

EVENING SITTING

COMMITTEE OF THE WHOLE

Bill No. 54 — An Act to amend The Trade Union Act

Clause 1

Ms. Haverstock: — Thank you very much, Mr. Deputy Chair. I guess it's more than a week ago now that we had an opportunity to have amendments brought forward that could be handed to people in the business community. At that time I forwent the opportunity to give a second reading speech, and what I'd like to do is to just spend some time this evening being able to discuss parts of what I wanted to say at that time.

What we were wanting, of course, was to provide an opportunity for people in the business community to have a few days to be able to consider what was being put forward. It's something that, of course, any member of the government or people on the opposition side would appreciate as well, is an opportunity to spend enough time to really consider what changes mean to the different proposed Acts that are being brought before the Assembly.

Mr. Chair, a government has power and a government has responsibility. And I recognize that the government has the power to go behind closed doors and they have the power to broker deals. I recognize that the Premier can travel, in fact can disappear and travel around to meet corporations and use whatever tactics he chooses to stop people from opposing his legislation. That is how some choose to exercise power.

But what of responsibility? What about the responsibility of the 53 members opposite, those on the government side of the House, the responsibility that they inherited when they became government? The members opposite, but particularly the cabinet and the Premier, have a huge responsibility — a responsibility to think about the consequences of exercising their power. Somehow, the government members, the leadership opposite seems to have abandoned their responsibility to the very people that they purport to be protecting, particularly with their labour legislation.

How many times have government members shouted across the floor, and I quote: "You don't care about workers. You don't care about women. You don't care about part-time people"? Now I haven't counted, but I know that it isn't just a few times, Mr. Chair.

But telling me that one cares and showing that they really care are two very different things. When one tells people that they care about their jobs but they don't create any jobs, how much do they really care? When you tell people in unions that you are making changes for them, but there are thousands hanging around their union halls waiting for a job, what message are they getting?

Are you giving them the message that their government is making changes to legislations that could cost them their contracts? Are you shooting straight with them and telling them what impact their government policies are having around the country on the chances for Saskatchewan attracting business?

I find it most interesting, Mr. Deputy Chair, that the members opposite choose to sit at the back and make comment.

They want me to speak from the heart. Let me tell them what people across Canada really think of you, their government and their labour legislation. Now this was not, Mr. Deputy Chair, this was not simply the people at the Liberal Party convention in Ottawa the last few days. Some of these individuals were indeed premiers from across Canada making comment on the Government of Saskatchewan, and saying, what are these people doing? Why would they think that this would allow them to be competitive, to draw investment to the province of Saskatchewan? What would ever entice a government to make decisions that in fact will hurt the very people that want jobs or want to maintain their jobs? What would they do this for?

Well I told them, the member from Saskatoon Sutherland, I told them that this indeed appeared to be exactly what it reeks of and that is fulfilling a political agenda, not the agenda of the people of Saskatchewan, Mr. Member. The people of Saskatchewan have a very particular agenda. If you ask them what is the top thing they're concerned about, it's jobs. It's the ability to be able to have a quality of life, take care of their families, live by their neighbours. That's what they're concerned about. If they have a job, they want to keep it. If they don't have a job, they want one.

What does this particular piece of legislation do for people who want jobs? It doesn't give them more jobs. It definitely does not. And does it in fact protect jobs that are in Saskatchewan? It does not.

Would you like to know what your Premier had in discussion with me about two weeks ago? What he said was this: in the 1960s when The Trade Union Act was being considered for change and was finally amended, everybody like me, everyone that was opposed to this, actually thought that the sky would fall in. He then said: you know, in the 1970s when there were proposed amendments to The Trade Union Act and everyone was opposed, they thought the sky would fall in. In 1982 when there were proposed changes to The Trade Union Act he said: you know what, people thought the sky would fall in. And he said to me, the member from Saskatoon Greystone, you shouldn't be so concerned, because the sky won't fall in.

Well I'll tell you something. If you honestly believe, members of government, that 1994 is the same as 1982, is the same as the

1970s, is the same as the 1960s, we're in real trouble because when you talk about who's the same and never changes, you are definitely living in the past.

The day that the Minister of Labour announces changes to our Labour Standards Act, and we have people from Iowa and South Dakota flying into Saskatoon — member from Saskatoon Sutherland — flying into Saskatoon to make proposals to take a thousand jobs out of Saskatchewan, that's when you should give pause to proposed labour legislation. This is not the same. Labour legislation is not going to be moved to some state, or some other province, it stays right here. The tax system stays right here. But what's transportable? Technology is transportable. Jobs are transportable. Capital is transportable. And you just don't get it, that 1994 is not 1970s, folks. And it's very, very problematic for the people of this country to understand what you call cutting-edge labour legislation is anything less than quickly going past into the dark ages.

They are very, very concerned for the people of this province. They're concerned about what kind of message this is giving to the rest of the nation — in fact the North American continent. And don't think that people don't read *The Financial Post*. It was indeed shocking that there were people who read that our Minister of Labour would say we require these changes to labour legislation. Why? Because, and I quote, Mr. Minister of Labour: the ruthless greediness of business.

This is truly an unbelievable situation, that this is precisely . . . and you know people wonder if in fact it was just one moment in time. Well here we have *The Financial Post*, dated May 14, and what does it say but: Saskatchewan labour laws spark fury. It's as if you think we live in a place with a glass bubble over it and no one else knows what you're doing. Other people do know what you're doing and it's having an impact. It's having an impact, and I'll tell you something. It wasn't a particularly inspiring time to have people talk about Saskatchewan as though our government was run by a bunch of fools.

If you indeed care so much, if the government cares so much, Mr. Deputy Chair, how come people like Les Dubé are telling the *Alberta Report* that he will move 30 jobs to Alberta because of this proposed legislation? How come everywhere that I went in Ottawa, people are asking me, what is the matter with the Government of Saskatchewan? Are they trying to in fact ruin the province? How come other premiers are asking if our ministers don't really know what economic growth is all about and what the component parts require? How come I open *The Financial Post* and see these kinds of headings? And it's not just once; it's twice in two weeks.

Now I want to read you some of this, Mr. Deputy Speaker, and then you can tell me if this is going to be a good advertisement for our province. In the same newspaper which is read by every investor and corporate player across North America who would have an interest, an actual interest in the Canadian

economy, in a paper where I read about Canada's competition in global markets, this is what I read about Saskatchewan.

Ten major Saskatchewan business and taxpayer organizations are demanding an emergency meeting with Roy Romanow in a last ditch effort to try to head off, and I quote, "proposed radical new labour laws." It continues, and I quote:

The move came one day after the Saskatchewan Chamber of Commerce passed a resolution at its annual meeting calling for the resignation of the Labour minister, Ned Shillington.

You, government, are considering radical new labour legislation that does not exist anywhere in North America, the letter says.

Now what message does this send out? It sends a message that this particular government does not care about how policy affects people. It sends a message that they do not consult; that if they did consult, they consulted after the fact; that if in fact they did consult, they did not listen; that they in fact chose to ignore the actual job creators in the province of Saskatchewan. And by extrapolation that they actually do not care if Saskatchewan grows or whether people do have greater opportunities for more jobs, whether they be full time, part time, or any time.

And everybody in this particular government talked about consultation, but when push came to shove the opinions of the people out there . . . the opinions of the inner circle were in. No matter how ill-advised the decisions, the government set about to implement an agenda that would do two specific things: put money in the government coffers prior to the next election; and to cater to special interest groups within their own political party.

And I will say this much — there have been some masterful political parries and thrusts by this government. Unfortunately their legacy of responsible, well-planned decisions will be very difficult to identify.

The health reform concept had to be tried. And the health care system was headed for disaster as it has been in province after province across Canada. But it did not have to be changed in spite of the input of people who understand it. It could have been changed with their direct cooperation and their approval at the community level.

Consultation does not have to be a retroactive process. But it took the threat of a lawsuit to get the Minister of Health in the province of Saskatchewan back to the discussion table with rural Saskatchewan, the threat of a law suit. It took court action by a bank to get the Minister of Agriculture to dust off The Farm Securities Act. And I wonder what it's going to take for the Minister of Labour to give pause to what is transpiring with this labour legislation before this House.

The Minister of Energy spent a great deal of time consulting about co-generation and then pulled the plug. The Minister of Gaming made up his mind to have casinos and VLTs (video lottery terminals) regardless of the consequences and obviously could care less about hearing any facts that might contradict his plan.

To quote a member of the Saskatoon Economic Development Authority, and I quote directly: "It is time this government learned that being together with people in the same room does not constitute consultation." There is no doubt, Mr. Deputy Speaker, that the Minister of Labour convened and attended numbers of meetings around the province. No one questions that. The problem, according to many who attended those meetings, is that the minister made speeches but rarely listened.

And now in his infinite wisdom, the Minister of Labour has been . . . which has been collected of course over an almost equally infinite period in politics I want to add, has decided that in the midst of an economic crisis in Saskatchewan it makes sense to introduce labour legislation that could completely destroy whatever chance we have of being competitive.

(1915)

Now I did not say "would destroy" because I don't have any conclusive evidence that it will. But I ask the members opposite, is it not incumbent upon the government to direct the taxpayers' resources into evaluating the impact of government policies and legislation before implementation? After all, the government has practically all of the resources. It's the government that has no real money except the taxpayers' money. Why is it that we would not use some of those resources to ensure that what is being done by government is going to really work in the best interest of what it is you're trying to accomplish?

Is it reasonable for the minister to suggest that it is up to the opposition parties or the people affected by legislation such as The Trade Union Act to do the government's homework? I think not. I think not. It is the government that has the resources that they have collected from the taxpayers. It is the government that comes up with the public policy, the amendments to legislation, that in fact are going to result in substantive changes for the people of Saskatchewan. And it should be the government that ensures that they do the homework for the people of Saskatchewan to know that it is going to work.

My most serious criticism is really about the process that the government employs when it is taking on a task. I believe that government should propose a course of action to the public, that the government should provide credible analytical evidence of why the policy is necessary, and then sit down with affected parties to determine what impact policy will have on them. What I cannot understand is the reluctance of the government to take this legislation to the public domain, to let employers and labour have

time to assess its impact and communicate to us or to the government.

Why wouldn't we want the Department of Finance and the employers to agree to the terms of reference for a costing study? Why wouldn't we want that? Why wouldn't we want to know exactly what this would cost and if it produces a net positive result for the Saskatchewan economy? That's something that the Department of Finance should be concerned about. It's something we all want. So what is so fearful? Where the consternation in simply gathering information and being able to provide evidence? And if we find that the legislation will not have a negative effect, why wouldn't any of the members of this Assembly want to vote for it? If it won't have any negative effect, everyone here would support it. I contend until those kinds of questions are being answered, are able to be answered, it is irresponsible to bring this kind of thing to a vote.

Now we believe that it is incumbent upon the government to have a non-biased evaluation, non-biased evaluation based on consultation and yes, based on research. Not research that even people from Peat Marwick have openly stated in public meetings is not valid, and not, in fact, even reliable because they didn't know what it was they were supposed to be evaluating for and all of the variables were not taken into account.

I sat in the very meeting that business people came together, on a Friday night in Saskatoon and listened to one of the people from Peat Marwick, who had done your study, indicate that in fact it could not be considered reliable and valid as research. What it is we need to do is to ensure that we know what the effects will be.

It would seem to me that if the proposals being put forward by the Department of Labour are so good, the business columnists and the financial analysts from *The Globe And Mail* and *The Financial Post* should be writing about them. But it's an odd thing, Mr. Deputy Speaker, nobody has a good word to print about the initiative. Even the unions have been strangely silent on the issue. Either they are overwhelmingly in favour or they have forgotten what they have wanted and don't appear . . . don't want to appear too closely connected — or they have gotten what they have wanted and they don't want to appear too closely connected with the government's agenda.

Mr. Deputy Chair, this is not an issue which sets up as simply as the government would like. It's not simply a matter of business versus labour, as I indicated a week ago. It's not a question of employers versus workers. The fact is, as I mentioned then, that the two are inextricably linked and what is bad for one is ultimately bad for the other. That, in a nutshell, is where I see the difficulties with this proposed amendment to The Trade Union Act. What is perceived benefit for workers will be detrimental to employers and ultimately to the economy. What is detrimental to the viability of companies and to the flexibility of the public sector employers will result in

lost jobs and will result in fewer opportunities for employment.

The question that must be asked, therefore, is whether this benefits a select group of workers who already enjoy wage and benefit advantages over other workers in our society, whether it enhances the contracts of those workers at the expense of job opportunities for those with no work at all. It is a fundamental difference of philosophy, I suppose, in how one views the role of the worker and the role of the employer.

We happen to believe that employees and employers are partners in productivity. We believe in the notion that government should be involved in ensuring reasonable standards for working people, that wages and working conditions in Saskatchewan should be equitable with those in other provinces. The issue of working conditions and wages is not the only concern of the working people we consult with. The number one issue for working people in Saskatchewan, and particularly for the unemployed who are looking for work, is that they have jobs, period. When I raise concerns in this legislature, Mr. Deputy Chair, as I did with the labour standards legislation, I'm not doing it because I disagree with the ideal world that the proposed changes attempt to produce for employees. I understand why the unions and the government want to make the changes, and I understand that if there were no downsides to the legislation, that people's lives would quite likely be better for them. The problem is that we have a responsibility to be objective. We have to be objective in our analysis of what the downsides of legislation might be.

There is grave danger in enacting amendments to public policy without having done the exact analysis that would help us to know if the policy will produce the results we expect it to produce. And that is an important concept to understand, and we now have the tools available to do those kinds of analyses. It's the difference between wishful thinking and strategic planning.

Now I too truly wish that things could be better, better for a great many people in society. But wishing is not going to make it so. If the changes proposed by government will produce a net economic gain for the province and ultimately for society in general, then I and everyone that I know in this House would support them. But I have not been provided with the evidence. None of us have been provided with the evidence that this will happen. In fact all of the evidence that I have been provided tells me that there is more danger than potential, positive potential, that is going to arise from these changes.

So what would the government like to see? Would they like to win the battle but lose the war? Are the members opposite content to paint everyone who questions this legislation as someone who doesn't care, as someone who doesn't care about workers and women in our society? Do they really believe that people could be that shallow? Well, Mr. Deputy Chair, I simply cannot understand the mentality, that

kind of mentality. I don't assume, come from a basis, that I think that people on the government side simply don't care about people, or they don't care about business, or they don't want economic growth. I don't make that assumption.

I cannot understand the mentality of people in a government that can become so attached to a policy and to changes — as we're seeing in The Trade Union Act and The Labour Standards Act — but they are unable to provide the factual research that supports their position. Do members of caucus not wonder why the government will not take the time to cost these changes? Do the members opposite find it unreasonable that employers need more than a few weeks to assess the cost of changing an Act that has been unchanged for 10 years? Simply put, too many people don't understand what the rush is.

And I can only conclude that the government sees the employer as the enemy and I don't understand why. Why is there someone having to be perceived as the enemy, someone to be confronted, to do battle with, or to overcome? I don't understand that. Based on that conclusion, the only motivation to amend The Trade Union Act seems to be in response to the trade union movement, who also seem to view management, or employers, as someone over whom they are trying to gain control.

Now I shudder to think that the Labour minister, the person responsible for consultation with all parties affected by this labour legislation, would make the comment that changes to labour legislation are needed to rid the workplace of conflicts created mainly by the greedy ruthlessness of business. That's the direct quote.

In Saskatchewan, the top 10 companies employ 15,000 people. When I refer to top 10 companies, we're talking about economic contribution to the province of Saskatchewan.

The majority of the work force of 440,000 are employed by government agencies, public sector employers and small businesses. In the past few years, the level of labour unrest has been minimal. Very, very few work stoppages have occurred. And the evidence is overwhelming that business and labour have been working in harmony, in harmony, to keep the doors open so that employers can remain competitive and employees can stay employed.

That's not to say that there aren't some circumstances where things can't be improved. We could name a few where there have been abuses. But overall, there has been no evidence of some labour unrest in the province of Saskatchewan.

