

EVENING SITTING

SECOND READINGS

Bill No. 3 — An Act to provide for the Resumption of Instruction, Teaching and Examination of Students at The University of Saskatchewan

Mr. Prebble: — Thank you very much, Mr. Speaker. Mr. Speaker, before supper, Mr. Speaker, I was making the point to the House that never before in Canadian history have we seen back-to-work legislation forcing faculty members at a university, who are on strike, back to work. Mr. Speaker, I was also making the point prior to supper that neither of the parties in this dispute have requested the legislation that's currently before us. Both parties have expressed a desire to settle the dispute between themselves rather than having government intervention.

Mr. Speaker, it's my view that this Bill should not be supported, not only for the reasons I just mentioned, but also because the root cause of the problems at the University of Saskatchewan, namely the chronic underfunding of the university, has not been addressed by this government. Moreover, Mr. Speaker, the PC government has refused to respect the collective bargaining process and, as I pointed out, has disrupted the work of the conciliator by threatening intervention in the dispute as early as eight days ago.

Mr. Speaker, when you examine this Bill, you find that it provides no meaningful way for the current dispute to be genuinely resolved. All it does, in effect, is hamper future collective bargaining. It even goes so far, Mr. Speaker, as to interfere with the academic autonomy of the University of Saskatchewan by giving the mediator that is to be appointed under this Bill the authority to interfere with the internal affairs of the university, and specifically, to recommend to government and to report to government on the question of faculty input into academic appointments.

Mr. Speaker, when I look at this Bill, I feel that this Bill inaccurately presumes that faculty are to blame for the current problems at the University of Saskatchewan, in an attempt to divert attention away from the fact that the real problems of the University of Saskatchewan rest with the PC government's lack of support for post-secondary education in this province.

Now, Mr. Speaker, members opposite have talked about a pending emergency. Well I want to say, Mr. Speaker, that while I do not in any way want to diminish the very serious inconvenience that the faculty strike would have if it went into next week on examinations, that the government can hardly call this a public emergency.

I want to give the Minister of Education and the members opposite the latest statistics on examinations that are available and not available to students at the University of Saskatchewan.

On Saturday, all exams are currently in and available for students to write. On Monday in the morning, only nine out of 70 exams are not available at this point, Mr.

Speaker; 63 out of 70 are available. For the 2 p.m. examination period in the afternoon, every single exam is already in and available, Mr. Speaker. For 7 p.m. Monday night, only five out of 59 examinations are not available; the other 54 are already available and in the registrar's office. For Tuesday, Mr. Speaker, only 28 out of 98 exams are not available and not in the hands of the registrar at the present time. For the afternoon on Tuesday, every single exam is already available and at the registrar's office. For 7 p.m. on Tuesday evening, 45 out of the 50 exams are available; only 5 are unavailable.

Now if members opposite call this a public emergency, Mr. Speaker, then I'm hard pressed to find any credibility in their comments whatsoever.

Now, Mr. Speaker, I want to turn to the question of funding, and funding of the University of Saskatchewan. And I want to, Mr. Speaker, point out to all members of this House and to the general public that for years and years now the president of the University of Saskatchewan has been warning the public and warning this government that underfunding of the University of Saskatchewan was getting to the point where the quality of education available at the university was inevitably suffering seriously. And I went back to my files on the university and looked at some of the articles that have been written under President Kristjanson's reporting on statements that the president made. May 1983, Mr. Speaker, the headline is, "Deficit forces cuts at the University of Saskatchewan," and goes on to talk about the president's concern with respect to that. October 1983, headline is, "University fears more funding cuts". August 23, 1984, "University of Saskatchewan calls grant inadequate," and again the president goes on at some length to talk about how the institution is suffering as a result of underfunding.

This continues on. I have a whole series of articles, Mr. Speaker, but I want to turn to October 24, 1986. "Give-aways hurting education," the president complaining about how money from the home program, the Tory home program — that there's money for that while the University of Saskatchewan's funding is hung out to dry.

May 20, 1987, "Funding cuts focus of graduation exercises." Again the president warned the government that the institution was suffering badly from underfunding and the government has failed to take note of the president's concerns. And this goes on and on, Mr. Speaker. Almost in every month in the *Star-Phoenix* there's been an article of this sort. One turns to October 24, 1987. "Older poor students hurt by limits," the enrolment quotas that had to be imposed on the College of Arts and Science at the University of Saskatchewan as a direct result of this government's refusal to put even a few more hundred thousand dollars into the university to avoid the need for quotas. And this year, Mr. Speaker, any student with less than a 76 per cent average will not be able to get into the College of Arts and Science at the University of Saskatchewan because of the enrolment quota that has become unavoidable as a result of the policies of this government.

Then, Mr. Speaker, we have April 2, 1988. "Increase to University of Saskatchewan declined in real terms — Kristjanson." And finally, Mr. Speaker, and I think of real note, we have the headline in today's paper, "Back-to-work legislation attacked by Kristjanson." Clearly the president is not supporting your back-to-work legislation; the faculty aren't supporting your back-to-work legislation; the only people, Mr. Speaker, who are intent on forcing their will upon the university and intervening in an inappropriate manner are the members opposite.

Now, Mr. Speaker, the members opposite failed to listen to the warnings of the University of Saskatchewan, and, Mr. Speaker, in the same way, the members opposite have failed to listen to the warnings of faculty who again and again, year after year, have been trying to tell your government that funding and underfunding at the University of Saskatchewan is now in a desperate state.

And, Mr. Speaker, if the members opposite want to know why faculty in this province are on the picket line at the University of Saskatchewan, they are primarily on the picket line because . . .

Mr. Speaker: — Order, order. Order. Order, please.

Mr. Prebble: — Thank you, Mr. Speaker, for calling the member to order.

Mr. Speaker, the members are . . . The faculty are not primarily on the picket line, contrary to the opinion of members opposite, because they're primarily concerned about their salaries. They are primarily on the picket line because they are concerned about the deterioration in the quality of teaching and the quality of research that is possible at the University of Saskatchewan because of government underfunding, Mr. Speaker. They are on strike, Mr. Speaker, they are on strike because they love the university, because they are concerned about the quality of instruction that students at the university are getting. That, Mr. Speaker, is what this strike is primarily all about.

Mr. Speaker: — Order. Order. Order, please. I think if the hon. members wish to get into the debate, they have that opportunity, and at this time I would like to ask you to allow the hon. member from Saskatoon University to continue.

Some Hon. Members: Hear, hear!

Mr. Prebble: — Mr. Speaker, thank you for calling the member for Wascana to order.

I want to say to the member for Wascana and all members on the government side of the House that the . . . I want to just outline a few statistics that in a summary form point to the chronic underfunding problem that the University of Saskatchewan faces. Mr. Speaker, if you look at what has happened to the operating grant at the two universities since 1982-83, it has increased from only \$117.9 million in '82-83 to \$146.4 million in 1988-89, Mr. Speaker — yes, only — because, Mr. Speaker, the Minister of Education says "only," and I say to the Minister of Education that when you look at the inflation rate during

that period of time and when you look at the increased enrolment at the university during that period of time, operating grants have dramatically declined on a per student basis, Mr. Speaker. In 1982-83 the real operating grants were \$9,016 per student. In 1987-88 that had declined from \$9,016 per student, Mr. Speaker, to only \$6,907 per student. That explains why tuition fees have been escalating and that explains why we have seen such a deterioration in the quality of education at the university, including an inability of the University of Saskatchewan to hire additional faculty and additional staff in colleges where enrolment was steadily escalating.

Now, Mr. Speaker, I want to point out to members opposite for their information that the increase in enrolment has been very substantive, up from 12,107 undergraduate and graduate, full- and part-time students in 1981-82 to 15,200 students at the University of Saskatchewan in '87-88. Mr. Speaker, a 25 per cent increase in enrolment with no corresponding increase in funding from this government.

So what have the results of that been, Mr. Speaker? The results, Mr. Speaker, at the University of Saskatchewan have been that class-rooms, particularly in the Arts and Science faculty, are severely overcrowded, equipment is deteriorating badly on the university campus, library facilities — and particularly the main library — are under great pressure, and the quality of service that's available to students and faculty has declined.

Mr. Speaker, in many areas the underfunding has meant that when vacant faculty positions occur, those faculty positions cannot be filled. Colleges like the College of Education on the University of Saskatchewan campus have lost eight or nine faculty members in the last four or five years, Mr. Speaker. And that's one of the main reasons why professors in the College of Education are on the picket line, for the information of members opposite.

Mr. Speaker, it's this underfunding and the corresponding decline in faculty salaries not keeping up with the inflation rate at the university has meant that it's become harder and harder for many colleges, colleges like the College of Engineering at the University, to attract and to retain the best academics in the country. Because the University of Saskatchewan is not competing for faculty members on a Saskatchewan market — for the information of the members opposite, it's competing on a national and international market for faculty members, and it has to be able to offer competitive salaries. And as a result of your underfunding, it's simply not able to do that, and therefore it's no longer in a position to attract the best academics in the country to come and teach at the institution, with the results inevitably, Mr. Speaker, that the quality of education declines. For some students and faculty members, they're forced to work in deplorable physical conditions, which inevitably lead to a decline again in the quality of education.

The students . . . Well the member, Mr. Speaker, the Deputy Premier, is saying, "really long hours," if I'm quoting him accurately, and yes, he's nodding his head. And I want to tell him, Mr. Speaker, that despite the fact that he may view faculty members at the university as having easy lives with the disdain that he does, I say, Mr.

Speaker, that at the University of Saskatchewan we've got some of the hardest working academics in the country who think nothing of putting in 70 or 80 hours a week in terms of their teaching, in terms of their research. And the member opposite laughs.

Well we'll see what happens, Mr. Speaker, to the party of the members opposite on the east side of the river in Saskatoon after the next election. And in Saskatoon Eastview after the by-election I predict that members opposite will go down to defeat, Mr. Speaker, in that by-election, as a result of the kind of arrogance that they're showing in this House.

Some Hon. Members: Hear, hear!

(1915)

Mr. Prebble: — Mr. Speaker, the situation has gotten so bad on the campus that we've got many, many disciplines, Mr. Speaker, like in political science, where you'll have a class of 30 and they'll be using facilities designed for a seminar of 10 or 12 people. Space allocations, Mr. Speaker, for faculty and for graduate students and for sessional lecturers are highly inadequate.

Now, Mr. Speaker, this brings me to the final point that I want to make. And that is that because the underlying reason for the current breakdown in negotiations between the two, between the faculty association and the administration at the University of Saskatchewan, is directly tied to the thoroughly inadequate operating grants that this government has been giving the university for the last several years — meaning that the administration are unable to meet even the reasonable demands that faculty may make — then, Mr. Speaker, one has to ask what has happened in terms of the contribution that the province has made to the university over the last several years. And now I'm talking not just about the operating grant, Mr. Speaker, I'm talking about the provincial dollars in the operating grant, because this gets right at the nub of the problem, Mr. Speaker.

What we've seen, Mr. Speaker, in the last few years, is a consistent trend by this government to take federal dollars that are coming from the federal government for post-secondary education and to plough them into the University of Saskatchewan without putting forward the corresponding amounts of provincial money. So that what has happened, Mr. Speaker, is that the provincial share of moneys going to the University of Saskatchewan in the form of an operating grant has dropped from 25 to 30 per cent six or seven years ago to, I would argue, Mr. Speaker, now less than 10 per cent in the fiscal year 1988-89. Less than 10 per cent of the University of Saskatchewan's operating grant is coming out of the provincial treasury, and more than 90 per cent of the University of Saskatchewan's operating grant is coming from the federal treasury, and simply being passed along by this government to the University of Saskatchewan. And I say, Mr. Speaker, that this gets at the real nub of the problem.

The real nub of the problem is that this government refuses to put provincial dollars into the university, and therefore when you have a budget freeze, Mr. Speaker,

what you're really talking about is an increase in federal funding to the university and a decrease in provincial funding to the University of Saskatchewan. And it's simply hidden by the fact that the federal dollars come into the provincial treasury and then are passed along from that provincial treasury to the University of Saskatchewan. That gets at the nub of the issue, Mr. Speaker, and it shows the unwillingness of members opposite to demonstrate any commitment to post-secondary education in this province.

Now, Mr. Speaker, as a result of this, we cannot support this back-to-work legislation. Because this back-to-work legislation is predicated on the notion that the problems at the university are somehow irresolvable and are of the making of faculty and administration, when the reality, Mr. Speaker, is that the problems at the University of Saskatchewan, while not exclusively the making of the provincial government, are primarily the making of the provincial government; are primarily the making of the provincial government's underfunding of this great academic institution, one of the jewels of the province that members opposite have no regard, no respect, and no appreciation for.

Some Hon. Members: Hear, hear!

Mr. Prebble: — Now, Mr. Speaker, that lack of regard, that lack of appreciation, is shown throughout this Bill, in the lack of any desire to provide a mechanism for resolving the dispute; in a lack of commitment by the Minister of Education to bring the two sides together; in a lack of appreciation that this Bill should not but does interfere with the academic autonomy of the University of Saskatchewan; and, Mr. Speaker, above all, with the lack of appreciation that the underfunding of the university is at the core of this dispute. And therefore, Mr. Speaker, members on this side of the House cannot support this uncalled for intervention into university affairs.

Mr. Speaker, I wish to at this point move, seconded by my colleague, the member for Nutana, the following motion:

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

This Bill not now be read a second time because:

- (a) it fails to address the serious erosion of education quality caused by provincial government underfunding of our universities;
- (b) it fails to make any provincial government commitment to improve the quality of education services for the future of Saskatchewan young people;
- (c) it sets a dangerous precedent regarding government interference in the internal affairs of the university; and
- (d) it constitutes an arbitrary and unwarranted intrusion into the free collective bargaining process.

Mr. Speaker, I so move, seconded by my colleague, the member for Saskatoon Nutana.

Some Hon. Members: Hear, hear!

Ms. Atkinson: — Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Atkinson: — First of all at the outset I want to indicate to those people who are listening and to the members of the government side of the House that I will not be supporting this back-to-work legislation and I will be supporting this amendment as put forward by my colleague, the member from Saskatoon University.

First of all, let me say that this is a sad day for the people of this province. This is a sad day for the University of Saskatchewan; it's a sad day for education; it's a sad day for academic excellence. And if the members opposite would care to listen, I will tell them why.

This is a regrettable Bill and it's unnecessary. This Bill is unnecessary and it should not be passed. This dispute, Mr. Speaker, is about underfunding of the University of Saskatchewan. This dispute is about the underfunding of an institution that provides academic excellence for the people of this province. It provides a place where our young people can go and study; it provides a place where those who are involved in the academic field can teach and do academic research. This dispute is about the systematic underfunding of the University of Saskatchewan by the Conservative members opposite.

