

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**March 25, 1982**

The Assembly met at 7 p.m.

**MR. TAYLOR:** — Before orders of the day, I rise to introduce a motion under rule 39. Rule 39 states as follows:

A motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under rule 38.

Mr. Speaker, because of the serious strike that is . . .

**MR. SPEAKER:** — Point of order?

**HON. MR. ROMANOW:** — The point of order is that we've passed orders of the day. You called orders of the day at 5 o'clock and we moved off it. You called orders of the day and nobody raised it. That I distinctly recall, Mr. Speaker.

**MR. SPEAKER:** — Members will recall before we left the Chamber at 5 o'clock, I had called orders of the day. No one rose at that time and at that point I called it 5 o'clock. So orders of the day is complete.

**MR. BERNTSON:** — Mr. Speaker, on a point of order, you will know that the member for Moosomin, in fact, called it 5 o'clock before you even went through the routine proceedings. Once we get through the routine proceedings, the procedure has always been that when you call orders of the day . . .

**MR. SPEAKER:** — I hesitate to correct the member but the member for Moosomin is not the person who calls it 5 o'clock. It's the duty of the Speaker to do that, and I had called orders of the day. I waited; no one rose. I said, "Being 5 o'clock, I leave the Chair until 7 o'clock this evening."

**SPECIAL ORDER**

**ADJOURNED DEBATES**

**MOTION FOR COMMITTEE OF FINANCE (BUDGET DEBATE)**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Tchorzewski that the Assembly resolve itself into the committee of finance.

**MR. BIRKBECK:** — Mr. Speaker, I, of course, had a lot of material that I wanted to go over with respect to the budget and there's a lot more material that I want to put together. Obviously this budget has not been satisfactory to the people of Saskatchewan and, therefore, Mr. Speaker, I would ask leave of the House to adjourn debate.

Debate adjourned.

**INTRODUCTION OF BILLS**

**Bill No. 45 — An Act respecting Temporary Provisions for Labor-Management Disputes**

**HON. MR. ROMANOW:** — I would beg leave of the Assembly — I will need unanimous consent — to move first reading of a bill known as The Labor-Management Dispute (Temporary Provisions) Act. I move this bill now be introduced and read a first time. And, Mr. Speaker, by leave, I should like to move second reading after I make this second reading address.

Motion agreed to and by leave of the Assembly the bill ordered to be read a second time later this day.

## **SECOND READINGS**

### **Bill No. 45 — An Act respecting Temporary Provisions for Labor-Management Disputes**

**HON. MR. ROMANOW:** — Mr. Speaker, I want to indicate to the members of the House that they will have, I hope, copies of the bill on their desks fairly soon. I think it is proper for me to reveal to the House that I had given advance copies to the Leader of the Opposition at approximately noon today. While there may be some minor changes (I don't know that for certain in the final version of the bill which we are debating), the opposition will have been apprised of the contents of the bill for the period of about 12 noon today. In any event, you will have the copy of the legislation which is before you in the next little while.

Mr. Speaker, I think everybody knows what this bill is going to endeavor to do. I will explain some of the provisions of the legislation in a few minutes. Let me make one or two very brief preliminary remarks.

First of all, Mr. Speaker, this . . .

**MR. THATCHER:** — Point of order, Mr. Speaker. I object to hearing second reading of this bill when I haven't had an opportunity to study the bill. I do not have a copy and yet debate is continuing on it. I don't see one on my desk. I acknowledge I was not here this afternoon. I think it is highly improper to debate this by the . . .

**MR. SPEAKER:** — I think I understand the member's point of order. The members will recall quite clearly that I asked if the Attorney General had leave to give first reading to the bill that he is proposing. The Assembly gave leave. Then, when it came time to ask when second reading would be given, I asked leave again, and the Assembly gave leave. I am sorry but the member for Thunder Creek would have missed his opportunity to object at that point. So, the Attorney General is quite in order.

**MR. THATCHER:** — Point of order, Mr. Speaker. I am not debating as to whether leave was given or wasn't given. I am just talking about a precedent in the House where debate does not take place when the members do not have access to the bill. That's all. I am not arguing as to whether leave was or was not given.

**MR. SPEAKER:** — Whether the Attorney General can proceed and whether the bill is here is irrelevant if leave has been given, and leave has been given at both stages at this point. So, the Attorney General is quite in order to proceed.

**HON. MR. ROMANOW:** — Mr. Speaker, as I said in my opening remarks, copies of the bill were given to the Progressive Conservative caucus at around 12 noon today. I can only express my regret that the hon. member for Thunder Creek either was not informed

by his caucus members or chose not to raise this point. I would now like, Mr. Speaker, to continue with my remarks with respect to this legislation.

As I said at the very beginning, Mr. Speaker, everybody, I think, knows the reason that this legislation is before the House. I want to make a few points, preliminarily, before explaining, in some detail, the provisions of this legislation. Let me say at the very outset, Mr. Speaker, that this government is committed to the principle of free collective bargaining and the process of the free collective bargaining process.

**MR. SPEAKER:** — I took the opportunity today to say something about this, and I will repeat it at this time.

Perhaps the people who are here this evening as visitors are unaware of the rules under which this House functions — and these rules are steeped in tradition that goes back hundreds of years — and about our parliamentary system. I know we all value that parliamentary system which give us free speech.

The first rule in this Chamber is that the only people who participate in the debate in any way whatsoever are the member who have been elected by constituencies. That is obviously the members on the floor. So I will ask all people in the gallery to confine themselves to being observers. They are here as guests of the Assembly, not one side of the Assembly or the other, but the entire Assembly. If they conduct themselves in that manner I know the members of the Assembly will have no objection to their being here.

**HON. MR. ROMANOW:** — Mr. Speaker, as I have said, I shall repeat again: this government believes in the principle of free collective bargaining. During our years in office, this government has introduced what I consider to be some of the best, if not the best, and most progressive legislation with respect to industrial relations in this country. There comes a point, unfortunately, in the affairs of state — a point which any government, no matter what its philosophical view or its perspective is on such important issues as industrial relations and the right to strike and collective bargaining — when it must act in the interest of the public as whole.

As a result of the strike of the Canadian Union of Public Employees against many of Saskatchewan's hospitals a situation, which can be alternately described as anywhere from serious to critical, has developed in the provision of health care services. This industrial dispute is now in its 15th day. Negotiations between the Saskatchewan Health Care Association representing Saskatchewan's hospitals on the one side, and the Canadian Union of Public Employees representing some of the employees on the other side, began last September, six months ago. Since that time there have been 20 days of negotiations and a further five days of fairly intensive conciliation. The latest conciliation talks ended without success last Sunday, and since that time the two sides have not met at the bargaining table.

On Tuesday of this week, as a consequence or as a next development, the Canadian Union of Public Employees involved in this dispute announced that it was going to maintain its strike, and that by the weekend the members in all of the Saskatchewan hospitals in which it is certified would be out of work as a further consequence of the controversy. That's the situation that faces the legislature and the people of the province of Saskatchewan at this hour.

Under those circumstances, Mr. Speaker, I say that no responsible government, regardless of its philosophical views or past legislation dealing with the area of

industrial disputes (particularly in this kind of a dispute), can stand by and permit the people of the province of Saskatchewan, or if you will the public good, to suffer the consequences of an industrial action.

Mr. Speaker, what are the options of the government, or any government, given this situation? To wait until a negotiated settlement has been reached is certainly one option. This would be the preferable option if there were any prospects of a settlement. Tuesday's announcement by the union indicates that they do not believe (at least as of that time, and nothing has changed since, to my knowledge) that a negotiated settlement can be achieved. They have opted to make the situation — from their point of view justifiable, I can understand — more serious, if I can put it that way, by their announcement that this weekend the dispute expands to all of the hospitals for which they are certified. By this weekend (if those words are to be believed, and I see no reason why they should not be) an overwhelming majority of Saskatchewan's hospitals would be without technical and support staff. I would argue, Mr. Speaker, that no government can allow the health and the well-being of Saskatchewan people to be imperilled in this way.

One option is to hope that a settlement could be arrived at, but not seeing any concrete evidence that such a settlement can be or would be arrived at, the only other option is legislation. That's the option that we feel as a government we have been forced to take in the public interest. And thus, this bill has been introduced.

The legislation has a twofold purpose. One purpose is to require certain locals of the Canadian Union of Public Employees to return to work or refrain from going on strike. It will also require the 78 hospitals defined as employers to permit their employees to return to work and to refrain from locking the employees out.

Part 2 gives the cabinet limited powers during a carefully defined period from the time the writs of election are issued to seven days after the return of the writ of election to order employers and employees not to take part in work stoppages.

It's indeed regrettable, Mr. Speaker, that the Government of Saskatchewan (in my judgment) is placed in a position where legislation of this nature is necessary, but I would argue this is a situation where there is no other credible or reasonable option.

I have already outlined, albeit very briefly, the history of the present strike by a number of the locals of the Canadian Union of Public Employees. But there are, as members know, other ongoing negotiations as well. Employees, including members of the Service Employees' International Union, members of the Saskatchewan Union of Nurses and laundry workers represented by the Retail, Wholesale and Department Store Union have given strong indications that they too may withdraw their services at some point or other. As long as a legislature has not been dissolved there at least always exists, albeit, one would hope, on rare occasions, a mechanism by which to deal with an emergency or a danger to health and safety which might be caused by work stoppages of this nature in this area. However, from the time the legislature is dissolved until at least 23 to 25 days after an election, there is no way that any government of the day can cope with any such public danger which may arise, protracted over a long period of time. Clearly, this mechanism is required for this limited period. The fact that it can only be used during the election period is a considerable limitation on the authorities of the government.

Mr. Speaker, in proceeding with this legislation, as I say, the government's main concern is for the public interest. Our object is to ensure that necessary health care services are available to all Saskatchewan residents especially given, as I see it, no reasonable prospect of a free collective bargaining system bearing fruit in this instance.

Mr. Speaker, the latest wage offer to the Canadian Union of Public Employees, with special adjustments, would have provided 14 per cent in year one. This would have meant 15 to 16 per cent for the lowest-paid workers. For year two, the wage offer was 11.25 per cent. There was to be COLA protection in both years. With all the fringe benefits the contract comes out to 28 per cent over two years.

Mr. Speaker, I shall make no comments for the time being as to the merits or demerits of this particular offer. I am only outlining the situation which has been placed on the table. I do indicate, however, in passing that the question of wages for hospital workers is something which continues to be of concern to this government and to people who are interested in the quality of work and the facilities surrounding pay received by those who are in hospitals.

But, clearly, when that offer has been rejected and there appears to be, as I say, no movement on either side at the present time to have the issues resolved, we are then forced into this option. Accordingly, Mr. Speaker, the government has no choice but to look beyond the interests of the Saskatchewan Health-Care Association and to look beyond the interests of the Canadian Union of Public Employees and try to look, as best we can, and as we are elected to do, at the interests of the public at large. Thus the introduction of this piece of legislation.

And now, Mr. Speaker, I want to briefly discuss the specific sections of the bill. First of all, the first part of the legislation is legislation which has been used on one or two occasions in the past, in my experience most recently in 1978 with respect to the dairy producers. Section 2 of this part defines the terms used in the act. The Saskatchewan Health-Care Association and those hospitals it represents in these negotiations are defined as "the employers." Those locals of the Canadian Union of Public Employees which represent the employees in these hospitals are defined as 'employees.' This part therefore, Mr. Speaker, is restricted in its operation to employees of the designated locals of the Canadian Union of Public Employees and those hospitals which employ them.

