

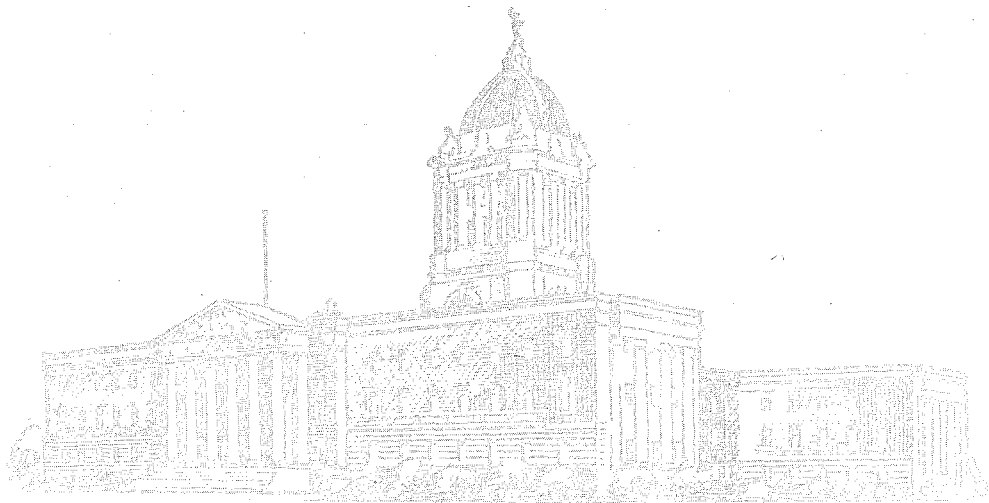


Legislative Assembly Of Manitoba

DEBATES and PROCEEDINGS

Speaker

The Honourable A. W. Harrison



Vol. VII No. 63 2:30 p.m. Thursday, April 12, 1962.

5th Session, 26th Legislature

ELECTORAL DIVISION	NAME	ADDRESS
ARTHUR	J. D. Watt	Reston, Man.
ASSINIBOIA	Geo. Wm. Johnson	212 Oakdean Blvd., St. James, Wpg.12
BIRTLE-RUSSELL	Robert Gordon Smellie	Russell, Man.
BRANDON	R. O. Lissaman	832. Eleventh St., Brandon, Man.
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BURROWS	J. M. Hawryluk	84 Furby St., Winnipeg 1
CARILLON	Edmond Prefontaine	St. Pierre, Man.
CHURCHILL	J. E. Ingebrigtson	Churchill, Man.
CYPRESS	Mrs. Thelma Forbes	Rathwell, Man.
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DUFFERIN	William Homer Hamilton	Sperling, Man.
ELMWOOD	S. Peters	225 Melrose Ave., Winnipeg 15
EMERSON	John P. Tanchak	Rldgeville, Man.
ETHELBERT PLAINS	M.N. Hryhorczuk, Q.C.	Ethelbert, Man.
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FLIN FLON	Hon. Charles H. Witney	Legislative Bldg., Winnipeg 1
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FORT ROUGE	Hon. Gurney Evans	Legislative Bldg., Winnipeg 1
GIMLI	Hon. George Johnson	Legislative Bldg., Winnipeg 1
GLADSTONE	Nelson Shoemaker	Neepawa, Man.
HAMIOTA	B. P. Strickland	Hamiota, Man.
INKSTER	Morris A. Gray	141 Cathedral Ave., Winnipeg 4
KILDONAN	A. J. Reid	561 Trent Ave., E. Kild., Winnipeg 15
LAC DU BONNET	Oscar F. Bjornson	Lac du Bonnet, Man.
LAKESIDE	D. L. Campbell	326 Kelvin Blvd., Winnipeg 29
LA VERENDRYE	Stan Roberts	Niverville, Man.
LOGAN	Lemuel Harris	1109 Alexander Ave., Winnipeg 3
MINNEDOSA	Hon. Walter Weir	Legislative Bldg., Winnipeg 1
MORRIS	Harry P. Shewman	Morris, Man.
OSBORNE	Oble Batzley	185 Maplewood Ave., Winnipeg 13.
PEMBINA	Mrs. Carolyn Morrison	Manitou, Man.
PORTAGE LA PRAIRIE	Hon. John Aaron Christianson	Legislative Bldg., Winnipeg 1
RADISSON	Russell Paulley	435 Yale Ave. W., Transcona 25, Man.
RHINELAND	J. M. Froese	Winkler, Man.
RIVER HEIGHTS	W. B. Scarth, Q.C.	407 Queenston St., Winnipeg 9
ROBLIN	Keith Alexander	Roblin, Man.
ROCK LAKE	Hon. Abram W. Harrison	Holmfeld, Man.
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ST. GEORGE	Elman Guttormson	Lundar, Man.
ST. JAMES	D. M. Stanes	381 Guildford St., St. James, Wpg.12
ST. JOHN'S	David Orlikow	179 Montrose St., Winnipeg 9
ST. MATTHEWS	W. G. Martin	924 Palmerston Ave., Winnipeg 10
ST. VITAL	Fred Groves	3 Kingston Row, St. Vital, Wpg. 8
STE. ROSE	Gildas Molgat	Ste. Rose du Lac, Man.
SELKIRK	T. P. Hillhouse, Q.C.	Domintion Bank Bldg., Selkirk, Man.
SEVEN OAKS	Arthur E. Wright	4 LordGlenn Apts., 1944 Main St., Wpg. 17
SOURIS-LANSDOWNE	M. E. McKellar	Nesbitt, Man.
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SWAN RIVER	A. H. Corbett	Swan River, Man.
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VIRDEN	Hon. John Thompson, Q.C.	Legislative Bldg., Winnipeg 1
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WINNIPEG CENTRE	James Cowan Q.C.	512 Avenue Bldg., Winnipeg 2
WOLSELEY	Hon. Duff Roblin	Legislative Bldg., Winnipeg 1

THE LEGISLATIVE ASSEMBLY OF MANITOBA
Thursday, April 12th, 1962, 2:30 P.M.

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions

Reading and Receiving Petitions

Presenting Reports by Standing and Special Committees.

MR. ROBERT G. SMELLIE (Birtle-Russell): Mr. Speaker, I beg to present the second report of the Standing Committee on Private Bills, Standing Orders, Printing and Library.

MR. CLERK: Your Standing Committee on Private Bills, Standing Orders, Printing and Library, beg leave to present the following as their second report. Your Committee has considered Bill No. 74, an Act to incorporate The Church Home for Girls and has agreed to report the same without amendment.

Your Committee has also considered Bills No. 25, an Act respecting The Canada Permanent Trust Company and The Toronto General Trusts Corporation; No. 29, an Act to incorporate Secured Investors Association; No. 92, an Act to incorporate St. John's College Endowment Foundation; and has agreed to report the same with certain amendments.

Your Committee recommends that the fees paid in connection with the following Bills be refunded, less the cost of printing: No. 74, an Act to incorporate The Church Home for Girls; No. 92, an Act to incorporate St. John's College Endowment Foundation, all of which is respectfully submitted.

MR. SMELLIE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Souris-Lansdowne, that the Report of the Committee be received.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SMELLIE: Mr. Speaker, I beg to move, seconded by the Honourable Member for St. James, that the fees paid in connection with the following Bills be refunded, less the cost of printing: No. 74, an Act to incorporate The Church Home for Girls; and No. 92, an Act to incorporate St. John's College Endowment Foundation.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Notices of Motion; Introduction of Bills.

Before I call the Orders of the Day, we have with us this afternoon in the Galleries, three schools. The Pine Falls High School with 26 pupils of Grade IX, under the guidance of their teacher, Mr. Tony Jorowski. This school is located in Lac du Bonnet constituency and is very ably represented in the Legislature. The next school is Reinfeld School, 30 pupils of Grade V and Grade VI under the guidance of their teacher, Mr. Edward Falk. This school is located in Rhineland constituency and is very ably represented by their sitting member the Honourable Mr. Froese. We also have a third school, Transcona Central School, with some 60 pupils of Grade V under the guidance of their teachers, Miss Albrecht and Miss A. Wall. This school is located in Radisson constituency and is represented in the House by the Honourable the Leader of the New Democratic Party. We're very happy to have the school pupils with us this afternoon, and as they look down on the Legislative Assembly, they do see democracy in action. We hope that their stay with us this afternoon is pleasant and they will long remember their visit to the Legislative Assembly.

Orders of the Day. Committee of Supply.

HON. GURNEY EVANS (Minister of Industry and Commerce)(Fort Rouge): Your Honour, if I might ask you to call the adjourned debate on Bill No. 102, and then Bill No. 100 and then 115.

MR. SPEAKER: Second reading of Bill No. 102, the Honourable Member for Lac du Bonnet.

MR. OSCAR F. BJORNSON (Lac du Bonnet): Mr. Speaker, in taking part in the debate on Bill 102, I have a feeling of obligation, an obligation to some 500 employees of the only industry in my constituency, and I refer to the employees of The Manitoba Paper Company at Pine Falls. I would like to explain that before the bill was brought into the House, I received 272 individually signed cards from members of the various unions operating under the Labour Council at Pine Falls, requesting me to voice their protest against the then contemplated Legislation to make union-elected officers and members legal entities. A meeting of the Labour

(Mr. Bjornson, cont'd.) . . . Council was arranged in Pine Falls and representatives of the Labour Council set before me their opinions on the various sections of the bill. Most of the sections were accepted by them with only minor objections. I'm going to quote from the work-sheet of the Chairman of the meeting, and I quote: "All amendments included in Bill 102, except No. 14, in our opinion are designed for an improvement in labour relations. This is good progressive legislation. No. 14 is a step in the opposite direction. If it becomes law, it will mean more disruption of labour management relations than at any time in this province since 1919. This is the most restrictive and oppressive labour legislation ever contemplated in this province."