But let's discuss the motivations of the job creators in Saskatchewan — the people the government likes to refer to as their partners in economic renewal. Why did they invest in businesses? It's a simple question. The Minister of Economic Development should know it. The minister in charge of Finance for the province should be concerned about it. I think the members

opposite should give some thought to this as well.

Do you believe, do you believe that investors and private entrepreneurs take their own money, borrow money from banks, take the risk of losing their investment because they can create jobs? Does the government think that business comes to Saskatchewan and stays in Saskatchewan because the owners feel obligated to provide a tax base? Does the government believe that people open businesses because the Department of Economic Development needs to meet its projections? Obviously the answer to each and every one of these questions is none of the above.

The reason that people choose to travel the road of free enterprise is because they are risk takers. That is not characteristic of everyone in society. Not everyone has the ability to take a concept and develop it into delivery of a product or delivery of a service that people are going to be willing to pay for. And not everyone who tries is able to succeed. That possibility of failure actually deters many, many people from even trying. And that is where the distinction is made between those who create jobs and those who simply sell their abilities and services to their employers.

The fact is that an employer can train new people to work in a business or an industry because there is a seemingly inexhaustible supply of workers, and if workers become scarce, the employer can raise his wage rate to attract the best workers. That is part of what is called the element of competition and that is the element of competition that exists in a free market, Mr. Deputy Chair.

It is the response to supply and demand that fuels the market and drives the decision-making process of people who are investors, for people who choose to have the entrepreneurial spirit put into action. And the people who drive the free-market economy, no matter what language they speak or what currency they trade in, all of them understand the very basic forces of a free enterprise system.

(1930)

What complicates things, Mr. Deputy Chair, are the other variables. There are many things that have nothing to do with supply and demand, cost and productivity. All of these things come into the equation and that is what government tends to do to business. Government tends to change the equation and that is what this discussion on The Trade Union Act is all about, Mr. Deputy Chair, and that is that government has introduced something that is actually going to interfere.

There are varying degrees of interference depending upon the political regime that's in power. And some that interfere, of course, some of that interference I think is very necessary. And it results in the legislation of certain basic conditions of employment which will be acceptable under that government's jurisdiction.

Those basic conditions range from hours of work to

conditions of work to rates of pay, and Canada as a nation offers some of the best working conditions and the most considerate legislation towards workers that one can find anywhere in the world.

But there are always those who would like it to be better. The current Trade Union Act represents the primary piece of labour legislation in effect in Saskatchewan. The current Act has essentially been the same for over two decades. And except for certain marginally material amendments made by the Conservative administration in 1983 under Bill 104, it has reflected and represented and accepted acceptable balance to the rights, duties, and obligations of employees, employers, and trade unions in the Saskatchewan workplace.

Essential to the implementation and application of The Trade Union Act are the powers and the duties of the Labour Relations Board, the tribunal which is empowered and mandated by the Act to enforce its provisions.

Additionally the Department of Labour, primarily through its conciliation services branch and private resources — primarily arbitrators and outside mediators — provide the support functions to the fabric of labour relations under this particular Act.

It's commonly accepted that the fundamental purpose of The Trade Union Act is to establish statutory provisions under which employees are free to choose whether or not they are or wish to be represented by a trade union. Now secondly, it proposes a statutory framework within which free collective bargaining is provided for; in fact it's encouraged and it's enforced.

The social objectives of the legislation are to ensure that fundamental rights of employees to choose to be represented or not represented by a union are given expression. And additionally that terms and conditions of employment can be established through a system of free collective bargaining.

Now for the most part, Mr. Deputy Chair, the existing Act has been accepted by practitioners in labour relations to represent a reasonably balanced approach, thereby contributing to industrial stability and a framework within which businesses can be both competitive and productive.

The proposed amendments to the Act substantially alter the basic framework that has served labour relations in the province of Saskatchewan well. I mean, I think that there has been agreement that we have not seen a great deal of labour unrest, Mr. Minister. And I think that there is agreement that The Trade Union Act has actually stood the test of time.

Its provisions represent . . . the provisions, of course, as far as the proposed amendments are concerned, represent an abandonment of the level playing-field so essential for labour relations statutes, and it threatens the rights of individual employees, the essential opportunity that must be given to business and labour to address the competitiveness through a

system of free collective bargaining. And finally, it smothers the system of individual employee freedoms and free collective bargaining with a bureaucratic blanket. The result of this can be none other than a rejection of individual employee freedom of choice. And I look forward to the minister's comments on this. It's imperative that there be employee freedom of choice, so long the cornerstone of labour legislation.

Rendering business incapable of making those adjustments required to maintain a competitive position and discouraging business reorganization — discouraging expansion and location in Saskatchewan — with what result? Well the result that job opportunities are going to be lost and Saskatchewan economic growth is going to be further discouraged.

Now I've concluded, of course, Mr. Deputy Chair, that a lot of the people on the government side of the House would prefer that we not even have any kind of discussion about this. In fact the preference seems to be that there be no questions really posed because we've had so few answers that have ever come in return. It's not dissimilar to what has been experienced in this House as far as gambling is concerned — a lack of interest, a lack of interest in coming up with substantive evidence as to why this has to be the case now, what the costs really are involved, what benefits these are really going to provide as far as economic growth in the province of Saskatchewan, and ultimately, the jobs. The result of this can be none other than a rejection of individual employee freedom of choice. And I really wonder why it is that the government would want to bring this forward.

Mr. Deputy Chair, I'm not satisfied that this Bill has been created from any other semblance of consensus between business and labour. It does not seem to be the case; in fact it's very confusing that one would not want to insure that that kind of alliance was going to be the basis for changes in this kind of legislation.

Therefore if the legislation itself emerges from a conflict zone, how can we expect this legislation to be the agent of compromise when actual disputes arise?

Now I will be putting that question to the minister, so he may want to attend to it as I repeat it the second time. How can we expect this legislation to be the agent of compromise when actual disputes arise?

But then unfortunately I am becoming quite convinced that the government has no true, honest commitment to stable relations between employers and employees or there would have been a very, very different approach used with these proposed amendments to both pieces of labour legislation this year.

After all, the government and the union leadership both seek to maintain their perceived value to the rank-and-file union member by creating a climate of unrest and coming to the defence of the worker. Mr. Deputy Chair, this dog may bite back. The changes to

The Trade Union Act will create a Labour Relations Board which will have very, very sharp teeth indeed.

But the very groups who support increasing the powers of the board today may be subjected to the administration of those powers by the board some years down the road, which does not have a labour bias and that could spell the same disaster for trade unionists as business people and public sector employers see in the fine print of this agreement, and I hope to speak to these in greater detail a little later as far as the questions posed to the minister.

Not only might the changes to The Trade Union Act create a labour relations board which will one day seek to destroy its former master, but the changes will have immediate impact as well. The implications of some changes will discourage or help to discourage expansion and the start-up of new businesses in our province of Saskatchewan.

And I realize that the government has tried to dismiss this concern as the Chicken Little mentality, but I doubt the national economists would buy into such a plot.

One only has to read *The Globe and Mail* or *The Financial Post* to get an indication of the shock waves this is sending throughout the Canadian investment community.

And I was speaking to a constituent just the other day who told me a story about an individual who was in Toronto on the day of the announcement about The Trade Union Act that the government was bringing forward. The individual was in Toronto promoting Saskatoon, on behalf of downtown businesses, as an ideal place to invest. The day before the legislation was announced, this fellow met with a very positive reception and people were feeling Saskatchewan just might be a very worthy place to look at.

Then came the trade union amendments. The story hit the business pages and the networks and the next day people were laughing at our representative from the Partnership in Saskatoon, laughing at our friend when he made his sales calls, saying things like a person would have to be nuts to walk into a province with that kind of labour legislation. They wanted to know how the government got business to agree to such an approach. That's what they wanted to know. How in the world did they get business to agree to such an approach?

His answer was, we didn't agree, we weren't even consulted. And you know what, Mr. Deputy Chair? The business community in Toronto met that response with clucking tongues and looks of disbelief that the government of a province looking to create growth would do anything so detrimental to its economic recovery after watching what the Bob Rae government had done in Ontario. They wondered how in the world would another government try such a thing in Canada.

How many ways does one have to try to receive a

message, Mr. Deputy Chair? Should the business community hire a sky-writer to write “pull the Bills”? Should they have them fly across the front of the building so that people who govern in this province can actually see it and perhaps receive that message?

Mr. Deputy Chair, the minister may have made dozens of very snide comments about the opposition’s concerns about this Bill. People actually phone in. They phone in — and I don’t even know what political party they belong to; that’s irrelevant — they phone in to say that the government should be ashamed of itself because they do not inspire the people of this province to have real confidence in their judgement.

They do not have confidence. And would you like to know why? Because all the questions that have been raised regarding this and regarding gaming and regarding no-fault and regarding the things that are of true concern and the rights of Saskatchewan people to understand about, the responses that are given are so uncivil. That’s what they respond to. And they wonder why it is that the government members, the ministers, lack so much confidence that they’ll not simply respond. Why won’t they just simply answer the questions? And they actually raise on the telephone, why is it that there’s such uncivilized responses from the members opposite to questions raised by opposition? There’s been an absolute unwillingness to respond to the issue with any objectivity, whether it be in question period or anywhere else. And continuing, actually, to insist that questions belong in Committee of the Whole.

Mr. Deputy Chair, I think the minister knows full well that by avoiding issues in question period we could not get answers that would perhaps give us a level of comfort to move to Committee of the Whole. And second, I think it’s important to know that this legislation has wasted more valuable hours in the part of job creators in this province than any single initiative that has happened in probably the last two decades.

I have a non-stop parade of people who come through my office, including union representatives and former New Democrats, who simply cannot believe the way in which this has been dealt with. They’re actually confused because of the way in which the consultation process went and the lack of real consideration for people’s input.

And I have to pose this question, and I do hope that this will be taken note of as well: why is the government so afraid of the people? What is it about this that makes one so afraid to take the time to do it right? To put it before the people of Saskatchewan, put it before all of the affected parties and let them have a real sense of what it’s going to mean.

Have the government members failed to assess the impact of this Bill? And they don’t want to be embarrassed by the truth? I mean have you failed to be able to determine what this will really mean and you just don’t have the answer? Or do you have the answer

and you don’t want anyone to know? Is it because the Premier and his cabinet tell people whatever they want to hear about what will and will not be in the Bill and regulations, so that one can hurry up and pass it before everybody finds out?

Mr. Deputy Chair, and Mr. Minister, in the interests of democracy I wondered, and I continue to wonder, why you wouldn’t take a step back. Instead of having people meet until four in the morning with your deputy minister and others trying to sort out what is in this Bill, why wouldn’t this be given the appropriate time to just establish what is really going on here? Give it some time for general circulation and revisit this in the next session.

(1945)

I don’t understand why it is you either don’t want to answer the questions on it specifically. I don’t understand why it is you wouldn’t want the people to fully understand what’s here and being proposed that may change their lives in the province of Saskatchewan. I understand the concerns that have been raised by the employers of Saskatchewan. This is a time of tremendous change for local municipalities. It’s a tremendous change for school boards, for universities and health boards and Crown corporations and private sector businesses. It’s a very tumultuous time.

None of these employers feel that they’ve had adequate time to determine whether they can live with this amended legislation. And who are we talking about here? We’re talking about the Saskatchewan School Trustees Association. We’re talking about all of these different groups being SUMA (Saskatchewan Urban Municipalities Association) and SARM (Saskatchewan Association of Rural Municipalities) and Saskatchewan Association of Health Organizations, and wide ranges of people — public and private sector employers who have raised questions about The Labour Standards Act and The Trade Union Act.

All they want is an opportunity to understand how this will have an impact on their decision making, so they can make good decisions for the people of Saskatchewan. They should not be asked to take an entrenched position when all they’re asking for is time, time to compute the impact.

Now I hope that the arguments, the points of view that I’ve made, are going to have some impact. And I do hope that members of the government who are able to influence the government agenda will indeed bring these cases forward as well. I would be astonished if not one member received the mail that they were sent, that I got copies of, when it said that it had been sent to them as well because they were the members of the Legislative Assembly for the people who indeed sent their concerns along.

It makes no sense to be evaluating clauses of a Bill which change on a daily basis, and yet that’s what we were faced with — trying to come up with

understanding a Bill that changed over and over and over again. Making arguments about the impact of legislation which cannot possibly be at all understood or measured in the kind of ridiculous environment of back-room debate.

And I do appeal to the government, Mr. Deputy Chair. I appeal to the Minister of Labour as an elected representative, to have allowed people the time to adjourn debate on The Trade Union Act and allow for all the concerned parties to have a few months to really examine what this is going to mean, and do so where they're not feeling under such threat.

I don't believe that we should proceed further. We should not be going clause by clause until we have heard from the Saskatchewan Association of Rural Municipalities, until we've heard from the Saskatchewan Urban Municipalities Association, until we've heard from the Saskatchewan School Trustees Association, the universities, the members of the business coalition, and the top 10 employers of the province of Saskatchewan until they have had time to do their own impact analyses.

I do not believe that it is appropriate to pass final judgement on the final changes until the Department of Finance has produced concrete analyses of what this will mean to each government department. I don't think we should do this until the Department of Finance determines how it would affect our capacity to generate tax revenues, both corporate and individual. And in fact, when I posed this to the Department of Finance, the Minister of Finance, and I said have you done this, have you in fact, as a Department of Finance, determined what the impact will be on the finances of the province of Saskatchewan, there was a one-word answer — no.

Until we, sitting in the third party, and I'm sure the opposition, the official opposition, has concrete evidence to support the assurances from the Department of Economic Development that this will not have a negative impact on the competitiveness of Saskatchewan business, we feel that it would be irresponsible — not simply premature — but absolutely irresponsible of the government to proceed clause by clause without that evidence.

It is therefore my wish that the minister would comment on much of what I have said tonight. We believe that it is imprudent to proceed clause by clause in this kind of assessment that would follow, until we've had evidence that indeed this legislation has been properly costed — costed beyond any kind of study that was done initially — debated, and agreed to, by employers and workers in the province of Saskatchewan in the spirit of consensus that your government promised would be the basis for change to these Acts initially.

And when we feel that we have been reasonably reassured that Bill 32 and 54 will not cost more jobs than they will protect, that the changes will not have a negative overall impact on the province, then we would be very willing, in fact anxious, to proceed to

the final stages of this legislation.

Mr. Minister, I have some questions here from individuals throughout Saskatchewan and I'm sure that you would like to make some comment on my comments and I appreciate the generosity of spirit of being so patient, since I was unable to give a second reading speech, that you would be so patient. What I will do first is welcome your comments and then I have some specific questions from individuals in Saskatchewan about your Bill.

Hon. Mr. Shillington: — It'll be very brief. I want to say to the member from Saskatoon Greystone that if you participated more in the session, and were less ready to leave the entire work of the session to the Conservatives, you would have heard all of the comments made many times.

If the member from Saskatoon Greystone thinks there is anything to distinguish your comments from those made by the Conservatives, you are sadly mistaken. All of us on this side of the legislature have heard those comments made many times.

And I know what the hon. member is going to do. She will be here for a brief period of time, and then will flit off somewhere else, and leave the Conservative members to do all the work of the session, which is what you've done to date.

I'm not going to dignify your comments with a lengthy response. If you had been here all during the debate on this Bill, you would have heard those comments raised many times before and I think every bit as eloquently, if not more eloquently, by the Conservative members.

Ms. Haverstock: — Mr. Deputy Chair, and Mr. Minister, that's precisely why people call saying that you lack common civility, is because of responses like that.

I am not here to respond to the fact that we have had a missing Premier in Saskatchewan for a considerable length of time. That's not what I'm here to comment on. And I most surely can tell you that there has never been at one moment in anything raised by the official opposition that they have received an adequate answer from you, sir. Ever.

So regardless of what your views are, and what it is you're trying to propose and create for the public at large on television this evening, there are businesses throughout this province that are very concerned about what you're doing, including public sector employers — people who are genuinely concerned. Their concerns have been raised not only by the official opposition but have been raised by myself and members of our caucus. And you, sir, have never answered once in a straight manner.