Last week we heard from the members opposite that the University of Saskatchewan would receive a 1.9 per cent increase in funding. If you look at what's happened to the University of Saskatchewan since those members came to government, we will see that in real terms, in real terms, in constant dollars, the grants per student have declined from \$9,016 per student to 6,907 per student — a decline of 23 per cent. And with that decline, Mr. Speaker, has come an extraordinary amount of pressure on the men and women who work at the University of Saskatchewan, the faculty and staff, and on the students who go to the University of Saskatchewan, and on those people we've given the task of administering and managing the University of Saskatchewan.

This dispute is about underfunding. It is not about whether or not professors want more money. It's not about the university management being dug in and inflexible in terms of their position. This dispute is about underfunding, and it's important that the people of this province realize that.

This dispute is also about enrolment quotas. We have young people in this province that have the academic qualifications to go to the University of Saskatchewan and they cannot get in.

Mr. Speaker, when I was a young person in 1970, going into the university, you required a 65 per cent average to get into the Arts and Science.

An Hon. Member: — How did you get in?

Ms. Atkinson: — And the members opposite ask me how I got in. I got in because I was able to obtain a grade 12; I applied to the University of Saskatchewan, and because

my average was 65 per cent or more, I was eligible to attend the university. That is no longer the case — that is no longer the case.

There are young men and women — people who live in the minister's riding of Weyburn, people who live in Kelvington-Wadena, people who live in the Premier's riding and the Deputy Premier's riding — who have applied to the University of Saskatchewan, have all of the criteria, they are eligible to enter the university, but they can't get in because of enrolment restrictions. And those enrolment restrictions are coming about because more and more people are going and wanting to get into the university, and I suspect that's because young people can't find jobs.

The Minister of Education regularly talks about meeting the 21st century, being ready and able to meet the 21st century, having the skills and the expertise and the technology to meet that century. But if you people continue to underfund the University of Saskatchewan, we will not have the skills and the knowledge and the expertise to meet the 21st century.

Some Hon. Members: Hear, hear!

Ms. Atkinson: — Last night I was over at the Saskatchewan Teachers' Federation reception. I was speaking to a number of teachers. And teachers there had been speaking to academics and teachers in the country of Sweden. And that country, not unlike Saskatchewan and Canada, is also experiencing economic difficulties. But do they cut back in education? Do they cut back in education in tough times? No, they do not. They put their resources into education because the economy will turn around, and we have to have the skills and technology and ability to meet the time when the economy will recover.

I think you people are living in yesterday's world. You are living in the past. You are living in the 1950s or the '60s . . . (inaudible interjection) . . .

You know, I would ask the member from Wilkie if he has so much to say, which he regularly does — he sits and chirps from his seat — to get on to his feet and get into the debate. He rarely has enough gumption to get out of his seat and respond to matters of significant importance to the people of this province.

Mr. Speaker, this Bill is also about dividing and conquering different groups in our society. We have seen, we have seen how this government has gone about driving wedges between groups of people. They have done it effectively when it comes to women. We have the Minister of Social Services who regularly attacks the women's movement in this province. We've had the Premier talk about gay people. We've had the Minister of Social Services, yesterday in this church, condemn the United Church . . . or in this Assembly, condemn the United Church of Canada. And this once again, here we have a back-to-work legislation that is about dividing the faculty, the professors at the university, from the administration, from the people, from the students. And what you people really need to do is start providing some leadership — start providing some leadership. It is

incumbent upon you to bring people together, to resolve differences. That's what leadership is all about; that is what government is all about.

But what do you do? What do you do? Eight days ago the mediator was meeting with the university faculty, the professors, and the administration, and the Minister of Education made it quite clear that he was prepared to introduce back-to-work legislation. And once you do that, Mr. Minister, because I've had some experience being involved in labour disputes, once someone who has the ability and the power to order people back to work interferes and intervenes, the negotiating process breaks down. And I think, Mr. Minister, that you let down the people of this province by getting into the dispute at too early of a stage. You let down the people of this province.

Mr. Speaker, this Bill will not resolve the problems at the University of Saskatchewan. It will not solve the problem. The class-rooms will be crowded tomorrow. The labs will be crowded tomorrow; the labs will still be deteriorating tomorrow. We will have a library that still will not have resource materials and journals that are necessary to keep students and faculty up to date and informed. Professors will still be demoralized tomorrow about what's been happening at the University of Saskatchewan. Students will still be short-changed. Enrolment quotas will still exist. Young people will still be turned away.

(1930)

You, members opposite, the men and women of the Conservative Party, can order the professors back to work tonight, or tomorrow, or whenever, but it will not solve the problem. You can take a sledge-hammer to a symptom. It's a symptom that you have created. That symptom has come about because of a much larger problem, and that's the problem of underfunding.

Will your back-to-work legislation mean everyone who's entitled to an education in this province will get it? The answer is no. Will your back-to-work legislation mean that professors will be attracted to the University of Saskatchewan? The answer is no. Will your back-to-work legislation mean that our library will be up to par? The answer is no. Will your back-to-work legislation improve morale? Will your back-to-work legislation mean a quality and accessibility post-secondary education at the University of Saskatchewan? It will not.

Mr. Speaker, I cannot support the legislation. The legislation does not resolve the fundamental problems facing the University of Saskatchewan. The fundamental problem is that you people are prepared to spend money on Peter Pocklington and Fleet Aerospace of Ontario and all of the other kinds of patronage groups that you like to pay homage to.

Your legislation will not resolve the problem because we will still have the Rafferty dam project to a cost of \$1.1 billion; we will still have \$35,000 a day of taxpayers' money going out to pay for empty office space so you can reward some of your friends in the real estate industry; we will still have those, those issues, that mismanagement, that incompetence.

Mr. Speaker, I will not support the legislation.

Some Hon. Members: Hear, hear!

Mr. Trew: — Thank you, Mr. Speaker. Not happy to have to enter this debate on this Bill because we shouldn't be here debating whether or not we should be sending the university faculty back to work, or any other group back to work, but particularly, Mr. Speaker, not this group.

We should and would not be facing this Bill today if the government truly had a commitment to education. If there was anything more than hollow rhetoric, empty words, and meaningless phrases, we would not be here today. The university problem is that clearly of underfunding, underfunding, Mr. Speaker, that started in 1982. I'm not going to stand here and tell you that everything was all skittles and beer, as a former leader of our great party once or several times was fond of saying. Things were not all just peaches and cream in the university system under New Democrats, but they were 10 times better than they are today.

We're faced with the prospect of legislating — for the first time, I believe, in Canadian history — legislating university professors back to work. That should tell the members opposite that you're treading on some ground, that all of the anti-worker, anti-union governments in Canada historically have never had to tread on this same ground. There should be a clear message there for you. You have fouled the situation up so greatly that we're sitting here tonight debating whether or not we should be sending university faculty back to work or not.

The underfunding, Mr. Speaker, I mentioned started in . . . or started to very much accelerate in 1982, and indeed former colleagues of mine have pointed out how the decline in funding per student, real operating grants, has declined from \$9,016 per student in 1982-83 to, in real terms, \$6,907 per student, for a decline of 23 per cent — 23 per cent per student, Mr. Speaker. I'm not talking the global budget but the per student budget. We see the total enrolment at our universities has gone up in that same period of time, but we see the lack of commitment of the government members opposite, total lack of regard for students, total lack of regard for faculty, total lack of regard for our higher education system.

Because of their lack of commitment, we are here today talking about this arbitrary Bill, this Bill that is unnecessary, it's hypocritical, and it's just simply a bad Bill, Mr. Speaker. It's a terrible Bill, and it really causes me a great deal of discomfort that the government would have allowed this situation to get to the desperate state it is today where we have students fearing whether they're going to be able to finish their examinations and complete their academic year. And we also have faculty that are scratching their heads and wondering, what does it take to make this government open its eyes. What does it take, Mr. Speaker, what does it take? They ask that question, and they have every right to ask it. Indeed, I would be asking the same question if I were in their place.

This legislation . . . I listened as the minister gave his weak excuses and his rhetoric and his justifications, but it was

interesting, Mr. Speaker — I did not once hear him say that either side in the dispute had asked to be legislated back to work, nor had they asked the other side to be legislated back to work. In other words, neither the faculty nor the administration is asking us to introduce this legislation. That call has not come to us. Instead it's just some decision that this government, that has long run strictly on the public opinion polls of the day . . . I think they did a little telephoning last week, stuck their finger up, and decided the wind was blowing this way, so that's the way they're going for now. It would be interesting to see which way they're going next week.

I'm wondering if the minister could say that the faculty association asked for this legislation. I don't think so. I don't think he can say it. But I'm also wondering if he could say that the president of the university has asked for this heavy-handed and wrong-headed Bill. Again, I don't think that would be the case.

What we've got here is a collective bargaining dispute. We have a collective bargaining dispute, which is not unusual when you understand the very nature of collective bargaining, Mr. Speaker. It is by its very nature an adversarial role. You cannot come to a mutually agreeable decision until you mutually set out your particular causes and cases. Both sides in this dispute have placed their desires on the bargaining table. They have tried, they are working towards reaching an agreement. And what do we have here? We have a minister that stands up and says, well it doesn't really matter what they do at the bargaining table, we're going to just send them back to work. We're just going to legislate them back to work.

Well, Mr. Speaker, if I were in the university faculty, I would be so deeply annoyed at the government members and particularly any of them who support this Bill, I would be so particularly annoyed at them that I think I'd be tempted to get active politically against them, in Eastview hopefully, in the case of the Saskatoon people. It just seems ludicrous to me that we could have a negotiating process taking place . . . And the minister some days ago announcing, it doesn't matter what you decide at the bargaining table, you're going to be legislated back to work, puts no onus whatsoever on either side, quite frankly, to bargain — certainly not to bargain in good faith. It takes all of the impetus from that collective bargaining totally away.

It's not like, Mr. Speaker, we have a life endangered or it's not like this strike has been going on for weeks and weeks. It's certainly a serious . . . It's a serious concern for some 24,000 university students. It is certainly a serious thing not entered into lightly, I can assure the minister and the members opposite. It's a very serious matter for the faculty, because when you are out on strike, not . . . I mean they may be striking partly for more wages, that sort of thing, but for the duration of the withholding of services there is no pay cheque coming through, Mr. Minister. This is why a withholding of services or a strike by any name is not something that working men and working women enter into lightly. They think very, very seriously about it before they dash into a work stoppage. And if you look at the history of the University of Saskatchewan you have to look a long, long ways to find a work stoppage, a

situation where the faculty has withheld their services.

The Bill before us now, Mr. Speaker, illustrates what has become a conscious and consistent policy of the PC government. That policy, of course, I am referring to is a policy of Devine and conquer — or is it divide and conquer? I'm not sure whether it's divide or Devine and conquer. In this case what they are attempting to do is to divide the faculty at our university from the students. And the real problem — the students know it, the faculty know it — the real problem is that of underfunding. And the real proof of a good and caring government, a good and caring political leadership, is whether there is an objective of consulting with people, of finding ways to unify people, to tie them together, to build bridges between people that feel that they are being torn apart. Clearly, Mr. Speaker, this government is not in the mood to build a bridge. Clearly they're not. It certainly showed up in their Highways budget, but more on that at another more appropriate time.

By any test of bringing people together, this government clearly fails. It is tearing people apart; tearing them apart every single day and in every possible way; trying desperately to say, gosh we're with the majority on this issue. And we on this side are saying, gosh, who's next? Who's the next minority? Who next are you going to speak out against? Who's next? That's part of our objection to this Bill, Mr. Speaker.

Mr. Speaker, the underfunding of the university is somewhat analogous to the underfunding if somebody were to start up a new business and undercapitalize that new business. It is only a matter of time, no matter how rosy the sales projections are. In fact, to drive the point home about this starting up a new company and how it's underfunded, to drive that point home I'm going to use a specific example, that of Canapharm. Because I think the underfunding of Canapharm as it started out is directly analogous to the underfunding of the university. And if you'll bear with me, Mr. Speaker, I will point out how that occurs.

Canapharm was set up as a venture capital corporation in Wolseley — the then minister of Health's riding. Set up as a venture capital corporation with much hoop-la, a lot of blue paper, a lot of Tory blue ads in the newspapers about what a wonderful thing this is — Canapharm. Perhaps . . . Not perhaps — it is a good idea to manufacture intravenous solutions as much as possible in Saskatchewan for Saskatchewan . . . (inaudible interjection) . . . No, I've said it before. You haven't been listening. The present Minister of Health says, first guy to ever say it.

I've said it before, I've said it publicly; I've said it in meetings in Indian Head-Wolseley, more specifically in Grenfell; I've said it in this House; I have said it before. The idea of manufacturing intravenous drugs in Saskatchewan is a good idea. But what they did is that they immediately assumed that they would have 100 per cent of the intravenous drug trade in Saskatchewan. Despite the fact that the Minister of Health and his officials have been directly ordering people who purchase intravenous solution to purchase, to buy Saskatchewan — in other words, Canapharm because

that's the only option — despite that, they had great difficulty breaking the 40 per cent of market, great difficulty because of a number of technical problems, Mr. Speaker.

(1945)

Then what happened? The Minister of Health brings in \$4 million — he's now suddenly the minister of Sedco (Saskatchewan Economic Development Corporation), minister responsible for Sedco — brings in \$4 million in aid. The government recognized the underfunding in Canapharm — and this is my point, Mr. Speaker — they recognized the underfunding in Canapharm, recognized if they didn't chip in with some money, Canapharm would cease to exist. So what did they do? Out comes \$4 million.

We have a crisis situation in our university that has taken six years to achieve. Six years the government members opposite have had an opportunity to recognize the underfunding, the ongoing and continual squeeze that you're placing on our higher education institutions, and yet, what are we doing here today? Debating a Bill, trying, trying, that you want to put the faculty back to work, legislation back to work, all because of underfunding.

It's interesting, Mr. Speaker, to carry the Canapharm situation a little bit further. Shortly after the \$4 million loan, Canapharm was still into problems because they were inventing new start-up problems, a new problem every week or every month, and the firm continued to have problems. So then, the now minister of privatization is the same ex-minister of Health, ex-minister responsible for Sedco, now the minister of privatization — obviously he can't keep a job — but Canapharm keeps following him around. And we've got a situation where for \$4 million, they got 40 per cent ownership; for \$2 million, a Montreal pharmaceutical firm has 60 per cent ownership.

And the universities and their underfunding, it just seems so strange to me. We've got \$4 million for Canapharm; we've got nothing for the universities. That's what the government members opposite are saying. Four million dollars for a good firm, for a good idea — maybe saying it's a good firm is putting more words in my own mouth than I should — but \$4 million for basically a good idea, but nothing for 24,000 students. No additional . . . not a dime, nothing for the faculty members at the universities. Instead they offer \$4 million to Canapharm; they offer back-to-work legislation for the people at the university. It's not fair, simply put.