The members of the Union do have a fear that the rights so dearly won in negotiations over the years are being abrogated. They feel many of their rights will be cancelled out and they have strong views and a number of reasons to object to Section No. 14. I wish to again quote from the document that I quoted from previously. "An employers' organization is deemed to be a group of employers who have joined together and have corporations and lawyers at their disposal. They are engaged in business for a profit. A trade union, on the other hand, is a non-profit organization whose members meet and decide policy, and elect officers to carry out the wishes of the meeting. Through negotiations with employers, we are able to regulate the hours of work, wages and working conditions. Every member has a voice and a vote. The inclusion of any person means an individual union member, who is dissatisfied or who commits an irresponsible act while at work, will subject the union to liabilities for damage, such damages to be recovered through the Courts. Unions do not and have not retained legal counsel or have money for costly litigation. In effect, the whole amendment is nothing but an attempt to destroy all unions whether good or indifferent. There is nothing in the proposed legislation that protects union members from employer-provoked situations. Part two of the proposed amendment of Section 14 is already covered in labour agreement re grievance procedure and also through company rules. Part three of the Act says that employers' organizations or trade unions will become legal entities, with no mention made of the employer. This part in itself is directed at unions; and who, in common sense, can visualize a union suing an employer's organization? It would be like a flea attempting to bite an elephant. It's like the story of one horse and one rabbit.

"The Labour Relations Act, as presently written, give the trade unions the right of association, assembly and free speech, all guaranteed under the New Bill of Rights. It also provides for legal and orderly collective bargaining. The proposed amendment will jeopardize all these freedoms we hold so dear. Many of us have fought and gave years of our life to the service of this country to preserve these rights. We will continue to fight for the preservation of our democratically-run organizations. An employer's organization is autocratically run, while the trade unions of this country are democratically operated. Our constitution provides for this. The inference is given by people who oppose us that we are too strong; we like to wield the big stick. This public image is protected by people who have never belonged to a union or attended any of our conventions. There is no dictatorship in our trade union movement. The passing of the proposed legislation outlined would destroy many good unions in this province. It would do exactly what is intended, put the workers back at the mercy of the employers so they could take away our vacations with pay, statutory holidays with pay, welfare benefits and so many other fringe benefits we have negotiated over the years. This is the inherent danger of making unions legal entities."

Mr. Speaker, naturally after having heard this expression of opinion from the Pine Falls Union, we had another meeting with the head of the union and I investigated some of these differences with them to see whether or not their concern with respect to an irresponsible or a negligent or willful act on the part of an employee could involve the union in action for damages or losses sustained as the result of his action, and this boils down to pretty well what they were concerned about, the action to be taken against an individual. In my investigation I have been assured that this is not the intent of the legislation and that it is in fact extremely unlikely that a situation could develop under this legislation which would involve a union in such a suit.

Subsection one of 14, where an individual might involve a union or a company, refers only to the breach of the act itself. This means a breach of Unfair Labour Practices --

(Mr. Bjornson, cont'd.) Section involving coercion -- intimidation -- to have a member join a union or refrain from joining a union; illegal strike organization on company time; et-cetera. In each of these cases it must be proved in the courts that the individual, as a result of his action, caused the damage and loss to the company.

Section 14, subsection two, deals with the Breach of Contract. This section applies to the parties to the agreement only, and it would appear that an individual, as such, could not involve a breach of that contract. This would require concerted action of the union or the company itself.

If what I have been told and what I have found out is so, the trade unions have nothing to fear from this legislation provided they obey the laws and live up to the collective bargaining agreement. I know that the trade unions in Pine Falls are responsible and would do so.

I think it would be right for me to comment on the relationship between management and labour in Pine Falls, and I can only say that over the many years that they have been in operation, this has been of the very best. Year after year the contacts have been negotiated between the two parties and there must have been "give and take" on the parts of both of them. The results have been that Pine Falls has been a happy place to work in; it's been a happy place to live in. The town itself is an example of what can be done by industry that has the interest of the employees at heart. Pine Falls has a fine hotel, a picture show, a bowling alley, a combination community centre skating rink and curling rink, one of the finest golf courses in Manitoba, and a swimming pool. The people enjoy good homes with good water, sewers, paved streets, police and fire protection, hospitals, good schools, fine churches, and many other advantages that could be brought to mind.

I would also like to comment, too, on the high degree of responsibility shown by the paper company in all matters that have been brought to their attention. It's only a few years ago that this government asked the mill management to consider the ill-effect of dumping bark and waste material into the river, which was spoiling the fishing for both the sports fishermen and the men who fished for their livelihood. The company spent many thousands of dollars in a disposal unit for this waste material. Another small matter, but important, was the prevalence of dead heads of pulp wood, water soaked logs that floated just beneath the surface of the river and along long stretches of the river they could not operate the boats. When this was brought to the attention of the company they acted quickly and, at considerable expense and effort, swept the river clear of these dangerous obstructions to the boatmen. Just within the last year the company, at a cost of many thousands of dollars, made available to the sister village of Powerview a supply of water. They piped filtered treated water into the village, permitting their water co-op to obtain water at a low cost and to supply this most vital necessity to the people.

What has this all to do with Bill No. 102? Well, Mr. Speaker, I just want to point out that the employees of Pine Falls and the surrounding communities have a stake in all of this. They have reason to be proud of their towns and they have the right to speak up for themselves when they feel something may threaten their way of life, and I think they have the right to bring this before the Legislature in any way that they seem fit and proper. I have concern for the workers of the mill. I have concern for the interests of others in my community. I wish also to protect the interests of the farmer, who have a ready market for their pulpwood in selling it to the paper mill. I have concern for the truckers who haul the wood all winter from every corner of my constituency and far beyond. I have concern for the Indian people on the Fort Alexander reservation who work for the paper company, who are engaged in their wood operations, and who have just been lately included in those people who can take a contract with the paper company and sell their wood to the mill.

The Pine Falls Council have informed me that they will be having representation with the Law Amendments Committee when it is held next week. I am certain that you will see men here who have only the best intent in mind; men who have a sense of responsibility and integrity and who will live up to their obligations.

In taking my seat, Mr. Speaker, I leave you with this thought in mind, that in all the years since the company started operations in February, 1927, there has been no time lost in strikes. This happy situation has continued for 35 years. It is and it will, I trust, continue for another 35.

MR. RUSSELL PAULLEY (Leader of the New Democratic Party)(Radisson): Mr. Speaker, I wonder if the honourable member would permit a question. I would like to ask the honourable member whether he agrees with the fears of the union in respect of this legislation, or does he agree with the legislation as proposed.

MR. BJORNSON: The members of the union didn't ask me how I was going to vote and they didn't insist that I should vote one way or the other. They wanted me to voice this in the House, which I have done. I'm going to reserve any vote that I have until after we have heard the people appearing before the Law Amendments Committee.

MR. SPEAKER: Are you ready for the question?

MR. DAVID ORLIKOW (St. John's): Mr. Speaker, the Honourable Minister of Labour in introducing this bill last week said one thing with which I can agree, and that is that labour relations are really human relations. One can pass all the legislation in the world, but unless we are prepared to fill the goals of this country; unless the people on both sides feel that the laws are just; we are not going to have good relationship between labour and management. I think members of the House should know that in New Zealand and Australia after World War II, despite the fact that they had very specific laws calling for compulsory arbitration of disputes, they had strikes at a rate of more than twice as much as we had here in Canada, because the employees in those two countries came to believe, rightly or wrongly, that the decisions of the Arbitration Board which were being made were unfair to them, and they proceeded to strike although the law specifically prohibited such strikes. I want to suggest to members of this House, Mr. Speaker, that the passage of a law, no matter how important this Legislature feels it is, will not by itself assure good relationships.

Now, Mr. Speaker, this bill is based to a large extent on the experience arising out of the Brandon strike. I don't think there can be any question of that. Yet, Mr. Speaker, in this province we have close to 50,000 workers who belong to trade unions, who bargain with their employers. Ninety-nine percent of them every year, Mr. Speaker, arrive at amicable agreements with their employers without a strike and, despite this fact, this government is proposing legislation which is virtually unanimously felt on the part of labour to be anti-labour legislation; legislation based on the experience of one strike, a long strike, a difficult strike, a bitter strike, but still and all, Mr. Speaker, a strike which involved 115 people; and on the basis of that one strike, we get this legislation.

The Minister has suggested this legislation will contribute to industrial people. Mr. Speaker, that is utter nonsense. This province has an enviable record of just such relations, and this fact has been attested to by the Premier of this province himself. In a letter to Mr. James, the President of the Manitoba Federation of Labour, dated August 15th, 1960, Premier Roblin said in part and I quote: "Manitoba has an enviable record of labour management harmony." This is the record, Mr. Speaker, and yet we have a proposal for very far-reaching legislation of this nature. This legislation will not help to create peace; this legislation will help to create trouble. It is a basic principle of British law that legislation should only be enacted if there is no other way to reach the objective desired. This is not the case in this proposed legislation. This legislation, Mr. Speaker, is almost unanimously opposed by labour. We had the Honourable Member from Lac du Bonnet quote the reaction of the working people of his constituency. I don't think it's any secret that the chairman or the president of the largest local union in his constituency is an active Conservative. The honourable member shakes his head, tells us it's true. It's no secret, so when you get a man like Mr. Taylor expressing the views which we heard quoted by the Honourable Member for Lac du Bonnet, I think it is obvious how labour feels.

What about some of the things which are being said in the City of Winnipeg? I know that honourable members, and particularly members of the government, will feel that the opinions expressed are today the least violent and intemperate. It's not my job today or at any other time to defend the language which is used by other people. I have enough difficulty, Mr. Chairman, explaining the language which I use on occasion, but I think that we ought to take note of the things which have been said. One of the labour people who happens to live in my constituency was quoted in the newspapers, last week I think, to the effect that he would be willing to go to jail before he would abide by certain provisions of this proposed legislation. I don't defend what he says; I merely offer his quote in order to point out how important, how different

(Mr. Orlikow, cont'd.) . . . labour people feel about these proposals.