And that is why we are hoping just once you can put aside what you consider to be very clever comments, which are only perceived by the average person out there as really very, very unfortunate that a member of

a government, and in particularly a minister of a government, would choose to behave in such a manner.

Now, this is a question directly from a gentleman in Saskatchewan. Mr. Minister, I'm going to ask you. Now, O.D. McComb, the president of the West Winds Motor Hotel in Biggar, Saskatchewan, he talks in his letters about the costs of the legislation and why the government believes business can support the changes to both labour Acts. What I will do is to read his comments:

On numerous occasions you've pointed out to the voters of Saskatchewan that to create jobs and to have the economy grow in this province, it would be done by small business. That is all well and good providing small business is still around to carry out these ideals. With the increasing cost of doing business in the province, it is becoming more evident that small businesses have reached the max. The one thing we do not need at this time is the government to get more involved in the way we staff and run our businesses.

We do not need non-union employees forced into unions even though majorities may reject this move. I understand that the Labour Relations Board could impose first union agreements on employers. As well, the contracting of service by many companies, including Crown corporations, may be prevented, again affecting small businesses.

I do not agree that legislation in this province should be written and implemented without a full and open debate by all concerned. I do not believe that government, union, and bureaucrats have the right to dictate how our workplace will be managed.

Mr. Minister, this is his question. Why do you feel this business person should not have time to debate and consult until he is satisfied?

Hon. Mr. Shillington: — There has never been a piece of legislation in this province which has been as broadly consulted as this one. It has not produced a consensus. I think that's the nature of the activity we're about. But there has been ample opportunity to consult. There was the Ish commission, which began over two years ago. There was the Priel commission. There was tours by the Department of Labour; there were tours by myself. None of these separate consultations by different personalities produced a consensus. The time has come, as I've said on many occasions in the past, the time has come to get on with it and make a decision and put it in motion.

Ms. Haverstock: — Well Mr. McComb continues, Mr. Minister. He says he doesn't believe that the government of the day understands or can appreciate the impact that these types of things have on the survival of small businesses. And here's an example that's provided:

The increase in minimum wage last year cost my organization \$10,000. This was not because I increased all employees up to the minimum wage, but because this increase had a snowball effect on all employees' salaries. For instance, if an employee had been with me for one year and was making 50 cents per hour above the old minimum wage, we could not expect that employee to not hold the same margin of difference over the new minimum wage. Therefore increases throughout our business was inevitable.

Our business employs a lot of part-time student workers during the summer. This gives these students work so that they can return to their schooling in the fall. To force our business to pay benefits and schedule employees weeks in advance under labour standards will only discourage us from hiring these people. So who is really hurting who? I've suggested the government table this legislation until small business can get back on its feet from all the uncontrollable expenses that government has imposed on us over the last few years.

He would like a response in asking . . . He's wondering what harm would it do if you were to take this legislation and place it aside as requested by him, for a period of time until the next session or until real economic recovery has taken place in the province.

Hon. Mr. Shillington: — As I said, we believe it would accomplish nothing. There has been ample consultation and I think we've achieved about as much consensus as we're going to until after the Bill is passed.

Once this legislation is in effect I believe it will disappear as an issue, as WCB (Workers' Compensation Board) and occupational health and safety did. I remember the member from Saskatoon Greystone stood in her place last year and rained the worst tears about how the occupational health and safety and WCB was going to cause so much damage. Not a soul mentions it now; it's working fine. So will this legislation, given an opportunity. The time has come to put the legislation into effect.

Ms. Haverstock: — I don't know how much that will satisfy Mr. McComb. I guess he was just wanting to know what harm would be created by postponing, and I think that what people have asked, and consistently asked . . . And you make mention of why I don't sit here all the time. In part it's because sometimes there are 15 and 20 people who come to my office independently to discuss the legislation that's being brought forward by this government, whether that be the impact brought forward by the minister of Gaming, the impact of the legislation . . . that's not just of course legislation; we're talking about the actual gambling in Saskatchewan being increased. I mean there's a wide range of concerns of people, and I'm really wondering what harm there would be. I mean do you see that things would halt in

its tracks, Mr. Minister? What would really change for the province of Saskatchewan if this were set aside, as Mr. McComb was asking? He has a very simple question, and I'm wondering if you would be able to answer it.

(2000)

Hon. Mr. Shillington: — The time has come to bring the discussion to a conclusion. It's been going on for two years and the time has come to bring it to a conclusion.

Ms. Haverstock: — Well I find that rather curious, Mr. Minister. You say that the discussion has gone on for two years? With whom? The business community hasn't had this discussed with them for two years. In fact they just had amendments that were handed over to them a very brief time ago. They didn't even know what was in this legislation. So with whom have you had discussions for two years that you're saying that the time has now come?

Hon. Mr. Shillington: — Various groups throughout Saskatchewan.

Ms. Haverstock: — I see we're proceeding in the same kind of way here.

Mr. Minister, a manager of Westcan International in Regina raised the following concern, and I quote:

The new law will impede our union contract negotiations.

What would you say to this individual to give them reassurance that their contract negotiations will in fact proceed in an orderly manner?

Hon. Mr. Shillington: — Nothing in this legislation will affect that.

Ms. Haverstock: — Thank you, Mr. Minister. I'll make sure that I fax that line to him.

The manager of Westcan International goes on to say, and I quote:

With Alberta creating an environment for entrepreneurs, Saskatchewan will become less competitive. We will not attract new business.

It appears that, regardless of what your point of view is, the business people in the province do not feel that this is going to result in placing Saskatchewan in a more competitive position. How would you respond to that, Mr. Minister?

Hon. Mr. Shillington: — Mr. Chairman, there is no correlation between low-wage economies and prosperity. The member opposite would have us repeal all labour laws and that, she believes, would introduce prosperity. In fact there's no such correlation. If an absence of protection for workers would bring about prosperity and a high-wage economy, the U.S. (United States) would be a country

mile out in front. In fact it isn't. Ever since the war — and one must remember that we escaped all the damage that the East and Europe suffered during the war — ever since the war North America has been in retreat in terms of its position in the world.

Who has been succeeding? Central Europe and western Asia, which have very progressive laws. If you want to correlate practical experience with labour laws, you will conclude that progressive labour laws are an essential element in prosperity.

Ms. Haverstock: — Well, Mr. Minister, I don't know where it is you've read in anything that I've ever stated that I would get rid of all labour legislation. I have never stated that, nor would I agree to it. I think I've made it quite clear this evening that I stated where the place is for labour legislation and I think that we should be delighted in the province of Saskatchewan that we've had as few episodes of labour unrest that we have. And I think a great deal of credit goes to the kind of legislation that we have had in the province of Saskatchewan. I have not opposed it. I never have indicated that I've had opposition to all labour legislation, nor would I.

It's a very interesting situation where you say that there is no, in fact, evidence of countries that do well or what the criteria are for countries that do well and economies that do well. In fact taxation is one of the key issues as far as countries, whether or not they do well, whether economies are performing well. And the more kinds of regulation that there is, as far as labour legislation is concerned, that indeed is considered to be problematic for investment in a lot of different economies around the world.

So we must be reading very different kinds of books. Perhaps what I'll do is send some to your office . . .

An Hon. Member: — And I'll send some back with you.

Ms. Haverstock: — Yes, and I would appreciate that. I think it would be very, very interesting if we could in fact attempt to compare some notes. All I'm concerned about, Mr. Minister, is that there actually be some evidence — I mean real evidence — in the province of Saskatchewan that what you're doing is not going to be harmful to the economy and that it's going to result in exactly what you want to have happen. I think you have laudable goals. And I hope they're laudable. I hope that this isn't simply a political agenda that's being met here. And I do hope that things turn out well.

But I would like to have some clear evidence as to whether or not there's anything available in research that shows that what you're doing will not have a negative impact on the economy of Saskatchewan. And to date you haven't provided us with any of that.

The manager from Westcan International concludes, and I quote:

I had plans of diversifying into other areas of the

trucking industry but now I have no confidence in our future at all.

And that was a direct quote, Mr. Minister. Was it your intention to halt diversification in the province of Saskatchewan? I mean what would you say to a business manager who has no confidence in the future that you've created.

Hon. Mr. Shillington: — If I understood correctly, that was a trucking firm. The trucking industry is going flat out in Saskatchewan. Why would I expect diversification? Because they've got all the business they can handle right now. Who does that come from? The head of the trucking association whom I met shortly . . . whom I met a brief time ago.

The member wonders why I doubt that she would support progressive labour law. The member from Saskatoon Greystone spoke for almost three-quarters of an hour. Not once, not once did you ever voice the concern of workers about their workplace.

The member from Saskatoon Greystone talked continually about what business wants out of this. And that is a legitimate concern. But it would have been legitimate for the member of Greystone as well to give some passing thought as to what workers want out of the workplace. That is why I assume that if you are elitist in your approach to this legislation you are going to be equally elitist when it comes to other labour legislation.

Ms. Haverstock: — Thank you, Mr. Deputy Chair. Mr. Minister, I think your comments are very, very telling if we're talking about elitism. You, sir, are an individual who has indicated that you have consulted around the province and those people with whom you said you consulted have indicated one thing unequivocally; that you did not listen.

In my speech this evening to you, in my address to you, indeed I did comment on workers. I commented on workers on several occasions which I'm sure that you'd just be overly excited to review these tomorrow in *Hansard*.

Similarly I in fact indicated that there are some businesses, but few, few that should be addressed — but don't have to be addressed by changing all labour legislation in the province of Saskatchewan — who in fact require some action to be taken for the way in which they treat workers. I'm not going to stand here and mention one in particular that is actually putting small businesses out of business, not simply abusing their part-time employees in the province of Saskatchewan.

So I indeed am concerned and I'm concerned because these things affect my own family. All right? So I find it absolutely astonishing that you could accuse me of elitism when there are people in this province in the business communities and public sector employers who feel that you're being very elitist with the way in which you've approached this legislation and not in bringing everybody to the table.

You can talk about the Priel commission and the Ish group, and all these different groups that have come together to talk about this. The point is we're now in the here and now, and people have been feeling excluded from the process. Now that, sir, is indicative of elitism; when people feel that they aren't being heard and they make up a huge proportion of the people who will be seriously impacted by your legislation.

The person in charge of Luseland Motors told us this, and I quote, "If these changes are implemented I'll close my business down completely." Now that's about as pretty plain as one can get. How would you respond to someone who runs a small business and faced with the costs you propose, will have to simply quit his business? I want you to respond to him. I've indicated to all these people that we would forward your responses.

Hon. Mr. Shillington: — Let me be perfectly clear about what we have here. What we have here is a filibuster. It is a time-honoured tactic in a filibuster to read the morning mail. I have been a member here for almost 19 years. I have seen any number of filibusters. Every one of them degenerates into members reading the morning mail to try to pass the time of day.

I'd be happy to respond to these people if they care to contact me. I do not intend to get into a lengthy discussion about each individual situation when you read the morning mail. It is within the rules for you to read the morning mail, to rag the puck. Earlier in the day we had the member from Maple Creek who read my own speech back to me, in second reading. Now that's a darn good speech but I didn't quite see the relevance of it coming from him.

We had others. We had the member from Kindersley engage in a long series of personal attacks. That's okay. I'm a big boy. I can dish it out as well as take it. I don't particularly mind that, but that's another tactic. The member from Saskatoon Greystone is reading the morning mails. Perfectly within the rules to read the morning mail. Don't expect me to dignify this with a lengthy response to each one. I couldn't do it on the basis of a short letter. It's simply a commentary. One could not comment on the situation without knowing a lot more about it.

Ms. Haverstock: — I find it most interesting, you call this the morning mail and I call it the people of Saskatchewan having genuine concerns. And maybe that's why you will be defeated in the next election. I find it quite appalling, Mr. Minister, that you will stand in your place and indicate to these people that they are not deserving of an answer to their question.

Now you may say that you don't want to dignify their questions with a response, but I am telling you, sir, that that should be your job — is providing the people of this province with answers to their questions. You were elected to represent people; not represent select groups of people who support your party, but to represent all people. And this gentleman from

Luseland Motors deserves a response from you as readily as Barb Byers or anybody else does. And I think it would be hard pressed if I stood here and read a letter from Barb Byers to have you stand up and say you wouldn't dignify it with a response.

Why not, I pose to you? This gentleman is indicating that he is in a position of stating that the labour legislation being brought forward in the province of Saskatchewan, he believes, will be the final straw for his business. Now I think perhaps you should draw upon whatever dignity you have left to try to respond to his question.

Hon. Mr. Shillington: — I have responded to every single letter which has come to me, and there have been quite a number. All have been answered. I could not begin to answer a question as to whether or not this legislation will be the end of his business without knowing more about it. And it is a foolish question to put to me. I couldn't begin to know that without knowing the details of his business, the financial shape of his business, what it is, where he goes, what he hauls, where. I have responded to every single letter that has been written to me.

But for you to ask me to respond to his concern he's going to go out of business in a thoughtful way is simply to dignify what is a filibuster. The gentleman's entitled to a response. You're not entitled to have a filibuster dignified by lengthy responses from me. You want a filibuster. It's a time-honoured tactic, but you will continue to do so, and you aren't going to . . . I say to the members opposite, you're not going to get answers to inane questions. Because when you ask me to respond to his question — am I going to go out of business? — how on earth could I answer that without knowing a lot more about it?

It's a perfectly legitimate question, in a different forum. It is not a legitimate question in the Legislative Assembly.

Ms. Haverstock: — Well I find that most intriguing, Mr. Minister, because I've actually read some of the responses from the illustrious members opposite when they were in opposition which is not terribly enlightening as far as the level of what was put across. But it's very, very interesting how there were tactics used in this House that went on with reading all different kinds of things. Question after question after question of written questions. Ringing the bells for 18 days at a time. Things that really dealt with wonderful performance here.

Mr. Minister, Mr. Wayne Lorch, the president of P.W. Lorch & Associates, contacted my office.

The Chair: — Order. Order. Order. Why is the member on his feet?

An Hon. Member: — I wonder if the member from Greystone will entertain a question?

The Chair: — That wasn't on the record. I'll recognize the hon. member for Regina Rosemont.

Mr. Lyons: — Thank you, Mr. Chairman. I wonder if the member from Greystone would entertain a question?

Ms. Haverstock: — Thank you, Mr. Deputy Chair. Mr. Minister, no actually I would like to see if there can be any kind of answer that would come from the minister this evening. To date we haven't been too successful.

Mr. Wayne Lorch is the president of the PW Lorch and Associates and he contacted my office. He observed that the program of labour legislation will, and I quote: "reduce private business investment from both resident and non-resident investors." And he notes that his business would lose clients and revenue.

Now when a consultant to business, and that's what he does for a living, Mr. Minister, has concluded that the proposed amendments to the labour legislation will actually reduce investment in Saskatchewan and its economy, I think that there is reason to be concerned and I wouldn't consider this to be inane at all. In fact what I would have concluded is that since you've probably responded in writing to many letters of this kind of concern, that you'd be able to respond tonight.

What would you say, Mr. Minister, to a business consulting professional, to a professional who's a business consultant, that concludes that in fact he believes that these proposed amendments to The Trade Union Act and to The Labour Standards Act too, would hurt investment in Saskatchewan. Is that something that you could dispel, this kind of concern?

Hon. Mr. Shillington: — I would respond to him that I do not agree with him. That I believe that this legislation, progressive labour law, is an essential part of economic restructuring. I would go on to point out to him why I think that's so, as I have done repeatedly, time and time again, in this House.

(2015)

Ms. Haverstock: — I am most interested . . . first of all, I'd like to know where the evidence is to support that conclusion that you have no concern at all. And I'd also like to know, Mr. Minister, why this is so important at this time? What is it that has transpired that requires this kind of change at this point to The Trade Union Act?

Hon. Mr. Shillington: — The evidence is both sophistical and analytical, as I've said many times before. It is analytical in the sense that those countries which have progressive labour laws are generally the most prosperous. I refer you again to central Europe and western Asia.