Section 3 provides for the resumption and continuation of employment. As soon as the act comes into force, which will be on the day of royal assent, all employees, according to legislation, are to return to work. All employers are to permit their employees to return to work in accordance with the terms and conditions of the last collective bargaining agreement.

Section 4 requires anyone who previously authorized the strike to notify employees that any direction to go on strike given before the legislation came into effect is invalid by this act.

Section 5 prohibits anyone from impeding employees from returning to work. It also prohibits employers from refusing to permit employees to return to work, and from disciplining employees who return to work for participating in the strike.

Section 6 provides for the extension of the terms of the last collective bargaining

agreement. The last collective bargaining agreement has been defined in section 2 as the one in force on December 31, 1981. It is extended for a period beginning January 1, 1982 ending on the date that a new collective bargaining agreement is signed. The terms and conditions of the previous collective bargaining agreement remain in force for the period of the extension.

Subsection 3 provides that each employee shall be paid an additional wage of \$125 per month for the period of the extension of the collective bargaining agreement. This is, in effect, an attempt not to penalize for the period that an agreement has not been arrived at, or for the period over which compulsory arbitration may take place.

Section 7 prohibits strikes or lockouts during the period when the last collective bargaining agreement is extended.

Section 8 provides that if the dispute is not settled within eight days of the coming into force of this act, the employer and the employee then must submit to binding arbitration.

Sections 9 and 10 set out the procedure of the arbitration. The Hon. Mr. Justice Ken Halvorson of the Court of Queen's Bench is named in the statute as the arbitrator. And if he is for some reason unable to carry out his duties, there is authority in the legislation for the appointment of an additional or a new arbitrator. Within five days of the appointment of the arbitrator (this is another five days after the first period of eight days which has been identified), the employer and the union must send the arbitrator a written list of the matters which are to be decided by him. The arbitrator can set his own procedure and he has the powers of a commissioner under The Public Inquiries Act. He must, however, give employers and employees the opportunity to present evidence, to make submissions and, if they choose, to be represented by counsel. If before or during the arbitration, the employer and the trade union agreed on certain matters on their own, the arbitrator then will only deal with those other matters upon which there is no agreement.

Set out in this bill, Mr. Speaker, is the time limit of one month for the arbitrator, from the time that he receives the notices of the items for arbitration, to report his decision. And these decisions may be retroactive to January 1, 1982. The employer and the unions are each responsible for their own costs of the arbitration.

Section 11 provides that when the arbitrator has reported on his decision, the employer and the union must conclude a collective agreement which will give effect to this decision.

Section 12 contains the provisions for offences and penalties pursuant to the legislation.

Now, the next section of the bill starts at Section 14, Mr. Speaker. Section 14 provides that the Lieutenant-Governor in Council may require employees back to work, and employers to permit employees to return to work or to continue to work. The term "during an election" is defined under this section as the period from the time the writs are issued for a general provincial election until seven days after the writs are returned.

This, Mr. Speaker, as I say, is intended to be what I would describe as a cooling off period at a time when there is no legislature which can deal with a critical situation if such a critical situation might arise. I have identified the one or two areas where

negotiations, delicate and difficult negotiations, are proceeding.

The Lieutenant-Governor in Council can only exercise the powers in the next section, section 15, where it is of the opinion that it is of pressing public importance, or where the health and safety of any person in the province is, or may be, endangered. After an order has been made under the section, anyone who authorized the designated employees to go on strike is required, as in the first part of the bill, to notify them that the strike is invalid. When an order has been made, and during the election, designated employees cannot strike, and designated employers cannot lock out.

Section 15 prohibits anyone from preventing employees from going back to work, and prohibits employers from refusing to allow employees to return to work or disciplining them for acts connected with the work stoppage.

Section 16 provides that when an order is issued under section 14 the term of the collective agreement last in effect is extended to include the period during an election, as is defined in the bill.

Section 17 is the penalty section, which is, I think, certainly similar, if not identical, to the earlier provision which I have outlined.

Section 18 is the coming-into-force section. The act comes into force on the day of assent.

With respect to the first part of the legislation, Mr. Speaker, as I have outlined it — namely, dealing with the Canadian Union of Public Employees, and the Saskatchewan Health-Care Association, and the schedules to the bill which identify the locals and the hospitals affected — it will remain in force only until a new or amended collective bargaining agreement is definitely concluded, at which point the bill will, as I described it, self-destruct.

Mr. Speaker, that is, in general terms (and I hope with sufficient detail), an explanation for the members of the House as to what this proposed legislation does, and a very brief description as to the paramount reason (the public interest) which dictates the bringing in of this bill.

Mr. Speaker, as I said previously, I regret that this action is necessary. The strain on Saskatchewan's hospitals is growing, however, and I believe that action is needed. There appears to be no prospect of a negotiated settlement and under these circumstances any responsible government, regardless of its ideology or political stripe, must move to ensure the maintenance of adequate health care services for the public at large.

We must move to ensure the integrity of the Saskatchewan health care system in this area. And it strikes me, Mr. Speaker, that under all of the circumstances this legislation is the only solution to which we, the legislators of this province, have been brought.

Mr. Speaker, I think that that gives an explanation. I perhaps will have something further to say in rebuttal when I close the debate, if that is necessary. Undoubtedly we'll have some more detailed questions on clause-by-clause. I understand, Mr. Speaker, that the opposition has indicated agreement to move on this today, as they have done, and we are making arrangements to decide what happens after tonight, if anything, regarding

what arrangements need to be made with respect to the matter of the House.

So, Mr. Speaker, with those few words, I move second reading of Bill No. 45, An Act respecting the Temporary Provisions for Labor Management Disputes.

**MR. TAYLOR:** — Mr. Speaker, as you are well aware, I attempted to rise earlier in the evening to voice some of my concerns about this serious strike. However, because of a technicality it was ruled out, but I think that at this point in time, on second reading, I would like to put forth some of the feelings that the caucus on this side of the Chamber have toward the actions of the government at this time.

Mr. Speaker, you may well recall that during the oral question periods in this Assembly, the last two days, we have continually pressed the Minister of Labor, whom I notice is not present in the Chamber tonight. This is very strange when there's a bill affecting people, legislating them back to work in this province. It also seems strange to me that this bill, a bill affecting labor relations, would be brought in by the Attorney General, and that the news conference would be dumped on the Minister of Health. I think the Minister of Labor in the government opposite is in serious trouble with organized labor in this province, and probably rightly so, Mr. Speaker.

The length of time that these negotiations continued could have easily brought about a settlement. Now, we have said to the minister, "Have you contacted the parties to see if they would come to the table?" I said a few hours ago, at 2:30 in this very Chamber, that our information was that within three hours the people could be back at the table.

Has the Minister of Labor made one contact to either of these parties? Is he doing that now? I don't know where he is but he is certainly not trying to bring about a negotiated settlement. He says that the parties are too far apart to negotiate, and he still hasn't made contact with them. How does a man know these things when he refuses to make contact with the people who are involved in this very serious strike?

Mr. Speaker, why has this strike come about? This strike has come about in Saskatchewan because of the underfunding by the government opposite. This is the same thing that is happening throughout this province, the same reason that there is discontent rampant out there in Saskatchewan — the government opposite will not put the money where it helps the people of this province. They will not put the money there to fund the hospitals. Little wonder that people who are gouged and bludgeoned and taxed in this province — people at the lower end of the income scale — have no other recourse but to strike for their just piece of the pie in this province.

Now, Mr. Speaker, with that scenario there, little wonder that we have a very serious strike on our hands. But what does our government opposite do? Do they make every last-ditch attempt to try to bring about a negotiated settlement? No. The Minister of Labor, I must repeat again, refuses and says that they are too far apart.

I heard the Attorney General rise in this House and say, "We believe in free collective bargaining." This was his introductory remark. He says, "Negotiations cannot take place." Well, I agree that negotiations cannot take place unless you get those people to the negotiating table. The government opposite refuses to bring these people together at the negotiating table. I say that is a shameful thing to be doing.

I think this strike is a very serious one. We want to see the health services in this province protected the same way as every one else does, but we also want to see free



collective bargaining facilitated — not manipulation, not the setting up of strikes to try to appear the tough guy in what could be a few days before an election writ. To do that type of thing is to manipulate the lives of innocent people. I think that is a very low type of manipulation.

Mr. Speaker, I would like to outline what we on this side of the House had in mind had we been able to bring that motion before this House when I rose in my place. I'm going to read the content of this motion that we had ready into my remarks, Mr. Speaker. The motion was the following:

That this Assembly order the Minister of Labor to intervene in the labor dispute between the Canadian Union of Public Employees and the Saskatchewan hospital association; and

That the Minister of Labor invite both parties to this dispute, during the course of the debate of the proposed bill, An Act respecting Temporary Provisions for Labor-Management Disputes, to the Legislative Building with a view to reaching a negotiated settlement.

Mr. Speaker, we have seen this precedent happen before with the government opposite. They have brought the disputing teams into the legislature of Saskatchewan, into this building and have used all the offices of the ministers to try to move back and forth to facilitate a solution. Tonight the Minister of Labor isn't even in the Assembly. That shows the concern of the Minister of Labor for the people of this province who are being forced, I say one again, because of the government's bludgeoning and burdening taxation policies, to go on strike to meet their payments and to have a way of life they deserve in the province of Saskatchewan.

I hear the Minister of Finance get up and, in his method of putting his messages across, attempt to say that they put people first. How can you, one week ago, stand here in this Chamber and say, "We put people first," and now not take any action to try to get innocent people back to a negotiating table so that they can get a settlement that is just and fair and honest? That is hypocrisy of the highest degree and that is what the government opposite is guilty of: sheer hypocrisy and playing with the lives of people.

**MR. DEPUTY SPEAKER:** — Order! Order, please! May I reiterate what the Speaker said earlier, that I ask the members in the galleries to be strictly observers and play their part as such, because that's the way the procedures go on within this House.

**MR. TAYLOR:** — Thank you, Mr. Deputy Speaker. You know, Mr. Deputy Speaker, to use the strong arm of government to legislate people back to work is the action of last resort. It may be necessary at times, but first, Mr. Deputy Speaker, a government that cared — a humane government that cared for the lives of innocent people — would make every attempt to bring those people to the negotiating table.

**SOME HON. MEMBERS:** Hear, hear!

**MR. TAYLOR:** — I tell you and the people of Saskatchewan that the government opposite has not done that. The Premier of this province refused two days in a row to take action to talk to these sides to bring them to the table. What man in the province has the power to bring them together to try to bring a peaceable and negotiated solution, other than the Premier?

But when he refuses to do that, I wonder, Mr. Deputy Speaker, if that is really his intent. Is it his intent to try to get a negotiated settlement or is it something else that he wants? And I wonder about that, and the actions of the Premier and the Minister of Labor. It's most disappointing, I say, that the Minister of Labor for some strange reason has dumped it on to the good old Attorney General and on to the Minister of Health.