Mr. Russell Robin, who is a business agent of the Carpenters' Union and who I think a number of members of this Legislature know quite well -- he is not an intemperate person, he is not a quick person to anger; he is a calm, cautious, careful person; a kind of person who is well enough known and well enough respected in non labour circles that he was elected for two years as the chairman of the Welfare Council of Greater Winnipeg, when he was the only labour representative on that Board, so I think he has the respect of the community as a whole -- and he is quoted in the newspaper as having said at a meeting of the Labour Council held about a week ago that this legislation is like the labour legislation passed by Hitler in Nazi Germany. I don't agree with him -- no I don't agree with Mr. Robin. I think that he has exaggerated the difficulties. I only mention these to point out to members of the House how strongly Labour people feel about this legislation, and I want to suggest, Mr. Speaker, that when they feel that way, to expect that this legislation will meet with their approval; to suggest that they will cooperate; to suggest that they will do anything but fight this legislation is of course completely wrong; and what we will have is much poorer labour relations rather than better.

Now, Mr. Speaker, I want to deal with some of the principles which are set out in this Bill. I want to deal first of all with the section calling for government-supervised secret strike ballot. I want to say this, Mr. Speaker, that when the Honourable Member for Lac du Bonnet says that his trade union members don't think that this will hurt them too much, that I have to agree with them. In fact, in the long range it may dispel some misconceptions which the general public has as a result of propaganda which appears in the daily newspapers about labour matters which is completely wrong, that strikes are called every Monday and Thursday; that they are called irresponsibly; that trade union members are usually opposed to strikes but that they're forced into strikes by their leaders and so on. All of these charges which have been made and are being made are completely false. I want to suggest to the members of this House that labour unions think long and hard before they authorize a strike, because when a trade union member goes on strike he goes off pay. The bills keep on coming in, they have to be paid and it is a difficult matter; and so the strike, Mr. Chairman, is the last resort of any trade union. A labour leader who is worth anything thinks a long time before he recommends a strike, and when he does recommend a strike, he usually knows quite well that he has the support of the overwhelming majority of his members before he recommends that strike and before they call the strike. I think members of this House should know that before they vote on this kind of legislation. A labour leader who would encourage a strike, let alone force a strike when his members were not favourable to such a move, would be more than a fool, he would be an idiot. He would be cutting his own throat, and I can assure the members of this House that there are very few labour leaders who are as stupid as to do something like that.

Mr. Speaker, the vast bulk of the strikes which have been held in this province, or in any other province in Canada, have been held after a vote has been taken. Usually the vote -- I won't say always -- but usually in the vast majority of cases, the vote is by secret ballot. I challenge the Minister to give illustrations of strikes which were called, strikes which were held in this province, indeed in any other provinces in which there is any evidence, any evidence at all, that the members of that particular union didn't want to go on strike. We have some evidence of what's happened, Mr. Speaker. This very proposal which is embodied in this Bill was in the original provisions of The Taft-Hartley Act in the United States. I want to tell the Minister, if he doesn't know it, that it's the only provision of The Taft-Hartley Act which has been repealed since it was first enacted. I want to tell the Minister that it was repealed by the Republican-controlled Congress, the only Republican-controlled Congress which the United States has had in the last 25 or 30 years. So why did they repeal it, Mr. Speaker? The reasons are pretty simple. In the first year in which this provision was in the Taft-Hartley Act, it cost the American Government something in the neighbourhood of a million and a half dollars to conduct these secret government-supervised strike ballots. And what was the result, Mr. Speaker? In 99.5 percent of the cases -- I'm speaking from memory and I may be out by one percent, but I don't think I'm out by more than that -- in 99.5 percent of the cases, the result of the government-supervised secret strike ballots was precisely what the union had announced when it asked the government to conduct the secret ballot required by the law. So the Republican Congress decided that it was throwing good money after bad for the government to conduct

(Mr. Orlikow, cont'd.) . . . these votes and that provision was taken out of the American Taft-Hartley Act. I want to suggest that this provision is not necessary; it will give us no more information than we now have; and that it is useless.

I want to suggest further, Mr. Speaker -- I've already said I don't think it will harm labour -- I want to say that this is unfair in principle. It is class legislation. Unions are voluntary associations. I would like to ask the Minister to tell us in what other circumstances the government intends to go into a voluntary association to supervise how they vote. Why doesn't the government propose legislation to supervise the vote of The Medical Association? It may be that in the next year or two the Manitoba Medical Association will have to vote on whether they want to co-operate with some kind of medical insurance plan. Shouldn't we supervise that kind of vote? After all, the effect of that kind of vote would have far-reaching results on the people of this province as a whole. There's no suggestion like this nor is there any suggestion that we supervise the vote of any voluntary association, but we are proposing in this legislation to supervise how the voluntary associations in trade unions will operate. I say that this is wrong in principle, Mr. Speaker. It takes two sides to make a decision in labour management matters before a strike is held. If we supervise the vote of union members as we propose in this Legislation, why don't we supervise the vote of the shareholders of a company when a company turns down an offer of the union and thereby creates a "lock-out"? This at least would be justice to both sides; this at least would show labour that while they may be afraid of this, that both sides in the matter are being treated equally; but of course there's no suggestion like that on the part of this government and I suppose it's too much to expect that this government would make that kind of proposal.

A government's vote presents other very important problems, and I want to list just two of them. First, the phrasing of the issue, the question which would be on the ballot is important in how people will vote. I want to tell the Minister that it's almost impossible to be objective. One just has to look at the evidence given before the Tritzschler Commission about the votes which were taken in Brandon and the difference of opinion about what they were voting on; why they were voting; and how they voted; to realize the difficulties of any outside party trying to set the terms of references on which the vote would be conducted. Secondly, Mr. Speaker, I want to point out that if the results of the vote, more than "yes" or "no," are given to the public, are given to the employer, this could be invaluable assistance to the employer in assessing the strength of the union. It would give them a completely unfair advantage in the important matter of how to conduct themselves in relationship in this measuring of strength between the employer and employee, and I think this would be completely wrong. I want to go back to the illustration I used before about the shareholders of companies never get a vote before a company decides on a lock-out, and if they did, the result of the vote would certainly not be given to the public or to the union. Well, Mr. Speaker, I want to deal with the question of Section 16 of this Act which purports to deal with prosecutions for unfair labour practices. It has been argued for years by some of us that people who violate the provisions of The Labour Relations Act should be prosecuted by the government. Until now, if a person was fired from a job for being active in his union, and we have had many cases like this and I think the Minister probably knows more of these cases than any other member of this House -- and this is incidentally forbidden under the provisions of the Act -- the most that would happen, and this after a long investigation, was that the Labour Relations Board would give that person permission to prosecute the employer. Surely this was unfair; surely the government should prosecute where any of the clause had been violated. We don't ask a third party to prosecute a person who breaks the liquor laws. We don't ask a third party to prosecute The Highway Traffic Act. The government prosecutes and so the government should and so the government always should have with reference to this particular section.

So, Mr. Speaker, I suppose because labour had to be given a thought to make this unpalatable legislation somewhat palatable, we get Section 16 of this Bill. So what does Section 16 of this Bill say? I want to quote it. "The Minister or the Board may refer any alleged offence under this Act to the Attorney-General for its consideration with a view to instituting a prosecution." I want to point out the importance of the word "may", and may is used, I am certain, deliberately by the government. Not "shall" but "may", and labour has a right to ask how often the government will decide that they should prosecute; how long it will take the government to

(Mr. Orlikow, cont'd.) prosecute; and even if they do, what will happen. We have the records of other violations of various labour acts in this province, and the attitude of the Court and the decision of the Courts and the fines and the penalties are such that they make a mockery of the law. They make the law actually inoperative. What they do -- and I don't intend to give the details today, but I can certainly do it under the estimates of the department -- what they do in fact is to put a tariff on breaking of the hours of work law or the wages law -- a fine of \$10.00, \$15.00 or \$25.00, or a suspended sentence. So all you are doing is putting a tax and saying to the employer: "Go ahead and do it and if you break the law you'll pay a small fine, and then go on and do it again." Labour has a right to ask how much more will they get out of this provision. I want to ask the members of this House, why -- why is the language of this section so meek and mild. Why didn't the government use the language of the one good proposal which Mr. Justice Tritschler made in his report?

I want to quote from Page 86 of that report what Mr. Justice Tritschler said with reference to this very matter. Page 86, Recommendations re Enforcement Procedure -- and here's exactly what Justice Tritschler says. "1. Private prosecutions as the sole method of enforcement of the provisions of The Labour Relations Act should cease." --not may cease, but should cease. "2. The law enacted by the Legislature for the public good should be enforced against employers, unions, and others, by public prosecutors. 3. The law will be regarded with greater respect if it is enforced by the state rather than by the private person who considers himself aggrieved. An offence will be regarded as an offence against the state, rather than as a private squabble. 4. The person aggrieved ought not to be put to the trouble and expense of conducting a prosecution for a breach of a public statute. 5. An added difficulty of private prosecution is that one party may find himself in the position of having to prosecute for an offence after the dispute between the parties has been settled. This makes for great embarrassment or dissuades the prosecution. 6. An official to actively supervise the Act with the duty and power to initiate proceedings where offences are committed and an adequate enforcement policy and machinery will be required, but the whole annual cost of enforcing the Act may be less than the loss occasioned by a single strike, which might be avoided by proper enforcement." Well there's a vast difference between those recommendations of Justice Tritschler and the milk and water recommendation of that section of the Act, but I suppose this is all we can expect from this government.