Countries which have regressive labour laws, I refer to our very good neighbours to the south — and they have been good neighbours to us — are in economic decline. As is England, which has regressive labour laws. Most regressive labour laws in Europe are in England. It's a nation which has been in economic

decline since the First World War. So that's one little bit of evidence.

The other bit of evidence I would pass on to you, and I have done so repeatedly in the past, is the comments made by the centre for Canadian labour market productivity, a body funded by the federal government, which points out that if workers . . . that the future belongs to companies which can adopt technology.

You can only adopt technology as it now exists to the extent that workers buy into it and want to participate in it. They must be assured of some of the rewards as well as all the risks which go with the new technology. And that's the evidence which I've offered many, many times before in this House.

As for whether or not this would adversely affect the gentleman's business, I haven't any idea without knowing whether or not . . . what his business is.

Ms. Haverstock: — Mr. Minister, part of what . . . his name is Mr. Lorch, Mr. Wayne Lorch, the president of P.W. Lorch and Associates. Mr. Minister, he does go on to say something that is quite contrary to what you have just cited.

He said that:

This is "more government control" at a time when the entire world is moving toward "less government control."

And Saskatchewan appears simply out of touch with that reality.

Mr. Minister, you've indicated that of course you have evidence to support and in fact you've indicated that there are places throughout the world that it appears from what you've said are strengthening their labour legislation, and that that has a direct correlation with their strengthening economies. I think that there is contrary evidence to that, something which Mr. Lorch has stated.

And here we have a consultant to business people, and he notes that this is contrary to government change worldwide and nationwide. I'm wondering if you in fact could provide us with the information that would support otherwise. I know that you cited a report, and I think that would be very helpful if you could send over a copy.

Hon. Mr. Shillington: — All right. Let me quote to you from a document published by the Society of Management Accountants of Canada. It talks about a number of myths with respect to productivity. Let me, for your benefit, read:

Myth No. 3: A de-unionized economy would be more competitive. A de-unionized economy (and then the response is that a de-unionized economy) would probably pay lower wages. I think we can bet on that. But lower wages do not equal a more competitive

economy. In fact, the opposite is likely to be true.

Michael Porter put it well in his modern classic, *The Competitive Advantage of Nations*. In his opening chapter, Porter tells us that "the only meaningful concept of competitiveness at the national level is national productivity." In the special study that he did for Canada, with support from the Business Council on National Issues, (note the source) Porter wrote with equal bluntness that, "Based on international evidence (including the ten-nation study), absolute levels of unionization do not appear to have a decisive impact on the ability of the nation's firms to increase productivity or compete successfully." In fact, if de-unionization were the key to higher productivity, the United States should be the world's most competitive economy. As our American friends say on election night: "The upstate returns are coming in." The United States bet heavily on pursuing a "union-free" strategy. Countries like Germany, that bet on a "negotiated adjustment" strategy, clearly have taken greater advantage of the opportunities that globalization presents. Canadians can ill afford the cost of replicating the Reagan fiasco.

That in the classic, *The Competitive Advantage of Nations*.

Ms. Haverstock: — Well, that was all very interesting, Mr. Minister, but not one individual who has written to me or come in for discussion has ever even mentioned de-unionizing. They haven't discussed that. What they're concerned about is the proposed amendments to your legislation and how that will have a direct impact on people in Saskatchewan and their opportunity to have some jobs. Mr. Lorch concludes, he says:

My Saskatchewan clients will (he's talking about a percentage of them now, not all of them) relocate outside Saskatchewan. My foreign clients will choose not to invest in Saskatchewan and (he also states) will not invest in Saskatchewan businesses which are subject to Bills 32 and 54.

Mr. Minister, is this the effect that you thought that this kind of legislation would have on Saskatchewan? I think what's important here is to just get a sense that there's been some real exploration and examination of the potential impact here. Have you in fact got evidence to support that you've examined each and every one of these areas to ensure that we won't lose investment and we won't lose businesses?

Hon. Mr. Shillington: — Yes, and the matter has been repeatedly explored over the last few weeks when the member was, I suppose, at the Liberal convention and elsewhere.

Ms. Haverstock: — Well, Mr. Minister . . . (inaudible interjection) . . . Yes, well I'm sure. I actually listened

to many, many, many of the attempts at responding to things as I'm sitting in my office visiting with people who are concerned about these — in front of the television set by the way. And yes, well for a government that has 55 members — and 53 now which is very telling — but 55 members and 22 of them didn't show up for a vote on the human rights legislation, I wouldn't be so hard-pressed to start talking about how interested people are in being in this House at times that matter.

Given the responses that you, sir, have given and continue to give, usually on quite a regular basis — and I do appreciate that you did try to bring forward some evidence this evening in your prior response — I would suggest that in many instances it is very worth while talking to the people in a direct way who are going to be very seriously impacted by what's going on in this House.

I'm wondering then if you could table, if you could send to me, the evidence that you have that shows that this will not have an impact on investment in Saskatchewan.

Hon. Mr. Shillington: — I can shower the member with tonnes and tonnes of paper. I doubt that she would find it very enlightening and I'd be most amazed if she ever read it. I think the member can make up her own mind about whether or not she thinks the legislation is good or bad for Saskatchewan. I invite her to do so.

Ms. Haverstock: — I guess that's the way that you arrive at conclusions, Mr. Minister. It's not the way that I arrive at conclusions. I like to base it on evidence, and what I find most interesting is how you say you should just simply make up your mind one way or the other. I'd like to have it based on some evidence.

Similarly, I have asked endlessly of the minister in charge of Gaming to provide us with the definitive study upon which he is basing his expansion of casinos in the province of Saskatchewan. I have yet to receive it.

I would like to have the information. I think that people would receive great solace if they knew that the Department of Finance and the Minister of Finance had in fact done their homework on what will result from these changes to this proposed legislation.

Similarly, I think that people would receive a great deal of comfort if they knew the Department of Economic Development had had a role in this and had done an analysis of its impact. Similarly, I would feel greatly comforted if what you would do would be to indicate these are the pieces of research that are objective, that have validity and reliability, that prove that indeed these amendments to the proposed . . . the proposed amendments to The Labour Standards Act and The Trade Union Act in fact will not have any deleterious effects on the economy of Saskatchewan and jobs for people.

Hon. Mr. Shillington: — There's a library down the hall which has a whole world of literature available. If the member wants reading material, I invite her to go down to the library where she'll find it readily at her fingertips.

Ms. Haverstock: — I'm not concerned about all of those things, Mr. Minister. I'm concerned about the pieces of research, the research, the studies that you have used to reach your conclusions. That's what I'd like to have a copy of.

Hon. Mr. Shillington: — It's the same door — it's the library. I invite the member to go down and avail yourself of all the literature that's down there on labour-market productivity. There is an endless amount of it.

I invite the member to go down and take what she wants and what she finds useful. We did. We reviewed what we thought was the relevant literature. And we had a series of extensive consultations. That's the basis on which we make the decision. The member has available to her precisely the same options; I invite her to utilize them.

Ms. Haverstock: — Well thank you, Mr. Minister. Just what exactly did you deem important? I mean that's probably what we're trying to get at here, is that you concluded certain things from pieces of information that you read. I have no idea how objective any of that information is. You may in fact have gone to certain things available from a library and pulled only those things that would support what it is you're trying to do. How would one know that, if you're unwilling to bring forward and provide the evidence on what you based your decision?

I see no reasoning behind what you're saying here. Go to the library and see what's there. What we're trying to conclude here is how you came to the decision that you did and its impact on the province of Saskatchewan. Is there no evidence in your department that is in a file that can tell us unequivocally that this will not have a negative effect on economic growth in Saskatchewan? On investment in Saskatchewan? On jobs in Saskatchewan? Surely you have this available and that it must be at your fingertips, really.

Hon. Mr. Shillington: — I could dispose of this very easily by simply promising to send it to you, but that would be dignifying this question with a response. I don't think it deserves the dignity of a response.

Unlike a book which comes with a list of authorities to which the author referred, statutes don't do that. Statutes are the product of human judgement. They're the product of our experience that we get from people. They're the product of our consultation. They're the product of our background of knowledge. They don't come with a bibliography, unlike a book. I could send you an endless amount of paper material; that however would be to dignify your question with a response and I frankly don't think it deserves the dignity of a response.

Ms. Haverstock: — Well, Mr. Deputy Chair, and Mr. Minister, I can only conclude that you do not have the information, or you would provide it. I think that you would proudly provide it if you had it. And I cannot imagine why anyone would not want to provide the evidence for the basis of their decision making. In fact it surprises me a great deal.

Mr. Minister, another company has contacted my office, and Mr. Bradley . . .

The Chair: — Order, order. Order. Why is the member on his feet?

Mr. Trew: — I'm wondering, Mr. Chair, if the Leader of the Third Party will entertain a question at this time.

The Chair: — The member from Regina Albert North has requested leave to put a question to the hon. member for Saskatoon Greystone and I recognize the hon. member for Saskatoon Greystone.

Ms. Haverstock: — Thank you, Mr. Deputy Chair. I will continue with the minister. He doesn't need any relief at this point. I will just continue with the minister. I'm sure that as we continue he just may surprise everybody and respond to something tonight. I don't think I need to start taking up answering questions. I'm having a hard enough time trying to get answers to questions.

Mr. Bradley is a manager in a firm, refers to your labour legislation as follows. He says the last four years have been very tough in his business and he says that they are just beginning to see recovery. They can't take further set-backs, and there is every possibility for them to operate . . . in fact the direct quote is: "There is every opportunity for us to operate from Manitoba or Alberta."

It appears, Mr. Minister, that the proposed labour legislation is going to cost jobs in some places in Saskatchewan and the people of Saskatchewan know it. It isn't simply business people who are getting in touch with us. I've been in a community where people are very concerned about the fact that the company with whom they work, the small company, has in fact already looked elsewhere, and has not simply made overtures but are seriously going to be moving. In fact it isn't merely an opinion or a guess or an estimate, for this gentleman. He still hasn't made up his mind totally, but it's obvious that he's searching and this whole company may leave the province.

I'm wondering if in fact you've received similar kinds of pieces of information from people and if you've contacted these individuals and actually spoken with them directly about how serious they are, if you've been saying the kinds of things that they need to hear in order to feel more comfortable about not making such rash decisions at this point.

Hon. Mr. Shillington: — I have, over the period in time I've been a minister, I've answered every letter which has been written to me. I've returned every

phone call which has been made to me and I have honoured every request for a meeting, and I have honoured almost all requests for personal meetings in my office.

Ms. Haverstock: — That wasn't my question, Mr. Minister. My question was: have you received information, like this gentleman's, where people have specifically indicated to you that as a result of the proposed amendments to the legislation that they may in fact move their businesses.

Hon. Mr. Shillington: — I have received quite a number of letters which have raised every conceivable point of view, I'm sure, including this one.

Ms. Haverstock: — I take it from your comments then, when you said I'm sure, including this one, that you're not quite sure and that you haven't had direct contact. And I can quite understand with your schedule that there are some individuals you may not feel the necessity to call up and speak directly to. But I'm wondering who is making those calls. Who is actually calling the people or dealing with people directly to give them some reassurance? If this is the lengths to which they will go as a result of concerns regarding your proposed legislation, who's making the calls?

Hon. Mr. Shillington: — I, my staff, and the Department of Labour.

Ms. Haverstock: — I take it then, Mr. Minister, that these people who are on staff relay the information to you about the specific concerns that people are raising in the public and private sectors who are employers. And what sort of information then are they giving out? Are they able to give such specific information that people are no longer concerned? I keep getting this kind of information and I'm wondering where it is these people can go to begin to feel more secure about what's going to happen rather than potentially moving their businesses out of the province.

Hon. Mr. Shillington: — No, they don't relate every phone call to me. There aren't enough hours in the day to do that. My comment this time, as my comment has repeatedly been in the past: once the legislation is in effect I believe most of these concerns will dissipate as they did with previous reforms to the labour law which we brought in.

Ms. Haverstock: — Well, Mr. Minister, there's a manager of Norsask Farm Enterprises, and he told us that, and I quote:

In the farm machinery business, a unionized shop would be totally unworkable due to the labour regulations enforced on a very nervous industry.

The farm implement industry and the machinery sector, as you would well know, is extremely vital to the province of Saskatchewan, to our economy, given how much we rely upon them. What would you do to

ensure, with this particular sector of our economy, that they don't have anything to worry about?

Hon. Mr. Shillington: — I think it is most unlikely that the farm machinery manufacturing business will be at all affected by either Bill.

Ms. Haverstock: — Well I appreciate that comment and what we will do is send that one line to the Norsask Farm Enterprises. But I think one of the things that we would like to know is: where is your evidence to show that it wouldn't have an impact on them? If you in fact have it, I think that this company would be very, very pleased to know that you have factored that in and you've come to some conclusions about what in fact may or may not happen. I mean if nothing's going to happen, they would be delighted to know.

Hon. Mr. Shillington: — I would be happy to meet with these people if they want to do so. That's the only way one can sensibly and realistically give them any reassurance. It can't be done in the abstract, in the fashion in which you're asking.

Ms. Haverstock: — Well I think what they want is definitely some reassurance. You know one of the things that has come as some surprise is why it is all these small-business people have to take time away from their business when often there are very few people other than themselves who are there running the business. And it's extremely difficult for people to be getting up and coming to Regina to find out what in fact changes to labour legislation is going to mean to their bottom line.

I think one of the things that would be very helpful is to ensure that their reassurance would come from the government going to them, not the other way around. It's rather surprising actually. This manager at Norsask Farm Enterprises says some further comment, makes some further comment, and I quote:

If these two bills are passed, I would be looking at liquidating and pursuing business in a province or state which is conducive to our enterprise.

Mr. Minister, it's not only Saskatchewan business that's nervous. Not only are they prepared to leave the province, some people are even prepared to leave the country. I'm just wondering if you would tell me, and tell me very directly: do you care? How concerned are you that businesses might leave and take their jobs with them?

Hon. Mr. Shillington: — We are very concerned that they might do that. We have repeatedly stated that.

I just want to point out that in 1972, the then Blakeney government passed what was at the time the most progressive Trade Union Act in Canada. The years that followed were the most progressive . . . were the most prosperous in this province's history. That was unrelated to The Trade Union Act. The Trade Union Act was neither a . . .

An Hon. Member: — That had absolutely nothing . . . absolutely nothing to do with The Trade Union Act.

Hon. Mr. Shillington: — That's right. No, the member's quite right. The years of prosperity which followed had nothing . . . the member from Morse is quite right. The years of prosperity which followed had nothing to do with The Trade Union Act. It happened as a result of different causes. And I would say the same thing here. There is simply no evidence to suggest that progressive . . . well it was increase of productivity; it was also increasing commodity prices. It was higher commodity prices.

There is simply no evidence to back up the member's suggestion that progressive labour laws are going to bring about a period of abject poverty for this province.

Ms. Haverstock: — Mr. Minister, I don't know where you found the term "abject poverty", but it never came from my lips. I have never stated that labour legislation and changes to it would result in abject poverty for anyone in the province of Saskatchewan. What I've suggested is that there is no evidence that you've provided to me, and to the business people of Saskatchewan, and to the workers of Saskatchewan, that would suggest that your legislation will not cost jobs, will not cost economic growth, and will not cost investment in the province of Saskatchewan. No one that I've heard introduced the words "abject poverty" as a result of introducing your legislation.

It's interesting that you should mention 1972. Here you were introducing labour legislation in 1972 that you considered to be state of the art or on the cutting edge. In the 1970s, Mr. Minister, I think you will acknowledge that all through the '70s, Saskatchewan had circumstances the likes of which had never taken place before — high potash, high oil and gas, wheat prices were as high as possible. In fact people were projecting 8 to \$10 bushel wheat in the '70s. I mean it was a circumstance unparalleled in our history. And I find it absolutely astonishing that you would use that as an example. And I guess it just points out why you and the Premier are of like minds.