You know, Mr. Deputy Speaker, this bill has two portions to it: part 1 and part 2 which are quite different and have different implications. And we are being asked in this House to deal with them both at one time. I would think that there are two issues there, one more profound than the other. And I would think, in fairness, that if the emergency is to get the people back and get the hospitals going, we could look at phase 1. But there's something else going on here. There are two parts put together — phase 2. I want to quote a few lines, Mr. Deputy Speaker, that may be reminiscent to you, lines that were said in this very Chamber regarding a similar situation a few years ago. And I quote:

I suggest that the question before us is, in the main, this: it is a question of the government's failure to cope with the situation which has led to the strike which is now in effect in the province of Saskatchewan.

Quote number one, Mr. Deputy Speaker. Quote number two:

Big brother, the government, can go around reading minds, interpreting intentions and applying penalties.

And quote number three, Mr. Speaker, concerning a similar situation, in a similar province, and the words echoed in this very Chamber:

Or does the government anticipate that its inability or unwillingness to deal with other employee groups will produce more problems for which it has no solution other than the removal of rights by some strong-armed method?

Mr. Deputy Speaker, those words were uttered in a debate on September 7, 1966, by Woodrow Lloyd.

**AN HON. MEMBER:** — Who?

**MR. TAYLOR:** — Woodrow Lloyd, the leader of the NDP. We have seen flip-flop after flip-flop by the government opposite.

Rural gas wasn't any good a few months ago boy, it's good now. Flip-flop. We have seen a freeze on public utilities. "Oh no, you can't do that," they said. But now it seems the right thing to do. I saw the Attorney General in December stand up and say, "You cannot give any money to anyone who has a mortgage because it will go into the pockets of the banks." Now he's willing to give money — another flip-flop. That is the type of administration which is going on in the Government of Saskatchewan.

Mr. Speaker, I had a very interesting visit tonight from a person who has been a member of that party since our university days. Do you know what he told me? He said, "You know, Graham, you and I were always on the opposite side of the fence politically." I answered that yes, we were. He said, "Philosophically, I think we still are." I said that that could be true because I hadn't changed and I didn't imagine he had. He said, "You

know, Graham, I am so fed up with the administration of the party which I have supported that I want to join up with you."

**SOME HON. MEMBERS:** Hear, hear!

**MR. TAYLOR:** — That's what is going on out there. Your flip-flopping ways are catching up with you boys. Let me tell you what he then said. He said, "If I say this, and I am a man who has supported that party since my college days back in the '50s, I can assure you that there are many other people in Saskatchewan who are feeling this way too."

**SOME HON. MEMBERS:** Hear, hear!

**MR. TAYLOR:** — Your flip-flopping tactics are now not only alienating the labor force in this province, they are alienating many other people as well. I suggest that your haste to bring in your back-to-work legislation really isn't because of a concern with being fair and just and trying to bring about a settlement with labor; I suggest that your reason for bringing in back-to-work legislation, with this smaller union which has only 5,000 employees, is just because you want to get the strike settled so it doesn't interfere with your election timetable. That is the reason you are bringing that legislation in at this time; that is the truth about what is really going on. You are flip-flopping and also playing politics with the lives of innocent people in Saskatchewan.

We don't have the say over when an election is called; we don't have any say as to when we will go to the polls. But, I want to tell you one thing, if it is your concern to force this back-to-work legislation through so you can run to the polls with your scheduled election, then I say to you, let's have it!

**SOME HON. MEMBERS:** Hear, hear!

**MR. TAYLOR:** — Let's get at it. Let's let the people of Saskatchewan indicate what my friend told me tonight. Many others are feeling that way. I say that if it's an election you want, we're ready. Call the darn thing and let's go.

**SOME HON. MEMBERS:** Hear, hear!

**AN HON. MEMBER:** — You're sick.

**MR. TAYLOR:** — Well, if I'm sick my lad, you're an awful lot sicker. You'll find that out in a few short days. You may be lucky because I guess you're one of the smart ones and you're bailing out. I give you some marks for a degree of cunning, of knowing when the ship is going down.

**SOME HON. MEMBERS:** Hear, hear!

**MR. TAYLOR:** — Mr. Speaker, I say that it is certainly an embarrassment, it is disgraceful, that the Minister of Labor in the province of Saskatchewan would not be here to enter into the debate on a bill forcing people back to work. I think it is a time, Mr. Speaker, that we should have the minister here. In fact, we should demand that he would come in here, stand up and tell us his reasons. After all, he is the man responsible for labor relations in the province, not the Attorney General, not the Minister of Health, or not some of the other ministers who are probably going to have to stand up and stand in for him.

**AN HON. MEMBER:** — Where is he? Look under his desk!

**MR. TAYLOR:** — Well, we'll look all around. I don't see him at all tonight, but I'm sure of one thing: he isn't out there trying to bring these two sides together.

Mr. Speaker, just in recapping I would say shame on the government opposite for letting this go this long. And the main reason, as I said at the beginning of my remarks, is the same thing right across the board — underfunding, misdirection of dollar bills and wrong spending priorities: \$2 billion for the Crown corporations and not enough money to settle the labor disputes in this province.

Mr. Speaker, I would guess that if you just took those Crown corporations ads off for about a week or two weeks, you would probably have enough money to settle this strike that's taking place today. More than enough money, my colleague the finance critic says, more than enough. And if that is the situation, are you using the taxpayers' money correctly? Stop your Crown corporation ads for two weeks and you'd settle the strike. You'd have the money. Surely, Mr. Speaker, we must agree that the priorities of the Blakeney government are all mixed up; the flip-flop posture that has been exhibited over the last while is again shown by the actions of this government.

Mr. Speaker, I think it is certainly a great shame that the government has allowed this strike to get to this situation where they find it necessary to bring in legislation that will force these people back to work.

**SOME HON. MEMBERS:** Hear, hear!

**MR. THATCHER:** — Mr. Speaker, occasionally words come back to haunt all of us from time to time. But I can't think of any evening that probably would indicate the authenticity of that remark better, that would demonstrate more clearly the principles which are very evident in the government across the way. They are as a government (clearly established tonight) a group of individuals that would prostitute anyone to get re-elected. You know, Mr. Speaker, I have to ask myself what changed in the past week? What took place so that the crisis occurred today and not last week. Well, I suppose the polls have changed; they've been changing daily. And now that the possibility of a defeat has become a probability; the decision has been made across there, "Before defeat is an absolute certainty, we must have our election."

Mr. Speaker, very clearly, very definitively, tonight this government is exposed as a group of individuals that will prostitute their principles to have an election. The only reason that we are talking about this bill tonight, tomorrow, probably next week, is because these people, for their own expediency, have decided they better have an election right now. From that point of view, we concur. We concur and we'd be delighted. I note the Premier is at the back of the hall right now, in the back of this place. Any moment the Premier wants this floor I'll yield to him if he's going to call an election. Because, boy, we can't wait to get out here, and I hope that he calls it tonight or tomorrow.

In the meantime, he's got a little trouble, hasn't he? He's got a little trouble because he must enact legislation that he and his government so vitriolically opposed some 10 years ago. You know, it's pretty ironic that about ten and one-half years ago this government repealed almost the identical legislation that it proposes to enact tonight. Pretty amusing!

Mr. Speaker, this bill was proposed by the Minister of Health. It is interesting to note some of the comments that the Minister of Health, some ten and one-half years ago, had to make at the time this government was repealing almost the identical legislation that it proposes tonight.

Now, to save the government member the discomfort of getting up to say, "But oh, look, the Bill 2 we propose is only for an election," I'll point that one out for you. So, ten and one-half years ago this government repealed legislation, but it had some unique comments. I'll start with the Minister of Health who finally, this morning, came to the realization, "Well, we can't have an election while there are some problems in our hospitals. I mean after all, if we dissolve the legislature, we don't have MLAs; we don't have a Legislative Assembly; we don't have any power for order in council. We've got to do something because the bottom's falling out if we have to wait until June."

Well, the freshman member for Saskatoon Nutana some ten and one-half years ago got to his feet, and he made a comment:

Bill 2, Mr. Speaker, did not have the desired effect of easing tension between labor and management. It did not reduce the number of strikes. In plain words, it just didn't work. Therefore, Mr. Speaker, I say that it must be repealed.

That's the Minister of Health, who this morning went before the television cameras and said. "This labor situation has become intolerable. The interest of the people of Saskatchewan must be protected."

My, my, isn't it amazing. Isn't it amazing when the people have just won, and now are in danger of having to go out to earn an honest living once again — something that many of them haven't done for ten and a half years.

Mr. Speaker, the Minister of Health went on to say ten and a half years ago:

It is preposterous, Mr. Speaker, to claim that bargaining between two parties is free when a third party is sitting on the shoulders of the bargaining team. I would say, Mr. Speaker, that it has not worked, and I think there are many people in this society today who feel that it has not worked, and that Bill No. 2 must be repealed.

Well now, what has changed. I ask the Minister of Health, other than the fact that you are about to become unemployed? He went on to say: "I have a clipping from the Saskatoon *Star-Phoenix*, and it says, "The United Church Blasts Bill No. 2." I wonder what the United Church will have to say about this legislation. And it went on to say (this is the United Church), "It is a dangerous piece of legislation, and tends to move us away from the democratic ideal," the church said in a brief to the provincial cabinet."

A little further on, they say, "The same threat to the process of negotiation applies here, too," and the Minister of Health went on to say:

Referring to the so-called impartial labor courts that they proposed, labor and management must have the right to challenge each other, and each has the right to a just share of the economy of this country. We are moved to say, differing opinions between power groups is not always a bad thing, and we

are hopeful that when such does exist, it may bring about an effective progress.

My, how things do change! Mr. Speaker, what has changed? Not very much. Has this government gone through every effort that it possibly could to end this strike, a strike in probably one of the most essential of essential services? What has the government attempted to do? Well, they've tried to negotiate through the media. We have seen the chairman of your negotiating team on television, airing the government offer.

You know, it seems to me that I have heard members across the way speak very critically of that process, and I confess that most of my knowledge on labor negotiation comes from things that I've heard from members opposite, and I have heard that one being expressed as a very outmoded tactic.

Mr. Speaker, I suggest that if this government wanted to end this strike, there are a variety of ways that it could do it, or at least make attempts to do it, that you haven't tried.

Number one, there seems to be friction between your negotiator and the union, and certainly the negotiator's actions on television would give some credibility to that. Step number one — try a different negotiator. Obviously, there is a point of irritation there. Perhaps the union might have reciprocated that that feeling was paramount. That's one.

The second one, Mr. Speaker, was one that the government perhaps could have listened to tonight — that is if you had allowed our amendment to be introduced. You could have asked both parties — in fact, I believe you have the power to almost order them, if you so desire — into the legislature and you could have almost ordered non-stop negotiating sessions.

I can't help but think that the union people would have expected their negotiation team to enter these negotiations and proceed non-stop, because I'm sure they would like that strike ended just as much as, and probably more so than, anyone else. But of course, that wouldn't have allowed the Premier to call his election tomorrow, would it? That wouldn't have allowed you to call an election tomorrow, so consequently we have this legislation that you have had lots of time to prepare. We see a copy of it this evening and the government, of course, is hopeful that it's going to get first, second and third reading this evening. I have a feeling that it just may not get that.

Mr. Speaker, the issues here for everyone to see are the principles of a government which has basically prided itself as a labor government, and that's fine. You in the NDP have won some elections on that, and that's fine. There's nothing wrong with that whatsoever. Labor has basically been your strong constituency. Regrettably, other parties have probably conceded that sphere of influence to you; in all too many elections, they have allowed you to go unchallenged in that area. The fact that you are now being challenged in that area again is an example of a government that is on the way out, because you're now starting to flip-flop in the areas of your traditional strength. Your traditional people are turning on you.