Another area of underfunding, just to tie it in as another example, Mr. Speaker, so that other people perhaps not as familiar with the university will have a better grasp of what we're about here tonight, is that of highways. We see the government saying the same thing in highways that they're saying with respect to the universities. They're saying, our funding is increasing, we're spending more and more and more money. And yet what do we have? We have a situation — I raised it earlier in the House today — from the minister's, the Minister of Highway's construction projects. They're . . . Great deal of hoop-la about spending more money in 1988-89 than in '87-88, yet despite this, despite this, oh we're

spending more money, and oh, we're getting good value, the total number of kilometres in grading has dropped from 386 kilometres last year to 307 this year. Surfacing, same, the amount has dropped.

What is happening, Mr. Speaker, is in university they're saying the funding is expanding and yet clearly it is not. Clearly we have a situation where the administration at the university's hands are tied — clearly tied. They have been unable to negotiate in the kind of good faith that I'm sure they would desire. I'm sure that all sides of this dispute would desire that the university administration had some leeway, had something.

And they would have that leeway, Mr. Speaker. Had the members opposite at least once in the last six years funded the university to the level of inflation for that year alone, even that would have been a very, very welcome addition of money. It would have been a pretty significant addition.

Instead, what we have is the ever-tightening financial squeeze on our university. Because of that, we've seen our university, our tuition fees, going up and up and up. I don't believe there's been a year in the last six where the tuitions have not risen. From 1982, university tuition is significantly higher, and what that does, Mr. Speaker, is it says to the people of Regina North, it says, if you come from a fairly well-to-do family, you have a good academic standing, you can perhaps attend university. But heaven help you if you don't come from money — heaven help you.

What this underfunding of universities is doing is causing poor people not to have an option. University is not an option for many, many poor people in our society today, and that's a crime because we're losing some very, very good minds. We're losing them from the academic field. Some of them certainly are going on and making successes of themselves in other areas, but we're missing a significant amount of brainpower because of the policy of underfunding at our universities.

We've also, as a direct result of the underfunding, Mr. Speaker, we have quotas in many of the colleges at university. First time, to my knowledge, first time in Saskatchewan's history that we've ever had quotas placed on university entrance — quotas where you say, if there's 1,000 people want to get into a specific college, that college says, no, we are only taking 670. I use those numbers . . . I assure you, Mr. Speaker, I pulled them totally from the air. I'm not using a specific college, and I want to make that plain and clear so that nobody thinks I'm trying to manufacture numbers. In this case I'm not; I'm simply using it to illustrate how a quota system works. You have a given demand, and yet the college says no, it'll be the demand less, because we only want this many people, and that's what's happening. So for the first time in Saskatchewan history, we have people who have the academic ability, have the smarts to be going to university, people who have the ability to arrange for the funding one way or another, and yet they cannot attend the university because of the underfunding, the very underfunding, Mr. Speaker. That is why we are up and debating this Bill, this Bill legislating faculty at the university back to work.

Underfunding. You'd think that by now the government members would be starting to get the message. You'd think that they would have collected their thoughts a little bit, and you'd think that someone over there has got a thought that's germane to this issue — at least one person. What have we seen? How many speakers from that side? We saw the minister introduce the Bill and not one of them has had the courage, not one of them has stood up in this House to defend this Bill. Why not? Because they know they cannot, Mr. Speaker. You can't defend the indefensible.

We have underfunding. The government claims it's in a financial crisis. You bet they are. This government is one that couldn't manage a three-house paper route and it's amazing to me, Mr. Speaker, that they've got \$20 million plus for the Peter Pocklington of this world, nothing extra for the university.

They've got \$6 million each and every year from the Department of Highways budget to build roads, logging roads for Weyerhaeuser of Tacoma, Washington, \$6 million each and every year guaranteed in writing, and not one extra dime for the universities — not one dime for 24,000 students in this province; not one dime for the fairly significant faculty at those universities, yet \$6 million for Weyerhaeuser of Tacoma, Washington.

I say it's a government that has its priorities all wrong. There's \$4 million . . . I talked of Canapharm now owned 60 per cent by Mag-Tech, \$4 million this government came up with just like that — \$4 million for a company now based in Montreal, \$4 million — not a dime for the university. Where is the priority? It's not much wonder they can't get up . . . It's not much wonder none of them will get up and speak on this issue, not a solitary one. I think it's a shame.

I wonder where the leadership of the once great — well, never great — of the government, I wonder where the leadership really is. Clearly it's not in this legislature tonight because all I see is people sitting there, kind of stunned looks on their faces and thinking, my gosh, what did we get ourselves into — my gosh.

We've got tuition increases; we've got quotas now on enrolment at university. We've got money handed, just buckets of money, for Peter Pocklington, for Weyerhaeuser, for Mag-Tech from Montreal, and the list goes on and on — \$36,000 per day for empty office space; \$36,000 per day for empty office space, Mr. Speaker. Not so much as \$1,000 a day for the university.

What this government is saying is that it places a greater value on this cube of empty air than it does on a single university student. Is that ever disgusting. Is that ever a shame. And that's exactly why, Mr. Speaker, you see speaker after speaker on this side getting up, speaking on this Bill, this hard-hearted, cruel, wrong-headed Bill that we shouldn't even be discussing. We shouldn't be discussing and we wouldn't be discussing had the underfunding not gone on for so long. It's tragic.

Mr. Speaker, I will be supporting the amendment and I will be voting against this Bill, but I want to reiterate that

government members opposite should pay particularly close attention. This is the first time in Canadian history that we have a situation where we're legislating professors of a university back to work. First time in history of Canada. Boy, you break new ground, but it just never ceases to amaze me how you can think that that's good politics. How can that possibly be that you can act so fast to break ground in this area?

Mr. Speaker, I will be supporting the amendment and voting against the legislation.

Some Hon. Members: Hear, hear!

Mr. Hagel: — Thank you very much, Mr. Speaker. It will be a surprise to few and certainly a surprise to me, Mr. Speaker, that we are dealing with a Bill like this in this session that was tagged some two and a half weeks ago as the mad-dog session of the PC government of 1988.

We've seen a number of mad-dog initiatives already, and I use the term figuratively, Mr. Speaker, and this one is not out of character. We've seen in this Bill, Mr. Speaker, a reflection of the characteristics, three of the characteristics of the government that we have operating — the Government of Saskatchewan — certainly not in the best interest of the people of this province, in my view. We have in this legislature and sitting on the government side, individuals who are committed to operating in a mean-spirited kind of way, Mr. Speaker, mean-spirited in terms of the conduct of affairs in Saskatchewan. And certainly this Bill reflects that mean-spirited attitude of the Government of Saskatchewan.

We have in this province, Mr. Speaker, a government which is either unwilling or afraid to consult. I'm not sure whether this government is unwilling to consult or afraid to consult, but the failure to consult has clearly become a characteristic of this government, Mr. Speaker.

The dental therapists of this province know about the characteristic of this government's failure to consult. Social workers all across this province, for years now, know about this government's unwillingness to consult in terms of dealing with programs for people in need.

I got a letter just yesterday, Mr. Speaker, from a constituent of mine who works in the health care profession, and she points out and uses the phrase, "this is a government that does not know how to consult," and I say she's right, Mr. Speaker.

Workers, Mr. Speaker, workers know that this is a government that fails to consult in terms of looking for ideas to co-operate and provide ventures, together with people with ideas and entrepreneurs, as a way of creating employment.

(2000)

And most of all, Mr. Speaker, as we address this Bill, the people in the faculty at the University of Saskatchewan and the people in the administration in the University of Saskatchewan know that this is a government that is either unwilling or afraid to consult.

And I would add to that as well, Mr. Speaker, it has become a characteristic of this government in this session, since we've come two and one-half weeks ago, that it is unwilling to defend its proposals for the solutions for the people of Saskatchewan. In fact, one could probably say more accurately that this government is more a part of the problems than a part of the solutions of Saskatchewan. And maybe that is why, maybe that is why we have in the province today a government that is literally unwilling to defend the solutions it asks Saskatchewan people to accept.

As my colleague pointed out just previously, in this debate on this vicious Bill, mean-spirited Bill, we have had one government member stand. The minister who introduced it spoke to it for about five minutes this afternoon, and that was the only comment that has been made by any member on that side of the House in defence of this Bill. Oh, we've heard the yipping and we've heard the yapping and we've heard the barking and the hooting and the chirping, but we've not heard — other than the Minister of Education very briefly and very timidly — a member from that side of the House, Mr. Speaker, stand to defend this Bill, stand to describe this Bill in the best interests of the people of Saskatchewan. It's, get the Bill into the House, sneak it in and sneak it out and back to the bushes, hiding from the people of Saskatchewan.

A government unwilling to defend its proposed solutions to the people of Saskatchewan, unwilling to defend this Bill, and unwilling, interestingly enough, Mr. Speaker, unwilling to even defend its own budget. We saw on Monday night in this Assembly after the Minister of Highways finished remarks that he had begun before the supper hour, an entire evening session in which not a single government member stood to defend the proposals for the budget — along ... consistent with this unwillingness to defend.

We saw again on Tuesday night of this week, Mr. Speaker, the government in this Assembly move and then stand in their places one after the other to adjourn the House to prevent debate again on Tuesday night in this Assembly. And it has become typical of this government, Mr. Speaker, in this session, in this mad-dog session, this government that is mean-spirited, unwilling or afraid to consult and unwilling to defend, unwilling to defend its own plans.

And so I say, Mr. Speaker, this is a sad day, this is a sad day for me, I believe, for all members of this Assembly. Certainly every member on this side who has stood has used that phrase in some way, shape, or form. Are we to assume that that is not a part of the feeling of the members on the side of the government, as we deal with this vicious Bill before us tonight?

It is a sad ... (inaudible interjection) ... Oh, there's the member from Wilkie, and he's barking from his back seat. The people of Saskatchewan await you, sir, to stand and share your brilliance and your solutions to the problems of Saskatchewan. I await that. I await that. It will be mystifying, I am sure, if you will cease yapping from your seat and stand and account to your constituents for the proposals that you are a part of putting forth. We look forward to that.

Mr. Speaker, we have, I believe, before us in this Assembly now, we have what is yet another example and the result of a government committed to a blind, ideological shaping of the province of Saskatchewan. And it is merely part of a bigger picture. We have to understand ... if we want to understand the context of this Bill, if we want to understand the meaning of this Bill, we have to put it into the context of what is taking place in Saskatchewan today. Because when we understand what is taking place in Saskatchewan today, and we look at the realities of this Bill and the circumstances that led to it and are going on in the province at this very minute, it is not hard to understand, Mr. Speaker, it is not hard to understand where this government is coming from. And it is not ... it would not have been hard to predict that we should be standing in this Assembly today debating this shameful Bill, this unnecessary Bill, this mean-spirited Bill, Mr. Speaker.

It's a Bill that, as I said before, Mr. Speaker, comes as a result of having failed to consult. And how do we know that? I ask the Minister of Education or any one of those members on that side of the House to stand and tell me who has asked for this Bill to be introduced. Has it been the faculty members at the at the University of Saskatchewan? Clearly not, Mr. Speaker. They have made it very clear that they have not requested, nor do they want to see this Bill before this House. Is it the administration from the University of Saskatchewan? And they're on record, Mr. Speaker, clearly on record as being opposed to the introduction to the very existence. And I say, Mr. Speaker, that nobody has asked for it. Nobody has asked for it. This Bill is before us because it meets the agenda. It meets the agenda of the Government of Saskatchewan today.

And you know, Mr. Speaker, when I sit in my place and I watch the proceedings in this Assembly, and I observe with as much understanding and responsibility the actions of this government and the conduct of affairs in the province of Saskatchewan today, I must admit that, although I am not a member of the government today, there have been times, Mr. Speaker, when I have felt shamed. I have felt shamed to be in an Assembly in which some of the vicious things that have taken place over these past weeks and months have been perpetrated by people charged with the most noble of responsibilities, charged with the responsibility to address the issues of concern to the people of Saskatchewan, and most importantly, the issues of concern to the people of Saskatchewan who are least able to determine their own fates and futures and fortunes.

And what have we seen? What have we seen from the people who have been elected, and most ashamedly of all from those who sit in the front benches and are entitled legally to the term "honourable" — to be called honourable in the province of Saskatchewan — perpetuating a tax on minorities and people who are least able to defend and stand for themselves in the province of Saskatchewan? And I am ashamed, Mr. Speaker, to sit in an Assembly in which that kind of government-led activity is taking place in the attack of Saskatchewan people.

And so, and so ... (inaudible interjection) ... Oh, there's

the member from Wilkie and he chirps some more. He's got lots of advice from his back seat, and I ask you, sir, I ask you: when will you cease to be a part of these shameful acts perpetuated by your front-bench leaders? When will you stand up for what is right? And when will you bring forth some common sense solutions with sensitivity and compassion for the people of Saskatchewan?

You know, Mr. Speaker, isn't it typical? Isn't it typical that what we have here, introducing a shameful Bill — the failure to defend — and yet the powerful member from Wilkie sits in his back seat and yips. And that's the level of conduct of debate that takes place in the Assembly, takes place in this Assembly when we bring in a precedent, when this government brings in a precedent-setting Bill — in many ways a precedent-setting Bill — and that's the level of debate and conduct and decorum that is exemplified by the government members opposite, Mr. Speaker.

And so it seems to me, it seems to me that we have this Bill before us for several reasons that are part of the bigger picture, Mr. Speaker, they're part of the bigger picture. We have this Bill before us because this government does not want to deal with its responsibilities, fiscally and otherwise, its responsibilities to the University of Saskatchewan, to the faculty of that university, to the administration of that university, but most importantly of all, Mr. Speaker, in the long run to the students of that university today, and more importantly, Mr. Speaker, to the university students at the University of Saskatchewan tomorrow. And that's who this government is failing.

Some Hon. Members: Hear, hear!

Mr. Hagel: — That is who is being denied their rights in the province of Saskatchewan through this as an example of a blind, ideological agenda that is on the plate of the Government of Saskatchewan today.

There is another part of the agenda here too, Mr. Speaker. This Bill is designed in my view to send a message, to send a malicious, vindictive message to working people in Saskatchewan, working people both organized, Mr. Speaker, and unorganized in the province of Saskatchewan. This Bill, Mr. Speaker, is designed to send a message to working people in Saskatchewan, to working people and families in every community across this province. And what is that malicious message, Mr. Speaker? That message is this — the message is this: don't expect a lot, don't expect a lot. That's the message that is being sent to working people across this province.

And why are people across this province being sent out messages not to expect or ask for a lot? Because it meets the agenda of two major initiatives of the Government of Saskatchewan, that meets the agenda, Mr. Speaker, of privatization and free trade. That's their agenda. That's what this is all about. And I say shame on the Government of Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Hagel: — And is it any wonder, Mr. Speaker, that we come back again to privatization and free trade. When you

try to understand and you try . . . when common sense, caring people try to make sense out of what this government is doing, they have a difficult time, Mr. Speaker. They say so much of what this government is doing doesn't make sense to me. And of course it doesn't. If you are a caring person, concerned about your families and your neighbours and the present and the future and the opportunity for children and grandchildren in this province, and you try to figure out what this is all about, it doesn't make sense, because you're starting from the wrong point of view. That's the problem. When you start, Mr. Speaker, when you start, Mr. Speaker, from a blind, ideological commitment, to the two exercises of privatization and free trade, then all of a sudden, all of a sudden all of this dogmatically initiated activity, Mr. Speaker, starts to make sense.