Now what about the section on mediation, Mr. Speaker? The Minister of Labour knows that it is now virtually impossible to find an impartial chairman to act on a conciliation board. Very often, and the Minister may have the percentages, but very often the government has to appoint the chairman because the parties can't agree. The Minister shakes his head. I sat on more than one conciliation board where the Minister made the appointment, so he needn't shake his head. So, Mr. Speaker, where will they find the necessary impartial person? Let's suppose that they do, Mr. Speaker. Let's suppose that they do. I want to suggest that the only people who will be able to afford this mediation are large local unions or large companies, because the cost of mediation, where the mediator can set his own rate of pay and charge the parties for all the costs, including stenographic costs, meeting costs, and all the other costs which are involved as well as his own fees, can be astronomical. In one case of arbitration recently conducted by a union, the cost to the union was \$3,500. How many unions can afford such costs? Indeed, Mr. Speaker, I can well ask, how many employers can afford such a cost? So I want to say that I predict that this section about mediation will be largely unused.

Mr. Speaker, I must agree with the trade unionists from Pine Falls who said in their statement, which was read by the Honourable Member for Lac du Bonnet, that the section of the Act with which it would be impossible to live with was Section 16, which deals with legal entity for unions -- Section 14, pardon me -- which deals with legal entity for unions. Now it has been suggested that legal entity for unions compares with corporate status for companies. Nothing could be further from the truth, Mr. Speaker. Corporate status for a company does not extend the responsibility of a company at all. In fact, the purpose of corporate status for a company is to limit the responsibility of the corporation and its officers. It has been suggested that this clause will make unions equally liable with corporations to be sued, and to be able to sue. In fact, Mr. Speaker, if that is the purpose of this section, it is completely unnecessary. Court decisions made in Canada, and made in this province, have already

(Mr. Orlikow, cont'd) established that unions can be sued, and indeed unions have been successfully sued in this province where the actions of the union, for which the union was held responsible -- where the actions of the unions caused harm and where the actions were the responsibility of the duly-elected responsible officers of the union. Members who doubt that this is true merely have to study the history of the Tunney case; of the Dussessoy case, which is a matter of only a year or two ago; of the Palymer case in Ontario; of the Therrien case, which was referred to by the Minister of Labour when he introduced this legislation. --(Interjection)-- We'll come to that -- we'll come to that. So if the purpose of this section is to make unions liable for the actions of their officers or the members which the unions have authorized and for which they are responsible, this is completely unnecessary because the courts have already ruled that unions can be sued.

The Minister says that this deal will give the unions the right to sue. This is a right which unions already have in this province, despite the case which the Minister just mentioned, the Bakery Workers' case, which was decided by Justice Williams. I want to give just three illustrations right here in this province which will prove conclusively that unions now have the right to sue. During the Brandon Packers dispute, the union went into the court to take action in a certain way which they thought necessary, and their right to take legal action was not questioned by the court. In 1961, Mr. Justice Maybank delivered a judgment on June 31st in an action brought -- and I want to quote so that the Minister will know exactly -- the action was brought by James Pines, Anthony Perron, Christopher Schubert, applying on behalf of themselves and of all the other members of Local 650 Wholesale Bakery and Confectionery Workers. That action was proper and the judge accepted it. -- (Interjection) -- Exactly -- exactly -- so that unions can't sue. They're not asking for any special favours from you. That's exactly the point I'm making. At the present time, Mr. Speaker, there is an action before the court on behalf of Mine, Mill and Smelter Workers' Union, Local 1026, and it's taken out on behalf of Ken Woods and other members of the union on their own behalf and representing all other members in good standing of the union. So that if the Minister says we need this legislation to permit unions to sue, I want to say here and now that this section is completely unnecessary.

Now, Mr. Speaker, if unions can sue and can be sued, what is the purpose of this legislation? What would be the result if this legislation is passed? The Honourable Member from Lac du Bonnet listed the fears of the members of the unions in his constituency, then went on to say that he'd get advice about whether their fears were justified. I suppose he got the advice from the Honourable the Attorney-General, and if he did, I want to tell him that the advice was bad advice; the advice was wrong advice; the advice was incorrect advice. I want to tell the Honourable the Attorney-General that this bill will enable employers to sue a union and to collect damages for actions, even those actions unauthorized by the officers or any other responsible officials of that union.

Now if the government wants that kind of legislation, why don't they say so? Why don't they say so? Why do they hide behind the fiction that this is being done as a favour to unions? That's nonsense, Mr. Speaker. -- (Interjection) -- Well let's take a couple of cases of what can often happen, what does often happen in a situation where a union has a contract with its employer. Workers in a plant like the plant in which the Honourable Member for Elmwood works, Canada Packers, could be asked -- let's take the women who work slicing bacon and packing bacon -- the foreman could come in late Friday afternoon and say: "Look, we have a special order, you are going to have to work overtime." Now the contract usually spells out what rights the management has in calling for overtime, and the contract says that workers shall work overtime if requested to, if given proper notice, and so on. But let's say that on that particular day the girls have a dance they want to go to -- (Interjection) -- I hope not with the Attorney-General -- I think they would have better judgment than that -- and the girls refuse to work, and the girls walk off the job. Now the contract now says, and I've seen many contracts, that the company has the right to take disciplinary action, and so they should have. The company has the right, I presume, to suspend the people concerned and, if necessary, to fire the people -- and I think that's justified. But under this legislation I want to suggest that this would be a violation of the union contract; that this would be classified as an unauthorized strike; and I want to make the statement that in the opinion of most labour lawyers to whom I have talked, under this legislation the company would have the right to sue the union for damages. Now the Minister says, "No, this couldn't happen." I say this is what can happen, and

(Mr. Orlikow, cont'd.) . . . what will happen.

Well let's take another case. A union goes into contract negotiation with the company. It can't reach an agreement and they go through the conciliation procedures which are prescribed by the law and they still can't reach an agreement. They take a strike vote and they decide to strike, and they go on strike. The strike is a legal strike, and in pursuance of their rights, they put a picket line around the plant. It's a legal picket line and they don't try to stop anybody from going in or out, but somebody on the picket line gets mad about something and throws a brick through a window. I want to tell the Honourable the Attorney-General that in the opinion of many labour lawyers whom I have talked to, that not only could that person be prosecuted, not only could a company sue that person for damages, but the company could sue the union for damages under this provision even though their union had not authorized it, even though the union had instructed its members to keep away from all forms of violence.

Now the government denies that this will happen, but, Mr. Speaker, let's take a look at what Mr. Justice Tritschler says about this question. I don't think I have to tell members that I'm entirely happy with the report which Mr. Justice Tritschler made. On Page 78 -- (Interjection) -- I said I'm not entirely happy and I think that the Honourable the Attorney-General knows it. On Page 78 of the report dealing with Recommendations re Picketing, here's what Justice Tritschler says, and I quote from Section five on that page: "Picketers should be required to carry official written authorization of the striking union. No one should be allowed to picket without such authority. If they are to be legally responsible for the illegal acts of picketers, the unions should be protected" -- etcetera. In other words, unions shall be legally responsible for the illegal acts of picketers. That's what Justice Tritschler says -- (Interjection) -- No, but you were in favour of it and you have put it in your Legislation -- (Interjection) -- Section six, I quote further: "If all picketers are persons authorized by the union, control will be facilitated and actions for damage caused by unlawful acts will become more feasible." Actions for damages caused by unlawful acts -- not authorized by union, actions by individual members -- and this is what this government is proposing, Mr. Speaker.

I want to say, Mr. Speaker, that lawyers versed in labour matters and lawyers much more cognizant of the history of labour legislation and how the Courts are adjudicating on these claims, much more cognizant than the Honourable the Attorney-General, with all due reference to him or to anybody else in his department, are unanimous, Mr. Speaker, that this will be the result of the legislation which is being proposed by this government. It doesn't matter what the intentions of this government are. I don't know whether the government is proposing this section in ignorance of the implications or whether it knows that the implications are what I have said but is trying to hide that fact from the people concerned, but I say again, Mr. Speaker, that this is the unanimous opinion of lawyers, who act in labour matters, to whom I have spoken.

I want, Mr. Speaker, to challenge the government if this bill goes to the Industrial Relations Committee, to call lawyers who are versed in labour law before the Committee to ask their opinion, and I want to challenge the government not to call just lawyers who act for labour like -- and I only mention the names -- like Mr. Leon Mitchell or Mr. Joe O'Sullivan, but call people like Harry Smith; call people like Stewart Martin; call people like Mr. Dick Hunter, who is now the President of the Chamber of Commerce; call people like Mr. C. V. McArthur, they are better versed in the ways of the Courts in labour management matters than -- (Interjection) -- Oh well, let's not get ridiculous -- than the Attorney-General or the members of his staff. Well then, why don't we call them and see what their opinions are before we pass legislation which is of such tremendous importance. If we're in doubt, Mr. Speaker, why don't we call expert dispassionate impartial people to give opinions from outside the province. I would suggest to the Minister of Labour that before we pass this legislation it might be advisable if we really want to get the facts, if we really want to know what we are doing before we do it, if we really don't want to be sorry at some future date, that we call and get expert opinions from a person like Professor Jacob Finkleman, who is the Chairman of the Ontario Labour Relations Board; or a person like Professor Bora Laskin of the Law Faculty of the University of Toronto who made that famous Palymer decision which certainly did not make labour very happy; call people like that before we institute legislation like this. If we don't, Mr. Speaker, if we don't call people like that to find out what we're doing and what the

(Mr. Orlikow, cont'd.) . . . implications will be, it will be because the government is afraid to get the real facts.

If the government thinks unions should be liable for the actions of their members, even where they have not authorized these actions, then this provision is necessary. -- (Interjection) -- Mr. Speaker, I don't think that I interrupt other members when they're speaking -- (Interjection) -- If the Honourable Member for Swan River or the Honourable Member for Roblin want to get up and give us the benefit of their tremendous knowledge and experience in the field of labour management relations, I'm sure that the House will be glad to hear them after I have finished, but I think I have the right, Mr. Speaker, to say what I think, whether the members opposite agree with me or not. I would be surprised if they did, and when they don't, then I know that I'm on the right track. If the government thinks unions should be liable for the actions of their members, even where unions have not authorized these actions, then this provision, Section 14, is necessary, but then let the government say so; let the government not hide behind the fiction that this section will not harm labour.

