter which has tremendous effect on the worker. The man may have been a boiler maker for 25 years. I can think of a case in which I was involved. For 20 or 25 years he was a boiler maker, he had been the president of his local, he ran foul of a fellow I knew and sort of liked from Minnesota who was an international vice-president and the man was almost kicked out of the boiler makers' union. The effect in financial terms upon him would have been very, very dramatic and he had no right of appeal, indeed, because he knew me he used to sort of sneak over to get a little advice. The boiler makers' handbook doesn't permit them to seek legal advice in times of dispute with the trade union. I wonder, firstly, in terms of protecting the individual worker, why the Government does not take some greater part in ensuring that strike authorizations and decisions regarding the major use of union funds, why in those three areas the Government does not impose the rule that secret ballots be compulsory. Some unions use them in some areas to protect the rights of the individual,, some unions don't. The individual union member, perhaps no, but government should become involved to the extent at least of saying that secret ballots be used in those three areas,

MR. SNYDER: — Once again I can suggest, Mr. Chairman, that in the event that proposals suggested by the Member for Regina Wascana, were they adopted by this Government, the people who sit around him and behind him to his left and to his right would be running out into the country screaming, additional interference, government interference in the operation of trade unions, of the Law Society, of the medical profession, and who else? "Who is next?" would be the cry that would be emerging from the people opposite.

Trade unions have a responsibility for looking after their internal functioning and their internal discipline in the same way the Law Society has similar authority, and should have some authority, I believe, and in the same way as a medical profession has some responsibility to police and look after its own internal operations.

In respect to the suggestion that the Provincial Government should become more deeply involved in the financial affairs of trade union organizations extends the argument one step further. Why should we not become involved with the internal functioning of the operation of your society, the Law Society. Maybe it is a hell of a fine idea, I really don't know. Obviously it may strike a fairly sombre chord with some people.

I think the suggestions that the Hon. Member for Regina Wascana is making tonight would be carried around the country and represented as an invasion of rights of people, trampling upon the legitimate rights of organizations that are duly constituted, democratic organizations. I can't believe anything other than the fact that the Member for Wascana is playing games here tonight.

MR. MERCHANT: — Mr. Chairman, I believe that the reason that the Government will not move in those kinds of areas and the reason that the Government is not prepared to move such simple amendments that would allow things like co-terminus date so that various collective bargaining agreements could conclude at the same time I believe that the reason that the Government won't move in those kinds of areas is because the Government very much likes the help that they get from big unions. They very much like the help, not that they get particularly from the workers, but the fact that the union organizers and the union chiefs tend almost exclusively to be involved in one way or another with the NDP and involved with them at the worker level. That in other areas in the economy the NDP are only too happy to involve themselves in people's lives, only too happy to interfere in a way that other areas of the economy operate. But when they are faced with changes like termination dates of contracts, which they know would be good for the economy, they are not prepared to take that step. When they are involved with protection of the union member's individual rights, perhaps, at the loss of power to the union leader, they are not prepared to become involved in that way.

Frankly, Mr. Minister, it gets you nowhere with me to suggest that the professional society have stronger and greater powers. I know that the professional societies have very strong powers. I have long thought perhaps too strong for society. The things that I would be apt to say about the steel workers, or the boiler makers, the OCAW, I would be apt to say about the Law Society, the medical profession as well. I think that wherever you have the use and control of power in that way it is a danger- our situation. That is an area where I think government should involve itself.

May we expect new levels in 1977 new higher levels of minimum wage laws? As the Minister well knows a rising minimum wage law to some extent causes unemployment. I hope that the Minister won't take issue with that. I believe he knows it to be true, that you pair off the advantage of a rising minimum wage law against the disadvantage of the unemployment that it, not immediately but indirectly, creates. It particularly creates

unemployment for teenagers, particularly in this province, where we don't have any distinction between the amount paid for younger people and the amount paid for adult employees.