And another signal has been sent. This Bill is intended to send another signal to organized working people in the province of Saskatchewan. And the signal that this Bill is intended to send, Mr. Speaker, is this: is that from this point forward, from this government, in this province, you can expect inconvenience. You can expect inconvenience to be the criteria to take away one of the basic rights of collective bargaining.

Now, Mr. Speaker, we will all have different opinions as to what defines necessary service, and people of Saskatchewan have and will continue to and always will, I suppose, have debates about what is necessary service, and when is it proper for the Government of Saskatchewan to intervene. But always, Mr. Speaker, that kind of initiative is undertaken because there is a definition in the mind of the government that a necessary service has somehow been threatened.

But that's not the case after this Bill. This Bill sets a new precedent in the province of Saskatchewan, Mr. Speaker. The new precedent is that if people are inconvenienced then that justifies taking one of the most basic principles of collective bargaining away from working people. And as that affects organized working people, so too, do I believe, Mr. Speaker, does it affect the security of unorganized working people and so too, do I believe, Mr. Speaker, the security of ma and pa businesses all around the province of Saskatchewan.

The implications of this Bill, Mr. Speaker . . . It may seem to some that we're dealing with a Bill here that is designed to take some University professors and shoot them back in there so that some folks can write their exams at the end of the year. And I understand that, but there's so much more. There is so much more to this Bill. And to quote a phrase . . . Maybe we've reached that point, Mr. Speaker, to quote a phrase that was fluttered up and down the province of Saskatchewan back in 1982. We've reached that point where truly every member on the government side of the House of the Legislative Assembly of Saskatchewan can say, "There is so much more we can be."

(2015)

Well, Mr. Speaker, this Bill also represents an intrusion into the autonomy of the operation of the University of Saskatchewan. Now that may seem to be kind of a

high-faulting, airy-fairy, academic sort of idea, Mr. Speaker, to some. But it is an important principle, Mr. Speaker. It is an important principle that in the province of Saskatchewan, as with any other jurisdiction that offers post-secondary education in this country of Canada, that those institutions must have the autonomy to be able to determine what are the best qualities, the criteria for the best quality of education, for their people, and to make the decisions about the balance between research and instruction and tutorials and the whole kind of guidance as we try to shape the futures and the opportunities of the young people of the province of Saskatchewan. And for the universities to have that ability, that autonomy protected, Mr. Speaker, is a very, very important principle and this, Mr. Speaker, this Bill, represents an intrusion — an intrusion into the right of the universities to make autonomous decisions about the education of Saskatchewan people.

You know, Mr. Speaker, earlier, my leader, the member from Riversdale, who — I would add, contrary to, in my opinion, contrary to another leader who sits in this Assembly — is a man of vision, a man of compassion, and a man of understanding who is willing to consult and to listen . . .

Some Hon. Members: Hear, hear!

Mr. Hagel: — The people of Saskatchewan earlier this afternoon, Mr. Speaker, contrary to the Premier of this province, heard the Leader of the Opposition, a man of compassion and vision, stand in this House and speak and speak eloquently and speak with passion and with concern and with intellectual soundness about his concerns about this Bill. And I'm proud to stand with the member from Riversdale who I believe the people of Saskatchewan will recognize in 1990 or '91, and the people of Saskatoon Eastview and the people of Regina Elphinstone on May 4 will recognize provides the best leadership in terms of political direction in the province of Saskatchewan. And they will send a message, Mr. Speaker; they will send a message to the Premier of Saskatchewan that they like the kind of leadership that has been exemplified by the member from Riversdale.

Some Hon. Members: Hear, hear!

Mr. Hagel: — And as he stood on his foot in this Assembly, Mr. Speaker, and talked about the importance of the role of the universities in Saskatchewan life, two things that he referred to, Mr. Speaker, were the quality of education and the accessibility to education.

Mr. Speaker, the importance of excellence is part of the requirement that is necessary to provide quality education that requires the autonomy that this Bill interferes with. And this Bill, Mr. Speaker, also sends yet another signal from the Government of Saskatchewan about intrusions and conduct of university affairs that has to do with accessibility. And we've seen that already. We've seen the Government of Saskatchewan interfere with the University of Saskatchewan's ability to be accessible to all Saskatchewan people because they have been forced by the actions of this government, Mr. Speaker, to assign quotas to the number of students who are able to attend university. In Saskatchewan you can no

longer attend university only on the basis of having the required marks, because there's not enough room any more. There's not enough room. Necessary resources have not been made available by the Government of Saskatchewan to allow the University of Saskatchewan to do its job. So that's made higher learning less accessible.

And the other factor, Mr. Speaker, is that again for the same reason, through lack of funding, tuition fees are increasing. And we're beginning to see a move, I am afraid, Mr. Speaker, that is exemplified again and characterized in this Bill, a move where higher learning will be available not just to those with the highest marks, but also only to those with the greatest means, Mr. Speaker.

Now I don't know about the Premier of Saskatchewan, I don't know about the Minister of Education, but I tell you, Mr. Speaker, in my view, the people of Saskatchewan are best served with our post-secondary education when the people of this province are guaranteed quality education and have access to programs that they can get into because they can afford, and the room is there to take them. And that seems to me, Mr. Speaker, to be the sign, to be one of the signs of a healthy university.

Well this Bill is further characteristic of this government's attack on the right of the university, the responsibility of the university, to provide quality accessible education to Saskatchewan people.

And so, Mr. Speaker, we have before us a Bill that, not only does it not provide solutions to post-secondary education problems, not only does it not provide solutions to those problems faced by the University of Saskatchewan, it doesn't even provide solutions to the problem that faces us today — not even that.

And so we have, Mr. Speaker, in my view, a Bill that is coming forward without place but is clearly a part of a malicious and a vindictive agenda that is all part of a blind, ideological support for the exercises of the privatization and free trade, and that's what it all comes back to.

You know, Mr. Speaker, part of that same agenda, and it's exemplified here again in this Bill, that larger agenda in Saskatchewan today, is to drive a wedge. We have the Government of Saskatchewan today, intentionally, as part of their political agenda, setting out to drive wedges between the people of this province. We have seen the Government of Saskatchewan attempt to drive wedges, Mr. Speaker, between rural people and urban people in the province of Saskatchewan. Clearly that was part of the agenda in the gerrymander Bill that we saw in the last session. Clearly that is part of the agenda in the language that is used by our sometimes Premier, sometimes Agriculture minister, who said in this House just the other day, Mr. Speaker, that the farmers of Saskatchewan should be pleased with his actions because over half their income is gifts — gifts, to use his word, gifts from the government.

We have seen, Mr. Speaker, the Government of Saskatchewan attempting to drive wedges between rural and urban people in the province of Saskatchewan.

We've seen this government, both its Premier and its Minister of Social Services, leading the way in attacks on minorities in the province of Saskatchewan. And sometimes it gets harder and harder to figure out where the Premier leaves off and the Minister of Social Services picks up. But the thing that has become a characteristic of those who are entitled to the term "honourable" in this province is that they are leading the attack, today, on minorities in the province of Saskatchewan — clearly, clearly part of a political agenda to drive wedges between the people of Saskatchewan.

We've seen, Mr. Speaker, as part of the privatization initiative in the prescription drug plan, the beginnings of a user-pay health care scheme, Mr. Speaker. And what is that but another attempt to drive wedges, a wedge between the sick and the healthy; an attempt to get those who are not sick — the healthy — to begin to resent the sick for using the health care system that is being . . . that is costing too much. And have we ever heard that phrase being used from this government. Why? Because it is part of an agenda to drive wedges between people, Mr. Speaker.

We've seen, as part of an agenda to drive wedges, the government's handling of a Bill to deal with French language rights in the province of Saskatchewan. And in my view, Mr. Speaker, a repeat of a characteristic of this government . . .

Mr. Speaker: — I'd like the hon. member to relate his remarks to the Bill, to the amendment under discussion.

Mr. Hagel: — Mr. Speaker, as I said at the beginning of my address, to understand the implications of this Bill and the meaning of this Bill in the province of Saskatchewan, we have to look at the bigger picture.

Oh, here's the Minister of Health now, he's chirping up and he looks as though he's just ready to plunge right into debate, Mr. Speaker. He's ready to get in and share his wisdom and to defend this Bill and to tell his constituents and the people of Saskatchewan why he sees this Bill as such a wonderful solution to the problems that ail us.

Mr. Speaker, what I am saying is this, is that this Bill is part of an agenda of driving wedges between people — wedges between faculty and administration, wedges between students and both, and wedges between those who are outside the university community and those who are within. That is part of the agenda in this Bill. I'm not saying that's the whole agenda, but it's part of it in the same way. That's a part of the agenda of so many other things that this government has done and is doing today, because driving wedges is on the agenda. It's part of the political agenda, Mr. Speaker.

We've seen other examples of it. We've seen, in terms of driving the wedge, we've seen the Minister of Education, before anybody would have suggested there is any sense to it at all, saying in this House that he was thinking about back-to-work legislation, while the two parties in the negotiations, Mr. Speaker, while the two parties were sitting at the table with a conciliator. Progress was being made. The Minister of Education stands in this House and says he's thinking about back-to-work legislation.

Mr. Speaker, anybody with common sense understands that doesn't help those folks who are sitting at the table trying to solve their differences — solve them. What it says to those folks, anybody who uses their common sense, is that, well if we think back-to-work legislation might be in our best interest, then you just back off and you don't work at reaching an agreement. Anybody would know that, Mr. Speaker. And that's part of the agenda of the government that's before us today.

We've seen that agenda to drive wedges between the poor and those who have the means to meet their daily needs. We've seen this government drive, attempt to drive wedges between the unemployed and those who are employed in the province of Saskatchewan.

Yesterday, Mr. Speaker, yesterday the Minister of Education, in an address that he was giving yesterday morning that was on the news last night, I saw, attempting to drive wedges between professional educators in the province of Saskatchewan. What was his comment to the members of the Saskatchewan Teachers' Federation? He talked about . . . I heard him on the news last night say that he thought, well they did not a bad job of involving themselves in negotiations and they were responsible. He said to them, but not like some faculty members in a university north of here. Those were his words. How did his audience respond, Mr. Speaker? They responded responsibly by booing the Minister of Education when he tried to drive a wedge between professional educators in the province of Saskatchewan.

Well, Mr. Speaker, we have a large agenda that this Bill is a part of. We have a government before us that's attempting to drive wedges and using this Bill as yet another example of that. My colleagues, Mr. Speaker, have already talked about choices, and this Bill is about choices. The Government of Saskatchewan would like to tell us it has no choice, it can't afford, it can't afford to have the University of Saskatchewan respond to the needs. My colleagues have spoken effectively and efficiently and eloquently, Mr. Speaker, about that, and it is clear to all people of Saskatchewan. And as was pointed out by the Leader of the Opposition this afternoon, it does have the choice, if it chooses, to make a solution the priority. And, Mr. Speaker, it has simply chosen not to.

I'd just like to conclude, Mr. Speaker, with some very brief comments about the Bill itself, about the Bill itself and its ability to provide a solution to a very specific problem before us . . . (inaudible interjection) . . . Oh, there's . . . Yes, there he is over there again, Mr. Speaker. He's yipping and yapping, and I will wrap up and I'll sit down and I'll allow the member to stand and give his ideas as to how this Bill is in the interest of the people of Saskatchewan.

But some quick comments, Mr. Speaker, some very brief comments about the Bill itself. I said before, Mr. Speaker, this back-to-work legislation that's before us today is unprecedented; and it is. It orders back the faculty members, Mr. Speaker, but within the Bill, contrary to virtually any back-to-work legislation you would find anywhere, offers absolutely no assurances of some form

of movement to solve the collective bargaining problem that is being faced at the University of Saskatchewan. That is extremely abnormal, Mr. Speaker, and fails to address the tensions and to provide any sort of immediate solution to an immediate problem there.

It requires a mediator who will be appointed by the Minister of Labour, an individual, who in the minds of many Saskatchewan people is not the most sensitive in terms of judgement of equality and fairness for two sides in dispute with one another. And then it appoints a mediator, Mr. Speaker, who reports, not to one side or the other, but who reports only to the minister, without any requirement for anybody else to know what might be in that report, and also, Mr. Speaker, without there being any obligation whatsoever for the Government of Saskatchewan to follow the recommendations of that mediator's report which will be, presumably, submitted quietly and confidentially behind closed cabinet doors.

(2030)

And so, Mr. Speaker, it's for those reasons, it's for those reasons that I say this Bill itself, not only does it provide no solution to the long-term problems, it provides no solution to the immediate problems before us.

So for those reasons and others, Mr. Speaker, that have been expressed by my colleagues, I will be standing in support of the amendment that is before us, and I will be standing in opposition to the Bill, Mr. Speaker. And I thank you very much for the opportunity to bring my remarks to this Legislative Assembly.

Some Hon. Members: Hear, hear!

Amendment negated on division.

Hon. Mr. Hepworth: — Mr. Speaker, I and other members of this legislature have sat here now for something the order of four or five hours and listened to four or five hours of debate from the opposition benches. And there's been many remarkable things about that debate tonight, Mr. Speaker, but the one thing that we have learned tonight clearly, Mr. Speaker, is that the NDP opposition have come out clear in their opposition to this Bill. They've used words like unnecessary, unwarranted, unjustified, vicious, wrong — all those kinds of words, Mr. Speaker. And the advanced education critic for the NDP as well in his remarks asked this question: he asked which of the two parties involved in this dispute asked for this legislation. That's what he said, Mr. Speaker, the opposition critic. He asked which of the two parties involved in this dispute had asked for this legislation. And the member from Saskatoon University said, you know, go talk to either of the two parties, Mr. Speaker.

Well what words, Mr. Speaker, did we not hear tonight coming from the NDP opposition in this debate? What words did we not hear? We heard unnecessary, unwarranted, unjustified, wrong. We heard the reference to the fact that there are only two parties involved in this dispute, Mr. Speaker. But what word did we not hear more than half a dozen times, Mr. Speaker, in five hours of debate? What word did we not hear come from the NDP opposition, Mr. Speaker? We did not hear the word

“student.” We did not hear the word “student,” Mr. Speaker. I'll bet you we didn't hear that word six times. And in fact, Mr. Speaker, they didn't even acknowledge the fact that the students are an interested party in this dispute. They talked about two parties. Not one member, Mr. Speaker, but more than one member talked about only the two parties involved.

Mr. Speaker, the whole basis for this Bill is not necessarily because of the other two parties, albeit what has happened in the breakdown has brought us here tonight. The basis for why we are here tonight, Mr. Speaker, is because it is the interest of that other party that is paramount — the student, Mr. Speaker. That is why we are here.

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — We are here tonight, Mr. Speaker, because it is those young people who do count if they are the innocent victims, the third party; and somebody must stand up and speak for them, Mr. Speaker.