This bill, Mr. Speaker, is considered as class legislation by labour, as legislation directed against them, as legislation which is completely unnecessary. This bill has united labour in opposition to it in a way in which I, in some 20 years of working with trade unions, have never seen them united. This bill will harm good relationships between labour and management and government. If the government is interested in harmonious relationships between labour and management, it ought to either withdraw this bill completely or at least to delay passing it until the next session, and in the interim, allowing the committee on Industrial Relations to meet and to get the fullest representations from all sections of community so that a law agreeable to all the people can be enacted. If the government is not prepared to do this, Mr. Speaker, I can only assume that my first reaction to this bill was a correct assessment. The bill has been conceived either in ignorance of the facts or with malice to labour.

MR. SPEAKER: Are you ready for the question?

MR. LEMUEL HARRIS (Logan): Mr. Speaker, I have a few letters here I would like to put on record with regard to how people are discriminated against. If they try to join a union, it is claimed that labour is getting too powerful. How can labour get powerful under the existing Labour Relations Act, bringing in the labour legislation that they now talk of?

Sir, there are three sides to every story -- your side, my side and the right side. We have to try to find the right side. We have to try to be fair to everybody. I don't think under this existing act that is coming in that we are going to be fair.

Now I would like to quote from here some letters, and I know these are known. Here is one here -- here is a motor company -- union organized the same, got certification after a vote. Company managers spied on employees going into meeting hall. Warned by union that the company was intimidating the employees, the manager left. Company reprisal -- all employees seen going into the meeting were not given any work, and being on a flat rate with no guarantee, the employee sat on a bench for over a week with little or no earnings. Employee and union laid charge with the Deputy Minister of Labour, March 31st, '62 -- no reply as yet. Eight union members have been laid off or fired in the last four months. Employees are deducted of faulty work done without their consent.

Now, Sir, that is only one. Here is another one -- the same in a motor company. The union met three contacts of this company in the Marion Hotel. All three employees were laid off -- no reason -- many new employees retained. Union lost certification October '61 as the Labour Board was not concerned with the wishes of the employees, but the wishes of the employees in another plant, the Main Street plant of this particular firm. The union lost out. The Labour Board heard the company make the statements that each employee was called into the office and asked to sign out of the union. Evidence of the same is on a tape recorder in the Labour Board Office. Ten union members have been laid off or fired in the shop out of a total of 19.

Now I know for a fact that this has been brought to my attention. I went to see one of these men himself that was laid off from this particular place. He was asked to come in to sign a letter to say he would have nothing at all to do with the union. Now I say, Sir, we talk here about "beating around the bush." It seems to me that we are actually beating around the bush; we would never sit down and face facts or realities. If we would do that, we would get along.

(Mr. Harris, cont'd.) I work in a place and we're organized and organized strongly. We're okay, but what about those poor chaps? They would have no recourse whatsoever. I could go down the line here and show you plenty of letters, letters to the Ministers themselves. I don't have to go and do that, but I'll say this, the Member for St. John's has talked to you and shown to you that under the existing Labour Relations Act, we can do nothing else but abide by what we are doing and doing it right. And with that, Sir, I thank you.

HON. J. B. CARROLL (Minister of Labour)(The Pas): Mr. Speaker, I wonder whether the Member for Logan would table the letters that he's read to the House this afternoon?

MR. HARRIS: I would wish to table them but I promised to give them back, but they can be put into your hands at any one particular time. I know that this chap -- you have these things in your office and I have your letters right here from these particular cases. These cases will come to your hand -- and they will come to your hand, Sir.

MR. EVANS: Mr. Speaker, I suggest to you that it's required that if any honourable gentleman refers to a letter or other papers, that they are to be tabled immediately at the conclusion of his speech.

MR. PAULLEY: Mr. Speaker, I think a precedent was established here just a few days ago. I'm sure that my honourable colleague the Member for Logan will be glad to furnish copies and put them on the table for the information of the Minister or the government. I think that was established here just the other day in connection with the Leader of the Opposition, and I can assure my honourable friends opposite that there will be no juggling of the letters that my honourable friend has referred to. I hope that the Leader of the House will accept this.

MR. EVANS: have my honourable friend's assurance in that regard that the letters in their entirety will be tabled. I think I should make this comment, that the occasion the other day on which the correspondence was not tabled immediately was more by way of oversight. I think it would be wrong to allow that to be established as a precedent in the House for future action, but certainly by agreement, when any of the honourable gentlemen asks for some allowance of time to either have copies made or whatever the case may be, that can be done then as a matter of agreement between the parties and not -- and I think we should establish this point now -- not as further reinforcing what I think was a precedent established by accident the other day.

MR. PAULLEY: May I suggest, Mr. Speaker, if I may, to the present Leader of the House, that I feel sure that my honourable colleague was using excerpts from letters; that he didn't have before him, at the time he was speaking, the actual letters themselves; and therefore, of course, Mr. Speaker, could not comply with the request of the Honourable the Leader of the House to immediately table them, but I am sure that we will comply with that.

MR. SPEAKER: Agreed. Are you ready for the question?

MR. CARROLL: Mr. Speaker, if no one wishes to speak, I beg to move, seconded by the Honourable Minister of Health, that the debate be adjourned.

MR. SPEAKER: Moved by the Honourable --

MR. E. R. SCHREYER (Brokenhead): Mr. Speaker, that adjournment would be closing the debate, so I would move, seconded by the Honourable Member for Kildonan, that the debate be adjourned.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Second reading of Bill No. 100. The Honourable Member from Kildonan.

MR. A. J. REID (Kildonan): Mr. Speaker, in speaking on Bill 100, we must remember that it was at the request of cities and municipalities in the Greater Winnipeg area that some form of government was needed in order to centralize central purposes. At that time, the provincial government appointed the Greater Winnipeg Investigation Commission which cost the people of Manitoba \$100,000, but unfortunately, when this brief was presented to the present provincial government on the formation of Metro, they disregarded the fundamental and basic points of the recommendations and came up with a plan of their own; namely, Metro Bill, 1960, No. 62. Later in 1961, Bill 61, amending the Metro Act; and now in 1962 we have Bill 100. In their wisdom, Mr. Speaker, if the government had implemented the recommendations of the report of the Greater Winnipeg Investigation Commission, we would not have had all this trouble now while the report still sits in the Municipal Minister's office gathering dust.

The Metro organization must have borrowed a page from the provincial government

(Mr. Reid, cont'd.) because when they got Bill 62, such as it was, instead of implementing it with co-operation and mutual understanding of municipalities and cities in the Metro area, they were going to do it alone. Well, Sir, this is where the trouble started. We must remember that many of the Metro Councillors had no municipal experience prior to their election, yet after a year on Metro they profess to be experts in the municipal field. It has been this attitude, Sir, that has predominated in their dealings with adjacent cities and municipalities in the Metro area, and it is one of the causes of all the trouble. I, personally, Sir, know many municipal men and a person couldn't meet a finer group of citizens anywhere, but I have not met any with the attitude that many Metro councillors hold.

At first, Sir, when I read this bill, I could see that the provincial government had erred all along, especially as far as Metro was concerned -- (Interjection) -- Pardon? I voted for implementation of it, not disregarding the basic principles of it. As I was saying, Mr. Chairman, the provincial government had erred all along, especially as far as Metro was concerned, and was just trying to ease some of the blame for Metro off its back before the next provincial election. Then I thought, why not give the people in the Greater Winnipeg area two opportunities to voice their opinion on the rule of the Roblin regime. First, by presenting briefs and complaints to this commission on Metro, which otherwise they would have had to wait until 1965 and a long time after the next provincial election; and second, by the provincial ballot, which is their prerogative to show what they think of the present provincial government. These citizens thus would have two opportunities within a period of one year.

Now, Sir, I will present some of the complaints as I have heard them, which no doubt this commission shall deal with. One of them, Sir, is that the public resent taxpayers' money spent, especially on entertainment; and once they looked through the bill and realized that Metro have \$10,000 a year to spend for entertainment, they weren't very pleased with it, especially when executives and council members get all out-of-pocket expenses when it's necessary. So the commission should suggest that section 13, subsection six, of Bill 62 be deleted. Then we hear about the fantastic wages paid to the executives of Metro. The commission should review this in comparison to other municipal governments and also in comparison to industry, and bring in their recommendation as to salary scale for Metro, because after all, Sir, Metro produces nothing in comparison to industry; Metro has not created anything new, but has just taken services formerly done by other municipalities, but unfortunately, at a greater cost to the citizens.

But, Mr. Speaker, I was really surprised the other day when I heard the First Minister present his bill and he told us who suggested the Blake-Goldenberg report, and I quote on Page 1570 of Hansard: "Members will recall that the province was asked to revise the base of Metro to give them 100% of the business tax, and we were asked at the same time to provide special financial assistance for Metro from the province. I have stated previously that the government on consideration declined to accept the suggestion made, and I think the House and the public generally are entitled to know the reasons which guided us in making this decision." But here's a section, Mr. Chairman, "I should point out that the study conducted by Messrs. Blake and Goldenberg were initiated by the Metropolitan Corporation at the suggestion of the Municipal Board. I emphasize my respect for the gentlemen concerned, as well as for the representation that Metro made in that connection, but I also state that we received requests from others, the City of Winnipeg, for example that the Blake-Goldenberg report should be examined as objectively as possible. We agree with that, and we examined it in another respect as well, because we feel that it can only be looked at, not in isolation as a separate problem, but only in the full context of the other municipalities and local governments in the Province of Manitoba. Blake-Goldenberg had their terms of reference with respect to Metro, and in that respect one can understand the recommendations, but our responsibility is to the field of municipal government throughout the province, and it was on this basis of those studies, in the full context of municipal organization and finance, that we did not find it possible to implement the recommendations of Messrs. Blake and Goldenberg."