I ask the Minister whether in this year we may expect an increase in minimum wage and if, yes, what kind of an increase?

MR. SNYDER: — The Member will be aware that the Minimum Wage Board is the body which has the direct responsibility for monitoring and recommending to the Government with respect to the level of minimum wage and I would expect that they would be discharging that duty and making a recommendation to the Government in the event that they believe that an increase in minimum wage is appropriate.

MR. KATZMAN: — Mr. Chairman, on Item 1, I notice Permanent Positions is approximately 40 per cent with the addition of one employee. Could you explain the increases please.

MR. SNYDER: — Permanent salary adjustments \$98,320; casual salary adjustments \$15,310; tuition fees \$15,700; all provisions \$12,200 and grants in the amount of \$2,000 for a total of \$143,550.

MR. KATZMAN: — Those figures are a little higher than what the difference shows. Are you talking about the whole Item 1 or just the top portion of the 25 employees?

MR. SNYDER: — What figures are you attempting to have explained to you?

MR. KATZMAN: — The \$335,900 versus the \$237,560, an increase of one employee.

MR. SNYDER: — The 1976-77 Estimate showed \$237,560. Okay, two new positions for an additional \$32,670.

MR. KATZMAN: — Two new positions, the book says one?

MR. SNYDER: — Two new positions and a deletion. Two minus one equals one. \$32,670, deletion of one minus \$9,120 for an adjusted base of \$261,110; salary adjustments in October of 1975 there was an increase of \$36,230; annual increments at 4.5 per cent - \$13,350; projected salary bill then of \$311,020; an eight per cent increase of October last gives you the 1977-78 salary Estimate of \$335,900.

MR. KATZMAN: — When does this last increment run out?

MR. SNYDER: — That was October 1976 and it runs out September next.

MR. KATZMAN: — So basically this figure of \$335,900 will cover you until September of 1977?

MR. SNYDER: — This covers us through to the next fiscal year.

MR. KATZMAN: — So basically you are including in this, the Estimate increase from September until March 31st?

MR. SNYDER: — There is nothing to provide for any increment increases but the vacancy rate will obviously be sufficient to look after

MR. KATZMAN: — How about for wage increases?

MR. SNYDER: — There is nothing on wage increases.

MR. KATZMAN: — So basically you are saying that this \$335,900 is sufficient money only to carry you at the present rate, through to March 31st and there will be an additional amount required next year as a supplement for whatever increases come about.

MR. SNYDER: — I think we are well able to live within the projected salary estimate.

MR. KATZMAN: — Then you are saying that there will be no increases from September to March?

MR. SNYDER: — The vacancy rate is about eight per cent at the present moment and that will more than cover.

MR. KATZMAN: — In other words if there is a vacancy you will not be filling this and that is how you will cover this item.

MR. SNYDER: — Well, our experience over the years has been that some positions have been difficult to fill and the average has worked out at about an average of eight per cent over the entire year regardless of how hard you try to fill some of these positions.

MR. KATZMAN: — So what you are saying is that the drop because of somebody leaving or changing positions will give you sufficient funds to cover the increase coming in September.

Item 1 agreed.

Item 2 agreed.

ITEM 3

MR. KATZMAN: — What was the salary of the individual this is minus in this Estimate?

MR. SNYDER: — \$16,080.

MR. KATZMAN: — I assume this is a permanent reduction, not just a temporary reduction.

MR. SNYDER: — That's right, it is a deletion.

MR. KATZMAN: — Will we see that additional employee in any other area?

MR. SNYDER: — No.

Item 3 agreed.

Item 4 agreed.

ITEM 5

MR. MERCHANT: — This is an area that I believe should be beefed up and more money put into it and I will tell you the reason for my thinking in that regard.