They didn't talk tonight. The NDP opposition didn't talk tonight about the students' educational lives that will be jeopardized if we do not pass this Bill. They did not talk about the students' careers — in many instances, first careers — that would be jeopardized if we do not pass this legislation. Mr. Speaker, they did not talk about the students' postgraduate opportunities that would be jeopardized if we do not pass this legislation. They did not talk about the students' investments in time and in money, Mr. Speaker, that will be jeopardized if we do not pass this legislation. And they did not talk about the students' parents who have been supportive and have invested in their young people in their families over the years, Mr. Speaker. And they did not talk about the students' stress and anxiety that they have gone through over the past year, and especially the last few days, Mr. Speaker, as negotiations broke down. “Students” was not a word to be found in opposition rhetoric tonight, Mr. Speaker.

And then I ask you, Mr. Speaker, they've talked about what others have said in their minds about this legislation, but if you ask the students, Mr. Speaker, about this legislation, what do they say? What word do they use to describe this legislation and what it means to them, Mr. Speaker? What word did you and others, I presume, see last night on television, or as I heard this morning on the radio reports, when students were asked about this and some polling was done of the students? What word did they use to describe it? Did they use unnecessary? Did they use unjustified? Did they use vicious? Did they use wrong, Mr. Speaker? No, the word I consistently heard is they were relieved. That is the word I heard consistently, Mr. Speaker.

They were relieved because it meant the end of the stress. It meant the end of the anxiety. It meant the end of uncertainty. It meant the end of detention. It meant the end of the threat of job loss, Mr. Speaker. It meant the end of the threat of delayed summer jobs. It meant the end of the threat of lost postgraduate opportunities, Mr. Speaker. That's what this Bill meant to the students, and they were

relieved that it was over, not happy that it had come to this, as none of us are happy, Mr. Speaker, but relieved that somebody, even in the face of all this, was prepared to act in their best interests at the end of the day, Mr. Speaker.

What other arguments did we hear advanced today, Mr. Speaker, albeit that we heard no one speak on behalf of the students. I was absolutely amazed at that, Mr. Speaker. What did we hear the opposition leader say? He talked about in his view of universities, the three triangles. He talked about his vision of the three triangles: on the one point, accessibility; on the other point, academic excellence; on the other point, autonomy.

And he said somehow through all of this, accessibility has been jeopardized, in his mind, because of government underfunding and those kinds of things, at least in his mind. Well it seems to me, Mr. Speaker, he's touched the issue, he's got the right issue, but he's got the wrong reasons behind it. The issue certainly is accessibility here. The issue is certainly accessibility with this legislation. To follow the NDP strategy would be to deny access, access for these students to their courses and to their exams, and that is 18,000 young people who would be denied access, Mr. Speaker. That is the why of this Bill. Legislation is being put forward to let the students finish their exams, Mr. Speaker.

A second issue that was raised, as I said, was the issue of funding. They did not care to talk about the fact that over the last five or six years this Progressive Conservative administration, Mr. Speaker, has increased both operating and capital funding to universities in this province by a greater percentage increase than any other university in western Canada. And that's a record that we're proud of, Mr. Speaker.

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — But be that such as it may, Mr. Speaker, be that such as it may, I would ask the question: is there any straight-line relationship between government funding and wage settlements at universities anyways? If there were, it seems to me that in the face of a zero per cent increase or decrease — in other words, a hold the line revenue source in the face of the fact that last year we asked the universities to hold the line on spending, there was neither an increase or a decrease, the budget was zero per cent, Mr. Speaker — if there was a straight-line relationship, they you would have thought wages would have been held at zero last year, but they were not. In the face of a zero per cent increase in the budget last year, Mr. Speaker, at the universities, the faculty had a 4 per cent raise. So there's no straight-line relationship there anyways, Mr. Speaker.

And besides, you know, the opposition leader went on to suggest that we would be interfering with their autonomy. Well that is the whole point, Mr. Speaker. We do provide moneys to the university, and it's up to them to sort out whether they use that money for salaries, pay raises, programs, buildings, more faculty. That is what they have to sort out, Mr. Speaker. So to say funding is the issue, simply is not the truth, Mr. Speaker.

Indeed in the early days of this saga, Mr. Speaker, in the early days of this saga did the faculty association, did the faculty association come before the people, at least as I saw it, did they come before the people and say that the issue here was government underfunding? I didn't hear that, Mr. Speaker. In fact what I heard in the early days in this saga was the fact that the university had this fat surplus, not too little money. They had this surplus salted away and that's what they should use to give a pay raise with. They didn't talk about underfunding; they talked about surpluses three different places.

Well, as you and I know, Mr. Speaker, and as was proven later, that whole question of surpluses was in fact an erroneous argument. Yes, there's a surplus in the one account, as I understand it, which is prudent management. And anybody that suggests that you start making pay raises out of account surpluses in the first place is not prudent management, by everyone's analysis, but the point is, Mr. Speaker, not to get into a debate on the analysis of the surplus account or their existence or the lack of existence, the point is the attack by the faculty association was relative to the fact that there, in their minds, was a surplus, not an underfunding situation. So I would suggest that that belies the opposition argument that funding is the question.

And as well, Mr. Speaker, this budget that was presented in the House just a very few days ago in this province, in this legislature, belies the opposition rhetoric as well on the question of funding. This last budget showed that the Progressive Conservative government's commitment to education is unshakeable. And I say that, Mr. Speaker, because in this last budget four out of every five new program dollars available to spend on behalf of the people of this province went to health and education, our two major areas, Mr. Speaker, our two priorities. Those were the areas that got the money, the increases, Mr. Speaker, and if one looked at the commentary after the budget, headlines like "Budget pleases teachers, trustees in light of restraint"; "We're pleased that there is an increase," said Fred Herron, a well-known representative of the teachers in this province; Ray Matheson, chairman of the Regina Board of Education said he was delighted at the support Finance minister Gary Lane's budget speech had. Considering the economic times we're in, education has fared well, he said.

And that was the kind of commentary, Mr. Speaker, we had as a result of this last budget, because the commitment was there again this year as it has been in the past. Our commitment to education, Mr. Speaker, is unshakeable, and this last budget just affirmed that in the people's minds, Mr. Speaker.

But having said all of that, Mr. Speaker, the reality is, if you listen to the opposition members, including the Leader of the Opposition, to hear them talk about funding, and that it . . . Listening to them, you'd think the university could barely run. You'd think there was no programming going on, in fact. It was a doom and gloom scenario. And the reality is, Mr. Speaker, because of the funding there are many fine things going on at that institution and many fine graduates coming out of that institution, Mr. Speaker. That is the reality.

The third argument that was raised, Mr. Speaker, is that somehow I and other members of our government, with whatever statements we may have made along the way, that somehow this interfered with the process; this caused a breakdown of negotiations, or a breakdown of conciliation, and all those kinds of things that we heard, Mr. Speaker; that somehow I, with my statements, inflamed the situation. At least that's in their minds, Mr. Speaker.

Well what did I say, Mr. Speaker, in the formal statement that I made to you and other members of this legislature, earlier this week? What I said then, Mr. Speaker, was, and I quote:

I talked earlier this week with representatives of the faculty, the administration, and the students. I asked both faculty and administration to find a way either to conclude the negotiations, or, failing that, to call off the strike at least until the exams are over.

That's what I said, Mr. Speaker. And I went on to say here, to give the why. I said:

The issue here is one of timing and the impact of job action on the lives of some vulnerable young people. I am hopeful that this request will lead to at least a temporary postponement of the strike, or preferably to a successful outcome of the negotiations . . .

That is what I said, Mr. Speaker. When I walked outside this House, on every occasion when questioned by the media, on every occasion, I never varied from that commentary — not once. We made constructive suggestions and we stuck by those because that was our preferred course. Not once did I or any member of this government ever make reference — ever — Mr. Speaker, until the day I introduced this Bill about back-to-work legislation, about essential services legislation — I never, ever, uttered those words, Mr. Speaker. None of that was ever uttered by any member of this legislature, despite the fact that on many occasions the media would try and lead you on and say, well, what if. My answer consistently was, that's a hypothetical question. Our preferred is that they solve it themselves. We've given some constructive suggestions on how to do that, and that was consistently our rhetoric.

(2045)

And I'll tell you, Mr. Speaker, anybody on those benches who suggests otherwise is either trying to distort the facts, Mr. Speaker, or simply is trying to build some political rhetoric and grandstanding and trying to throw a smoke-screen into a situation where it doesn't exist. Some say both are true.

Well, Mr. Speaker, as I said, there was no talk ever of back to work, no talk ever of essential services, only talk that students must sit their exams, and to use every means possible to ensure that, Mr. Speaker.

But, Mr. Speaker, let's suppose that I, over the last week or two, and my colleagues — in the face of 18,000 students

having their exams jeopardized — had sat on our hands and sat in our places and said not one word. Let's suppose, Mr. Speaker, over this last 10 days, not one word had been uttered. Let's suppose we had taken that approach, Mr. Speaker, that there had been no statement in the House, no statements outside the House, nothing had been said. And we'd merely would have . . . if asked questions, would have said, well, the university is autonomous and of course we wouldn't want to interfere, and that's . . . you know, that's the whole situation, we have nothing to say. Suppose we had taken that course. I ask you, what would the opposition have been saying? What would they have been saying? They'd have been saying, you're the Minister of Education, why aren't you doing something? Why aren't you meeting? Why aren't you asking for third-party intervention? Why aren't you doing something? They would have been asking and calling for intervention as sure as I stand here, Mr. Speaker.

You see, this is simply a case of doublespeak, of wanting to have your cake and eat it too, Mr. Speaker. Well, I'm telling you, I'm calling their bluff tonight. I've told you what I've said, and I stand by it, Mr. Speaker.

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — But having said all that, Mr. Speaker, it seems to me that the 18,000 students and their moms and their dads out there had every right to expect the Minister of Education and the Progressive Conservative government to be interested in this. It would have been absolutely blasphemous if we had sat on our hands, Mr. Speaker. This was too large an issue here; there was too much at stake, Mr. Speaker. And I'll tell you, I am not going to stand on the sidelines as some disinterested, gagged Minister of Education when there's the livelihoods of 18,000 young people on the line. And I won't apologize for that.

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — But they said, Mr. Speaker, that all along I had a motive, that all along I had a motive, an ulterior motive that I wanted to come with this big stick; all along that I wanted to be here in this House with this legislation. Well I say, nonsense, Mr. Speaker, nothing is further from the truth. And in fact, Mr. Speaker, we waited until the very last hour before introducing this legislation because the conciliator threw in the towel. Mr. Speaker, we waited until the very last hour. Exams are upon us this Saturday, Mr. Speaker. We have to have this legislation through as quickly as possible.

It's been delayed unnecessarily already by the NDP. They're on record as saying that they will fight it every step of the way, Mr. Speaker. What a tragedy for our students.

And I'll tell you, Mr. Speaker, yes, we had a motive. Yes we had an ulterior strategy, if you like, and that strategy is the same today as it was 10 days ago — and that is, the strategy always has been to stand up for the interest of the students in these universities, Mr. Speaker. And that is our strategy today, to stand four-square behind the students. That is our motive, Mr. Speaker.

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — So in summary, Mr. Speaker, this is not a funding issue. This is not a question of the right to strike or not, because there's a cooling-off period, and if they can't solve the mediator, after May 12, if they want to go back out on the pavement, they can do that, Mr. Speaker. So it's not a funding issue; it's not a question of the right to strike or not; it's not even a partisan question, Mr. Speaker. And yet tonight we've heard reference to Pocklington and Rafferty and by-elections.

Mr. Speaker, any time that I've been in this House or that I've watched it in the past, any time that a situation was so grave and so serious that people had to bring in this kind of legislation — governments or whatever stripe had to bring in this legislation — it almost always enjoyed unanimous approval, Mr. Speaker, because it was never, ever seen as a partisan issue. And yet tonight we've had the debate range all the way into the Pocklingtons and the Raffertys and the by-elections and multinationals and all that kind of thing, Mr. Speaker. The issue is not funding; the issue is not a question of the right to strike or not; the issue is not apart as an issue, Mr. Speaker, the issue is simply the students' right to finish their exams.

And, Mr. Speaker, I ask all members, I ask the NDP opposition to please rethink your position, do not oppose this Bill; support the Bill; stand up for the students just this once, Mr. Speaker; stand up for 18,000 young people and their families in this province, Mr. Speaker; that's what I ask — rethink your position.

Some Hon. Members: Hear, hear!

(2058)

Motion agreed to on the following recorded division.

Yeas — 29

Muller	Martin
Duncan	Toth
McLeod	Sauder
Andrew	Johnson
Berntson	McLaren
Taylor	Hopfner
Swan	Petersen
Muirhead	Swenson
Schmidt	Martens
Hodgins	Baker
Gerich	Gleim
Hepworth	Gardner
Hardy	Kopelchuk
Klein	Britton
Pickering	

Nays — 15

Romanow	Simard
Prebble	Kowalsky
Rolfes	Atkinson
Brockelbank	Hagel
Shillington	Lyons
Tchorzewski	Calvert

Solomon
Mitchell

Trew

Motion agreed to, the Bill read a second time and, by leave of the Assembly, referred to a Committee of the Whole later this day.

COMMITTEE OF THE WHOLE

Bill No. 3 — An Act to provide for the Resumption of Instruction, Teaching and Examination of Students at The University of Saskatchewan

Clause 1

Mr. Chairman: — Would the minister introduce his officials?

Hon. Mr. Hepworth: — I have with me, to my right, Lawrie McFarlane, Deputy Minister of the Department of Education; and behind me and to my right, Darryl Bogdasavich and Larry Anderson, both from Justice, Mr. Chairman.

Mr. Kowalsky: — Thank you, Mr. Chairman. Mr. Chairman, I might make a remark that this is the first Bill that we are debating in the legislature in this session, and it's an unusual situation because we are debating this Bill during the budget debate, Mr. Chairman. And I would welcome you for this first particular session.

Now I want to make another point, Mr. Chairman about this. We are debating this Bill because this side of the House gave leave to debate this Bill. This side of the House gave leave. And I want to make that comment because the minister opposite made a big to-do, a real big to-do about his commitment to students and our lack of commitment to students.

We have demonstrated our commitment to students by granting leave to get this Bill through, to let them pass this Bill. We think it's a bad Bill — we know it's a bad Bill — but I don't want the minister coming through and saying that we are against the students.

Mr. Speaker, Mr. Chairperson, this Bill would never have been introduced without our commitment, and that is our commitment to the students of Saskatchewan. We know that there is a great concern and a lot of tension on the part of students. We know that there are very few students who have . . . there have been none that have missed exams, and there are very few that are threatened to miss exams. But the very threat of it is a stress, and we're acknowledging that stress, and we want to help relieve that stress even though we don't believe in the method that he's doing it. The whole thing could have been done away with if this government had dealt with it in the proper manner.