Mr. Speaker, there are funny, funny moods out in this country today — very strange ones — and they're here in Saskatchewan. There's a turmoil that, to be perfectly candid, the government can't get a handle on; neither can we. We both know that as we go into this election, there are going to be some very, very interesting moments, not the least of

which will be election night.

Mr. Speaker, I don't completely disbelieve CUPE members, both provincially and federally, who make gestures that they will not obey this legislation. I take their threats on the news media very seriously. And I don't know what that means. Exactly what happens if CUPE — as some of their leaders are threatening — simply says, "Drop dead, we're not going back"? What are you going to do? Are you going to put them all in jail? I would doubt it. What are you going to do if CUPE does go back and another union walks out? Are you going to pull out the other half of this bill?

Mr. Speaker, I think the most disgusting portion of this legislation before us is its two-pronged effect: they're putting two completely distinct issues in one bill. Mr. Speaker, everyone can have his opinion about what is happening in this unfortunate CUPE strike, and certainly no one in Saskatchewan looks forward to a full-scale withdrawal of CUPE services this weekend. Mr. Speaker, this government has had sufficient time, all the time in the world, to get strong, strong action going to settle this strike, and that does not necessarily mean compulsory action.

But action to settle this strike is one thing. What's a horse of a different color is tying on legislation to prevent strikes in this sector during the period of an election. Mr. Speaker, what is different about the government having that power during an election and having that power all the time? Now, please tell me — and I hope somebody on that side of the House will stand up and tell me — why you should have that power if it is so wrong. If it is so against your philosophy to have that power all the time, why is it so wonderful that you should have it for 28 days? Is it for the good of the people of Saskatchewan or for the New Democratic Party of Saskatchewan? I suggest the answer is rather obvious.

Mr. Speaker, I noted the Premier was in here a few moments ago and I see that he's left. I really don't blame him for that, because I had a few comments of the Premier's that I happened to mark. And some of those comments go back to a time some years ago when another government was preparing the identical legislation that you're presenting tonight for a 28-day period. The effect was identical. And the Premier was, at that time, the member for Regina West. This goes back to September 7, 1966, and the Premier is speaking.

I think all of us are concerned that we are here today. We are concerned because the task upon which we are engaged is a task which I am sure is distasteful to many of us, and perhaps to all of us in the House. We all recognize, I think, that a legislature is an inappropriate place to settle a dispute between management and employees.

Isn't that interesting?

**AN HON. MEMBER:** — Who said that?

**MR. THATCHER:** — One A.E. Blakeney, the MLA for Regina West.

I am not here to deny that problems of this nature can arise again, but I think it worth while to note that it is 20 or 25 years since we have had a serious strike in a public utility or in an area of our activity where life, health or property might be endangered — seriously endangered. Therefore it is unlikely, I think, that we're going to be met with any of these strikes which are

proposed. I certainly take the view that this is a highly isolated experience, a highly isolated incident, and that if we deal with this one, we probably will never have to deal with another one in the legislative lifetime of any of us here.

Isn't that a gem? Anybody want to ask the Premier if he's got anything he'd like to announce? I'd still be happy to yield the floor to him.

I may be wrong, but I think on the record in the past I would be right. This is why I think that I will find myself supporting the amendment which asks the government to settle the power dispute, to establish the machinery which will for certain settle the present dispute and not go further into other areas of activity.

In other words, the Premier, the member for Regina West, was proposing, "Let's settle the strike we've been called back for."

**AN HON. MEMBER:** — But no Bill 2.

**MR. THATCHER:** — But nothing else. That was the present-day Premier.

Mr. Speaker, you know I could go on quoting this stuff of the Premier. I don't know whether I will or not. Perhaps a couple of other paragraphs do merit quoting. The member for Regina West went on to say:

Mr. Speaker, as I indicated, our purpose here today is to find a way of settling the power corporation dispute, and members on both sides agree that this dispute could only be settled at this point by compulsory arbitration. But I want to point out to this House what when we agree to this, we are legislating away the right of a group of people to withdraw their services, not to work for someone you don't want to work for. This means that it may be necessary for us to take away private rights to accommodate this public right, and we have well recognized this in times of war. We have recognized it with respect to police. We have recognized it with respect to firemen. And I'm prepared to say that under extreme circumstances we must recognize it with respect to other workers. All I am saying is that before we invoke this principle we should not do that unless it is necessary.

Mr. Speaker, I think it would be repetitive to go any further. Obviously the member for Regina West at that time was saying, "Let's settle this strike, and let's not try to predict the future."

What basically has been the philosophy of this government? What basically has the government said it was going to do since it repealed Bill 2?

Mr. Speaker, I suggest to this Assembly today that the two prongs of this bill are not related, and I suggest to this Assembly that this government has no licence whatsoever to put in labor legislation for a 28-day period as it proposes. I suggest that this government brings shame on every one of us by bringing these people back now simply because a group of politicians (who don't have a great deal of credibility anyway) want to go out and spend a lot of money trying to decide who is going to run this province. That's basically what it is all about. You want to have an election before the bottom falls



out. Politicians don't have a great deal of credibility, as we all know, and this sort of legislation is one of the reasons why we don't have it.

**AN HON. MEMBER:** — Speak for yourself.

**MR. THATCHER:** — Well, now, I hear the soon-retiring member for Moose Jaw North. I wonder what that member for Moose Jaw North would have been saying to his local if it were a Conservative government that was proposing this sort of legislation. Let me tell you, he'd be urging them to storm the legislature. In view of the fact that the member for Moose Jaw North is retiring, I'm surprised he's not on his feet to speak against this legislation.

Mr. Speaker, it is one thing to treat the unfortunate CUPE strike as a separate issue which we must deal with. It is quite something else for this government to attempt to avoid the embarrassment, during an election campaign, of another strike by putting in the kind of legislation which it as a government has always consistently opposed.

Mr. Speaker, it is still not too late for this government to order its negotiator out of the gallery and into a room downstairs. I'd be very surprised if CUPE didn't get its negotiator down there in a hurry. I'd be very surprised, with the intervention of the Minister of Labor and all the efforts of conciliation now, if significant progress could not be made. I'm not suggesting that the government hasn't put forward some effort. I'm not convinced that you've exhausted everything. I'm not convinced that the government should not try a new negotiator. Perhaps the union would respond in kind. I don't know.

It would not be totally unrealistic, if we are in the crisis situation that the Minister of Health has indicated, for the Minister of Labor to handle the negotiations himself, because CUPE makes a very valid point that the Saskatchewan hospital services organization is a front for the government. You're paying the bills and the suggestion that you're not is sheer lunacy by someone who does not understand the budgetary process.

This is between the Government of Saskatchewan and CUPE. You can put your front men forward if you want. They don't buy it and the public doesn't buy it and you know that it is not true. Before we pass this legislation, it would not be inappropriate to get the Minister of Labor down there as your chief negotiator, because the argument that you're not involved doesn't wash; it doesn't hold water.

But then, that brings us back to the second section of that bill — a bill that you've designed to protect the flank of the New Democratic Party for 28 days. You know, I could go back into the debate as to when you repealed that in 1971, but I won't take the time of the House. I could go back to the arguments of several members still here when Bill 2 was being proposed many years ago. I could take some very interesting comments from the Minister of Urban Affairs as the bill was being repealed in 1971. All it would do is confirm that this is a government that's on its way out, a government that feels it has to have an election. It's not kosher to have one in May, so we've got to have it in April or else wait until June. This government, by its own computer print-outs and its own surveys, is on its way out, so it has to have it now.

Your principles are pretty clear. There's a group of people out there that you're willing to prostitute, to use for your own political gain. No question about it, the strike is unfortunate, in many ways tragic. But you created it. You made it. You're responsible for it and you haven't made every effort to end it.

Mr. Speaker, as this bill is presently constituted and the way this bill is presently proposed, I have a great deal of difficulty with it. I acknowledge the gravity of the situation out there, although I don't see where it's any more grave today than it was some days ago. The only thing that's really more grave, I suppose, is the political life of this government. But I have some difficulty with it. And quite frankly, as I take my chair, Mr. Speaker, I haven't decided exactly what I'm going to do. I have a great deal of difficulty with it, and a great deal of difficulty with that section of the bill empowering that government (unfairly I believe) for a 28-day period. I haven't decided what I'm going to do.

**MR. SKOBERG:** — Mr. Speaker, I enter into this what I presume is to be a debate, but after what I heard from the hon. member from Thunder Creek, one of the greatest hypocrites I've ever heard either tonight or any time in the past . . .

**MR. SPEAKER:** — Order, order! It's considered parliamentary if the members will direct their comments to the issues and not to the personalities, and I would caution the member for Moose Jaw North on that point.

**MR. SKOBERG:** — Thank you and I apologize, Mr. Speaker. I have a little difficulty with the hon. member for Thunder Creek at times, but otherwise he's not too bad a fellow.

I might say that when I listened to the opening remarks from the hon. member for Indian Head-Wolseley, followed by the hon. member for Thunder Creek, I wondered just how hypocritical those remarks could possibly be. When I think of some of the observations that are being cast here this evening, and realize just how phony they really are when we look at the Conservative platform, then I wonder how the trade union movement in this province or anywhere in Canada could possibly be in this Legislative Assembly Chamber tonight, or anywhere across this country, and suggest that the Conservative Party is the defender of labor.

I have a little difficulty, Mr. Speaker, believing that the trade union movement (no matter how regrettable this type of legislation may be) would possibly think that the Conservative Party has any time for it whatsoever as far as trade unionists or labor people are concerned. I might say, when I look across the way and see the hon. member for Thunder Creek in his usual way, that I believe the only time I've seen him in a trade union hall was when he was at my roast not too long ago. I can't quite remember his being in a union centre in this province or any other place that I can think of.

I might say that when I listen to the Conservatives opposite talk about how they know all about the trade union movement, how they know all about the collective bargaining process, how they would stick their noses immediately into the trade union bargaining process; then I look across there and realize that even though the hon. member for Indian Head-Wolseley is a teacher and got his 14 per cent, I would say to the rest of them, particularly the one for Thunder Creek, that I have some difficulties believing that they are interested in labor.

There is no question in my mind that not many of us have been privy to the immediate crisis that is facing Saskatchewan. I have not. I have said, and I consistently say, that when a dispute occurs we have the method set out there for labor and management to negotiate. I consistently, when the phone rings, tell the people on the opposite side of that phone that I am not the negotiator, that we have free trade unions in this country and we have a system through which they can bargain.

I think it is somewhat unfortunate, when we listen to those opposite, that they are trying to become political opportunists at this time. We saw in the question period today, Mr. Speaker, the play to the gallery, which they are again trying to do this evening. I think there is no question in my mind that if they had their way, the Conservatives opposite, labor would be at the bottom of the totem pole. And the people of Moose Jaw and Saskatchewan and Canada know that is what the Conservatives stand for. There is no question at all, Mr. Speaker, that they are not interested in true collective bargaining.

It's rather ironic. I'm not even going to bother wasting time to explain, to the hon. member for Thunder Creek, particularly, why in fact there may be a necessity for some type of legislation during the closed period or during the period an election is on. I'll leave that to the Attorney General to explain to him, because I'm sure that if that member, with the length of time he has been in the political field, doesn't know that answer, then that is a typical example of the fact that he knows nothing about collective bargaining or nothing about what goes on in a democratic process.