We are now in a very different kind of global economy where it is equally easy to pick up and move to one of the states below the 49th parallel, right directly below here for some businesses, or to pick up and go to Manitoba, Alberta, British Columbia, and other places. And when they do that, they actually take jobs with them and they take a tax base with them. And it's a very, very serious situation when you, as Minister of Labour, actually cite the 1970s as something with which we can compare ourselves. The circumstances are completely and totally different.

Mr. Minister, one of the things we're talking about here is the ability to be competitive in this kind of global economy. And we're talking about, not simply some of the things that people have to face in business as employers who want people to be able to work for them, and they want to have even more people work for them because that would show that there's

success, there's real growth. These are people who have to be able to deal with their bottom line. And if the bottom line keeps being readjusted by government, it actually costs people jobs.

Now the manager of Norsask Farm Enterprises concludes that, and I quote, "Bill 54 will result in higher labour costs and reduce my flexibility to compete in a very seasonal industry." He says the labour legislation will, and I quote again, "have a very drastic negative effect on my bottom line and the future of my employees."

Now really what this discussion is dealing with here is that when I stated that business and employees are inextricably linked, I don't know how people can talk about workers in one breath and not understand that there won't be workers without employers. I mean, heaven forbid, if what we have and what took place in the 1970s, the true area of growth in this province was the bureaucracy. It wasn't small business which is the greatest employers of people; it was government bureaucracy. The taxpayers paid for all of those jobs.

Mr. Minister, it's flexibility that is essential to competitiveness, and I don't have to tell you this because you do know this. And this business believes that this particular legislation is going to be drastic to its bottom line. Now have you in fact pencilled in what this legislation will do to competitiveness of Saskatchewan businesses?

Hon. Mr. Shillington: — Myth number two from, I remind you . . . published by the Society of Management Accountants. This has not, heretofore, been a rabid NDP (New Democratic Party) organization. I'm not saying they're rabidly anti-NDP, but they have not been, in the past, well known for taking the same position we do.

Let me read myth no. 2:

Unionized companies are (the myth is) . . . Unionized companies are slow to innovate because of union resistance to change.

The response:

In 1986 the Economic Council of Canada (Economic Council of Canada, one of the most respected such bodies in the world) . . . the Economic Council of Canada published the results of the most extensive survey ever undertaken in this country of human resource management practices and technological innovation. After reviewing the results of this survey, Professor Richard Long wrote that " . . . there was no significant difference between unionized and non-unionized establishments in the mean number of innovations introduced." In plain English that means that unionized companies were just as fast to innovate as non-unionized companies. In fact, in some areas of human resource management, unionized companies had a much better track record. Professor Long found that, amongst

smaller companies, unionized firms were more likely to have established quality circles than were non-unionized companies.

It is true the pattern of innovation is different in unionized companies. When employees are represented by a union, they are much more likely to have a say in how innovation is introduced. It should be no surprise, then, that the Economic Council's survey also found that labor management consultation committees were much more common in unionized companies. When all is said and done, there is more employee involvement in unionized companies than in most non-unionized companies.

The member might try reading some of the literature on the subjects right down the hall in the library. I would invite the member to help herself.

Ms. Haverstock: — It is interesting, Mr. Minister, because I do read a number of things, and I do speak with a number of people, even across the country who happen to disagree with your view on this.

You said that the passage of the Workers Compensation Act and the occupational health and safety legislation — which the latter everyone keeps stating in this legislature that I did not support, when in fact the occupational health and safety legislation I did in fact vote for — you indicated that of those two Acts that went through, the Bills that went through, they had no impact on the economy. And I'd like to know how you measured that.

Hon. Mr. Shillington: — I don't think I said they had no impact on the economy; I think they've had a significant impact on the economy for the good.

Ms. Haverstock: — Well I'm equally interested in how you measured that.

Hon. Mr. Shillington: — Because we have a much safer workplace. We are indeed tackling Saskatchewan's unacceptably high accident rate. We have put in place a workers' compensation scheme which is finally giving workers some measure of protection, something that truly was absent during the last administration.

(2045)

Ms. Haverstock: — Well, Mr. Minister, do you consider that any of the 1,000 businesses that went bankrupt since 1991 in the province of Saskatchewan, that they went out of business because of the cumulative impact on both the economic factors and government regulations? I'm sorry, I noted that you were being interrupted, I'll repeat this.

Do you consider that any of 1,000 businesses, the 1,000 businesses that went bankrupt in the province of Saskatchewan since 1991 went out of business because of the cumulative impact of both economic factors and government regulations?

Hon. Mr. Shillington: — I doubt that was a very significant factor.

Ms. Haverstock: — Well has your department been in contact with the Department of Economic Development to in fact look at this and examine this to know whether in fact there is any correlation?

Hon. Mr. Shillington: — We have had extensive consultation with Economic Development. I smile because I think it has exceeded a degree that either one is comfortable with. We've actually worked together on this. And I stand by my comment: there is very little correlation between the degree of government regulation and businesses which go bankrupt. That may occasionally be a factor but I suspect it's very rare.

Ms. Haverstock: — Well, Mr. Minister, there are 82,000 people . . . I'm sorry, did you say order? Oh, I'm sorry, I'm hearing words. Mr. Minister, there are some 82,000 people on welfare in Saskatchewan and 41,000 unemployed. I'm just wondering how you think they got there.

Hon. Mr. Shillington: — I would like the member to put that to the Minister of Social Services. This really has nothing to do with The Trade Union Act.

Ms. Haverstock: — Well I guess what I really thought is that you would have an equal concern about insuring that people who would like to have jobs would have them. You seem to be going at great lengths to talk about how all these different people who are employed need further benefits. I think the concentration should be on people who don't have jobs to get some, and people who have jobs to keep them.

Mr. Minister, if what you said is true, then you should be able to make an objective case supported by unbiased analytical data which would convince people that there should be absolutely no concerns with the amendments to The Trade Union Act. And if the case to impose greater regulation, more extensive benefits for employees, more restrictions on employers, if the case is so easy to make, I want to know why you don't make it.

Hon. Mr. Shillington: — Because frankly the member's mind is closed. The member voted against these Bills on first reading before you ever saw them. What on earth is the point in trying to convince someone whose mind is closed?

Ms. Haverstock: — Well I find this most interesting, Mr. Minister, because I'd like to know . . . in fact I did not vote against The Trade Union Act in first reading. I think, perhaps . . . Pardon me?

An Hon. Member: — Because you didn't get an opportunity . . .

Ms. Haverstock: — That is absolutely not true. One of the things that I think you should note is that there was

an absolute apoplectic reaction on the part of people who wanted an opportunity to know what it was you were doing. And I find it very interesting that in fact if it had been done well there would have not been the kind of reaction in the province of Saskatchewan, the people of Saskatchewan, that there has been. There would not have been the need for endless, endless long night meetings and retroactive consultation. I mean one of the reasons why there have been problems here . . . I think that it would be very significant for people to see the very first drafts of what has happened, compared to what is going on now. I mean there were people almost falling over at the prospect of some of the things that had been brought forward in the initial legislation.

I would just like to know what it is that keeps you from making your case. I mean just show us the unbiased analytical data and your case could be closed.

Hon. Mr. Shillington: — The members opposite are filibustering the legislation. You have every right to do that. Don't expect me to dignify these sort of questions with lengthy answers. Filibuster away. Hop to it.

Mr. Martens: — . . . (inaudible interjection) . . . Mr. Chairman, I'd just like to make an observation about being called a cat. I have never called anyone an animal name in this House and I would suggest that other individuals keep that to themselves as well.

An Hon. Member: — I don't think he called you a cat; I think he called you . . .

Mr. Martens: — And is that a racist statement then too?

Mr. Chairman, and Mr. Minister, there's a number of things that I think that I want to put on the record by asking questions. In the *Leader-Post* on April 13, there was an editorial that talked about . . . it says the heading, "NDP's new union act a further destabilizer".

And I quote:

All of the jokes about Roy Romanow's "right-wing" government went out the window yesterday. The new Trade Union Act introduced in the legislature served to remind of the NDP philosophy that nothing must happen in people's lives without big government squatting on it.

And that is . . . I think should be a statement that you should have some response to.

The public are saying to you, Mr. Minister, without even a doubt in their minds, it's time for you to explain to the people of Saskatchewan, not to us. You can hold us in all the derision that you want to have but you must at some point in time answer for your actions to the public of Saskatchewan.

And would you explain to the people of Saskatchewan where you have demonstrated after the

fact, after you've tabled your legislation, where you've gone out and visited with the people about what reaction that they had, and especially the business community. Have you done any of that at all?

Hon. Mr. Shillington: — Oh, yes. There have been quite a few meetings with both business community and trade unionists once this legislation was introduced. There have been at least a half a dozen of each.

Mr. Martens: — Well half a dozen meetings with as much concern as has been expressed, do you think that's adequate to do the job? And with how many people was that? A half a dozen here and a half a dozen there, or was it the serious people in the business community that you met with to deal with the concerns that they had?

Hon. Mr. Shillington: — I believe the consultation has been as extensive on this as we have ever had on any piece of legislation brought before this session.

Mr. Martens: — Well I can agree with you on some of that. At least the Bill that deals with SGI (Saskatchewan Government Insurance); there probably was so little consultation on that one that even those people who believe in it don't understand it.

The Bill . . . the second point made in this editorial says the Bill gives unions broader powers in certification. Would you explain that to us in this Assembly and to the people of Saskatchewan, what broader powers in certification that the trade union gives to the trade union movement?

Hon. Mr. Shillington: — The basic rules with respect to certification and decertification are not affected at all by this legislation. All that is in the legislation is the provisions with respect to automatic certification and decertification which is, as has been repeatedly noted with the House amendment . . . will require a vote in each case.

Mr. Martens: — So one of the amendments to the amendments says that there is no added powers in certification, is that correct?

Hon. Mr. Shillington: — No, I don't think I'd say that.

Mr. Martens: — Then you probably meant that the . . . that if there is any interference on the part of any employer or management in relation to a certification vote, then it's an automatic certification. Is that correct?

Hon. Mr. Shillington: — No, it's not correct.

Mr. Martens: — Okay, then explain to me what is correct.

Hon. Mr. Shillington: — A secret vote is required once the board finds that there has been an interference such that it has prevented the will of the employees, the free expression of the will of the

employees, to join a union. If the unfair labour practice is such as to thwart the free expression of that will, then the board has the right to certify the union subject to a secret ballot being taken.

Mr. Martens: — With what kind of a percentage in vote?

Hon. Mr. Shillington: — Same as any other vote.

Mr. Martens: — Which is what?

Hon. Mr. Shillington: — Since time immemorial, it's been 51 per cent.

Mr. Martens: — No, there's times when your party has won with 37 per cent, see. It also points — continuing this article, Mr. Minister — it also points . . . I'm sorry, it also anoints the political-appointed Labour Relations Board with scary powers. Would you explain some of those that are in excess of what was there in the '80s? Would you explain that to us?

Hon. Mr. Shillington: — They are powers of process. Their power to make decisions on the collective agreements really doesn't change. What changes is their ability to enforce their decisions. They have the power to make interim orders. They have the power to make rectification orders, compensation for monetary loss, and amendment and correction orders. Those are powers to enforce their orders, but the jurisdiction to make the orders really doesn't change.

Mr. Martens: — Does it also include their accountability is not challenged . . . to be able to be challenged in a court of law?

Hon. Mr. Shillington: — No, that's unchanged.

Mr. Martens: — Does that mean that they cannot be challenged in a court of law?

Hon. Mr. Shillington: — No, this is a very complicated area of the law. They are certainly reviewable under the . . . by virtue of the prerogative writs. There is no direct appeal but their decisions are reviewable under prerogative writs.

Mr. Martens: — Which means?

Hon. Mr. Shillington: — Well this is a whole law class in law school. It means that the decisions can be reviewed if they violate, if they go beyond, the jurisdiction of the Labour Relations Board or if they violate the principles of natural justice.

Mr. Martens: — On the basis of that, does the board have any more power in this Act than it did before?

Hon. Mr. Shillington: — No.

Mr. Martens: — Well we will wait and see, I guess. Going on, "It will be able to decertify a union engaging in unfair labor practices." Is that correct?

Hon. Mr. Shillington: — Yes, you're doing fine. So far

you're not doing too badly; that's correct.

Mr. Martens: — "However if it even suspects that there has been employer interference, the board will be able to unionize a business." Is that correct?

Hon. Mr. Shillington: — Rules are exactly the same as what I stated earlier for both union and management.

Mr. Martens: — Yes or no?

Hon. Mr. Shillington: — Well the question doesn't admit of a yes or no. The answer is not that simple.

Mr. Martens: — It says here, "However if it even suspects that there has been employer interference, the board will be able to unionize a business." Is that correct?

Hon. Mr. Shillington: — No.

Mr. Martens: — Then at what point does it become able to do that?

Hon. Mr. Shillington: — I explained that a half a dozen answers ago. I invite the member to read *Hansard*. I just finished explaining the answer to that.

Mr. Martens: — Well, Mr. Minister, I've sat here all day today, except for lunch, and haven't heard that . . . (inaudible interjection) . . . Not to me. Well . . . (inaudible interjection) . . . being legal counsel, maybe you should explain that to the people of the province of Saskatchewan exactly what is meant by that then.

Hon. Mr. Shillington: — If the unfair labour practice prevents the free expression of the will of the employees as to whether or not they want to belong to a union, that Labour Relations Board may automatically certify or automatically de-certify the union subject to the taking of a vote.

Mr. Martens: — Okay. Then it goes on, "However it will also be able to change court orders." Is that correct? The board will be able to do that.

Hon. Mr. Shillington: — No, it cannot change a court order.

(2100)

Mr. Martens: — Can you specifically point out the section that says it cannot?

Hon. Mr. Shillington: — Well, no. I mean you'd have to have a section there which said you can. The Labour Relations Board cannot change a court order. The courts you refer to are superior courts. This is an inferior tribunal, to use the language of the lawyers. An inferior tribunal is subject to the decisions of a superior court.

Mr. Martens: — It goes on to say:

Coupled with last month's Bill to change The

Labour Standards Act, the government is at a point of making Saskatchewan appear totally inhospitable to new industry, and in particular, to small business.

Now you have not given us an explanation or a point of view of a logical economic point of view that says that this is going to do: (a) give economic benefit to the people of Saskatchewan in more jobs; (b) give more economic opportunity for people to have better pay; (c) you have not explained where we're going to get new jobs from to make these important changes in all of this, nor have you told us whether there's a negative impact. And you haven't given to us the details of what that kind of information should have been dealt with under due diligence in your department to give us an explanation. Would you provide that for us today?

Hon. Mr. Shillington: — I have done so repeatedly today and I've done so repeatedly over the last three or four weeks since this Bill was first introduced. I invite the members to review my response. I've given it repeatedly. You don't wish to believe it or accept it, that's your choice. Hey, it's a democracy; you make your own decision. But I've answered that question repeatedly and I've answered it repeatedly this evening, actually.

Mr. Martens: — So then I would assume that if I said that there is going to be a decline in employment opportunity, a decline in employees in the labour force in Saskatchewan, a decrease in the economic benefit that is going to accrue to Saskatchewan because of these labour laws, you would agree with that then?

Hon. Mr. Shillington: — That's what you and every Conservative person in the province has been saying. Of course I disagree with it and I believe time will prove us correct.

Mr. Martens: — Well that's not what the people in the *Financial Times* have said about . . . or *The Financial Post* have said about the way you have attacked the issue. *The Financial Post*, April 27, 1994, the title: "Ruthlessness' root of new laws." Now what kind of an image does this portray to the people of Canada to make investment here? It has to after all, at some point in time, come down to this, Mr. Minister, that someone is going to want to have a return on his investment to invest in Saskatchewan.

On the news today, as I understand it, Flexi-Coil decided to go along with the coalition. They said it is going to be tough in Saskatchewan doing business. How many more people does it take coming onto this side before you begin to recognize that you're going to lose opportunities for people in the province of Saskatchewan?

There are business communities that can move to other places, Mr. Minister, but there are businesses who are tied not only to the ground in capital construction, but have assets in the hundreds of millions of dollars in this province who cannot move.