Well, Sir, if the government in the first place suggested to the Metro to have this Blake-Goldenberg report, knowing full well their duties and responsibilities; and then later they hired an expert, Mr. Crawford, to look into this, I say, Sir, they had no business in doing that, because if they knew where they were going -- and they knew their responsibilities prior to this

(Mr. Reid, cont'd.) . . . -- they knew that they had to look after all the municipalities in Manitoba and they weren't just responsible to one. Yet they went along and told Metro to have this commission appointed and then they hired another commission to look into this commission, knowing all along that they weren't going to implement either one of them. To me, Sir, this is just a waste of money -- taxpayers' money -- and no wonder people are getting fed up.

If the provincial government wants to assume responsibility for all municipalities throughout Manitoba and also assist Metro, then this government should appear before this commission also and they should tell them that they are going to assume 100% responsibility for all truck routes in Manitoba. Local taxpayers, Sir, are being burdened by heavy repair bills every year for extensive damages to roads and truck routes, and especially, Sir, when you realize that trucks are getting heavier and larger every year and some of them haul trailers that between the two units they take up a whole block; and we must realize, Sir, that Metro budget for the year for roads is \$5,735,000. If the government figures that they can't do this, then there's an alternative, Sir. The government, which collects all fees pertaining to trucks, gas and oil tax, should restrict this heavy equipment of semi-trailers and transports on a special weight basis, that special trucks should only be permitted to highway use only, thus it will save the taxpayers in local areas many dollars in repairs to roads.

I have here, Sir, a full-page ad of December 27th, which no doubt all members have seen in the paper; and also another one, later on, where Metro is going to send out a letter which will cost the taxpayers of Greater Winnipeg another \$4300 to mail out. Well, Sir, to my knowledge, I believe it is the only municipal body on the North American continent which advertises the activities of the municipal corporation, paid for by taxpayers' money, and a commission should recommend that this be stopped immediately.

Also, Sir, the East Kildonan Council recommended to Metro -- its Board of Adjustments and Zoning, with which they don't agree on zoning variations -- and I believe the commission should recommend that they should have elected representatives from each area when an application for variation of a zoning by-law is presented to them from that area, and thus they could give the Metro Council Zoning Board some sound and sincere advice.

I have here, Sir, a good case to substantiate my point. Bridge and Tank last year purchased in my constituency farm acreage, which was their privilege, but then when it came to the zoning of this land to industrial property, they had to advertise it as to any objection and so forth. This, Sir, was the first inkling that the residents in that area knew what had transpired. They had previously thought this would be a park area or a shopping centre. They immediately circulated a petition and secured 700 names, but were told by North Kildonan Council that it was beyond their jurisdiction. -- it was a Metro responsibility. They attended Metro Zoning Board Council meetings and here's what they were told. After much discussion, pros and cons, they were asked how do they know those signatures and questions were authentic; and also that a permit must be issued to this company before the frost sets in the ground so they could commence construction of a steel fabricating unit, which no doubt will also include a foundry. Well, Sir, these residents did not object to the industry in their area. All they wanted was a buffer beam between heavy industries. This area should have been, in their estimation, shopping centre, then lighter industries, and then a heavy industry. But oh no, Metro Zoning Board in their wisdom turned them down. This is the kind of relationship with Metro that turned the public against them, Sir. I sure would like to know the date of issuing of that permit -- likely it was issued before the variation of the zoning was granted.

So here we have a group of citizens, Sir, starting out in life not very happy with what we call our democratic way of living. Why? Because individuals, or corporations with substantial funds are able to be heard and heeded; while the voice of the average citizen in any given community is disregarded, usually with the excuse that their appeal or request would impede progress or natural growth, and so forth, of the community. My understanding originally, Sir, was that Metro was supposed to work for the welfare of the people in Metro area. If this is an example of their efforts for the welfare of the people of this fair jurisdiction, in that part of the area, Sir, it was a dismal failure. Here we have a large group of citizens who have definitely lost confidence in Metro by their permitting such an industry within close proximity to an R-1 residential area.

That is why I'm happy, Sir, to see this organization of mayors and reeves becoming

(Mr. Reid, cont'd.) active again. They are men who are close to their people; know their problems and financial set-up in their respective areas; and also in the Metro area where they meet once a month or so. Thus these mayors and reeves have one of the most important functions in the Metro area. They know what projects are required, not only in their own areas but they have all the projects at their fingertips in the Metro area. Also, they understand the financial problems of the whole Metro area. When a Metro project is to be financed by Metro, it is proposed that mayors and reeves should scrutinize all aspects of it very closely as to the feasibility of the projects and whether they are necessary for the said area, and whether the municipalities and cities will relinquish their share of duties and costs of same; because I'm sure, Sir, that nobody would disregard an organization such as Mayors and Reeves.

I seriously believe, Sir, that this commission should recommend that a committee from the Mayors and Reeves Organization should sit in with Metro Council in an advisory capacity. Thus with this organization sitting in with Metro, and municipal boards keeping a close scrutiny on Metro, I think Metro could be controlled quite effectively. Then Metro could get down to work amiably with the area municipalities on many needed projects, because in my humble opinion, Sir, the basic principles of Metro have been ignored, first by the province; and second by the Metro Council, who are striving to gain all power they possibly can in the Metro area through legislation. They can then dictate to cities and municipalities irregardless of welfare or cost to citizens of the Greater Winnipeg area, and it will cost them plenty more before long because they haven't started doing anything yet besides spending money on administration. We should seriously consider any legislation to grant Metro more power, when it comes before this House, whether it will benefit the people or just Metro Council. This legislation, Sir, I think will benefit people three years before its time.

MR. SPEAKER: Are you ready for the question?

MR. T. P. HILLHOUSE, Q.C. (Selkirk): I wish to move, seconded by the Honourable Member for St. George, that the debate be adjourned.

Mr. Speaker presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Second reading of Bill No. 115. The Honourable Minister of Labour.

MR. CARROLL presented Bill No. 115, an Act to amend The Department of Labour Act, for second reading.

Mr. Speaker presented the motion.

MR. CARROLL: Mr. Speaker, this bill merely provides that no employer will discharge, or threaten to discharge, or in any other way discriminate against an employee who gives information to an officer of The Department of Labour. It also provides for regulations under The Department of Labour Act.

Mr. Speaker put the question and after a voice vote declared the motion carried.

.....Continued on next page.

MR. SPEAKER: Committee of Supply.

MR. EVANS: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Labour, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

Mr. Speaker presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty, with the Honourable Member for St. Matthews in the Chair.

MR. CHAIRMAN: Department XIII, Resolution 74, (1). Administration.

MR. LAURENT DESJARDINS (St. Boniface): Mr. Chairman, I do not intend to speak too long on this. I'd like to follow the example of the Honourable Minister. Nevertheless there's a few things I'd like to say.

I would say that first of all I'd like to be the first member of this House to publicly, at least, congratulate the Honourable Minister who became the first full-time Minister of Labour of this government. I think that also this change, this new location of offices in the Norquay Building should be an improvement. I'm sure that we all know that the Honourable Minister has been one of the hard-working men on that front bench and that he's always been willing. I'm sure that he will continue this work. I know that he'll be able to do well in this department. It is a rather difficult department. It is one that you are not usually too popular, especially in this House when it seems that one party is dedicated to represent only one side of the story in this labour force. I think that they're very sincere, indeed, but sometimes they would, I'm sure, do better for the people that they represent if they could look at both sides of the story.

Usually these people of the country, the people of the province, look up to the government for leadership, to all kinds of government, and oftentimes, most of the time, the way in which the government will bring in resolutions and different bills and acts will be a measuring stick to see how much leadership is given in any particular field. I feel, Sir, that in this field of labour this same measuring stick should not be used. I think that no matter how many laws you make, if you cannot get labour and management together you are wasting your time. I think that the best way to describe the way I feel would be to give you this quotation that I read a few years ago from a prominent leader, who had stated, "Neither collective bargaining nor arbitration, nor all the directives of the most progressive legislation will be able to provide a lasting labour peace unless there is a constant effort to infuse the breath of spiritual and moral life into the very framework of industrial relations. This formula anchors labour peace not primarily in legislation but rather in the hearts of men and in the spirit of economics institution. Accordingly, we must basically place our hopes for the future in voluntary actions by free associations of workers and employers, and only secondarily in the instrument of legislation. Only to the extent that organized labour and organized management are presently unable or unwilling to assume their joint responsibilities towards promoting economic order, is government through law obliged to take whatever steps are necessary to advance the common welfare."

Well, Sir, the recent events in our economic life seem to have renewed this interest in labour legislation. The abuse of vested labour officials, the abuse of leaders of industry -- and I might say that I'm not referring to Manitoba but more to Canada and you might say the continent -- the instances that we've seen where union and management representatives have joined forces to defraud the workers; the prolonged strikes which shows complete disregard for the public; gangsterism, violence and bribery; all this has made labour legislation seem imperative. But I would say, Sir, that the Honourable Minister and the government to show leadership on this, in this field, should try, should make an effort, more of an effort than has been made in the past, to try to get management and labour together in a real sincere study of the problems which are among the problems facing the people living in a free democracy.

Just before the Liberal Rally in 1961, I, and I'm sure the rest of my colleagues, were asked to present their views -- that was before the session -- to the provincial chairman of the policy committee of the Liberals. This is a letter that I wrote, just a few paragraphs I should say, from a letter of October 27, 1960, that I wrote to Mr. Walter L. Gordon, Provincial Chairman, Policy Committee. I think it will be easier by reading these paragraphs to express exactly the way I feel about this question. This might not be feasible at this time, I don't know. I might admit that I haven't any real concrete ideas how to do this but I think that it is a step in the right direction.