Mr. Speaker, I have listened (and I'm not sure where they stand, and I'm sure they don't know where they stand) to the first two speakers. The hon. member for Indian Head-Wolseley, I would suggest, would have a little problem supporting what he was talking about a little while down the line. And the hon. member for Thunder Creek? I have no question on his position on the trade union movement. His record stands quite clear: he never has been in agreement with the trade union movement.

My problem right now really is that my position was made up and my mind has been made up. But my problem is that (and I will be announcing what I'm going to do) I may almost look like I might be closely aligned with those people opposite. And I would never, never want to be in that position because I know the hypocritical position that has been taken by those opposite — and will be taken by those opposite — is not a true, honest position.

Mr. Speaker, I will be voting against Bill 45, but I do so with the greatest respect for my colleagues on this side of the House. I know that there has been a tremendous amount of time spent in trying to decide which may be the best way. I have the greatest respect for that position. However, I will be voting against Bill 45.

**AN HON. MEMBER:** — Any others over there?

**MR. PREBBLE:** — Mr. Speaker, thank you. I have a few words that I'd like to say on this bill. I'd like to address both parts of the bill. I want to first make a few comments about what the members opposite have had to say tonight. We've heard from two very interesting speakers on the Conservative side of the House. It's interesting for the person who has had an opportunity to observe their remarks at different times of the year. Their remarks change with the seasons.

Mr. Speaker, it was only a few months ago . . . (inaudible interjections) . . .

**MR. SPEAKER:** — Order, order, order!

**MR. PREBBLE;** — I'm prepared to take my time, so members opposite may want to bear that in mind. Otherwise they may be listening to me for a very long time.

Mr. Speaker, in the fall the member for Indian Head-Wolseley, who presented us today

with a so-called pro-union stance, sent out a newsletter, when Ronald Reagan ordered the airline traffic controllers back to work in the United States, saying that the Government of Saskatchewan ought to follow the principles and policies of Ronald Reagan. I don't hear him saying that tonight. But that's what I read in the newsletter that he sent out last fall.

Then we heard from the member for Thunder Creek. I'm not really sure what his position on labor is tonight, but I knew what it was during the dairy strike in 1980, when the member for Thunder Creek suggested that the process of collective bargaining that was going on was really a process of collective blackmail. I presume he meant blackmail by the dairy workers, which I certainly didn't consider it to be.

Mr. Speaker, I'd like to read into the record tonight, before I address my comments to this bill, a few of the other comments that were made during that debate around the dairy strike by members opposite. The labor critic on the other side of the House, the member for Rosthern, said (again with respect to the dairy workers), "They want drugs; they want birth control. That is what's causing the milk strike." He went on to attack the notion of union shops in that speech, as did a number of the members on the opposite side of the House.

On May 8, 1980, the finance critic for the opposition, the member for Regina South, had this to say, "When I was 15 years old, I decided I would never belong to another union as long as I lived." He suggest that the government think about the right to strike and declared, "It is time the government took a look at the so-called collective bargaining of unions." He went on to say, "When we change the government, those ideas (collective bargaining) will change."

Mr. Speaker, I could read into the record a whole litany of comments that have come from members opposite over the last few years about the trade union movement. But I think that those comments, in themselves, demonstrate clearly where members opposite stand when it comes to labor issues.

Having dealt with that question, I want to turn to the question of the legislation before us in a very specific sense. I was elected on a platform of support for free collective bargaining. I continue to advocate that that is the process that ought to be followed in this particular strike, I, therefore, will not be supporting the legislation.

I want to make a few other comments with respect to the dispute. First of all, I think that we have to recognize that many of the employees whom CUPE is bargaining for at this time are among the lowest paid employees in the health profession and, in fact, some of the lowest paid employees in society. You can take a dietary aide or a housekeeping aide and, in general, they're making around \$13,600 a year. They've had a history in recent years with respect to their negotiations that is perhaps not well-known publicly, but they have generally, in the last few years, come in in their settlements well below the settlements of many other people in the hospital sector. For instance, two years ago, the hospital workers settled for, I believe, 9.25 per cent whereas, at about the same time, nurses settled for 16 per cent. That history, Mr. Speaker, I think has something to do with the problem that we face today.

I don't think, Mr. Speaker, as members opposite suggest, that the primary problem is a problem of inadequate funding for hospitals in Saskatchewan. On the contrary, I think that the adequacy of funding, generally, is displayed by the fact that the Minister of

Health on this side of the House brought in a budget that provides a 22 percent increase for health funding. But, Mr. Speaker, I think that one of the problems that we face here tonight as a government, that we've not addressed, is the whole question of the structure of salaries within the health field. We have massive discrepancies between physicians and specialists, on the one hand, who can make up to \$80,000 to \$100,00 a year and, on the other hand, people who work in the hospitals who are lucky if they make \$13,000 to \$14,000 a year.

In addition to that, Mr. Speaker, I want to say that one of the reasons why I'm not prepared to support this legislation tonight is because I'm not yet convinced that there is no room for movement by both sides on this issue. It's not my perception that there has been no movement at all in the negotiations and I think that as a legislature we ought to be providing more time for a settlement of this strike through the collective bargaining process.

I think another reason why it's unwise for the legislature to be acting at this time is that by passing back-to-work legislation tonight, the essential problems in this dispute are unlikely to go away. I think that those problems are only going to be dealt with through free collective bargaining and it's not my view that they will be best dealt with in the long term through passing back-to-work legislation.

I also don't think at this point in time that this strike constitutes an emergency. I have seen very little evidence, if any, of an emergency existing in the province. In fact, the Saskatchewan hospitals association has stated clearly that it believes that it has the situation quite satisfactorily under control in Saskatchewan hospitals. I also think there is a good deal of evidence to show that CUPE has certainly attempted to provide emergency services wherever they were required. I'm aware that there are a few cases that have come to the attention of the government which would be described as urgent, where people may have been facing certain difficulties. Well, I'm not convinced, Mr. Speaker, that the steps were taken, first of all, to provide CUPE the opportunity to resolve those individual problems by providing services. Nor am I convinced, Mr. Speaker, that the necessary pressure was put on the Saskatchewan hospital association, to make sure that it didn't play politics in certain cases in releasing particular people from the hospital, when there might have been questions about whether they ought to have been released.

Now, Mr. Speaker, I also want to say that I think the second part of the legislation also raises some concerns which are such that I'm not prepared to support it. I am prepared, Mr. Speaker, to support in broad general principle the idea of having some kind of legislation on the statute books of this province which makes provision during the period of an election campaign for the cabinet or the Lieutenant-Governor in Council to prevent a strike from occurring in an emergency situation, where there is risk for life and limb. But that's not what I see this statute saying.

Section 14 makes specific reference to two specific kinds of situations where a back-to-work order can be issued during an election campaign. One is with respect to items "of pressing public importance" and the second is with respect to items "that endanger or may endanger the health or safety of any person in the province." I could perhaps live with the second section that I just read, Mr. Speaker, but I think that the first section is much too broad. What is the definition of pressing public importance? Is a dairy strike of pressing public importance? It seems to me that that simply becomes a matter of definition for the cabinet of the day and it seems to me that that wording is too general and too broad to be able to gain my personal support.

I do want to say, however, that while I accept the principle that's contained in the second part of that section, with respect to strikes that may endanger the health or safety of any person in the province, I think that another shortcoming of this legislation is with respect to the fact that it's being introduced without extensive consultations with the trade union movement of this province, including the Saskatchewan Federation of Labor and the unions which are members of that federation. Therefore, Mr. Speaker, I think that it's inappropriate for the legislation to be brought in at this time.

So for these reasons I will not be supporting the bill, Mr. Speaker. It's been general practice on this side of the House, when matters are being dealt with that are outside of the ethical or moral range of members who are in strong disagreement with the legislation that's being brought forward, for those members to not vote on that legislation. I will not be voting in favor of it. I disagree with it and I will be indicating that disagreement by abstaining on the vote and maintaining my seat in the House.

**MR. LANE:** — Mr. Speaker, from the first day of this session, we indicated in our questions before orders of the day that this strike had already taken on political overtones, that it look staged at that time, that the government opposite had full intentions of going through a scenario. I actually lost a slight wager, Mr. Speaker, because I was betting that the government would bring in the back-to-work legislation on Wednesday of this week, and I missed it by a day.

We expected, and I think members of the press gallery expected, that this particular strike was set up and manipulated by the government opposite. I don't think there is any doubt about it. If you want to make a comparison, I want members of this Assembly to remember back a couple of years ago to the dairy producers strike. Some of you may recall the efforts of the Minister of Labor and the Minister of Agriculture as they went from meeting room to meeting room, back into the Assembly, into their caucus rooms, having meetings with the Premier, having meetings with the Attorney General. They did every possible thing they could to stop the legislation from coming in. They negotiated all night long to try to settle the strike.

I think everybody in this Chamber remembers the efforts and the activities of the Minister of Labour and the Minister of Agriculture. What do we see this time? The first day of this session we asked the government to begin to use its offices to try to bring the parties together, and what happened? Nothing. We asked again yesterday. What happened? Nothing. We asked again today. What happened? Nothing. It has come to the point where they are doing so little, that the Minister of Labor doesn't even have the political courage to show up in this Assembly tonight and participate in this debate. And the Minister of Health turns tail and runs. He can't stand the heat.

When you compare the situations of two years ago and today, you can't come to any other conclusion but that the government opposite deliberately wants this strike. The fact that there are two inquests resulting from activities, at least in Regina, doesn't bother them. They were prepared, Mr. Speaker, to let this go on for cheap political gain and not out of concern with the health care system, or the employees, or members of the Saskatchewan hospital association.

Those considerations were irrelevant. The only concern of the government opposite was the election. And I was kind of glad to hear the member for Moose Jaw North when he happened to let it slip out that, "We may have difficulty dealing with this situation in a short period of time." He knows full well what's happening out there, and he knows how

much trouble the government is in. And if we ever want to see proof of what the surveys are showing, and what the members opposite are getting out in the field, it's the desperation politics that we're seeing in that the government opposite would whipsaw the health care system around.

I ask again: what kind of government that prides itself on its union backing and its union traditions can't even get the Minister of Labor to participate or even show up in this debate? Where is he that he can't come here and explain his government's position? Where is the Premier? Where is the Premier that he can't stand up and defend his government's position? Where is the Minister of Health? I know we could probably say facetiously that he's better off being out of everything, but I do think he has a political obligation to be here tonight and I think he's got a political obligation to state the government opposite's position.

If we ever want further proof, Mr. Speaker, of the political motivations behind this strike, we have to look at part 2 of this bill — the first time in the history of this province that any government of any political stripe has brought before the Assembly and endorsed the principles of anti-embarrassment legislation. Is this part 2 of this bill which allows cabinet to stop a strike during an election limited to health care? Not at all. It says a "labor-management dispute," and I'll go to The Trade Union Act and define a labor-management dispute so that you see how broad that term is. It means:

Any dispute or difference between an employer and one or more of his employees or a trade union with respect to matters or things affecting or relating to work done or to be done by an employee or employees or trade union or the privileges, rights, duties, terms and conditions or tenure of employment or working conditions of the employee, or employees or trade union.