What are those people going to do if the kind of climate you create, and the kind of decline of opportunity that you have in the province of Saskatchewan . . . because of this kind of an attitude that is established not by me but by you.

In talking to the people in Toronto, in talking to the people in B.C. (British Columbia), in talking to the people in investment communities throughout the world; what kind of confidence are they going to have in you providing an economic climate so that growth can occur in Saskatchewan? Give us some of those reasons.

Hon. Mr. Shillington: — I have done so repeatedly over the last few days. I believe that once they see this legislation in operation many of their fears will dissipate. I recognize there are some fears. And members opposite have done their level best to aggravate and exaggerate those fears because you think it is in your political interest; maybe in your short-run political interest, but I think in the long run when all this is done, you're going to be done.

Mr. Martens: — Mr. Chairman, and Mr. Minister, it says here, and I quote:

Saskatchewan Labour minister, Ned Shillington, says the recently introduced ground-breaking labour laws are needed to rid the workplace of conflicts created mainly by the greedy ruthlessness of business.

Mr. Minister, that is completely derogatory to the people who have built the economy in this province of Saskatchewan. It is absolutely disgusting.

Now you can talk about having a hype and say I want to create business, selling and marketing the opportunities in this province, and I have always done that all my life. I still do that because I believe this is a good place to live. And then I have to go against the grain when you go around talking about the greedy businessmen in this province, the ruthlessness of business. I think that's disgusting and people in this province believe that's disgusting.

When you have people who are well-respected businessmen in Saskatoon, in the North Saskatoon Business Association, the chamber of commerce, restaurateurs, all these people saying we're going to have a great deal of difficulty, Mr. Minister, dealing with the kinds of changes that you want to have here. And you call them ruthless.

If I went to all the McDonalds' managers and owners in this province and told them that they were ruthless and greedy when they put together some of the biggest economic . . . no, the biggest health care assistance plan to build homes in Saskatoon and Regina out of Big Macs that they donated to the province of Saskatchewan so cancer patients could have a place to stay when they went to those cancer clinics to have chemotherapy and all of the treatments related to that. You think they're ruthless and greedy? They did that. They did that all over Saskatchewan. They put that

together and you call them ruthless and greedy.

And they're the ones that have a concern. They'd like to come to you and talk to you about the kinds of things that you have mentioned in this kind of a paper. If they were to sell their market opportunity would anyone want to come and buy it?

Those are questions that you need to answer to that community because they're your constituents. They are your constituents because you're the Minister of Labour and you should have at least the courage to go and visit with them. And would you do that before you pass this legislation? Would you do that for them?

Hon. Mr. Shillington: — I've also answered that repeatedly. We believe this legislation should be passed in its present form and should be passed before the end of the session.

Mr. Martens: — So the answer, I guess, is no.

Business groups say the laws will have serious consequences for the province's economy and set precedents nationwide for tipping the scales in the favour of unions. You said it's to bring some balance. Well, Mr. Minister, this isn't balance; this whole thing is going to topple over. It's like an elevator that's being pulled down, and if you've ever seen it, once it gets over centre it just keeps on going. And that's what you've done with setting these labour Bills before the House here today . . . or this session.

And that's what the business community is saying. They're saying to you that we can't take this, we don't want to take it. We want to provide employment, we want to provide a legitimate employment. We want to provide it in a way that has consensus built between the employer and the employee. That's what they're saying.

And I go, I meet with these because I get services provided to my family business and to the community that I live in. I meet with these people all the time, and this is what they tell me, and that, Mr. Minister, seems to contradict all of the things that you have said about the conditions that exist with the people that you've met with.

You say to us that the business community is going to have to deal with this regardless of what they think; they're going to have to deal with it. Well, Mr. Minister, have you ever thought of the economic impact that would happen if Flexi-Coil moves out of the province? Mr. Minister, if Intercontinental Packers decides not to continue its discussion in the packing plant in Moose Jaw, have you ever considered the impact that that has in the province of Saskatchewan — the lost jobs it has in the province of Saskatchewan? Those are all things that must be considered when relating to the kind of business environment that you create when you put these labour laws in. And that, Mr. Minister, is the reason why we ask you to present these options to the public of Saskatchewan so they can discuss them throughout the summer, and then tell you what they really want to have. Would you do

that?

Hon. Mr. Shillington: — The members opposite continue with the same kind of rhetoric, and I guess I continue with the same sort of responses. There is absolutely no evidence to suggest that this legislation is going to have a deleterious effect on the economy in Saskatchewan. I've said that repeatedly, and I continue to say that. I believe that once this legislation is in effect, given a reasonable period, it will become just as controversial as have the other labour reforms, and I bet you can't name the four labour Bills that we've reformed because there isn't enough controversy about them for anyone to remember them. I suspect these will join those Bills which will have a positive effect on workers' lives, but which won't be remembered by members opposite.

Mr. Martens: — I wonder, Mr. Minister, why there is in the paper, I believe it's in the *Star-Phoenix*, why there is reference made to one endorsement from Sears of Canada. Would you be able to tell me why Sears of Canada would be in favour of this?

Hon. Mr. Shillington: — I suspect it has something to do with the fact that Sears operates across Canada, is generally thought of as being a good employer, has the opportunity to compare this jurisdiction with other jurisdictions, and finds our approach sensible and reasonable.

Mr. Martens: — Would there be something to do with tax breaks for Sears of Canada — that's the reason why they said it?

Hon. Mr. Shillington: — The member is really defaming a good corporate citizen in this country. I really want the member to think about what you're saying. Yes, just think about what you're saying for a moment. And you might ask whether or not you want to repeat those comments outside the House. They really are libellous if they weren't said in here. I really think the member opposite ought to give some thought to what you're saying.

Mr. Martens: — Well, Mr. Minister, let's get down to serious business here about who you're turning off and who you're turning on. There are a whole lot of businesses in the province of Saskatchewan that are absolutely turned off by the very fact that you're involved in this discussion. There are people across Canada . . . or across Saskatchewan that believe that you are doing something wrong. You're going to devastate their businesses. And you have absolutely no wish to go out and talk with them.

Why don't you go out to the chamber of commerce meetings in Prince Albert? Why don't you go out to the business coalition in Davidson? Why don't you go out there and meet those people? Because you, sir, haven't got the courage to do it. You haven't got the courage to go out there . . . (inaudible interjection) . . . that's all before the fact. For the member from Elphinstone, that's all before the fact. Put the labour legislation on hold and travel around this province this summer and you will

see, Mr. Minister, you will see that the people of the province of Saskatchewan don't like it.

And again I ask you: will you do that for the people of Saskatchewan? Do that for the constituency that you represent. Do that for the people of Saskatchewan. That's the kind of thing that you need to have and put some sand in your back and go out and visit with them. That's what you need to do.

Hon. Mr. Shillington: — I have a question for the member from Moosomin. You said from your seat of Roger Phillips, the president and CEO (chief executive officer) of IPSCO, you paid him money. How much did you pay him? I wonder if the member from Moosomin would like to expand on those comments from your feet?

Mr. Martens: — Will you provide to this Assembly the areas in the Sears deal for the people of Saskatchewan to see all of the impact that they have had and that you have had and the special concessions that you gave to Sears of Canada to come to Saskatchewan so that they could move all of the people out of the rural Saskatchewan and put them in Regina? Will you give us an idea of what you did in those deals in order to provide a backdrop for a guy like that to say these kinds of things in the paper?

Hon. Mr. Shillington: — I wonder if the member from Moosomin has the courage to repeat his comments from his feet or is he going to hide in a craven fashion in his seat.

Mr. Martens: — Mr. Minister, when are you going to answer, when are you going to answer to the statements that you have made. Mr. Minister, when are you going to respond to the demands of the people of Saskatchewan that ask you to come out and talk to them about the kinds of things that you are doing to their business. That's what I'm asking you to do — go out and legitimize the actions that you're taking. You haven't done that yet. You haven't done that at all.

Mr. Minister, if the kinds of things that you said in Swift Current are any indication of what went on in Saskatchewan, then you, sir, have a lot to answer for because they were not impressed — if that's the kind of meetings you held. Why don't you take under a new-found energy, and a new-found desire to have the people of Saskatchewan become involved in this legislation? Why don't you take it out there? Why don't you give them an opportunity to say exactly what they think of what you're doing?

(2115)

Hon. Mr. Shillington: — We intend to pass the legislation at the present session.

Mr. Martens: — Well maybe we can sit here until July and then we will see who has the determination. Is the business community going to have to boycott you? Are they going to have to do that, and then translate that into votes in the next election?

Is that what they're going to have to do? Because you know the sign that stands on Bay Street in Toronto. It's got a picture of Mr. Bob Rae on it and says, "How do you like socialism so far?" It's a stunning question. That, Mr. Minister, is a sign of labour legislation that is as serious as this, and this is even more serious. And that, Mr. Minister, is why we ask you to go out to the people of Saskatchewan to represent yourself, and to the people of Saskatchewan and allow them the opportunity to tell you what they think of this legislation. Why don't you do that?

Hon. Mr. Shillington: — I've answered the question repeatedly.

Mr. Trew: — Thank you, Mr. Speaker, Mr. Chairman. I've listened with some interest now for what seems like for ever to members of the official opposition and to the Leader of the Third Party earlier tonight. It was my hope that at some point the opposition might come to some point of substance and might have some justifiable reason for their filibuster. I thought that after endless hours of a filibuster — even as inept and incompetent as they are — they could stumble upon some, one point that makes a difference. I thought one point of substance on this, The Trade Union Act, would have been quite in order.

Mr. Chair, I've sat long enough. There are some things that I wish to share on behalf of my constituents. I've made some considerable notes and there's a number of things that I want to deal with on this Trade Union Act. But you know, Mr. Speaker, I listened to the Leader of the Third Party earlier, as she described having spent a wild weekend in Ottawa with the eastern corporate leaders and the Liberal premiers — the remaining Liberal premiers in Canada. And I was wondering whether that born-again Liberal, Ted Yarnnton, was also there. I suspect he was.

And I wonder if the Leader of the Third Party took Ted Yarnnton's advice on The Trade Union Act. Clearly she has bought — hook, line, and sinker — the eastern corporate leadership view: that view that Saskatchewan should be turned into a third-world province, that this is a province where we have to beggar ourselves for jobs, that this is a province where we cannot have minimum labour standards, much less what we're talking about tonight — that is a trade union Act that fairly represents working people and businesses across this province. That's what this is about.

Some Hon. Members: Hear, hear!

Mr. Trew: — I heard the member for Saskatoon Greystone, the Leader of the Liberal Party, say that what we were doing was fulfilling a political agenda. Well you're darned right, Mr. Chair. We're fulfilling a political agenda, and it should come as no secret, even to the member for Saskatoon Greystone, the Liberal leader, it should come as no secret at all that we New Democrats would be making amendments to The Trade Union Act, especially in light of the fact that the last amendments to this Act were made in 1983.

The member for Estevan was then premier. Those amendments to The Trade Union Act made it lopsided, took away what efforts . . . it took away much of the fairness for workers in this province. It mounted all of the load, if I may describe it that way, with the corporate entities, ignoring working women, working men, the working people of our great province. That's what that legislation did.

I have sat as a member since 1986. I campaigned in that 1986 election. For 18 months I campaigned before I was elected, talking about The Trade Union Act, talking about labour standards legislation, talking about things that affect the working women and men in Regina North — at that time; now Regina Albert North — because I campaigned in 1991 on many of the same things, talking about fairness for Saskatchewan working people, fairness for all my constituents.

Mr. Chair, in my constituency office . . . I say this simply, I guess, to try and point out to the members opposite who are fond of trotting out letters that say we should do nothing with respect to The Trade Union Act; we should do nothing but consult. And the members all know, the Leader of the Liberal Party and the members of the official opposition know full well that for us to at this point go out and consult widely in the manner they're talking about is a recipe to do nothing — an absolute recipe to do nothing and the Leader of the Liberal Party should know that.

I'm wondering if the Leader of the Liberal Party can tell us what consultation Prime Minister Chrétien did before he cancelled the Pearson Toronto international airport deal. I wonder how much broad consultation Prime Minister Chrétien did. Or I wonder how much broad consultation the Prime Minister did before he shut down many of the armed forces bases across Canada. I wonder how much consultation the Prime Minister, the Liberal Prime Minister of Canada, did before he cancelled the helicopter deal. Wide consultation.

Well I think the Leader of the Liberal Party should be talking to the national Leader of the Liberal Party and perhaps even having a little chat with her own colleagues here in the legislature about consultation. Consultation, Mr. Speaker — the Leader of the Liberal Party is fond of saying that the Minister of Labour has not consulted on The Trade Union Act. Well I think the Leader of the Liberal Party needs a dictionary.

And I say that, Mr. Speaker, because I saw on my television set one night not long ago, the Liberal leader saying, I wasn't consulted about the new Lieutenant Governor. Then I saw an announcer make a short little bridge and I see the same Leader of the Liberal Party say, well when I talked to the Prime Minister about it, I told him this was not going to be an easy appointment and that there might be some trouble with it.

Mr. Chair, this consultation . . . I mean how can you satisfy the Leader of the Liberal Party in her cry, her plea for consultation, when she clearly demonstrates

she doesn't have a sniff what consultation means. And consultation is not even an eight-syllable word. I invite the Leader of the Liberal Party to come to my office, borrow a dictionary, and she might then learn what consultation is.

That's what the Labour minister and his staff have gone out far and wide . . . I've had the pleasure of being at a few of those consultation meetings, although I confess it's been precious few in comparison to the broad number that the Minister of Labour has been at, and I see the Associate Minister of Finance saying I've been at a half a dozen, and now my colleagues are all chipping in that they have been consulted and acted in this consultation process.

So let's not, Mr. Chair, get confused about a lack of consultation. What we are seeing is simply and clearly a call from the official opposition, and from the Liberal leader — and I assume the other two of the Three Musketeers — what we are seeing is simply a plea, a call, a cry to do nothing, to not pass The Trade Union Act which will enhance fairness for working people throughout Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Trew: — Mr. Chair, I only wish that this Act would do half of the things that I've heard the opposition member say it does. I wish it would do a quarter of the things I've heard the Leader of the Liberal Party purport The Trade Union Act is going to do.

If it did half or a quarter what they claim it would do, would I be pleased. And I say would I be pleased because it's no secret to opposition members of either party and I don't think it's any big secret to the general public who may be following this matter and matters in the legislature, I support working women, I support working men, and I think it's very important that our young people have job opportunities. Those are some of the major reasons I chose to seek public office in the first place.

Mr. Chair, the Leader of the Liberal Party said that labour laws, when we pass them in Saskatchewan, stay right here in Saskatchewan. And you know she's absolutely right on that count. I was astounded. There was something I could actually agree with. Labour laws stay right here.

What she was trying to get across was that we should somehow lower the threshold of what our labour laws will do, lower the protection that labour laws will provide for the sons and daughters of opposition members, and of government members, of our neighbours, our friends; the very people that all 66 MLAs (Members of the Legislative Assembly) are charged to represent. They would have us lower the protection that's provided under the Trade Union Act, and I'm going to mix in, throw in The Labour Standards Act but only in passing. That's what they want.

Well when the Leader of the Liberal Party says that Saskatchewan legislation stays right here, labour

legislation deals right here, she's right. But I want to tell the Leader of the Liberal Party a little tidbit I picked up from a SaskTel employee less than a week ago.

In France there is a telephone company that installed two major switchboards and they couldn't get them to work. And you know who they called upon to make that switching equipment work? SaskTel employees. Some of the highest trained, best dedicated employees from right here in Saskatchewan, who operate under Saskatchewan labour laws, who had to go to France to make part — a significant part — of their telephone system to work.

France wasn't looking for who will do this work for \$4 an hour or who will do this work for \$3.75 an hour or who will do this work for 16 hours a day or who doesn't want weekends off. What the telephone company in France needed was competence. They needed highly trained people that understood telecommunications equipment.

That's where SaskTel entered. And I can tell you that the SaskTel employee or people who went over . . . SaskTel employees who went over to France to get their switching system up and running weren't paid \$4 an hour. They worked under Saskatchewan labour legislation and they are paid quite well and paid quite well for what they know.