(Mr. Desjardins, cont'd)

"The field of labour-management relation is a challenging one. It is easier to go with the mass but we must look at the problem existing in the States as well as in our country. I feel that we should try to get representatives of management and labour to sit together and discuss the problem with some intelligence. Not representatives of special industry or special union but preferably from retired people from both groups. People known for their honesty should meet with representatives of the government, and an honest effort must be made to arrive at a satisfactory conclusion. Money talks, and at times big business gets away with murder. Politicians are also known to count noses and are swayed by unions. We are not interested in pleasing big managers or union leaders such as Hoffa. We're interested in Canada; we're interested in fair profit; and we're interested in the rank and file of the labour force. Because of the position in which legislatures find themselves, it would be well to set up a special court with specially appointed specialists who would make laws governing labour-management relations, contracts, strikes, etcetera. This would take away the pressure from the elected representatives and therefore make it more difficult for dishonest officials of industry and labour to operate."

In the past, Sir, I've never hesitated to make certain accusations when I figured it was right, sometimes of lack of courage, but I think that to be honest when it's time to congratulate people for showing courage, I should be just as ready to do so. And I certainly intend to congratulate the Honourable Member for Lac du Bonnet on the Bill 102 who was not afraid to come and give the views of his constituents even if they do not completely agree with the government. I can't say that I agree with what he said. All he said for his explanation in taking the word of the government that this is not dangerous. I do not say that I agree with all that but, nevertheless, I certainly feel that he should be congratulated in coming here and presenting both sides of the story.

Sir, I was talking about leadership in this field of labour and I feel that the point that I just mentioned, this point of bringing management and labour together certainly is one that was well worthwhile and is the most important one. I don't want to discuss too many special cases or any bills. We've had in front of this House quite a few labour bills that will be discussed in committee and there'll always be time to discuss these. I might say that one thing about the Tritschler Report that disappointed me very much, it seems that again the government took two or three points and that was it. I think the government definitely is going too fast on this. There are certain things that we are not too sure of. It takes a very good study, a complete study and, as I say, I would like to see the independent members representing -- I don't mean members of this House -- independent people representing both labour and management sitting together and discussing these things. I've had the occasion to discuss this with people representing labour, and I might say that my eyes were opened. There were certain things that I could only see in one light and, since then, I see that there certainly are two points to these different problems.

But I think that the government has erred. I think that the most important part of the Tritschler Report has not been dealt with at all and I think that this is the one that should come first. And I do agree with the statement of the member for St. John's, I think, that felt that this legislation in Bill 102 could wait another year. But I feel that the first thing that should have been done is follow the part, Page 87 of the Tritschler Report, Part 26, "Recommendation re public education upon industrial relations." I had in mind to read all this -- it's half a page. I think probably to save time I won't, but there's a couple of numbers that I would like to read. "No. 1: Nearly everyone is an employer or employee and the bulk of the population are affected by and ought to have some understanding of the problems of industrial relations. In the opinion of the commission the rank and file of labour and management are insufficiently instructed in this subject. There is evidence of ignorance, misinformation, misunderstanding and apathy No. 4: Room should be made for the teaching of something about industrial relations at the high school level. It would not be a frill. Perhaps a course in industrial relations could be put into the new non-matriculation general courses to engage the attention of people going into trades. . . . No. 8: The Department of Labour might enlist the assistance of Industrial Relations Education Advisory Committee to plan and co-ordinate the teaching of this subject. Such a committee should consider methods of stimulating general

(Mr. Desjardins, cont'd)reading on labour-management matters No.9: The Labour Relations stacks in many libraries in the province are quite insufficient and need bringing up-to-date. Libraries at affiliated colleges, high schools and lending libraries should be given reasonable assistance if required in modernizing their labour relations shelves."

Well, Mr. Chairman, I think that this would be the best way to show leadership in this field. I think that the government would have been well advised to start by giving the people of Manitoba this education before going in and bringing new laws. Laws are a necessity, there's no doubt about that. And I might quote just a few words from the former Labour Minister of the United States Mr. James B. Mitchell, who in September 1958 speaking at the University of Notre Dame said this: "A federal law is desperately needed. Of that there is little doubt, but it is only a weapon in the arsenal. It is a strong one but we do not stand or fall upon it. Federal law can be likened to a guard rail. You can grasp firmly to it and it can aid you in your effort but it doesn't teach the people how to walk. It is essentially a framework, a fence that affords protection, but what happens within its boundaries remains a matter for individual decision and personal conscience."

Now, Sir, this is why I feel that education is so important in this field. This is why I feel that it is so important, that it's the most important thing to try to get people representing labour and people representing management together. I think that we have pretty good laws here in Manitoba; we have a pretty good record here in Manitoba. I haven't seen too many Hoffas. I don't agree. I think the rank and file, especially of the unions are very good. I'm not suggesting that the heads of the unions are not doing their work. I certainly did not like the way, the reports that I've seen in the paper of the way they treated the Tritschler Report and Justice Tritschler himself. I think that you can disagree with certain things without trying to hurt a man personally. I think that if the Honourable Minister would try to do more in uniting these people; to try to work on something here in Manitoba and later on that something should be done to promote, when he has his house in order, promote a code in all the Dominion of Canada. Now we have heard from the Minister of Education who wanted to standardize the curriculum and there's no reason why the laws in this labour field cannot be standardized. I would like just to read this. I don't hide the fact that this is from the -- you would call it I guess, this "advertising" from the Liberal Party, but I think it is very good. "A new Liberal Government will therefore introduce a national labour code for industries under federal jurisdiction on work done under federal government contract. This would establish a minimum wage, working week, pay for vacation, statutory holidays, a national standard for health and safety and other working conditions." Now I don't think that the Liberals have invented this. I think that probably the Minister believes in this as much as we do, and I would suggest that he should hurry and try to do something that would lead to this. Now that he is the full-time Minister of Labour he might have more time to dedicate to this work and I'm sure that he will think about the suggestion that I've made.

Now there are just a few points -- I said that I wouldn't want to go into details. One thing that I don't like at all, I think it's unfair and I think that the members of the unions themselves should resolve this point; it is this question of forced employee contribution to political parties. I do not believe in this political check-off. I think that this is wrong. I'm not suggesting that laws should be made on that. Again it is a case where the union, doing what should be best for the people of this province, of this country, should correct this themselves. We've always proposed compulsory arbitration and we favour the collective bargaining and I think that the unions and management are starting to look at it in the same way also.

Before I sit down, there's a point that I would like to have clarified by the Honourable Minister when he answers a little later on. It is on Page 132 of the Annual Report of the Department of Labour, No. 24 and No. 25. "From 1951 to '59 the annual wage survey was conducted under an arrangement with the Economics and Research Branch of the Federal Department of Labour, whereby the inspectors of the Manitoba Department of Labour gathered the data required by both departments and the federal department used their mechanical equipment to produce any tabulations required by the provincial department." Now on 25: "While the co-operative nature of the survey has been retained, the machine tabulations are now carried out by the provincial government. From the results achieved in the years 1960 and '61 it would appear that the change in policy has resulted in a saving in processing time but the unexpectedly

(Mr. Desjardins, cont'd)high charges made for this service made heavy demand upon departmental funds and the situation requires close examination! It seems that there's contradiction here. We're talking about saving and then we're saying that it's costing too much money. And I'm sure that the Honourable Minister will want to say something about this a little later on.

MR. PAULLEY: Mr. Chairman, I listened with a great deal of interest to the Honourable Member for St. Boniface who apparently is the new labour spokesman for the Liberal Party. I'm sure that it must have been quite an undertaking for him to assume his new role. I was interested to hear him refer to such things as compulsory arbitration. Of course we're well aware of the fact that the first time in which compulsory arbitration was used, of a national scale at least, in the Dominion of Canada was under the former St. Laurent administration dealing with the railroad strike back in 1951. Now my honourable friend when he started out in his remarks inferred that we of the New Democratic Party were only interested in one segment of the economy, that of labour. I want to dispute that most heartily at the outset of my remarks. I do happen to be, Mr. Chairman, a member of a trade union organization, but for the last 20 years I've also been a representative of management for the firm that I work for when I'm not here in the Legislature of Manitoba, and I think that I can speak -- and this is also true of many of the members in my group here -- I can speak for management as well as labour, and I think we do. I agree with him in one aspect, one viewpoint, that the basis of industrial harmony rests on the joint co-operation of labour and management uniting together to resolve their differences, if they have differences, and to join together in furthering the destiny of the economy and the jurisdiction of which they happen to be component parts. One of the arguments that we have today here in this Legislature is not the question of management-labour co-operation but the feeling that we have here in the Province of Manitoba that if the Government of Manitoba pursues the course that it has charted for itself through the legislation that we have before us, it will do more to disrupt the endeavours of management and labour in the Province of Manitoba and will undo much of the good that has been accomplished over the past few years.

As one peruses the annual reports of the Department of Labour that we are able to peruse each year through the courtesy of the department one cannot help but be impressed that insofar as the staff of the Department of Labour is concerned that they report that by and large relationship between management and labour in the Province of Manitoba is reasonably good, and as the years go by is getting better. My honourable friend, the Member for St. Boniface, talked of the abuse of labour and the abuse of employer particularly at the leadership level. May I suggest respectfully to him, Mr. Chairman, that rather than writing letters to Walter Gordon of suggestions as to what the policy of the Liberal party should be in respect of labour legislation, that my honourable friend take the time out to come with such individuals such as myself and study the history and the method by which the labour leaders in our organizations here in the Province of Manitoba are selected. I think in the selection he will find that they are just as democratic in their selection of the labour leaders as the people of the Province of Manitoba are in the selection of their representatives here in the Legislature of Manitoba.