It's an extremely broad definition. It takes into account just about any dispute between an employee and an employer. It covers tenure, working conditions — the government can step in when it decides, when the cabinet decides, that there is a situation or labor-management dispute which creates a situation of pressing public importance.

Pressing public importance is decided in this Assembly — not by cabinet. And I think that the Attorney General had an obligation in his second reading speech to detail specifically to whom this applies. The nurses fear that cabinet is going to step in during the course of an election and make sure that they stay at work. Who else? Will it be used against forestry workers, Sask Power workers, Sask Tel workers, employees in the Sask

Housing Corporation, the Department of Highways? We could go on and on and on. That's what the government opposite proposes.

I must say when we're speaking a little frankly that I have a little difficulty when the trade union movement is paying a 25-cent a month contribution to the coffers of the party opposite. I have the feeling that . . .

**AN HON. MEMBER:** — They should give them their money back.

**MR. LANE:** — . . . they may demand their money back or they may decide that they have to pay each month, but they don't like what they're getting. Don't be surprised if the extent of this legislation goes far beyond CUPE. If you think you're going to go and tell them, "Well, if you had given a dollar a month, we wouldn't have done it." I don't think it's going to wash.

The Deputy Premier says that the legislation is to protect . . . (inaudible interjections) . . . I sure wish we could get the member for Morse on record for posterity because his last speech should be recorded. We know he won't get a chance to do it standing up, so we might as well take what he's saying sitting down.

The Deputy Premier says that this legislation is to save lives and protect the health care system. Certainly such an argument can be made, with the imminence of a total shut-down of the hospitals. But that doesn't take us into part 2.

I suppose we really have two health care systems involved here: one is the one that the public of Saskatchewan supports and the other one is the health care of the government opposite. There are two sets of patients: one being the sick and the infirm throughout Saskatchewan and the other being that sick patient, the government opposite, that's in such ill health that it, in desperation, stages this strike and refuses to take action. I know the members opposite believe, as the Minister of Labor has said, that bringing them back . . . Oh, don't run away. You'll find this interesting, Mr. Deputy Premier. You obviously haven't learned. Send the Premier in and the Minister of Labor, if you wouldn't mind.

Mr. Speaker, we know that the members opposite don't believe that there is any chance for reconciliation between the parties. They are too far apart. There is simply no chance for a negotiated settlement. They've said that. But that does not justify refusing to try, and that does not justify the Minister of Labor not calling them into his office and making one last effort. The belief that the parties can't negotiate does not justify the Premier washing his hands of this and saying, "I'm not even going to try and bring them together." It does not justify the position of the Minister of Health in not trying to bring the parties together.

I can only come to one conclusion. As I've said, I missed the bet by a day as to when the legislation would be in because there was no sincere, serious effort by the members opposite to try to have a negotiated settlement. I'm sure that the Attorney General is going to entertain and probably accept proposals to split the bill. I am sure that the Attorney General, the Premier, and the Minister of Labor, in particular, will deal with the problem on its merits. And I am sure the member for Moose Jaw North will use his efforts to lobby his mate from the city of Moose Jaw to deal with the problem on its merits. And that means, of course, putting part 2 on the table, withdrawing it, and leaving it to a later date. The present Premier, in 1966, referring to essential services legislation similar to the anti-embarrassment provisions, part 2, said, "I submit this is



not the power that ought to be put in the hands of any government." That's what the Premier has said.

I also call to attention the comments of the present Premier. "We all recognize, I think, that a legislature is an inappropriate place to settle a dispute between management and employees." Well, I'm glad he's back and I'm sure that the Minister of Labor is prepared to participate. And I am sure that the Minister of Labor is going to stand up and explain in some detail and justify, particularly to the trade union movement, the anti-embarrassment provision of part 2 of this bill. And I think I join with all members of this Assembly in being somewhat anxious, waiting expectantly to see the Minister of Labor's justification for the anti-embarrassment provisions. I think they will be of utmost interest. I'm now going to take my place to allow the Minister of Labor to speak in this debate.

**MR. CHAPMAN:** — Mr. Speaker, I rise with much perplexity to speak on this bill. As the Assembly may well know, I am presently chairman of an advisory board of St. Joseph's Hospital in my fair city of Estevan, and this places your member for Estevan in a very difficult position. I have strong reservations on this bill. But I'm also aware that my government, through the good office of the Minister of Labor, has made many attempts to conciliate this dispute. And possibly the absence of the Minister of Labor is an indication of an open door for further conciliation attempts.

Tonight in this Assembly, in the name of good labor relations and for the sake of many fine folk in the hospitals of Saskatchewan, I call, Mr. Speaker, on both sides in this dispute — the Saskatchewan Hospital Association and the Canadian Union of Public Employees — to conciliate their differences.

**MR. ANDREW:** — I would like to simply address this with a different dimension by going back again to statements made by the Premier of our province in 1966 in a similar debate in this Assembly. What was the climate with respect to the cost of living when these negotiations were carried on? Well, "All of us knew that there were spiralling costs of living during last year." That's in 1966. I wonder if there's a spiralling cost of living here in 1982? Certainly if we don't know, all we need to do is ask our wives, "I wonder if all we have to do is ask our wives," said the Premier. Well, I think there are a lot of people in this province who only have to ask their wives. The power bill is up; the grocery bill is up; the car insurance is up; the payment on the house is almost impossible to meet. And that's really what we're talking about, the same thing that the Premier referred to back in 1966, and that's the cost of living.

I think in many labor disputes you run into the same problem, and I don't profess for a minute, coming from a rural constituency, to understand and even comprehend the whole basis of labor organizations. I would be a fool to rise in this House and suggest I do. But what I do know is that there are a lot of people who are going hungry. There are a lot of people who can't make their payments day in and day out. And the government opposite, it seems to me, hasn't done a great deal to help those people. The power bill goes up, and a lot of that bill is tax. The cost to drive your car or to heat your home for those who have bunker heating fuel to heat their home goes up and up with taxes. And that's really one of the big problems that we face out there today.

I know many of the people in the Kindersley area where I come from (and I don't believe that hospital is out on strike, and I know a lot of those people who work in those hospitals), and what they tell me is that they don't want to go on strike. They want to make a living. But what they've told me is, "It's getting harder and harder every day for

me to make ends meet. It's getting harder for me to give my kids a few things that they want. It's getting hard for me to pay my power bill and my grocery bills and the mortgage on my house." That's what's out there today, Mr. Speaker, and I think that's perhaps part of an overall thing that we're talking about here. Perhaps it's something more, not simply a strike. Perhaps it's more than simply this legislation coming before us. What the people are telling me is that times are tough for them and they, too, want a few dollars to make things go. I would like to refer, with regard to this particular piece of legislation on second reading, to the second phase of this. You know, not too long ago we heard the big news story that the bells were ringing in Ottawa, and what they were ringing about, whether rightly or wrongly, was the government introducing omnibus legislation. That particular bill had, I think, nine bills in one.

What we have here, Mr. Speaker, is two bills in one. Obviously, there's a reason to have two bills in one. If the hospitals are all shut down by the weekend, and that seems to be the word that is out, then we are in a difficult situation as legislators and we are responsible to the communities and to the citizens. We have to address that question and we have to address it, I suppose in a very urgent way. However, part 2 of this bill is not looked at in the same light.

Why are we not dealing with these two distinct pieces of legislation as bill number one and bill number two. We can go over what we've been through in this House for what — 15 days? Look at the pieces of legislation that have been introduced — half a page, half a page, half a page — none of them very relevant and none of them very large. You could have gotten away with lumping Bill No. 25 and Bill No. 38 into one bill, and you probably wouldn't have heard an outcry from anyone, because there is nothing in them.

But you come with something significant which should be debated clause by clause in second reading or in third reading and you put that in. You put it in for one reason. You want to use the threat of a total shut-down of the hospital system to ram through the second part of your legislation. That's what we're looking at in this particular type of legislation, Mr. Speaker.

I think that a system which was started in Ottawa is something which should be done in this province as well. That is that this legislation should be put into two parts. I challenge the Attorney General when he eventually rises after everyone else in this House has had his opportunity to speak, to stand in his place and say, "Yes, we are prepared to split this legislation into two bills." I challenge the Attorney General to stand in his place and say he will do that, and if not, to say why he will not do it.

I would also like to address the point which was raised by the member for Qu'Appelle and the member for Saskatoon-Sutherland. I think it is a valid point as it relates to clause 14(a) — "of pressing public importance." I think we can surely do a better job of drafting — if this has to be the case — something in a narrower sense to deal with that particular question. As I think the member for Qu'Appelle said, the legislation will be used on Sask Power gas employees; they are the next ones and are sitting in a dispute right now. The electrical workers have settled; the gas workers are unhappy and having problems. Obviously there is a lot of discontent in the Saskatchewan Union of Nurses, in certain segments of SGEU, and of course the other union which deals with hospitals in the province.

I think that area is one which will take some time and should be fully debated. But, the government opposite, like the government in Ottawa, wants to lump it all together. They

want to push it together as one omnibus bill; that's the gist of the whole thing.

**HON. MR. SNYDER:** — I have a few words that I want to add to the *Hansard* of this House with respect to the bill which is before us now. I would begin by saying that, for my part, I always find back-to-work legislation somewhat repugnant, basically because of a principle that this government has staked out clearly and deliberately during its entire term of office, and the time preceding when the CCF government established a trade union act in this province in 1944, encompassing in it some of the broadest and best labor legislation to be found anywhere in North America.

I have been proud of that and I still remain very proud of the position we have assumed in terms of the rights of workers in this province to bargain collectively for the terms and conditions under which they earn their daily bread.

One of our first official acts, my first official act in this legislature when I became Minister of Labor in 1972, was to repeal from the statute books of this province a nefarious bill, Bill No. 2, introduced by the government led by the father of the member for Thunder Creek, which essentially took from the workers of this province a fundamental right which all workers should enjoy. They did that blatantly and they held that on the statute books, and it hung like a shadow over every collective bargaining table during the entire time it was in existence.

We have, as a government, assumed a position constantly and steadfastly that we should not have standing legislation which deprived workers on an ongoing basis of their right to withdraw services, to bargain collectively and to withdraw services.

I think all members here will be conscious of the fact that there has been a good deal of pressure on us from a large number of organizations and individuals and persons belonging to the political persuasion of those opposite who believe that firemen, policemen and other people in essential services should be denied their right to strike, their right to withdraw services. We have not assumed that position, but we have enunciated as our policy that those workers should have the same rights as all other workers, except in circumstances where the health or the safety of the public is involved.

Under those circumstances, we have said that a legislature may be called together, and at that point in time, a free-standing piece of legislation that self-destructs is the appropriate way of dealing with an emergency situation. We hold to that theory and we make no apology for it, because I think any responsible government has to assume that kind of position when it is charged with the responsibility of caring for and protecting the health, the welfare and the safety of the general public.

I think there remains little question, Mr. Speaker, that now, after a period when hospital services have not been available, there have been a large number of instances (while the hospitals are coping as well as possible, the pressures are mounting) and there are a significant number of stories, genuine ones, from people expressing great concern about the fact that they are caring for their families at home. Some of them, I understand, are in oxygen tents, and other people are waiting for elective surgery.