We have a workforce in Saskatchewan that is very highly educated. It is highly motivated. We have got some of the finest working women and men that you could find anywhere in the world. We have people with great educations, ready, willing and able to take on ever greater challenges.

That's a tribute to the working people, the working people of this great province. What we have to do in this instance is to provide a framework, a Trade Union Act that will help to make their working careers and working lives a little bit better.

(2130)

Mr. Chair, I heard the Leader of the Liberal Party talking about our radical new labour laws, and that's a quote — radical new labour laws. Well it's pretty radical all right.

You know one of the things . . . and I'm going to share with my colleagues . . . One of the things that I wish we had been able to address to a little more of my satisfaction was that of anti-scab legislation. Anti-scab legislation is absent from this Trade Union Act. It's absent completely, despite the fact that over 50 per cent of Canadians work in provinces where they have anti-scab legislation. We didn't do that.

And anti-scab is a double-edged sword. It's not all down, that we chose at this time not to proceed further, not to bite off more than we could get passed in the legislature. Where there is anti-scab legislation, there is also a problem, or at least I view it as a problem, that you then have a very significant number of workers that are placed into what is called essential

services, and those workers give up the right to strike. And that is the flip side of anti-scab, in my opinion, Mr. Chair.

But the Leader of the Liberal Party calls this Trade Union Act, quote, “radical new labour laws”, and I’ve just pointed out an area where over 50 per cent of Canadians have got a provision in their Trade Union Act that we didn’t introduce in this one. Reflecting upon what has transpired and the vehement opposition of the official opposition and the Liberal Party, I must say that the Minister of Labour made the right call on this. I’m not at all sure that we could withstand the onslaught that might have come had we introduced anti-scab in this Trade Union Act.

Mr. Chair, what I’m seeing here is the Liberal leader who’s joined the Conservative Party, and joined them hand in hand in fighting, in fighting — I hope not to the death because it would be a shame to see those parties disappear — but fighting vehemently any changes to a trade union Act. Fighting vehemently, opposed to the progressive changes that help make the collective bargaining process work better.

The minister has very ably and capably told us what is in the Act. There is hand-outs that have been sent out, certainly aplenty. Anyone who hasn’t got them can simply contact the minister’s office or any MLA’s office. I know I would be only too pleased to send out what is in this Trade Union Act.

But as I look at the opposition, Mr. Chair, I’m reminded of some of the things that have taken place in Saskatchewan over the years. I’m reminded of 1944 when there was some major changes made. The CCF (Co-operative Commonwealth Federation) formed the first government. My grandmother was part of that; one of the proud moments in our lives. And there was naysayers, the forebears of the members opposite. There was naysayers who said, oh heavens, you’ve elected these CCF, it’s communism, it’s communism, it’ll never be the same.

And you know, Mr. Chair, fortunately things never have been the same in Saskatchewan. Fortunately we had labour legislation introduced; we had minimum wage legislation; The Trade Union Act introduced then. We organized school divisions on a larger basis. I look at the Crown corporations that were set up as a result of that. Things are not the same. Of course it culminated, and everyone knows that it’s the CCF-NDP (Co-operative Commonwealth Federation-New Democratic Party) that brought in medicare. I’m not trying to dwell on that, but those are some of the things, Mr. Chair, where the members opposite were right. Things are not the same and they’re much, much better for all Saskatchewan as a result of it.

In 1971 the Blakeney administration changed The Trade Union Act and The Labour Standards Act, and I remember vividly the then opposition, the Liberal opposition, predicting doom and gloom because here is The Trade Union Act being amended. Here’s going to be these powerful union bosses running the

province. That’s what they said in 1971.

Well, but for the fact that the faces have changed . . . certainly the face of the Liberal leader has changed, but so too have the faces on this side of the legislature changed. Life goes on. Acts such as The Trade Union Act require amendment from time to time. The last amendment was made 10 years ago. It should come as no surprise to anybody in this province that we have a government committed to introducing fairness to the working people of Saskatchewan.

Mr. Chairman, I’ve heard members opposite talk about the multitude of letters. We’ve heard virtually every letter that has been written to a member read into the record here, and questions resulting from that — all these letters about The Trade Union Act. The member for Maple Creek is telling me there’s lots of them. Well I can tell the member for Maple Creek I’ve gotten many of those same letters that you have. But I want to be absolutely crystal clear. My office, I have received more than 200 — that’s a 2 followed by two extra zeros, for the member from Estevan who I know always has great difficulty with math — more than 200 letters of support for The Trade Union Act amendments.

And those 200-plus letters come from my constituents in Regina Albert North. Full stop. Period. More than 200 letters from my own constituents. That’s the level of support. These are the very people I went out, talked to door to door, before the election. I meet them at every opportunity. And certainly my office is advertised in the phone book; there’s no problem for people to get hold of me and to express their views on this.

But I just want members opposite to understand, those letters don’t come to you. Those letters come to their sitting MLA. Those 200-plus constituents expect me to stand up and speak out on their behalf. They’re asking me to stand up to congratulate the member for Churchill Downs, the Minister of Labour, on thinking this through, on consulting as widely as he has before he introduced the legislation. And they’re telling us very clearly, pass it and pass it this session. And pass this Trade Union Act and pass it this session, we will. Rest assured of that.

I have heard opposition members talking about The Trade Union Act adding costs to employers. Well, Mr. Chair, it only takes a very, very basic understanding of labour laws and labour legislation to know that where there’s a collective agreement, the collective bargaining process deals with cost items such as salaries, such as benefits. In fact if an employer has a union shop, that employer cannot introduce, for example, a pension or a dental plan without negotiating that through the union. That’s the law of the land. That’s the way it is. The collective bargaining process is where the costs potentially can be escalated or decreased.

The Minister of Labour used example of Chrysler and one of their plants where they negotiated some decrease in benefits when Chrysler was experiencing

what can only be described as severe and massive fiscal problems. Chrysler has apparently come through that very, very well. They build the most successful minivan in the world. They have a relatively new line of vehicles. They're now building first-rate vehicles. But I realize, Mr. Chair, I may be accused of digressing if I go on and talk too much about Chrysler.

But I want the opposition to understand very clearly as they filibuster that the collective bargaining process deals with cost items. The Trade Union Act does not. I want the member for Maple Creek to understand that The Labour Standards Act may deal with some cost items. This Trade Union Act does not. To claim in some manner that The Trade Union Act, the passage or the non-passage, is going to put a solitary business in Saskatchewan out of business is absolute bunk. It is hogwash. I just cannot believe, as positive as I am about the limited intelligence of some members opposite, I cannot believe how often you prove just your depth of understanding about a trade union Act.

It may seem a tad personal, but you're darn right it's personal. I represent 13,000 men, women, and children in Regina Albert North. You're attacking legislation that's going to help them — those 13,000 of my constituents — to enjoy some fairness and some equity. You're attacking a Bill that doesn't affect one job, won't put one business out of business.

Businesses may choose not to come to Saskatchewan. To that extent, you're talking fair; that's fair enough comment. Businesses choose to go and establish wherever they want every day of the year. Some of them we get to Saskatchewan, and we welcome those. But we don't have all of the businesses in the world, and we never will have all of the businesses in the world.

The businesses that establish in Saskatchewan do so for a reason. There's a genuine opportunity for them to make a profit, to get established, and I'd like to say that the quality of life in Saskatchewan adds something for them as well. Those are the things that bring companies.

Labour peace will bring companies as well. This legislation — this Trade Union Act — goes a great deal, a great distance to labour peace. What we've got here is strengths in the administration and the enforcement, that the Labour Relations Board has got some additional ability to make their rulings stick. We've got a chair that's now going to be appointed for a five-year term, and a couple of other members for a three-year term — that in a genuine attempt to minimize the political interference with the office of the Labour Relations Board.

We have, in this legislation, a mechanism for workers and employers to work out their problems, and we've got some help available through the Labour Relations Board as an advice-giving . . . and working through disagreements.

We've updated rules on strikes and lockouts in this

legislation, updated them. The last time the legislation was touched was 10 years ago, okay, simply update that.

Collective bargaining is strengthened. And yes we've changed the definition of scope; integral to management, which was put in in 1984, has been removed. So the question of who is in-scope and who is out is strengthened a little bit.

(2145)

I have already spoken, Mr. Chair, about the anti-scab portion of the legislation, which is not there. There's clearly other areas where this legislation could have gone further but overall this is a wonderful piece of legislation for which the Minister of Labour should be commended.

You know, Mr. Chair, I looked at the Saskatoon *Star-Phoenix* on Saturday and I see a full-page ad and I'm sure that the member for Morse is wondering why in the world would I pull out this full-page ad. Mr. Chair, this ad is, to put it mildly, somewhat derogatory, and it says:

Only in Saskatchewan will powerful labour unions be guaranteed freedom from future wage concessions or other necessary constraints — i.e. existing, non-competitive union contracts will never expire and can never be terminated unless the union bosses say so.

Well, Mr. Speaker, the people who paid for and put together this ad I think can rightfully expect not to enjoy an absolutely . . . a free run.

I want to deal with the powerful labour unions. Who are trade unionists in Saskatchewan? I expect that there's even some members of the opposition who have at one time or another belonged to a trade union, not necessarily all, but some.

Trade union members, Mr. Chair, are all of our constituents. There is not one constituency in Saskatchewan, of the 66 constituencies, not one that doesn't have trade union members in their constituency. These trade union members are our families, our neighbours, our friends, our relatives; they're people often that we don't know personally.

These trade unionists are people who work side by side with volunteers at the food bank. Trade union members work side by side in all walks of life. You'll find trade union members volunteering to coach minor sports. You'll find trade union members in literally every walk of life. The difference: they happen to belong to a trade union; they happen to have a collective agreement to work under.

With respect to this ad talking about existing non-competitive union contracts will never expire and can never be terminated unless the union bosses say so, of course what this ad is referring to is contracting out. And you know, Mr. Chair, for the life of me I can't see how a business can hold their head

high and promote that what we should do is hire people on starvation wages, pay them less, pay them less to do the same job, and somehow expect that this minimum-wage earner is going to go out and buy one of these new Chrysler minivagons that I was talking about or any other make of vehicle. No, minimum-wage earners will tend to drive more like my 1988 Colt that's parked out in front with a hundred and seventy-some thousand kilometres on it. Yes, I'm still driving that and a good little car it is.

But you know the way to business prosperity . . . I'm reminded of a conversation I had with the member for Turtleford, and the member for Turtleford tells me that nobody can seriously doubt this. There's one town in the constituency of Turtleford, one town with a significant union operation. One town, Big River, and Big River has got the most prosperous business community of any of the towns in the Turtleford constituency.

Why? Because the trade union members receive a fairly regular pay cheque and it's a fairly decent pay cheque, and because of the benefits that they have come to enjoy through their union and the contract negotiations, the workers at that Big River saw mill aren't afraid to spend their money. And spend a very significant portion of it right in the Big River community is exactly what they do, and that's why the business community in Big River benefits from the Big River saw mill and the trade union members there.

And I think when business owners, or anyone else wants to pooh pooh attempts to provide fairness for Saskatchewan working women and men, I think before they try and stop the wheels of change, stop the motion of time, I think they should think a little bit about Big River and the other towns in the Turtleford constituency.

And I think, Mr. Chair, it would be very useful if some of those business owners were to ask themselves, who is it that's going to buy my pizza? Who is it that's going to buy my sporting goods? Who is it that's going to buy my vacation packages? Who is it going to buy my automobiles? Who is it going to buy my fine furniture? Who is it going to purchase my services, whatever they are, be they accounting, or legal, or you name it? Well it's people that have the money by and large that make the big-ticket items, item purchases.

So I am astounded the more time goes on. I'm astounded to see the opposition so vehemently opposed to a Trade Union Act, a Trade Union Act that clearly does not increase cost to employers; does not do that. Other legislation deals with some of those areas.

Mr. Chair, we have the Leader of the Liberal Party saying, me too, me too, me too, I'm with these guys, I don't like this legislation one iota. Me too, me too, you're going to put all the businesses out of business, according to the Liberal leader.

Well it's not a vision that I share; it's a vision that has been long held by the

Liberal Party; long held by the Progressive Conservative and other right-wing parties. It's a view that if you have minimum labour legislation that somehow we'll be open for business and the businesses will come.

Well you know you can't fool Saskatchewan people very much. We in Saskatchewan had nine and a half years of that open for business, that let's not raise the minimum wage, except for the time that the member for Churchill Downs embarrassed the government into a miserly two-bit increase.

But we had a government, a free enterprise government, that removed some of the benefits of The Trade Union Act in 1984. What was the result? We went from a province that had an unemployment rate of less than 5 per cent to a province with an unemployment rate of about 9 per cent in that time. We went from a province that had \$139 million surplus — according to the Conservative first minister of Finance, Bob Andrew, who was elected out of Kindersley — \$139 million surplus, he signed for, turned that, parlayed that into a \$16 billion — not million, billion with a "b" — debt.

So we had a right-wing, free enterprise government that lowered labour legislation thresholds wherever they could, slashed government programs wherever they could, and said, come on in, we're open for business. And you know, it didn't work. The proof of that, you need look no further than your own neighbourhood or your own community. It didn't work. It simply did not work. It was a recipe of sharks feeding on sharks.

Mr. Chair, I want to close by saying how very proud I am of the minister, of the Premier, of the cabinet, of my colleagues for working as diligently . . . for working as diligently as we have in getting this Trade Union Act to the position it's at — to the position where we're about to pass this progressive legislation, this progressive legislation that will make the lives of working women and working men better, that will improve the lives of our relatives, of our neighbours, of our children and, yes, even of the children of the opposition members, as those children migrate to the city and take their jobs.

Some Hon. Members: Hear, hear!

Mr. Trew: — Mr. Chair, The Trade Union Act is going to reduce costs for good employers and it's going to reduce those costs — nobody on the opposite side's ever talked about this — but it's going to reduce those costs by providing clearer rules and methods of resolving conflict. That's what a large measure of this Trade Union Act is about.

Mr. Chair, I am more than a little honoured to have had the opportunity to stand up and say some of the things that I have in my heart about this Trade Union Act. But I certainly ask opposition members . . . I understand where you come from a different perspective. But you had nine and a half years of an open for business, or hoping for business, or praying for business, however you want to describe it. You

had nine and a half years of an emasculated Trade Union Act. Clearly that direction did not work.

This Trade Union Act, along with The Occupational Health and Safety Act that we passed last year, along with The Workers' Compensation Act we passed last year, along with The Labour Standards Act that we're going to be passing this year, those four major pieces of labour legislation, I think, deserve the opportunity to work. They deserve the support of this legislature. And they most assuredly will have my support.

Minister of Labour, I again congratulate you and urge that you keep pushing this legislation for fairness for Saskatchewan's working people.

Some Hon. Members: Hear, hear!

Mr. Lyons: — Thank you, Mr. Chairman. I'd like to not take a great deal of time in the Assembly tonight. I know that the hour's getting late. But there's a few things I want to say regarding this Act.

Now the first thing I'm going to say is, to be as diplomatic as possible, I think that this Act falls a fair bit short of what's needed in this province, and what is wanted in this province, and what has been demonstrably proven by history that becomes a necessity in this province. And I'll be very brief in outlining those things in those areas I think that the Act falls short, that the Act falls short.

(2200)

But I want to say, before I do that, before I enumerate those shortcomings, that once again the province has been demonstrated to the real nature of political organization in Saskatchewan. That labour legislation in this province has once again proved to be the acid tests of where people stand in regards to what constitutes fair treatment for the people who really create wealth in this province, that is the working people of this province. Whether they work in the city or whether they work in the land, the transformation of our natural resources, the productions of goods and services, and the transportation of that rests solely in the hands of those who do the labour in this province.

This government, this government has put forward a package of reforms to labour legislation which says to the workers of this province that it is on your stand that we . . . that is on your side that we stand.

Some Hon. Members: Hear, hear!

Mr. Lyons: — And once again the mouthpieces of capital, those hired political gunslingers of the ruling class in this province, the Liberals and the Tories, have jumped to the defence — have jumped to the defence of those who would stand in the way of fairness for working people, would stand in the way of progress for working people.