Now my question to the minister is this: Mr. Minister, will you acknowledge right now, here in this House, that you would never have brought this Bill in yesterday without leave, and today without leave of members on this side?

Hon. Mr. Hepworth: — Mr. Speaker, Mr. Chairman,

rather, as I said in second reading debate, the introduction of this legislation: (a) was never the preferred solution in terms of dealing with the dispute. Because we wanted every other option, to have full opportunity to perhaps work without having to resort to this, we left it right to the last minute. Although recognizing that the last minute, I suppose, could have been Saturday — or could be still I suppose, depending on what the opposition do, given that they're against this Bill — when the exams start. If you take it right to that very moment, I suppose, 9 o'clock Saturday morning, that hardly leaves time for notification to students of what exam is on and what isn't on. And albeit we could have perhaps moved this legislation through the House yesterday, but the opposition have chosen not to have that kind of expeditious passage, Mr. Speaker. Yes, we've had leave on a couple of occasions, including tonight, to get us to the stage that we're at, and I'm hopeful that we can continue along that line, Mr. Chairman.

Mr. Kowalsky: — Mr. Chairman it is our intention to complete debate on this Bill tonight so that the matter will be expedited. There are quite a few questions we want to ask yet. I would ask the minister, first of all . . . First of all, I would thank him for acknowledging in his sort of roundabout way, that yes, we did grant leave. So I know it's very difficult for him to do so, but I'll accept that, Mr. Minister.

Mr. Minister, I want to ask you a question about who was it that asked you; who asked you to introduce this Bill? I know that when I consulted with the faculty association and when I consulted with administration, they didn't ask for it. I had students that were concerned; they knew that their exams were threatened, but I didn't have anybody really say legislate them back to work. I want to know who asked you?

Hon. Mr. Hepworth: — I suppose the basis for . . . The question was, Mr. Chairman who asked? Who asked for this legislation? I don't know how many dozens or hundreds . . . I don't know how many calls, Mr. Chairman that I had personally, and as well to my office and departmental officials. All I can tell you is that when this first broke that the strike vote had been taken and they were going to exercise the mandate on Monday morning — that broke Friday night, I think it was, Mr. Speaker, last week. I know before I was out of bed on Saturday morning I already had had a call to my home . . .

An Hon. Member: — At noon.

Hon. Mr. Hepworth: — And I didn't get out of bed at noon that day, Mr. Speaker, it was more like . . . or, Mr. Chairman it was more like 7 a.m. that I had the first call that Saturday morning from a very distraught parent, typical of the example I use this afternoon in second reading debate. Her daughter, six years in college, a job, even further exams to sit, very distraught that all this might be jeopardized. So if you're asking me who? Parents, students, they were the ones that came forward saying, what are you going to do if this happens or if that happens or if they don't go back to work, what are you going to do? We had those calls all along, and in fact Wednesday it picked up, if you like, in so far as the tempo of the calls, Mr. Chairman.

Mr. Kowalsky: — Mr. Minister, when negotiations are interrupted by an outside authority like a provincial government or a federal government, the experience that I have had from it is that as soon as there is any type of interruption, or some type of outside statement, that the whole procedure is thrown off balance — off balance, because there is a certain procedure that negotiations go through. And you know the arguments that are made in negotiations; there's two parties, and they both have their particular sides; they've got to go through this balancing act, and they get angry at each other. and it's just like a good marriage — once in a while you get angry at each other, but if you keep working at it you will eventually work it out.

When you have an interruption like this — and here in your particular case the interruption's going to last over a prolonged period of time; you're actually asking to suspend negotiations — what do you think the effect of this is going to be on the relationship between the two parties? How can you get that relationship between the two parties back together as long as you've got your finger in the pie here?

Hon. Mr. Hepworth: — Mr. Chairman, in addition to some of the rationale I talked about in debate earlier tonight, I'm also advised that many provinces have as a standard part of legislation intact, and not having to be brought forward in situations like this where there is standard — as part of the legislation — that there is cooling off periods there. It's nothing new in some provinces apparently.

Mr. Kowalsky: — You've got the Bill expiring, Mr. Minister, on May 13, ending May 12th. Why that particular day?

Hon. Mr. Hepworth: — Mr. Chairman, the majority of exams are over on that date.

Mr. Kowalsky: — Now what do you expect to happen to the other exams that are not over? What's going to happen at that stage? The strike could conceivably resume; exams could be withheld. The date seems very arbitrary, Mr. Speaker. Why not the 11th? Why not the 10th? Why not the 21st?

Hon. Mr. Hepworth: — This was actually to try and respond — albeit that it was used by the opposition, including your leader, argued this point from both sides — he said first of all, he ought not interfere, and then he said, well, but if you're going to interfere, why don't you interfere and wipe out their rights, if you like, right through to convocation. Right through till convocation, that's what he said. Right through to convocation. That is exactly what you said, right through till convocation.

And what the idea here was to put in place . . . because we looked at all these dates, you know, what's the last possible date — you know you can get into intercession, I suppose, and all those kinds of things — but what was the last possible date that you could cover the most off without jeopardizing the right to strike, if you like, for the least amount of time. So there was the whole . . .

The convocation was looked at. Some of the smaller colleges maybe hadn't totally finished by this date, the summer student and all of that. At the end of the day we've tried to put something that would cover all of the objectives, if you like, in terms of the students' interests, but with a minimum of . . . but keep the period to a minimum because it is very serious and sobering legislation.

So the short answer is, to keep their period of interference, if you like, to a minimum.

Mr. Kowalsky: — Well it's one of the shortcomings of the Bill is that it deals with most of the students, but it doesn't deal with all of them.

Mr. Minister, I noticed that in the Bill, here you are asking the Minister of Human Resources, Labour and Employment to appoint a mediator. Now that must have been a strategic decision on your part, but why you would choose this minister, the member from Melville, to choose a mediator is beyond me. Can you explain that irrational move?

Hon. Mr. Hepworth: — He's the minister responsible for labour relations. It was felt that if I had retained the capacity to appoint the mediator in the event that the two parties couldn't agree with one, some might have — I wouldn't have — but some might have viewed that I had a vested interest, and that might distort and bias my thinking, Mr. Chairman.

Mr. Kowalsky: — I could ask this question under a clause by clause, but I'd prefer to do it this way; it gives us a little more flexibility, Mr. Minister.

But with respect to clause 5(1) where you're talking about the duties of the mediator, and you're saying:

The association and the employer shall co-operate with the mediator.

Shall co-operate. Now you know that co-operation involves an attitude. And I'm wondering how in the world do you expect to be able to legislate an attitude? How can you demonstrate co-operation? How can you do that? How can you legislate that somebody should co-operate?

Hon. Mr. Hepworth: — All we're asking is that they meet and a presumption of reasonableness.

Mr. Kowalsky: — I want to deal with the purposes that you've stated in the Bill. And you've indicated here that in the first case you put in the Bill that the purpose is to provide a temporary cooling-off period. Now, Mr. Minister, the problem in this case is not that we've got hot heads; it's not that we've got hot heads. So I can't understand why that should be a purpose that's stated. The problem here, and really the problem, the only problem — and you acknowledge it, and I acknowledge it — is that there is a group of students whose university career is threatened somewhat. I acknowledge that, and you acknowledge that, and we agree with it. I'm wondering why you saw fit to put in here that somebody needed a cooling-off period? Because what I'm afraid of, Mr. Minister, is that they're going to cool-off so much that

it is going to destroy the entire negotiations process.

(2115)

Hon. Mr. Hepworth: — The term cooling-off is standard terminology, and its derivation, I suspect, is because it tends to reflect accurately the fact that this is a temporary, as opposed as to something permanent, that goes on *ad infinitum*. So it's pretty standard terminology in the area of, in the world of labour relations.

Mr. Kowalsky: — Could you indicate, Mr. Minister, what the scope of the mediation is going to be? Will the mediator be able to liaise with the faculty? Will there be any government interference with the mediator? Will you be talking to the mediator?

Hon. Mr. Hepworth: — I think the member has raised the very point that I was addressing when he asked earlier, Mr. Chairman, why I didn't appoint the mediator, as opposed to . . . and rather than the Minister of Human Resources and Labour was doing the appointment. And that's the reason, so that I am not involved and not . . . because I might be seen to be having a vested interest, so that's the same answer.

Mr. Kowalsky: — In clause 8, Mr. Minister, you . . . And I have to read part of this, just to get the context:

. . . the term of that agreement is extended to include the period commencing on July 1, 1987 and ending May 12, 1988, and the terms and conditions of the last collective bargaining agreement remain in effect between the employer and the association for that period.

I want to know what will happen to the employees' pay scales. Will they be frozen by virtue of that clause? Will they be frozen by virtue of that clause, according to the existing agreement, in the event there's conciliation takes place, or mediation, or some type of negotiation?

Hon. Mr. Hepworth: — Mr. Chairman, this is there to . . . This section is there to protect the employee, to make sure that the wages that he has been getting, if you like, will continue to be paid during this cooling-off period. However, I think that the point that the hon. member is trying to get to, and I'll answer it while I'm on my feet, is that while if there was a settlement during the cooling-off period, and it was indeed retroactive till the end of the last settlement, could that be put in place? And I'm advised, yes. So it's there to protect the employee and at the same time, if there is a new agreement reached, which I would hope there would be during this period, that can be activated, if you like.

Mr. Shillington: — Yes, Mr. Minister, I'd like to know how you see this disagreement between the faculty and the administration being settled. How do you see this matter being resolved?

Hon. Mr. Hepworth: — Mr. Chairman the question is how do I see this being settled. I think it would be unwise for me and improper for me to speculate on how it might be solved, quite frankly. We have obviously . . .

Mr. Shillington: — Mr. Minister, it would be unwise and also impossible for you to answer the question.

Mr. Minister, I'm going to suggest to you that you have really skewered the faculty association with this Bill. This Bill, most of these back-to-work Bills also provide a mechanism for settling it — yours does not. Yours simply lifts the whole problem up, transplants it beyond May 12 when a strike would have any effect, and then throws them back into the bear pit. What you're saying is, I don't want anything to happen till May 12, and then, have at it, boys and girls, and may the best side win.

My criticism of this, Mr. Minister, is you provide no mechanism for settling it. You have skewered the faculty association. You have skewered — do you want me to spell it? — you have skewered the faculty association. As of May 13 they have no real mechanism. It's going to be very difficult for them to get their members out again for another strike when there will be no real pressure to settle, Mr. Minister, it seems to me that you've left the faculty association with the worst of all worlds — no settlement of the thing in the Bill, and no means of settlement on March 13.

Hon. Mr. Hepworth: — Well, Mr. Chairman, the hon. member suggests that the Bill skewers the faculty, I think, was his terminology. He says why didn't . . . it puts the faculty at a disadvantage, in his mind. He says why didn't the legislation enforce a settlement.

Now here is the doublespeak of the opposition, Mr. Speaker. Enforcing a settlement would be maximum interference. This is why the cooling-off. We don't want to suspend their rights for ever and enforce something on them; that would be major interference. We said, let's just have a cooling-off period, suspend the strike until exams are over. And even then we said just for the shortest time possible; we didn't take it into convocation or anything else — for the shortest time possible suspend it, provision for a mediator. And we didn't want to get into that kind of massive interference is what I'm saying, Mr. Chairman.

Mr. Shillington: — Well do you not admit, Mr. Minister, that the faculty association have no effective bargaining tools on May 13? It is completely unrealistic to suggest that they can go back out, that the faculty will go back out again on strike at that point in time, having gone through a difficult strike which did not resolve the matter. They may anticipate that if they ever got the administration in a difficult position you'd legislate them back to work again.

From the point of view of the administration, I suggest it's equally bad. They have no money with which to settle the matter, and the strike and the after-effect and the ongoing labour dispute, I suggest, will poison the atmosphere among the teaching staff at the university. It's not the kind of morale which builds a good university.

I just saw some headlines in which some members of the administration were upset about the Bill; I can well see why. You've solved nobody's problem, except students who have to write, and that's maybe a major exception. But you've solved neither the administration's problem nor the faculty's problem. If you were going to come forth with this administration, with this Bill, Mr. Minister, it

strikes me that given the circumstances in this case you should have provided a means by which the outstanding issues would have been settled. To have failed to settle them, but to have sent them back until May 13, provides nobody with mechanism for settling it and is going to mean that the dispute will be ongoing, poisoning the relationship, and destroying whatever morale may have been possible to attain at that university.

Hon. Mr. Hepworth: — Mr. Chairman the member is right in one of his statements. He's right in this statement, in that we are with this legislation only trying to solve the students' problem. That is the whole point — the title of the Bill says that clearly.

Now if he's suggesting we should use the heavy-handed approach and the kind of legislation his party wrote in the '70s, well than I suppose you could bring in an amendment for it, if you so wish. But the whole point of using this temporary suspension is that because we want the faculty on May 13, if the situation so warrants, to have . . . not even if the situation so warrants. In fact, on May 13 the faculty will have the same rights that they enjoyed yesterday, or before this Bill passes — that's the whole point.

Mr. Shillington: — Mr. Minister, what you're missing is, they may have the same rights, but do you not agree that their position will have changed drastically on May 13?

Hon. Mr. Hepworth: — Are you suggesting that the students should be used as some kind of pawn or lever?

Mr. Shillington: — But, Mr. Minister, if you're going to take away from them their right to bargain collectively — which you're doing — if you're going to take that away from them, you should settle the dispute. To take away their right — and you've effectively taken it away for a good time to come — if you're going to take away their right, Mr. Minister, for them to bargain collectively, you ought to have solved the problem.

In this case you have not solved the problem, but you have taken away their right for the indefinite future. It's ludicrous of you to suggest that they can go back on their strike on May 13. It just simply is not possible for them to do it; it won't happen; you've effectively left them without any remedy at all.

You have given them, Mr. Minister, the worst of all worlds by failing to provide the administration with any money to deal with it. You've given them the worst of all worlds, which is a situation in which the dispute's going to go on indefinitely.

Mr. Romanow: — Mr. Chairman, thank you very much. I believe the comment made by my colleague from Regina deserves an answer from the minister. He has not provided an answer. May I put the comment or the question in a different perspective.

I ask the minister the following. Isn't it correct to say that on the moneys, the rather poor moneys provided by the government to the University of Saskatchewan, that the offer made by the board of governors and the administration, the last best offer to the faculty

association, strained the university's financial capacities? That, I think, is a fair statement. And that last best offer was rejected by the faculty association. That, we know, is a fact because we know that this back-to-work legislation is imposed because of that circumstance.

Now here we have the situation of no more money to the university board and no possibility of a settlement because they've rejected and gone to the wall on the legislation based on the current developments today. What do you intend as a solution after May 13 with no change in the circumstances?

Hon. Mr. Hepworth: — Well, I've already said — and your colleague agreed — that I ought not speculate, and indeed it would be unwise to speculate. But I would just reiterate some comments that I made in the debate earlier today that somehow you have the view that there is a straight-line relationship between percentage grant increases and faculty salary increases. And that clearly is not true because we saw last year where there was a zero per cent increase and the faculty had a 4 per cent increase. That's exactly . . . And I agree with the fact that the university, because they have autonomy, should make the decisions about the money they get, whether it goes for increased salaries or more staff or more buildings or more programs or whatever. That's their autonomy. That's the autonomy that you didn't want me to interfere with, so I will not.