Obviously, the welfare of the public in these instances is being threatened. Accordingly, the government has come to the conclusion that the time is appropriate to take some decisive action in this connection. I find myself somewhat torn in making judgments in this respect. There is no question that a negotiated settlement is

preferable, and I expect it's hardly any secret that meetings have been taking place. The member for Rosthern has been haunting my door and attempting to make his valuable services available to all of those parties.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. SNYDER:** — Heaven help me, with that kind of help.

**AN HON. MEMBER:** — That bill that I gave you this morning in confidence . . .

**HON. MR. SNYDER:** — Yes, I just want to make that point clear to the member for Rosthern. In the past I have, out of courtesy, floated my legislation to him, the advance notice, so he would be informed in advance of the event when he was the critic of the Department of Labor. Those days are gone, in light of the fact that the member for Rosthern is not trustworthy. He can not be relied upon to acknowledge a confidence. Accordingly, I give notice that I cut you loose and you get nothing more in terms of advance legislation from me. You'll get it when it becomes a property of the legislature, and at no time prior to that are you going to be graced with any advance knowledge of legislation being introduced, because you've proven yourself to be totally untrustworthy. I find that repugnant and impossible for a person who is holding a position of authority as an elected member of this legislature, and I wish you would quit haunting my door, because you can add nothing but confusion.

Mr. Speaker, with respect to part 2 of the legislation, I think it has to be said that our government would be somewhat irresponsible in not introducing it, given the circumstances of the moment, with a number of difficulties on the horizon. I think then that the second portion of the bill makes eminently good sense, particularly in light of the fact that we may be in a position for some 45 days — perhaps in April, or sometime in May, or even in June, or as late as October of 1983 — in the middle of a general election and find ourselves with a work stoppage where the health and the safety of the public is threatened, and find ourselves totally naked and exposed for a period where, in accordance with our avowed policy, we would be unable to act on behalf of the general public. In the event that the Saskatchewan Union of Nurses were to withdraw services the day after the writ was issued, we would be left totally exposed . . . (inaudible interjection) . . .

**MR. SPEAKER:** — Order, order! I wonder if we could have one debate at a time, and perhaps it would facilitate the debate if the Minister of Labor were to direct his remarks to the Chair, and then we could keep the other debate to a minimum.

**HON. MR. SNYDER:** — I will attempt to do that, Mr. Speaker, and I shall not speak long. I find the member for Rosthern too tempting a target.

Mr. Speaker, as I indicated earlier, the position of this government has been steadfast. We have believed on a standing basis that, during that period of time when normal negotiations take place during the 12 months of the year, trade unions should have the unfettered right to use the devices available to them, and we've said consistently that the government must have an overriding responsibility in the case of the health and welfare of the general public being affected. And accordingly, part 2 of the bill, I suggest to you, Mr. Speaker, is in keeping with the general philosophy of the government. It is a principle which has been enunciated many times, that says that workers should have the right to bargain collectively and withdraw their services. But it should not be absolute to the point where the government of the day absolves itself of

any responsibility in the case of a genuine emergency.

I have some difficulty with the bill, Mr. Speaker. Efforts have been made to explore at the 11th hour any avenue of approach which might be presented in order to make it possible to withdraw the first part of the bill through a settlement with CUPE. I see that as a very remote possibility, notwithstanding some discussions that have been taking place. I will be supporting the bill. I will be doing it with a good deal of reluctance, but at the same time acknowledging the fact that we have an overriding responsibility, which members on this side of the House do not take lightly. There is no joy or happiness over here in being placed in the position where this kind of legislation has been made necessary.

**MR. KATZMAN:** — Mr. Speaker, the last time we had a bill that involved legislating people back to work was during a milk strike. Today it is hospital workers. The minister's comments indicate to the members of the House that there is something going on in his office; I seem to always know where things are going on in this building. Now I wonder whom he's got locked up, and whether we have some kind of negotiations going on in that office. Is that where the gentleman who flew in from Ottawa is today? Is that where the head man for CUPE who was driving from Saskatoon to Regina is locked up? It seems very strange that when I was asking to speak to those gentlemen I was told I was not going to be allowed to go near the door. That would indicate, of course, that they are here. And that would indicate that maybe there are some last-minute negotiations going on. I hope so.

Maybe it's time that you boys get off your you-know-whats and allow what should happen to happen: a negotiated settlement. That's what we all would like. You brought legislation in by a hook in the rules today. We weren't able to put in a motion asking that the two parties be called in over the evening to try to find a negotiated settlement. You know, on a percentage basis, your side versus our side, there have been more people from our side at the bargaining table on behalf of their fellow employees than from your side of the House. So when you give us the big line, Mr. Attorney General, that we don't know what it's all about, you had better do some backroom checking.

You know, Mr. Speaker, on November 30, 1979, Mr. Blakeney, Premier of the province, was quoted in the *Leader-Post* as indicating legislation to end a strike would be the last resort. But before we get to the last resort, there are some other steps in-between. Have we tried all the steps in-between? That's the question I'd like to know. Have all those steps been taken? Have we exhausted every possible method of negotiations? No. That would be my opinion, because during the dairy strike we saw negotiating where, right in this building, the minister, using offices of his own and the Speaker's boardroom, did negotiate and finally arrive at a settlement and, therefore, forestall legislation.

Mr. Speaker, maybe this evening (another sleepless evening) we can get these same people going again. I noticed in the House today, in the galleries on both sides, there were people from both sides of the negotiating table. It wouldn't have been that difficult to find them in order to ask them to get back to the table to bargain. But, the Attorney General got to his feet and said, "They're just too far apart."

Now, let's look at it. Who controls the dollars? Is it the negotiators; is it the government; is it the union? Well, Mr. Speaker, the way I understand it, the people negotiating on behalf of management could only negotiate with the amount of money that is made available to them from (who else, but big brother, big daddy, or whatever you want to

call it?) the Allan Blakeney government.

It's interesting, Mr. Speaker, Justice Emmett Hall made a report a while ago and in it he had Saskatchewan ranking eighth in hospitalization, in dollars spent per capita. The government hasn't really put the money in. The costs for the working people in CUPE are going up. Who's the biggest offender in terms of those going up? Is it the employees of CUPE or is it the government? Mr. Speaker, I believe it is the government. It is they who have raised power rates; it is they who have raised hidden taxes on gasoline; it is they who have raised SGI rates; it is they who have put sales tax on everything they can get their hands on; and it is they who are going to raise income tax 46 per cent by the budget they just gave.

So why wouldn't employees of CUPE be saying, "We need more money. Our costs are going up." That's what it is all about. The more you keep taking away from them, the more they need to replace it. It's a simple line. You stop taking away from them, and they won't need as much. But you guys keep gouging; you keep taking more away.

You know, the cost to these workers goes up constantly. The settlement they have asked for us in line, I understand, with what inflation is doing to them. You know, I've been sitting here reading through part of the debate of September 1966, and some of the other past debates of this House to see what other members have said when they talked about bill No. 2 and so forth.

The minister got up on his feet and suggested free collective bargaining. Well, free collective bargaining only takes place when big brother isn't there with a rope around the negotiator's neck. You know, that's what it is. As long as the government controls the purse strings and will only deal out pennies, but with the other hand is taking dollars, what do you expect the workers to do? They have to fight back. The only method they have, Mr. Attorney General, is the right to withdraw their services.

Now, not only in this bill do you do as you did in the dairy strike and legislate them back to work, you go a step further to cover all other kinds of situations during a time when the government does not sit — during an election, basically, is what I'm referring to. You don't have the power. Now, why don't you have the power during an election period? Because you people removed Bill No. 2, which gave you that power. That's what you did. When you removed Bill No. 2, it took away the power to order people back if it were necessary, no matter when. The difference between this bill and that bill is that one was 12 months of the year (365 days), and so forth, the other is strictly during the writ. I'll give you that one, Mr. Member for Saskatoon-Sutherland, or whatever seat. Mind you, you won't be back after the next election, Peter. But that's neither here or there.

Let's go back to one important statement by the Premier, when he says, "last resort." Those are important words because they indicate when all other things have been tried you will use legislation. Have all other things been tried? I repeat it, Mr. Speaker, because it is important. I don't believe they have been. I don't believe that the government has used every opportunity it has, and one is obvious to all of us. It has not employed the option of using the member for Moose Jaw South, the Minister of Labor, who scurried back and forth during the last strike to try to get a settlement, and he did. Once he did, and once he didn't. But at least he tried both times. This time we don't see the try; we don't see the extra step; we don't see that little extra effort to show that you're sincere. All we see is cynicism. What is the reason you are doing this? Is it because of the timetable for the impending election and the embarrassment if something should

happen during the election?

I don't know, Mr. Speaker, I can remember back to one negotiating table in the city of Saskatoon, when the management man said, "Sorry, guys, I can't go any further. That's the end of the line. If you want any more you have to flex your muscle and maybe the boys upstairs will hear you and I can give you a few more pennies." The end result was that CUPE 59, of which I was a member, flexed its muscles, and the boys upstairs, who made up the city council for the city of Saskatoon, opened the purse a little more and we had a settlement.

The question here is: has that happened? I don't believe it has. We don't know if that has happened. We don't know if the government has gone that extra little bit. Time will tell, but will this legislation pass today, tomorrow, next week? Time will tell.

**AN HON. MEMBER:** — Stall it.

**MR. KATZMAN:** — The Attorney General wants the whole world to stall it. Mr. Attorney General, let me give you a comment. There's one thing about you, when you yap, yap from your seat, you always give me an extra idea. If you really want to see this thing settled, then why don't you suggest to both the minister and the Premier that the management team was up there, and there were members of the union team up here. Get them down in your office and get at it, and wait till tomorrow morning, and maybe it will be settled, Mr. Attorney General. Maybe it will be done the right way, by negotiations, the way it should be — free negotiations. But no, big brother on your side is nervous about something like that. They don't want that to happen.

You know, we saw a budget suggesting 22 per cent (was it?) For health — 22 per cent for health. What portion went to the employees? How much more are the mill rates in the communities going to go up? We don't know all these numbers yet. They'll all come about . . . (inaudible interjection) . . . Well, being that you are going into retirement, Mr. Minister, I'll let you go that way quietly.

Mr. Speaker, as I was saying before I got off the side track, big brother is at the table — the government. It is there because it controls the purse strings. My question to the Premier or the Attorney General when either gets up to speak is whether he will answer this question: did you put sufficient money in that pool to bring medicare back to its proper place, the best medicare system in Canada? Did you put money there to give the employees a fair and just wage, or did you play games? Which is it?

You know, we saw the ambulances out here today, Mr. Attorney General. There seemed to be not enough money for them. It seems medicare is suffering in this province, and I wonder why.

**AN HON. MEMBER:** — No money.

**MR. KATZMAN:** — It must be a lack of money. There is \$2 billion for the Crown corporations. Where are some nickels and dimes for the workers of Saskatchewan, the workers in the hospitals and others? Where is it? No, you guys are so tied up in your Crown corporation development that you forgot the little people. You forgot about the lady who mops the floor and the lady who works in the kitchen and the gentleman who washes the floor and works in the kitchen of the hospitals. You forgot all about those people. You haven't put the dollars in.

I notice the Minister of Labor has gone again. I wonder what he's got hidden behind that door . . . (inaudible interjections) . . . Are we going to get a settlement?