Once again we have seen the spectacle of Conservatives and Liberals, as has been their wont since their foundation as political organizations and

political representatives of capital, once again their true colours have been shown and shown widely in this province.

The colours of the Tories and the colours of the Liberals are dollar green because these people — far from agreeing that working people should have rights and should have a democratic say in how the economy is organized — these people have made it clear, have made it clear to everyone in the province that like their political forebears, like their political predecessors, they stand not on the side of the great majority of this province. Not on the side of the people who really create wealth in this province, but of those whose sole interest is in lining their own pockets and those whose sole interest is to try to hold this province to economic blackmail.

Mr. Chairman, time and time again we have heard Liberals and Conservatives stand on their feet and say, listen to what capital is saying. If you do this, they will leave the province. If you do that, they're going to shut down their business. If you do this, they are going to pack up and go somewhere else. I say, Mr. Chairman, I say to them we will not succumb to economic blackmail. Neither the CCF in 1944, nor did Woodrow Lloyd, nor did Allan Blakeney, and neither will this government succumb to the kind of economic blackmail that the Liberals and the Tories have peddled from time immemorial.

You know, Mr. Speaker, from the point of view of history one has to only go back into the 1800s to listen to the speeches of the Tories and the Liberals. In the 1800s, with the passage of the Corn Laws, what did we hear? Business is going to fold. Trade will be done away with. The country will come to ruin. When child labour legislation was passed, outlawing the employment of children in the mines to act as dray animals, what did we hear? We heard the Liberals and Conservatives say the same thing. The country is going to ruin. The economy will fold. Good businessmen will pick up and go somewhere else.

What did we hear in 1944? What did we hear in 1948? What did we hear in 1960 . . . during the early 1960s? What did we hear in 1971? The same old Liberal and Tory story, that somehow, somehow labour legislation, somehow laws protecting the right of workers to organize collectively, that somehow that is going to bring the economy to a halt, that somehow what is going to happen here is that the world and the sky will fall because working people have got some legal protection.

So, Mr. Speaker, Mr. Chairman, it is nothing new. It's nothing new and it's to be expected. And it's nothing new to hear the ideological rantings of some of the business community in this province who, after all, have an ideological bent. I don't think that Sonia Prescesky, for example, is totally political neutral. I don't think that Les Dubé doesn't have political leanings. I don't think that other business people in this province are somehow devoid of the political culture which surrounds them.

In fact, Mr. Speaker, the last 10 years in this province has proved precisely how political people are in Saskatchewan. And it's okay, Mr. Speaker. There's nothing wrong for business people to have ideological and political leanings, just as there's nothing wrong for working people or for farming people to have ideological and political leanings. That's the nature of society. In fact not only is it the nature of society in the abstract; it's the nature of society in reality, because the structure of society, the very structure of society produces those ideological and political responses.

If you are a business person and you employ employees, and the profits of your business depends upon you keeping as much surplus value as you possibly can, as opposed to paying it out in wages, obviously your world viewpoint will be to do those things and say those things and support those laws and support that political thrust which will maintain your profit levels. Isn't that what we've been hearing in this legislature since the introduction of labour legislation?

Let's talk about what the Liberals and the Conservatives have said. Business must remain competitive. Business must remain competitive. That's the slogan these days. That's the slogan these days — that they must remain competitive. But what do they mean by that statement?

What is the content of the statement, business must remain competitive. Very simply, very simple, Mr. Speaker, it's this. Is that there must be an acceptable rate of profit; that's what they mean. That's what all the economic gibberish, all the right-wing philosophies . . . and all those who stand over there on the side of capital, they use those kind of phrases like global competitiveness. Right? Business must remain competitive.

Well I don't know. If I was running a Pizza Hut in this province, if I was running a Pizza Hut in this province, I want to know who I'm going to be globally competitive with. Do I have to be globally competitive with, for example, Heavenly Pizza in Minot, North Dakota? Is that who I have to be globally competitive with? Perhaps I have to be more competitive with a pizzeria in Hong Kong. Is that a question of global competition? Do I have to worry about that, Mr. Speaker?

I don't think so; I don't think so. What we have seen over here, what we've seen over here in this debate are slogans — sloganeering, no analysis, no content but nothing more than sloganeering put forward by those right-wing parties — we have to be globally competitive.

I'm going to tell you, Mr. Speaker, I don't think that any pizzeria in Saskatchewan has to be globally competitive with any pizzeria outside the borders of this province. And I don't think that anybody can prove to anybody with any kind of reasonable common sense, with any kind of common sense that it has to exist in that fashion.

Now let's talk about, Mr. Speaker, global competitiveness if you run an automobile repair shop. Let's take an automobile repair shop in Luseland. Right? Now we have to be globally competitive with the automobile repair shop in Luseland. Now if I lived . . . maybe if I lived in Santiago, Chile, maybe I'm going to drive my car up to Luseland because I know I can get an economically and globally competitive price for the labour there as opposed to Santiago, Chile. Or maybe we don't have to go that far afield. How about Guadalajara, Mexico. Maybe I'll drive up to Luseland because I'll be globally competitive, right, globally competitive with those people in Guadalajara. What do you think, Mr. Member from Estevan? Is that how global competitiveness works? Is that what we're talking about, global competitiveness in the service industry?

Of course not. Of course not. Even the member from Estevan, even the member from Estevan, befogged as he is, wrapped in that ideological blanket of global competitiveness, even he dimly perceives the fact that maybe pizzerias and automobile repair shops in Saskatchewan aren't really worried about global competitiveness. That's not what they're worried about.

What they're worried about, Mr. Speaker, is pretty clear. It's pretty clear from the statements that those political members of the business community, the Liberal and Tory organizers like Dale Botting, those type of people, it's pretty clear that what they're more interested in is not the content of the labour legislation, not the content, not what it says, and not what the implications are, but it's pretty clear that what they're interests are is to make a political statement, to organize around their ideology and their political organization to try to set the stage, to defeat this government come the next election.

I think that that's exactly what this is about, Mr. Speaker. That's what the filibuster by the right-wing parties on that side of the House is all about. This is nothing more than a political operation.

This so-called rally that's coming up, as an example. Well it seems to me, it seems to me, Mr. Speaker, watching from the inside of the government, at least from the inside of the caucus and watching what's going on, that there has been more, there has been more than ample access to this government by the Dale Bottings of the world. Let me tell you, in my mind, in my mind there has been too much access given to people who have a political agenda, who use their situations, who use their situation, non-elected, non-elected, their paid lobbyist situations as nothing more than to operate on a political agenda, right. And I defy, Mr. Speaker, anybody in this province to dispute the fact that people who operate as paid political lobbyists are not operating on some kind of political agenda. I think that anyone who believes opposite of that is either being terribly naïve, or being meaningfully obtuse, or both.

So what we've seen in this debate is not really debate about the content of the Bill. We haven't seen

anything of that other than a political operation being organized by — out in some of the rural areas — by the Tories, and in the cities by the member from Greystone and her political operators in the business community.

And I think it's pretty clear to anybody that's lived in this province for more than 30 minutes that that's what's going on. So let's not get into all kinds of silly remarks as we've heard from the opposition. You may as well stand up and say it. Stand up and say what you mean. Stand up and say we oppose this labour legislation because our business friends aren't going to make as much money as they should have. That's what you are saying in code, in slogans, in economic rhetoric, in all kinds of gibberish. That's basically what you're saying.

But it's very, very interesting, Mr. Speaker, it's very, very interesting that what they're not saying is: hey, as political representatives shouldn't we stand up for working people. Have you heard one member of those right-wingers over there — and it doesn't matter which coating they have, whether it's a grey coat, or a blue coat, or a green coat, or red coat, it doesn't matter, they're the same kind of cats — have you heard one of these cats express one iota, one iota, of a need for sympathy, and compassion, or understanding of the need for progressive labour legislation in this province?

Has anybody in this debate heard any one of those right-wingers stand up and say one thing in support of people who belong to trade unions or part-time workers. Have you heard anything, members of this Assembly? Have you heard one thing? I'm asking you the question. I haven't heard one iota, not a thing. Now from the point of view of the Conservatives, because they've made their super right turn to try to become the Reform Party of Saskatchewan, hoping that somehow they'll take up a little space up there on the right, well I can see that obviously they're not going to do that because their political base won't allow them to express one bit of sympathy for working people, because that's not who they're aiming their politics at.

(2215)

But I'm amazed — I want to say, I'm amazed — that somebody like the member from Regina North West, a member who represents thousands of trade unionists, thousands of people who don't belong to a trade union but who work for wages, stand up and say nothing; nothing in their defence. Stand up and say not one word on their rights, their democratic rights to organize. Right? This is extremely hard to believe, Mr. Speaker, this is very hard to believe. Right? This has got nothing, nothing, to do with the political reality that she represents — instead their longer-term political objective, which is to organize a significant section of the so-called business community around their political party.

That's where their opposition to trade union legislation and to labour standards legislation . . .

Right? It comes down to the buck. It comes down to the buck, it comes down to if they don't stand up in opposition to The Labour Standards Act and The Trade Union Act, their friends in the business community, their political . . . their masters in the business community, won't supply them with the necessary funds come next election time. They will not fill their coffers come election time.

They have to prove, and the member from Greystone . . . because the member from Greystone does not have a great deal of trust out there in the business community. They think that she's a bit of a flake, right? And I predict in fact that at some point very near on in the future that there will be a move, in fact, to dump her, should they think that the Liberal Party will be coming closer to gaining the government of this province. This is a bit of personal speculation but we'll do it, just throw it out there for maybe those out there in TV land to agree with.

Let's find somebody like Mr. Botting who will be moving in to fill that vacancy on the Liberal side. Why, because they don't show her. So what do we see here? We see the spectacle of the member from Greystone, the Leader of the Liberal Party, standing up, mouthing every outworn cliché, every reactionary bit of business propaganda, right? Trying to embrace it, wrapping herself in the flag, in the good old capitalist flag, to prove, to prove that she can be a trustworthy representative — their trustworthy representative, should in fact they by some miracle form a future government in this province.

Right? Some people have asked me, why has the member from Greystone been so politically stupid and so politically one-sided as to come out four-square opposed to both labour standards and to The Trade Union Act?

The Chair: — Order. I've listened with interest to the member and I want to remind the member that the language we use in this Chamber should be temperate and worthy of the place and worthy of the discussion. And we should not descend into name calling or use adjectives which denigrate other members.

Mr. Lyons: — Thank you, Mr. Chairman. For stupid, let's say I'll substitute the word ill-advised.

The Chair: — Order, order. The member repeats a word which I don't think is appropriate, and the member is compounding the problem that he creates in his use of language. Without any further artfulness, I encourage the member to continue and not to repeat his mistakes.

Mr. Lyons: — Why has the member from Greystone been so politically ill-advised? People ask me that, because it's not really a smart thing to do, right? It's not really a smart thing to do when you're trying to set yourself up as the middle road, to hop over on one side. Right? But I think it's very clear, I think it's particularly clear to people why she's doing that because they don't trust her. They think, they know, that she's a little bit of a political flake, and they're not

prepared to give their wholehearted support to that kind of operation until they see her go through the test of fire, so to speak.

But, Mr. Speaker, I don't think that's going to work either, because I think that in this whole debate that's unfolding in this province the true colours of the political parties are coming out. And we've seen, and the people of this province have once again seen, who stands where, who stands where when it comes to protecting civil liberties and democratic rights, because that's after all, Mr. Speaker, that's what this is about. It's about democratic rights.

The Trade Union Act ensures the democratic right to organize, for workers who have the right — not a privilege, not a whim, not something that comes and goes with the government, but something which is guaranteed in the charter of the United Nations, which is recognized by international organizations like the International Labour Organization, a fundamental human right — and that is to organize. Even the American constitution recognizes that, and the right of assembly. And the Wagner Act, for those of you who know a little history will know that the Wagner Act recognized that. In fact one of the major arguments used in the formation of the Wagner Act was in fact the right guaranteed by the Constitution of the United States — the right to assemble.

So what we've seen, Mr. Speaker, what we've seen is that both the Liberals and the Tories have stood against, have stood against the deepening and strengthening of democratic rights in this province. It's not just an economic question; ultimately it boils down to a question of the rights of individuals to exercise some say in their society.

And for most individuals who spend eight hours of their lives every day at a workplace, one-third of their life at a workplace, it does not seem to me too much to expect that a society which counts upon itself as civilized will guarantee to its citizens a right to exercise some kind of democracy and some kind of democratic say over those eight hours that they give to their employer.

So, Mr. Speaker, fundamentally we've seen, as I said earlier, the Liberals and the Conservatives stand to the deepening and strengthening of those democratic rights.

Mr. Speaker, I've got about seven minutes left, so I want to switch my focus, make a few comments about what I think is the inadequacy of the Act themselves.

The member from Albert North has already mentioned that it doesn't contain what's known as anti-scab provisions. Seventy-five per cent of workers in Canada are covered by provisions which outlaw the use of replacement workers in a strike or lockout — 75 per cent.

Now it seems to me, Mr. Speaker, when the members from the opposition and their hyperbole and their exaggeration talk about this labour legislation being

on the cutting edge, that they'd better take a look at this. If you want us to pull back from the cutting edge, perhaps you will support joining the other 75 per cent of the population, and support the introduction of anti-scab legislation in Saskatchewan, as is presently in place in Alberta — or pardon me, British Columbia — Ontario, Quebec. Legislation which by the way has already passed the Senate, and the House of Representatives in the United States, and will soon become a law, a federal law, in the United States of America.

Perhaps the members on the other side would urge the Minister of Labour to join that majority, to become globally competitive, or at least continentally competitive with the 14 states of the United States which presently have anti-scab legislation. Perhaps that's the kind of competitiveness that we can both agree on.

Mr. Speaker, I think there's a couple of other areas where this legislation is deficient. One, it doesn't deal with sectoral bargaining. And one of the things that's going to happen as the new economy becomes more service oriented is the need for — particularly because of technology in home-based industry . . . there is going to be some kind of mechanism will have to be put in place to ensure that workers who work in those home-based industries will have some kind of mechanism by which they can bargain their position; by which they can bargain their wages, and salaries, and working conditions. Otherwise we end up in a cottage industry situation which was going to be nothing more than industrial chaos; nothing more than industrial chaos.

Mr. Speaker, the Bill I think falls short in the area of first contract legislation. The amendments that have been introduced in the House which would limit first contract legislation to two years, I believe undermines the very concept that that first contract legislation was intended to do — that is to force employers, but more particularly to force their agents, to force those who go to work and bargain on behalf of employers, to bargain collectively, to ensure that a collective agreement is reached, and not to try to go around the collective bargaining process, not to try to use the collective bargaining process as a stalling tactic, which presently occurs.

The third area, Mr. Speaker, that I think that the Bill is defective, is in the area of automatic certification. The trade union movement in this process, as it has throughout the country, said: where employers interfere with the right to bargain, where they interfere with the civil liberties of workers — where employers interfere with the civil liberties of workers — they shall suffer the penalty of automatic certification. Because the onus is on employers to know what the law is. And if they knowingly and willingly try to interfere with the rights of workers to organize, then the Labour Relations Board of this province should have the power to in fact grant an automatic certification.

And, Mr. Speaker, I've raised this matter with the Minister of Labour in private. He knows my views, I

know his views on this. I'm raising it before the House not to embarrass the Minister of Labour, but to point out to the people of Saskatchewan that what is before this House is by no means a radical labour document. It is a piece of mildly reformist legislation which deals with some of the problems faced by working people in this province. And that those who get themselves in a big dither, those who've been jumping up and down, shouting and yelling about how this will bring the end of civilization in Saskatchewan as we know it, are engaged not in a debate around the content of the Bill but are engaged solely in a political exercise designed to discredit the government, and to strengthen one of the other right-wing parties.

So, Mr. Speaker, at that point in time I'll wait for a response from the Minister of Labour.

Some Hon. Members: Hear, hear!

The committee reported progress.

The Assembly adjourned at 10:29 p.m.