Mr. Romanow: — No, Mr. Minister, that is not the position that I adopt, that there should be an automatic straight-line increase to faculty based on a straight-line increase that your government should grant this university or any university. That's not my position. The fact of the matter is that over the last little while the level of funding by your government to this university or to the whole educational system has been so tight and so difficult that any increases given the faculty association in previous years comes at the expense of other functions and other teaching obligations and other teaching opportunities for the young people. The result is, of course, that after a while the whole system stops because there is no more juggling that's capable of being made. That's exactly the predicament that both the faculty is in, and the University of Saskatchewan Board of Governors and administration; the result being this very, very disputatious and emotional dispute that takes place.

That's not the issue. The issue is the level of funding; and the level of funding of your government has been, I think proven demonstrably so, to be parsimonious and very poor.

I want to make one point about students if I can. The member opposite talks about concern for students. I think everybody in this House has concern for students. There's no doubt about that, but how does the minister opposite explain away the president of the university's comment about this legislation today, his own statements today by the headlines, which tell the entire story, "Back-to-work law attacked by Kristjanson," and in the body of the story the same kind of attack by the faculty association? There are no comments by the students' associations in this particular newspaper article; let's leave them aside for the moment.

(2130)

Is it suggested by attacking the legislation as the president has done, and as the faculty association has done, that they don't have a concern for students?

Hon. Mr. Hepworth: — Well the hon. member raised a couple of issues there. The first was the whole question of funding to our universities, Mr. Chairman. And my officials have provided me with what governments give to universities of comparable size across Canada, Mr. Chairman. And this is expressed as a number of dollars in the grant per student that's made available to universities.

Well, are we as high, Mr. Chairman, as Dalhousie? They provide \$8,993 per student — their government, the government there. Are we as high as Memorial University, Mr. Chairman? No, they're at 8,054. Are we as high as Calgary? No, they're at 7,559, Mr. Chairman. But in fourth place — and this is for universities of a comparable size across Canada — in fourth place is Saskatchewan.

Now we're not first, I admit, but we're not last, because in fifth place is Manitoba. So we're ahead of the NDP in Manitoba — well the NDP for a short time, till April 26th I guess it'll be, Mr. Chairman. And we're ahead of Guelph and Ottawa and McMaster and Concordia and Carleton and Ryerson.

So I would suggest to you, yes, we're not first, but, by golly, we're in very good shape across Canada, Mr. Chairman. And as relates to Dr. Kristjanson's or the head of the faculty association's comments on the legislation, it's not for me to explain what they have said. You can ask them yourself.

Mr. Romanow: — Mr. Chairman, the minister has a not very glib way in avoiding answers to important questions. The proposition that he advances is that because members of this Legislative Assembly see fit to oppose the Bill in principle for the reasons advocated, or other reasons perhaps that others might have, that somehow that is anti-student.

I want to point out to the minister again that the president of the university himself, the faculty association itself, and the members of the faculty, similarly oppose this legislation. They oppose it for reasons, some of which are reasons which we've articulated, some of their own reasons. My question to you is: how can it be argued, or do you argue — I'll put it to you bluntly — do you argue that Mr. Kristjanson and the faculty association have no concern for students even though they oppose this Bill?

Hon. Mr. Hepworth: — No, what I said tonight was I said what the NDP in this legislature had said. And I'll tell you what, Mr. Chairman, I think everything I said tonight was absolutely accurate. And I sense that, and I say that because the first thing the education critic got up and said in this committee, Mr. Chairman was he made reference to the students and don't let anybody think that we aren't behind them, despite the fact that there was none of the talk about him being behind the student in his remarks this afternoon. And similarly, because I listened carefully

to the Leader of the Opposition, and there was none of that.

There was no talk about the stress and the anxiety and the uncertainty and jeopardized opportunities — all those things — in his speech either. And now he, too, makes reference specifically and carefully to try and get himself back on the record on this one. And I say I think I may have hit a nerve there tonight earlier, Mr. Chairman.

Mr. Romanow: — Mr. Chairman, I want to assure the minister opposite, hardly likely, and I don't intend to get into a debate with him about what the record will show with respect to concerns of students and who said what about students. But I tell you, Mr. Minister, that your record as government shows the level of concern, demonstrated concern, that you have for students, because this is the first time, the shameful first time in the history of the province of Saskatchewan, that there has been a strike. How do you analyse that? Why do you think this strike took place? You've given them all the money according to you — fourth or number five in Canada. You've given all these 21st century solutions. You and your government are very generous in your approaches to education.

What is the minister's answer? How does he speculate the reasons for this dispute?

Hon. Mr. Hepworth: — I'm not . . . I have never tried to publicly analyse the reasons for why we are here tonight. The basis for why we are here tonight, from our side — our analysis, totally, consistently, always, and to this very moment — has been because of our interest for the student. That's the only thing that we've ever had uppermost in our minds, and it continues to be there.

Mr. Romanow: — Well, Mr. Chairman that answer is about as phony as a \$3 bill. As phony as a \$3 bill. This minister would come to this House on a precedent setting Bill, one which challenges the autonomy of the university, and he has no answer or any thought as to why it is, for the first time ever in the history of the province of Saskatchewan, it took a Tory government — a Tory government — to bring back back-to-work legislation.

We've had Ross Thatcher governments; Liberal governments. We've had CCF and NDP governments. We've had difficult times in the past. Every government has had their shared concern for the students, but it took you, sir, and the Premier, the member from Estevan, and all your aide-de-camps and cohorts, for the first time, to come to this shameful date with this back-to-work legislation. And he is unable to give any speculation as to why that took place. No. Not speculation.

He gives us the defence that there's no good reason for it. He says we're fourth in funding. He says we're doing this with respect to programming. Look at all the benefits that we're doing with respect to the administration and the organization of the universities and education generally. And yet he can't explain the strike. Why does the strike take place, Mr. Minister, if, in light of all of your benefits, these have been spread around amongst the university people and the students? Give me an answer to that.

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — I'd like to, in fact, I'd like to read back into the record my view. You see what the hon. member would like me to do, Mr. Chairman, what he would like me to do is somehow ascribe some responsibility — try and sort of pick on this, or pick on that one, or set some sort of scenario as to what I thought might have been the reasons for why we're here tonight.

I want to read into the record again what I said earlier today.

Mr. Speaker, let me close with a plea to my many friends and former colleagues at my Alma Mater, the many fine professors and administrators I have known through my professional and political career. I realize that there is genuine discomfort on both sides. I do not wish to place responsibility for this strike action on either side.

Period, Mr. Chairman, and that's where I stand.

Mr. Romanow: — Mr. Chairman, the Minister is dead right. I do want him to ascribe some responsibility in this dispute. I want you to admit that you and your government is at fault because of the lack of funding and all the foul-ups in this whole operation. That's the responsibility I want to ascribe.

Some Hon. Members: Hear, hear!

Mr. Romanow: — You're dead right. And I suppose that I'm also dead right by saying that it wouldn't be in your capacity, or in your make-up, or in this government's make-up — arrogant, out of touch, mean-spirited, personal — to ever admit error or fault. I understand that, too.

But I tell you, Mr. Chairman, the record is absolutely clear.

An Hon. Member: — You bet.

Mr. Romanow: — You bet, the member from Regina says. The record is absolutely clear that given the level of funding — he can compare it to Dalhousie or anybody else he wants — that there is over the period from 1983 to 1987-88, under this administration, a decline of 23 per cent real operating grants. I stand to be corrected by that. He has his officials beside him — if I'm in error on that computation, I'd like to hear that correction. Yes, I do want you to accept responsibility where it falls — right on your shoulders; right on this government's shoulders — for this very sad day.

Now, I want to ask another question, if I might, Mr. Minister, in an unrelated area. It's related to the Bill, but in a different area. How is it, will the Minister advise the House, that the offenders under this Bill are going to be identified? On whose shoulders is the responsibility to identify those faculty members who should refuse to obey — I hope that none do — this back-to-work legislation. How is that reported? Whose responsibility is it to identify the offender? Who's the policeman here?

Hon. Mr. Hepworth: — Mr. Chairman, the employer.

Mr. Romanow: — The employer, now, the employer, as defined in the legislation; is that the answer? The minister can nod or . . . that means the University of Saskatchewan. That's all the legislation says. But to give some meaning to the term "University of Saskatchewan" you contemplate that it will be the management personnel, from president and vice-presidents and deans, as the employer who will be the policeman, if I may put it that way, to report on colleagues who might not follow this back-to-work legislation. Do I understand that correctly?

Hon. Mr. Hepworth: — Yes.

Mr. Romanow: — And is it contemplated by the minister that if there should be an errant faculty member who does not want to follow the law — again I repeat that I hope everybody does — whose responsibility is it to launch legal proceedings? Is it also the responsibility of the employer, namely the administration of the university?

Hon. Mr. Hepworth: — They would make application to the Crown.

Mr. Romanow: — It would be by application by the Crown . . . to the Crown. But who makes the application?

Hon. Mr. Hepworth: — The employer, Mr. Chairman.

Mr. Romanow: — Now, Mr. Chairman, I'll make just a brief intervention here, but I think this is important to this series of questions and answers because what we have here by this legislation — this is what's contemplated by this legislation — is that it'll be the employer roughly defined, as I put it to the Minister, from the president right down to the deans or at some other supervisory level, whose job it will be under this legislation to monitor whether or not the professors go back to work. And get this — it'll be their job also to launch legal proceedings against their own colleagues, according to the Minister's interpretation, if in fact that colleague is breaking the law. I ask, Mr. Chairman, the Minister: is this the government's idea of trying to restore calm and peace and unity to the university?

Hon. Mr. Hepworth: — I'm advised that it's pretty standard procedure, Mr. Chairman . . . (inaudible interjection) . . .

Mr. Romanow: — Well, actually my colleague from Regina has asked the question I want. The Minister says it's standard procedure. Where's the precedent of back-to-work legislation for university people in Canada?

Hon. Mr. Hepworth: — Mr. Chairman, if you're asking is there a precedent relative to this . . . if he's asking me if there is a precedent for this kind of clause in any other legislation that's been brought before the legislature of Saskatchewan in its 85 years . . . (inaudible interjection) . . . No, because we've never been involved in this kind of thing at the University of Saskatchewan before.

If you're asking me is there any other legislation that has this clause in it that's ever been used in this province

before in a similar situation but not at a university, the answer is yes, and I would refer the hon. member to The Dairy Workers (Maintenance of Operations) Act, section 12(1).

(2145)

Mr. Romanow: — So what the minister is indicating . . . (inaudible interjection) . . . No, I was not there when it happened, but nevertheless, Mr. Chairman, the minister is saying that it is unprecedented as far as the world of academia is concerned, he acknowledges that, but that it is preceded in other areas. Now all right, I'll accept that answer that it may be preceded in other areas.

I come back to the central theme of my questioning in the point that I made in my second reading remarks this afternoon. We're talking about a unique institution, Mr. Chairman, the university, any university; we're talking about a unique institution which is built on collegiality and professionalism and the search for truth; it has to be done in terms of administration and responsible administration the University of Saskatchewan has carried out. Any organization of that nature, in the light of the volatility of this dispute which has imposed upon it by legislation, no less, Mr. Chairman, the obligation that the supervisory academics — if I may put it that way, those for the time being in charge of administration — should act as the police officers and the prosecutors — and the prosecutors — I say to you, Mr. Chairman, is indeed a scandalous piece of legislation.

An Hon. Member: — So is professors going on strike.

Mr. Romanow: — And the member says, so the professors are on strike. Well, you see, the hon. member opposite, this is an example of Progressive Conservative thought; this is a relatively new phenomenon in some limited circles of the PC Party. There used to be a time, I say to the hon. member . . . Where is he from, who is he . . .

An Hon. Member: — Kelvington-Wadena.

Mr. Romanow: — Kelvington. The member from Kelvington. I tell the hon. member from Kelvington there used to be a time in Saskatchewan where the biggest supporters of university professors and universities were farming people who you represent. And they still are, and you do not represent those farming interests by your attitude, not at all — not at all.

You think you can go around and score off some points on universities. Of course that is the style of this government. The style is out there to go to rural Saskatchewan and say: oh, those university professors; or those working guys in the city; or you know, those homosexuals; the member from Melville . . . (inaudible interjection) . . . or the United Church, or the United Church. That is what is contemplated by this Bill, Mr. Chairman. That's what's contemplated by this Bill, Mr. Chairman.

This is not a government which is seeking to resolve the dispute by specific sections in the legislation so that we can move on beyond May 13. No. We know already that after May 13 there can be some colleges of which the

exams are not finalized.

I don't know how they propose to handle convocation, because convocation requires faculty to name those who convocate. If they're back on strike after May 14, who knows what the outcome is going to be there.

This is not a government that is seeking to heal the sores and the wounds and to try to work out to an equitable settlement; it's not one that has the interests of the students at heart, because if it had the interests of the students at heart it would be trying to work for sensible, long-term solutions in this legislation. That's what they'd be doing.

Some Hon. Members: Hear, hear!

Mr. Romanow: — This is a government that's trying to score a few cheap political points, in a by-election in Saskatoon. That's what it's trying to do.

Some Hon. Members: Hear, hear!

Mr. Romanow: — Yes, yes, a desperate government trying to score a few cheap political points in Eastview, that's all. Nobody has heard a word about concern for students from these people opposite, Mr. Chairman, at any time prior to this dispute, none whatsoever.

And the minister's excuse is: well I don't want to speculate; I don't want to inflame the situation; I don't have any further additional thoughts on it; I won't tell you how we're going to handle it after May 13; we'll just sort of have it sneak up on us again. From the gang that couldn't shoot straight opposite over there, they're going to try another try if something goes wrong after May 14. The gang that can't shoot straight over there, Mr. Chairman, that can't do the job right. They've got a piece of legislation — we're asking the minister why May 13, and he says: well, I don't know; we want to limit the area. But it could have been, well it could have been any day, you know. We thought maybe convocation; maybe it could have been May 11; maybe it could have been May 27; I don't know. Maybe that's the reason why we pulled the date out.

Now, Mr. Chairman this is supposedly a responsible government. I say to the minister opposite, when he sets up a legislative mechanism where the offender is pursued and prosecuted by those with whom they have to work and make the university work, that is a sad day for this province and for the University of Saskatchewan, make no mistake about it.

Some Hon. Members: Hear, hear!

Mr. Romanow: — I want to ask one other question. I want to ask the question to the minister, again relating to the member from Melville, why was it . . . Or I'll perhaps ask it the other way around because the member has given us an answer; I want to be sure that I understand it. Is it the minister's contention that the person whose job it is to appoint the mediator in this sensitive area — is it the minister's contention that the person who has been named to name the mediator, namely the member from Melville, has been so named because it will be perceived

that you, as the responsible minister for the legislation and the university, will be viewed as being "biased"? Is that your position, that you would be viewed biasedly, but the member from Melville, of all the members, would not be? Is that your contention?