You know, Mr. Attorney General, I wouldn't mind if we thought there was a possibility of getting a settlement if we just adjourned the debate for the evening, and maybe by tomorrow morning we won't need this bill. Maybe it will be settled. Maybe we'll all go home and say a little prayer to make sure it happens. I don't know what we're going to have to do, but we should try every possibility, and that's why I'm on my feet. Let's talk about other possibilities.

Well, there is the possibility that you suggest to your people and the union people to sit down, cool off for a day or two. Then they can both go back to the table for good, honest negotiations — not with their hands tied behind their backs, not with their pockets sewn up so they can't reach in them for any money. Well, while they're having a side chat . . . I wouldn't want to disturb them. Mr. Minister, are you going to leave the pockets sewn up or are you going to put the dollars in? You know you can move money — you vary money in the budget all the time. We find it after the estimates. Year after year you move money from here to there and so forth. Why don't you move a little bit of money from those Crown corporations into the health sector? That's what you have to do. Put some money into the pot.

Mr. Speaker, it was interesting to note earlier during the debate that the member for Qu'Appelle was making some comments about the CUPE workers' having to pay funds into the NDP coffers. It was interesting to note that the suggestion is that through the steering of the Saskatchewan Federation of Labor 25 cents out of their pay cheque ends up in the NDP coffers. Now, those aren't my figures. Those are the figures of the Minister of Labor which he stated in this House at a previous time.

I wonder if they are going to get a rebate for poor performance on your part when you brought in this bill. Mr. Speaker, you know I don't know if we should adjourn debate this evening or not, if we should move an amendment to ask the Minister of Labor to report on the negotiations going on in his office because maybe that is what is happening down there.

**MR. MINER:** — I would like to take just a very few minutes to add some comments about this bill. This is the first time that I have been involved in such a discussion. I was not involved in the discussion in this House when Bill 2 was moved or when it was repealed, or when the bills were introduced to put the Saskatchewan Power workers back to work or to settle the dairy workers' dispute. This is also the most difficult decision that I have faced since I became a member a very short while ago.

I have not had a long history of working with the unions but I have had a strong feeling for the cause that they represent, at least in my own mind. I feel that there are a great many workers in this province whose well-being would be substantially below the standard that it is currently if it were not for the good and hard-fought efforts of organized labor within Saskatchewan, indeed, across Canada.

I recognized, as well, that their right to strike is an extremely vital part of the ability to be able to achieve that standard which they have. Let us not make light of the achievements that they have made over the years. Let us not pretend that they have not, in this province, achieved the passing of legislation that has led the way in Canada in the past. I have every confidence that we will be able to work through our difficulties and achieve exactly the same kind of thing in the future.



So, Mr. Speaker, I'm going to avoid the strong temptation to shoot cheap political shots across the floor that are not relevant to this discussion and I'm going to try to limit my comments to the bill itself.

The back-to-work legislation itself, in my judgment, was very unpalatable. I found it awfully hard to give any serious consideration to back-to-work legislation. As the days rolled on over the last week I was told, on numerous occasions, of cases where people's lives clearly had been endangered. There was the representation where it may very well have contributed to the passing of at least one senior citizen that I happen to know of.

That caused me a great deal of concern, because it meant to me that I had to make up my mind between one very important principle and another very important principle. Subsequently, Mr. Speaker, after a great deal of representation, I came to the conclusion that unless there was some significant movement, and unless there was some clear evidence that indeed the parties could be brought together, I would be compelled to support this bill.

Subsequently, that's what I'm going to do, but with a great deal of reservation and knowing full well that if that dispute can be settled between now and the time that it would come into force, the bill would have no meaning and it would no longer have any force to it.

The second part of the bill, however, becomes an entirely different matter. The second part of the bill will be a statute that will last long into perpetuity. The second part of the bill is, in my judgment, a different consideration altogether, because when this legislature is dissolved (whenever it is dissolved), when we go to the polls or when governments in the future go to the polls, it is quite clear that there should be some protection for the public in the event that judgment is not executed wisely on the part of either party (and it can happen in the case of either party).

That has to be made quite clear. It is not legislation that binds one party any more than the other.

The only reason I can support the second part of this bill is because it is for a very short period of time and only under one certain set of circumstances, and that is during the time of an election. There is only one reason why it is necessary, and that is because the legislature is the tool that we must use in order to be able to resolve disputes that appear to have no resolution to them. It's that tool we must use, and consequently, Mr. Speaker, I believe that the public is entitled to protection when it is not possible for that tool to be used.

I don't have a great deal of difficulty in supporting the second part of the bill. I do have great deal of difficulty supporting the first, but none the less, in view of the two conflicts that I believe every one of us on this side of the House feel at this time, I will go along with the bill, mainly because I believe the life and limbs of other people within my constituency are also at stake. Consequently, I believe it is my responsibility, as an elected representative of that group in total, to support this bill, however reluctantly I do it. Thank you, Mr. Speaker.

**MR. ROUSSEAU:** — Thank you, Mr. Speaker. My remarks tonight are going to be very short. I've been sitting here listening to many, many speakers and wondering why this

situation exists tonight. I ask myself some questions. I ask myself: are the demands of these workers unreasonable? I ask myself: is it perhaps because the government can't afford any more money? But I think it really comes down to one thing: are these people, in fact, Mr. Speaker, perhaps fighting for their survival?

I understand, and my sources tell me, that there is something like a 1 or 2 per cent difference between what the workers have asked for and what this government has offered. My calculation (and I don't know whether I'm accurate in this or not, Mr. Speaker) is that there are about 5,000 workers within this contract. And if that is the difference in percentage, it can't possibly be any more than \$1 million to \$2 million.

This government spent \$10 million last year advertising to tell every one in this province how wonderful and wealthy this province is, how much of a heritage fund we have, how big our resources are. It can spend \$10 million doing that, but when it comes time for people who are, perhaps, fighting for their survival, there is nothing there. It would rather legislate them back to work.

The increase in the budget this year, Mr. Speaker, was 22 per cent. My information has it that the union's request is somewhere around 14 per cent, well within the guidelines of the increase that they have budgeted for to the health care in this province.

Perhaps more importantly, Mr. Speaker, are these people really asking for more money? I don't believe that that's what they are asking for. I believe that what they are asking for is not more money, but perhaps to maintain a decent standard of living. Or put another way, perhaps what they are asking for is to maintain the same purchasing power of the money that they now earn. I don't believe their demands are unreasonable. I think that what has happened, Mr. Speaker, is that this government has been bleeding them for years, but now refuses to help.

Let's put this into perspective — the demands that they're making. Why are these people in need and why are they being firm in their position today? Well, these are the causes of inflation, and the government opposite is what causes these situations to happen.

In the very budget that was presented in this legislature last week, what are some of the inflationary costs? We'll start with the 46 per cent increase in income taxes. It is those very same people who are paying those taxes, Mr. Speaker, the very same people from whom they are taking another \$200 million from both pockets.

In the last year to two years the price of the gasoline that they buy for their automobiles has doubled — a 100 per cent increase in the price of gasoline. Mr. Speaker, the taxes alone on gasoline have gone up close to 80 per cent. Just this year, and we're only three months into the year, there has been a 40 per cent increase in the price of natural gas, if we consider the February and August price increases. There has been a 20 per cent increase in electricity, and, to top it all off, they add another 5 per cent on utility bills.

What else is there? We know about the property taxes. We know about the increase in the insurance premiums — their being the highest in Canada. We know that people have increased costs in their food bills and for their clothing and there's another 5 per cent on top of that. In that budget, Mr. Speaker, they say that people come first.

They know that the cost of living increases — they say so in their own brochures that

they print and send out to you every month. Let me read to you from one. This one came out last year, Mr. Speaker. I believe it was in August of last year:

Continuing high interest rates and double digit inflation resulting in increased operating costs for Sask Tel are the major reasons for an increase in telephone rates.

There's double digit inflation by their own admission. It goes on to say:

Like other utilities, Sask Tel has to pay more for such things as materials, salaries and wages.

Well, I ask you, don't these same people have to do the same thing? Are they not in the same squeeze that our Crown corporations claim that they are in, or is it that the most important thing to the Government of Saskatchewan is the family of Crown corporations and not the families of this province — the people? They can justify these increases, Mr. Speaker, and we get these communiques every month justifying why they've had to increase rates — why their costs have gone up — but they don't ask us if we'll pay more. They just demand it and tell us that we're going to pay more.

Yes, Mr. Speaker, they can spend \$10 million on advertising to tell us all about that, but when it comes times to giving the people of this province a decent standard of living, there is no money in the fund. There is no money in the heritage fund. There is no money in the consolidated fund. Mr. Speaker, they can afford \$100 million to \$200 million in new buildings in this city alone. They can afford sunken bathtubs. They can afford water fountains in their executive offices. They can afford "fast-class" bus services. They can afford to spend \$2 billion for the CPR, and they can afford \$3 million to \$4 million for the surf pool. But when it comes time to help out and to pay a decent wage, something that is just to maintain a decent standard of living, they don't have the money.

**SOME HON. MEMBERS:** Hear, hear!

**MR. ROUSSEAU:** — This legislation is nothing more than an election manoeuvre.

Mr. Speaker, I will just conclude my remarks by saying that it is obvious, and it will be obvious to the voters in this province and the people of Saskatchewan that this government, that the members of the NDP across from us in this Assembly, do not believe that the people of this province are entitled to a decent standard of living.

**MR. BERNTSON:** — Mr. Speaker, I have just a couple of comments. I think it can be fairly stated, judging by the comments made by most members in the House this evening, that this legislation isn't particularly loved by anyone here. I understand the Minister of Labor is currently in his office in active discussion with members of CUPE. And I also note, Mr. Speaker, that there are members of the management team of SHA in this building. In the interests, Mr. Speaker, of free collective bargaining being carried on, unfettered by back-to-work legislation . . . (inaudible interjections) . . . Mr. Speaker, obviously something that I've said has struck a nerve with the Attorney General. I wonder if I could have your attention for a minute, Mr. Attorney General.

In the interests of free collective bargaining carrying on unfettered, and in light of the fact that I've given the Attorney General the assurance of this side of the House that, if there's no negotiated settlement overnight, we will sit extended hours tomorrow, and in light of the fact that the free collective bargaining system in Saskatchewan should be

allowed to work, I beg leave to adjourn debate so that that opportunity may be afforded to the negotiating teams tonight.

Motion negatived on the following recorded division.

**YEAS — 14**

Berntson	Garner	Birkbeck
Lane	Taylor	Andrew
Thatcher	Rousseau	Pickering
Duncan	McLeod	Katzman
Hardy	Swan	

**NAYS — 26**

Blakeney	Pepper	Allen
Snyder	Romanow	Smishek
Tchorzewski	Robbins	Feschuk
Gross	Rolfes	Mostoway
Vickar	Hammersmith	Kowalchuk
Thompson	Engel	Byers
Cowley	Cody	Koskie
Lingenfelter	White	Nelson
Solomon	Miner	

**MR. BERNTSON:** — Well, Mr. Speaker, you have just seen a demonstration of the real support that this government has for the free collective bargaining process and I think they should be hanging their heads over there. But I'll tell you what is on the side of the free collective bargaining process, Mr. Speaker. It really doesn't matter what these people do about allowing the negotiations to go on tonight because it is now 10 o'clock and they can't keep the House going forever because the rules won't allow that. So, we are going to call it 10 o'clock so that negotiations can go on tonight and we'll be prepared.

The Assembly adjourned at 10:05 p.m.