Labour Standards really protects the unorganized. It is through Labour Standards and the minimum wage law that we look after those people who have not been fortunate enough to become involved in the trade union movement. I suggest to you that the priorities of continuing always to treat Labour Standards and the protection of the unorganized are wrong. The unorganized should have the greater attention of government. The organized have their unions to look after them. Governments, I believe should become involved with unions to ensure that union members aren't improperly dealt with by their union, but other than that the union, by and large, looks after their own.

MR. SNYDER: — I suppose it will never be known when we reach the pinnacle of success in Labour Standards or in any other area. We make between 4,000 and 5,000 inspections a year, I understand, and collect about \$750,000. That is the amount returned to workers who have been shortchanged. I think though in general terms it has to be regarded as a fairly good operation in total and while, undoubtedly, if you had more labour standards officers around you could make more inspections. As your colleague, Mr. Cameron indicates we would then further impose ourselves upon unsuspecting employers who have done no wrong and have labour standards officers trampling in upon their premises and examining their books when they have done no wrong.

I think you and your colleague should get together and decide whether we are doing too little or too much, because it strikes me that you are not quite on the same wave length.

Item 5 agreed.

Item 6 agreed.

ITEM 7

MR. MERCHANT: — Mr. Chairman, this just doesn't fit in the Department of Labour and I don't know why it hasn't been moved to the Provincial Secretary's Department where it better fits with the register of joint stock companies where there is insurance. It is a curious place to have pensions considered. I have raised this with the Minister in the past and I don't know whether the Minister agrees but it is an awesome thought kind of inclusion in the Department of Labour.

MR. SNYDER: — I suppose there are some reasons that might be given for locating it in the Provincial Secretary's office. I suppose one of the impressive arguments for not having it located there is that the Provincial Secretary's office does not have any research capabilities and the Department of Labour does have some research capabilities that can be used by the Pension Benefits Branch. I think that is probably the most overriding argument. Of course, the Provincial Secretary has never been known as an empire builder but probably would welcome it under other circumstances, but under existing circumstances I think it works well within the Department of Labour for the reasons that I have mentioned.

MR. KATZMAN: — Has this department any involvement in the 45 and 10 year law which is in effect with employees?

MR. SNYDER: — Yes, that is part of the Act which provides that locking in provision 45 and 10 if that is what you are referring to.

MR. KATZMAN: — Yes. Is this the area that supervises that?

MR. SNYDER: — Yes, I didn't get the question, but they tell me to say, "yes".

MR. KATZMAN: — Earlier in discussion there was some concern re the feasibility of people pulling their pensions out after they have been with the company for several years and, therefore, as the Member for Regina stated, the change of the pension would be much different at 65. Is there any consideration either from the union movement to you or from your department backwards of causing the 45 and 10 rule to come down to lower numbers so that let's say, 35 or 30 years and at that point they would lock in?

MR. SNYDER: — I suppose there is an argument for 40 and 5 or something of that nature. This is something that is under review. We are not proposing any amendments to The Pension Benefits Act this Session but it is part of, what I think, is a much larger problem than just locking in because we have some other pretty major considerations with respect to pensions.

MR. KATZMAN: — Is there any consideration of a recommendation coming to this House in the next while or a committee coming up with some kind of recommendation lowering the 45 and 10 as you suggested maybe to 40 and 5 or something?

MR. SNYDER: — I think any recommendations that we have will probably take a different form. I can't say with any degree of certainty what the most appropriate mechanism will be. Certainly the pension study that has been placed in our hands is one which reaches out much further, I think than the band aid approach that you are suggesting here. I think we want to go further than that to properly meet with a major social problem.

MR. KATZMAN: — On the same provision, the 45 and 10, are the funds

being invested in a cash purchase type or is it still frozen with the employer?

MR. SNYDER: — I am not sure that I have the question in its correct form but you will recognize that The Pension Benefits Act, is the Act that is administered by my department. It lays down the provisions which the participants are obliged to subscribe to. With respect to the investments in that fund, as long as they meet the minimum qualifications and as long as the superintendent of pensions is assured that the investments are sound that is really the basic responsibility that is vested in the superintendent of pensions. He must make sure that the equity that a person has in that pension fund is not going to be squandered or lost.