Hon. Mr. Hepworth: — Well it's there because it's his job, (a), and secondly, if I had written in the legislation that I should take it out of his hand and put it in my hand, as I said earlier — not that it would be the case — but some might have said that I would have been biased.

Mr. Romanow: — Let me just ask this then if I can of the responsible minister: surely you must have in mind . . . Now I don't know whether to ask you; I have to because you are the piloting minister; maybe I should ask the appointing mediator minister. Knowing how strongly the member from Melville, the minister who will appoint the mediator — knowing how strongly he feels about the United Church and the supposed links to the NDP of the United Church, could I ask the minister, Mr. Chairman, does this mean that any future mediator cannot be a member of the United Church?

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — Mr. Speaker, the legislation . . . The Minister of Labour may well have absolutely no involvement here because the preferred course, and why it's written in the Bill, is that both sides can choose the mediator, and that may well be the case.

Mr. Romanow: — Mr. Chairman I just want to be absolutely certain that we have here a fair-minded minister who's appointing a fair-minded mediator. Now we all heard the speech from the appointing minister. He dislikes the United Church. He dislikes homosexuals. He dislikes anybody who's got an NDP connection. He dislikes anybody who has a French-speaking background in that context. He dislikes anybody who's poor and on welfare. And he makes his points known to this House and to this government — not with casualness but with purposeful, deliberate provocation.

I ask the minister of continuing education: can you honestly tell the university people that this is the right minister to be appointing a fair-minded, independent mediator? How can you take that position?

Some Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — If it comes to the Minister of Labour to make the appointment, it's his job, and it will be done.

Mr. Goodale: — Thank you, Mr. Chairman. I have just two areas that I wish to question the minister in, Mr. Minister, the Bill sets up a mediation process to run basically between now and May 12. And reading the terms of the Bill, it would seem that the government is either presuming . . . Mr. Minister, either the government is presuming that the mediation is going to fail in that period of time, or it would seem to me that the government has made a technical but important mistake in the drafting of the Bill. I would draw the minister's attention to a number of sections in the Bill that refer to

that date of May 12, but most particularly to clause 11, that is the coming into force section, and it talks about the legislation being in force from the time it is given assent until May 13.

And I would ask the minister: what if the mediation succeeds in the meantime? What if this process actually comes to a happy conclusion? I think, bearing in mind the circumstances of this case, that happy conclusion would seem to be rather unlikely. But what if it does succeed, Mr. Minister? Would you not agree that clause 11 should provide for the termination of this Act, either on May 13 or when mediation succeeds, if it does, whichever comes first. Would that not be a more appropriate provision to include in the Act, rather than saying the period is from now until the 12th or 13th of May, period? Would it not be advisable to provide in the legislation for the mediation in fact to be successful, or are you operating on the presumption that this whole thing is going to fail?

Hon. Mr. Hepworth: — No. And the member has a legitimate concern, but he doesn't have the full understanding of what the legislation is. It's the Bill that dies on May 13, and perhaps you weren't here earlier, but I answered essentially the same question from the NDP advanced education critic. Because I think your concern is, on the one hand do we want to make sure that we protect the faculty member, that the wages continue to come while this suspension is in place, but at the same time if there is an agreement reached will that — and is retroactive to whenever — you know, can that be processed and paid out and all that? And the answer is yes.

And I mean I think your concern is a legitimate enough one and had it been . . . Technically you were right, and technically we were wrong. I would have prepared to act on it, but I'm advised that such is not the case.

Mr. Goodale: — Well, Mr. Minister, on the same point, there are several points in the legislation where this date of May 12 or May 13 is referred to, and I think, for example, of section 8 that talks about the extension of the last agreement. And there are several other sections which, it would appear, would be entirely redundant if the mediation process is in fact successful.

And I wonder if the Minister wouldn't give a little more thought to this in what time remains and consider what is, I think, a fairly simple way of resolving this — adding into clause 11 the provision that this Bill, which will become an Act, that the Act expires either on May 13 or on the date upon which a new agreement is arrived at, if that date is in fact earlier than May 13.

Hon. Mr. Hepworth: — Well I said earlier, if your point was technically valid, I would be prepared to act on it. I have rechecked with my officials and they're satisfied that whatever the scenario or the case may be that it can be dealt with and dealt with properly. And I remind you again that the clause that you are referring to, and even clause 8 when you referred to it, that's there to protect the faculty in the face of this so that the salaries continue to come. And it's the Bill that dies on May 13, and it's got nothing to do with the settlements part.

Mr. Goodale: — Then I would presume that all of the punitive sections of the Bill would die on May 12 or 13. Would those punitive sections technically remain in force after a new agreement is signed, if in fact there is one signed prior to May 12 or 13? I know this may sound like a technical point, but I think it's one that ought to be cleared up in a firm and final way before any legislation is finally dealt with.

Hon. Mr. Hepworth: — The Bill and all of its clauses die on the 13th.

Mr. Goodale: — But I guess the corollary of that, Mr. Minister, is that the Bill and all of its clauses stand in effect until May 13. That, I think, is the flip side of the same coin.

My point is, if the process you're setting up here is successful, the provisions may be not just redundant but counter-productive if the legislation remains in effect after a dispute has in fact been resolved by a new contract being arrived at. And I think there could be potentially some negative repercussions if the Bill continues on to May 13, even though the dispute has been resolved in the meantime.

(2200)

Hon. Mr. Hepworth: — Mr. Chairman, I don't know as I've got any more to offer on this. I mean, technically if you're right, you have a legitimate concern. My officials and I are satisfied that if there's an agreement arrived at and it's retroactive, pay cheques go, and all the rest of it. So I appreciate your raising it, but we've given it some fair consideration, some fair thought, and we're satisfied that it's technically correct.

Mr. Goodale: — Mr. Minister, I hope in fact that you're correct on that point and that we're not faced with some technical and unforeseen problems down the road three or four weeks from now if circumstances happened to unfold in a certain way.

I would like to ask the minister just one or two questions about his intentions with respect to section 5 in the Bill, the section that establishes the mediation process. That section of course provides for the mediator to file a report before May 12 — May 12. Does the minister have in mind that there would merely be one of those reports filed? Would he anticipate periodic progress reports as things go along?

I'm just wondering, Mr. Minister, if you anticipate hearing only once from the mediator? Or do you anticipate an ongoing monitoring of this situation which might result in your making your services available to the process in some constructive way?

Hon. Mr. Hepworth: — This wouldn't preclude them reporting before May 12 if that's your concern.

The division bells having run from 10:03 p.m. until 10:40 p.m.

Clause 1 agreed to on the following recorded division.

Yeas — 29

Duncan	Martin
McLeod	Toth
Andrew	Sauder
Berntson	Johnson
Lane	McLaren
Taylor	Hopfner
Swan	Petersen
Muirhead	Swenson
Schmidt	Martens
Hodgins	Baker
Gerich	Gleim
Hepworth	Gardner
Hardy	Kopelchuk
Klein	Britton
Goodale	

Nays — 14

Romanow	Simard
Prebble	Kowalsky
Brockelbank	Atkinson
Shillington	Hagel
Tchorzewski	Lyons
Solomon	Calvert
Mitchell	Trew

Clause 2

Mr. Romanow: — Mr. Chairman, thank you very much. I just have a few more questions on this Bill. I beg the indulgence of the House.

I refer the minister . . . He doesn't have his officials here. Do you want your officials? I'll wait for a moment and then . . . I want to ask the minister to refer to the definition under section 2 of the phrase "work stoppage", and the words say:

. . . "work stoppage" means a strike, lock-out, work slow-down or a refusal (now I'm skipping over words here for the point that I want to make in a moment) . . . to perform the usual duties of employment.

What interests me, however, is the way the Bill is worded — work slow-down or a refusal or failure to perform the usual duties of employment. What happens if a faculty member falls ill and fails to perform duties because of that ?

(2245)

Hon. Mr. Hepworth: — Mr. Chairman, hon. member, under . . . If I refer you to section 7, subsection 2, that would be provided for in that. If you refer to section 7, subsection 2 of the Bill, you will find that, for example, sickness would be provided for under that section of the Bill.

Clause 2 agreed to.

Clauses 3 and 4 agreed to.

Clause 5

Mr. Romanow: — Mr. Chairman, I just have again, a very few brief questions on this section. I will not remake my speech about my anxiety of the member from Melville, the Minister of Labour, being responsible for appointing the mediator here; I made that point before the division bells on clause 1. And I really commend to the Deputy Premier and commend to the Minister of Education, continuing education, that if he can find it at all in terms of common sense to delete the Minister of Human Resources, Labour and Employment, virtually to appoint almost anybody — perhaps even the Minister of Justice — you would find a greater acceptance of the mediator under the provisions than the current named person in this legislation.

I suspect rather that you're not going to change anything in this legislation, certainly not that. If I'm wrong, I'd be pleased to be so advised. That being the case, and it looks as though the Minister of Human Resources, Labour and Employment shall exercise his judgement in the appointment of the mediator, will the Minister indicate whether or not both sides — or all sides, putting it that way — will have an opportunity to be consulted and react to possible mediators who might be appointed under this legislation?

Hon. Mr. Hepworth: — Mr. Chairman, under the provisions of this legislation in that section, they have more than that. The two parties have the right, and they have five days within which to do it, to appoint their own mediator, to choose their own mediator.

Mr. Romanow: — I see that they have the right to choose their own mediator, but if that does not happen, my worry is not if there's an agreed upon mediator; obviously that's a good sign, and it's a good step forward. But in the eventuality that that doesn't take place and the Minister over there has to appoint the mediator, I ask: will the government allow the parties to the dispute to have some input as to who that mediator might be?

Hon. Mr. Hepworth: — There's nothing much more I can say about this, Mr. Chairman, in terms of the territory that we've already been through, the debate. The first five days they have the opportunity to appoint their own, and then, if not, then the Minister of Human Resources, Labour and Employment shall appoint a mediator, and that would be done in the usual objective fashion.

Mr. Romanow: — This is my last question in this area because I'm obviously not making my point, but I want to ask a very specific question to the minister. Will he undertake to this House that, if under subclause (2) of section 5, there has to be an appointment of a mediator by that minister, whether the government will permit consultation of names by the parties, all the parties involved? Will you make the undertaking that that will be circulated in advance of the appointment of the mediator?

Hon. Mr. Hepworth: — The Minister of Human Resources, Labour and Employment has advised me that he would give you his undertaking to look at lists that might be provided by both parties.

Mr. Prebble: — Just one question to the minister. Mr. Minister, in section 5, subsection (3)(b), it says that the mediator:

If the dispute has not been resolved before May 12, 1988, (is to) report to the minister (the Minister of Human Resources, Labour and Employment) mentioned in subsection (2) on May 12 . . . with respect to the status of the negotiations between the association and the employer.

Obviously, Mr. Minister, this will involve the mediator reporting on aspects of the dispute that are clearly internal to the University of Saskatchewan. As an example, the aspect of the dispute dealing with faculty input into senior administrative appointments which is one of the issues in the dispute. And I would argue, Mr. Minister, that the mediator has no business reporting to the government on a matter that is internal to the university. And I'm asking you if you'd be prepared to change this section so that, in fact, the mediator does not report to government on matters that are clearly internal to the University of Saskatchewan and no business of the Government of Saskatchewan. Would you be prepared to amend the legislation to accommodate that change?

Hon. Mr. Hepworth: — No, and the reason, Mr. Chairman, and hon. member, that I say that is that the mediator will be reporting on the status of negotiations, not the scenario that you described.

Mr. Shillington: — I just wonder, Mr. Minister, why the mediator would not follow the normal course of reporting to the parties, rather than to the minister?

Of what relevance is it to you to know the status of the negotiations? On May 12 this whole process is out the window. Normally a mediator reports to the parties. Why wasn't the normal course followed? I'm just curious.

Hon. Mr. Hepworth: — I think it's implicitly understood that he — the very nature of a mediator — will be working with both parties, and should . . . must report by May 12.

Clause 5 agreed to.

Clauses 6 and 7 agreed to.

Clause 8

Mr. Prebble: — Mr. Chairman, just a question to the minister again.

Here in section 8, Mr. Minister, it's very clear that under this legislation you're extending the terms of the collective agreement to include the period commencing on July 1, '87 and ending on May 12, '87. Is it your intent under this Bill in fact, therefore, to freeze faculty salaries during that period? In other words, extend the existing collective agreement for another nine months, meaning a zero per cent increase in faculty salaries during that time.

Are you attempting to legislate that in this Bill, or is that not your intent? And if it's not, would you clarify that?

Hon. Mr. Hepworth: — No, what this legislation does is it extends the terms of the previous agreement, and if a new agreement is reached it takes precedence over the previous agreement.

Clause 8 agreed to.

Clauses 9 and 10 agreed to.

Clause 11

Mr. Kowalsky: — Mr. Chairman, as part of my education critic's assignment I've been in continual touch with the situation that we're discussing here that has caused this particular Bill to come forth. And I apologize for the members, but that is the reason for the delay over the last half-hour. And, Mr. Minister, I have it on reliable authority that as a result of discussions this afternoon and into this late evening, real progress is being made, and there is a real opportunity for these conciliation talks to resume early tomorrow.

Now we hope that you will allow this to be solved internally if it is at all possible, Mr. Minister. And that's why I ask at this time, in the interests of achieving a negotiated settlement, you will agree publicly now to delay Royal Assent by accepting this particular amendment to clause 11. I will move this amendment, seconded by the member from Regina North East:

That section 11 of the Bill be deleted and the following be substituted therefor:

This Act comes into force on a date to be fixed by proclamation.

(2300)

Hon. Mr. Hepworth: — Well, Mr. Chairman, and hon. member, I too have been aware of discussions that have been going on over the last 24 hours. And the parties that I was in touch with, I had asked them to, if something broke, to call me at the earliest possible moment. And I've had no call and no particular assurance, and exams are upon us. For those reasons, I won't accept the amendment, but what I will do is . . . what our government will do, is we will make provision to accomplish the same ends in the event that some agreement can be reached.

We will delay Royal Assent till the normal adjournment hour tomorrow, and as well, this evening, I will call both parties and advise them that Royal Assent will be delayed until adjournment tomorrow.

Amendment negated on division.

Clause 11 agreed to.

The committee agreed to report the Bill.

THIRD READINGS

Bill No. 3 — An Act to provide for the Resumption of Instruction, Teaching and Examination of Students at The University of Saskatchewan

Hon. Mr. Hepworth: — Mr. Speaker, I move Bill No. 3, an Act to provide for the Resumption of Instruction, Teaching and Examination of Students at The University of Saskatchewan be now read for the third time and passed under its title.

Motion agreed to on division, the Bill read a third time and passed under its title.

The Assembly adjourned at 11:07 p.m.