MR. KATZMAN: — Basically what you are saying then is, even though the 45 and 10 clause is in effect and the money is frozen with the company he was employed with, that what you are saying IE;, as long as the supervisor of insurance thinks it is solid it could be lost though, left with the company as has happened in the past you do not think it is the duty of your department to lock it in a special kind of fund, not with that employer?

MR. SNYDER: — With the vast number of private pensions in existence I just don't know how we would go about monitoring or policing that kind of an operation. It would just represent a giant kind of a chore.

MR. KATZMAN: — The past purchase plans are rather simple to monitor, but how about the two per cent best years of services plan. How do you handle those?

MR. SNYDER: — I think the most reasonable way of dealing with that question would be to meet with you afterwards or put you in touch with the superintendent of pensions because I f'-a^-'-y haven't got a good glimmer of an idea. I really couldn't be much help to you.

MR. KATZMAN: — What you are saying is basically, other than locking the ones in that you do now, you have no control or understand how the two per cents, 35, best 10 years, best 6 and all of those would lock in.

Item 7 agreed.

ITEM 8

MR. MERCHANT: — Last year I pointed out to the House that the investigators in the Women's Division were two increments behind the Investigators in the Department of Consumer Affairs and two increments behind the investigators working for the Ombudsman about \$180. I almost wondered whether they were being paid less money for work of equal value because they were women but I don't want to pick on the Minister about it. Has that situation been corrected?

MR. SNYDER: — My understanding is that we are dead on with the Labour Standards Officers and I think we are also equal to the investigators with the Ombudsman. I think we are dead on with both of them.

Item 8 agreed.

Items 9, 10, 11 agreed.

ITEM 12

MR. KATZMAN: — Under this Item could you inform me, are there any specific areas of resource you are presently working on, for example, emission in service stations, the bus barns and these types of areas?

MR. SNYDER: — In general terms the carbon monoxide survey at service stations is one of the many. There, have been requests for equipment, and some studies conducted into and research into heat. There are some 18 of those, vapours and gases, studies with respect to noise, light, asbestos, dust, humidity, ventilation. I can give you dates and circumstances here; Regina General Hospital, a thermal problem investigated and some research done into that in July 1976; one in Dad's Cookies, Intercontinental Packers, St. Paul's Lutheran Home, all relating to heat, noise, odours, light, exhaust fumes, carbon monoxide, solvents, humidity, ventilation and things of that nature; some additional work, some surveys and research respecting medical surveys or workers in two sodium sulphate mines and 60 employees were examined for possible mercury poison in a Saskatchewan chemical plant. Twenty employees at Frigstad were examined for illness related to welding. Thirty statutory examinations for asbestos workers covered under present regulations. Six lead workers, etc, etc, etc, mercury workers, five lead workers in the Saskatoon Printing shop were medically examined if you want to term that as part of the research program.

MR. KATZMAN: — On the heating research are you coming up with any definite recommendations yet regarding the 65, 70, 75 head factor?

MR. SNYDER: — There will be some additional regulations that will be passed in the not to distant future with respect to thermal environment and a number of the other matters that we related to directly.

MR. KATZMAN: — Could you at this time state what the findings are or are you going to be releasing them later, did you say?

MR. SNYDER: — Either I am not hearing or you are not speaking into the tube.

MR. KATZMAN: — I said are you suggesting that your study is not complete yet to make recommendations?

MR. SNYDER: — Yes, I think it is. We have the necessary components and

are in the process of putting the regulations together in an appropriate and readable form so that they can be properly administered.

Item 12 agreed.

Vote 20 agreed.

Supplementary Estimates agreed.

The Assembly adjourned at 10:09 o'clock p.m.