My friend referred to gangsters and gangsterism in labour. I frankly admit, Mr. Chairman, and with regret, that insofar as the whole picture of labour is concerned that in some jurisdictions we have had labour leaders who have been questionable in their ethics and their approaches within their respective jurisdictions, and I want to say this, and I am very emphatic in this, that insofar as we here in the Province of Manitoba, I don't think that we can point a finger of scorn at any of the labour leaders that we have had in the Province of Manitoba since we became a province years and years ago. It's true that we have had what we refer to as "Hoffas" in some organizations, but at the time, even when we're referring to the likes of Hoffa, we have to realize the fact that Mr. Hoffa has not yet been indicted before a court and found guilty of any misdemeanor. I'm not supporting him, because I think, Mr. Chairman, some of his activities are questionable, but I want to say to my honourable friend that when we're dealing with the question of labour let's not refer to outside jurisdictions because we're generally concerned with what has happened here in the Province of Manitoba, and I think that we should be proud here in the Province of Manitoba of the type of leadership that labour has at the present time and has had in the past. Certainly we do have differences of opinion from time to time between management and labour, and management, labour and government. I'm sure that the Honourable the Minister of Labour will agree with me that on occasions he has a

(Mr. Paulley, cont'd) difference of opinion between management and his government as he has between labour and his government, but I regret very, very much when even if only by implication a member of the official Opposition tries to infer that there is the possibility of having here in the Province of Manitoba any of our leaders who may be even by inference coupled with some of the members of organizations that we do not admire and respect, of some of the organizations that have brought about some slight smears in labour, because here in the Province of Manitoba -- and I repeat this -- we have not had this, and I sincerely trust and hope, and I believe, that we never will have. So I would suggest to my honourable friend, the member for St. Boniface, that he'd better have a consultation with the Honourable Member for St. John's or the Honourable Leader of the New Democratic Party, if he is going to be the spokesman for the Liberal Party here in the Province of Manitoba, that he should have these consultations before he makes such inferences here in the Legislature of Manitoba. He suggested labour should put its house in order. What does he mean by this? I suggest, Mr. Chairman and members of this Assembly, that labour has its house in order. Certainly it is not out of order.

MR. DESJARDINS: Mr. Chairman, on a point of privilege I did not say that. I suggested that he put his house in order -- that was addressed to the Honourable the Minister when I was suggesting about getting things ready here in Manitoba on a unified code on labour before doing this on a federal field, and that's the only time that I say that, and I made a point to say that I was not suggesting that these leaders and all that was in Manitoba. This was -- I mentioned Canada and all North America -- this continent.

MR. PAULLEY: I appreciate, Mr. Chairman, the remarks of my honourable friend. I dearly love him and I will accept his explanation, but the point that I was making, Mr. Chairman, was that it was unnecessary to make references to the individuals that he may have in his mind here in the Legislature of Manitoba because of the fact that labour has its house in order here in the Province of Manitoba. I will agree with him to some degree but I did write down as he was speaking, Mr. Chairman, that he did make the statement that we haven't had too many Hoffas here in Manitoba. I suggest to him we haven't had any Hoffas here in the Province of Manitoba, and again extend to him the invitation to get an education either from us in this party or I'm sure that he could get the education from the Honourable the Minister of Labour.

Now then, Mr. Chairman, he did make reference to the question of contributions to political organizations; I just want to put him straight on this as it appears necessary to put him straight on so many other things, that there is no such thing as compulsory contributions to the political parties. I'm sure that he's got in mind the New Democratic Party wherein there is a provision where organizations which are desirous of becoming affiliated with us in our great crusade for a better living and a better life for everybody, there is provision -- and yes, and we will achieve our ends Mr. Chairman, despite the opposition and the roadblocks that are placed in the advancement of human relations by the Liberal Party, not only of the Province of Manitoba but also of the Federal Party of the Liberal Party in respect of the Dominion of Canada, because despite them, both here and nationally, the peoples of Canada are going to progress. But my point, Mr. Chairman, that I wish to make insofar as the edification of my honourable friend the member for St. Boniface -- there is nothing compulsory at all in respect of contributions of labour organizations or farm organizations or any other organizations which are desirous of becoming affiliated with us in the New Democratic Party. It is absolutely erroneous to suggest such a thing. Again it indicates an utter lack of knowledge of my honourable friend the member for St. Boniface, because any individual has the right to withdraw his contributions, or not make his contributions in respect of that toward the New Democratic Party. Now I would suggest this, that there is more freedom insofar as the individual member of an affiliated organization toward the New Democratic Party than it is to some of the national large corporations which my honourable friend I'm sure would come to the support of rather than us.

Now apart from my remarks to my friend the Honourable Member for St. Boniface -- and again I invite him to join with me in a school -- he mentioned the fact of the Tritschler Report which called for lessons in our schools on unions, labour, management -- I join with Mr. Justice Tritschler in this butenjoin my honourable friend the member for St. Boniface,

(Mr. Paulley, cont'd)now that he has left school, to do what he is supporting Justice Tritschler in, in getting some education himself, but again I suggest this is one part of the Tritschler Report with which I agree.

I want to commend the government -- and this is my only commendation of the government, because unfortunately in my opinion for some reason or other they have panicked as the result of an unsettled labour situation in Brandon into a narrow, narrow path. I do hope, however, that after listening to the very good speech of my colleague the Honourable Member for St. John's, that the Minister of Labour will come to his reason and change his course, but I do want to commend the government for establishing here in the Province of Manitoba a single individual as the Minister of Labour. It is long overdue. It has been promised years and years ago. It took a lot of persuasion. I recall the former member for Winnipeg Centre I think he was at that time, the Honourable Hank Scott that we all knew here, proposing a resolution back in 1954 or 1955 so I'm happy to know, Mr. Chairman, that the government of the Province of Manitoba has at last acquiesced and now has a single Minister of Labour. I suggest to the Honourable the Minister of Labour that he join in the invitation that I have given to my honourable friend the member for St. Boniface, and indoctrinate himself by association with those who really are qualified in the field of labour-management to receive an education for himself and then after that I am sure that we will not have before us such legislation that we have at the present time. So I say Mr. Chairman, I extend an invitation to my honourable friend whom I admire very, very much: Don't listen to some of the rest of the boys in your caucus, because I predicted here about three or four years ago, shortly after the Conservative administration became the government of Manitoba, that while, at the outset, they were bringing in progressive legislation, legislation for the benefit of the people of Manitoba, I greatly feared however, that the good start that they made would soon wear off and that the reactionary elements within the membership of the Conservative caucus would prevail. Now I regret, Mr. Chairman, that it appears by the legislation that we have before us this session, particularly in respect of labour, that the reactionary Conservatives have got control of the caucus at least in this respect, and I earnestly appeal to the Minister of Labour to cast them off and go back the way they started off.

MR. S. PETERS (Elmwood): Mr. Chairman, the Minister of Labour in his opening remarks this morning said that he hoped that the first item in his estimates would have been passed by this party without any comments because we have been satisfied in one sense that they finally appointed a full-time Minister of Labour, and I'm glad that we have at last a full-time Minister of Labour because I'm sure, Mr. Chairman, that if we had had a full-time Minister of Labour, Order-in-Council No. 877, dated June 29, 1960, would never have been set up, because he would have been a full-time Minister and he would have taken on his duties as he should have. Instead, he passed them off. Let us take a look at this Order-in-Council, Mr. Chairman. It's set up under Section 80, of subsection (1) of Section 80 of The Manitoba Evidence Act, and I'll just read (f): "any matter which, in his opinion, is of sufficient public importance to justify an enquiry may" -- it doesn't say shall -- "may, if the enquiry is not otherwise regulated," and here is the crux of the matter Mr. Chairman. This enquiry commission, the Tritschler enquiry commission that was set up could have been set up under an industrial enquiry commission under the Labour Relations Act which it should have been. Now I don't say that we didn't need a commission set up to study the question at hand. But let's take a look at what it does say in this Labour Relations Act, section 39, subsection (1). "The Minister may, either upon application or on his own initiative where he deems it expedient, make or cause to be made any enquiries he thinks fit regarding industrial matters, and may do such things as seem calculated to maintain or secure industrial peace and to promote conditions favourable to settlement of disputes." Section (2) of section 39 says: "For any of the purposes of subsection (1), where in industry a dispute or difference between employers and employees exist the Minister may refer the matter involved to a commission to be designated as an industrial inquiry commission, for investigation thereof as the Minister deems expedient, and shall report thereon and shall furnish the commission with a statement of matter concerning which the enquiry is to be made, and in case of an enquiry involving any particular person or party shall advise those persons or parties of the appointment." And this is the important part -- subsection 5 of 39 -- "An Industrial Commission shall consist of one or

(Mr. Peters, cont'd) more members appointed by the Minister, and sections 30, 31, 33 and 34 shall apply mutatis mutandis as though enacted in respect of that commission, and the commission may determine its own procedure but shall be given full opportunity to all parties to present evidence and make representation." So, Mr. Chairman, section 33 then, would read this way: "An Industrial Enquiry Commission may summon before it any witness and require them to give evidence on oath or on solemn affirmation that they are persons entitled to affirm on civil matters and orally or in writing and to produce such documents and things as the Industrial Enquiry Commission deems requisite to the full investigation and consideration of the matters referred to it, and the Industrial Enquiry Commission and the members thereof shall have like protection and powers as are conferred upon commissioners appointed under Part 5 of The Manitoba Evidence Act." And that, Mr. Speaker, is what the Minister of Labour based his argument for setting up this judicial enquiry, on The Manitoba Evidence Act, and it should have been done under the Manitoba Labour Relations Act.

HON. STERLING R. LYON, Q.C. (Attorney-General) (Fort Garry): What's the difference?

MR. PETERS: There is quite a bit of difference. There is this one difference, that the government is hiding behind judicial cloaks.

A MEMBER: Hear, hear.

MR. PETERS: That's what they're doing -- that's what they're doing.

A MEMBER: Easy way out.

MR. PETERS: Easy way out for the government, and that's where, if we had have had a full-time Minister of Labour, he would have set up an Industrial Enquiry Commission instead of hiding behind judicial cloaks.-- (interjection) -- We don't have to hire any lawyers. The ones that you've got on your side, I think we can do just as well without.

MR. LYON: A lot of jackknife carpenters over there.

MR. PETERS: I think I've said enough on that. Now let's get to the minimum wage, Mr. Chairman. If the Minister of Labour had have been a full-time Minister of Labour, he would have paid attention to the last report that the Minimum Wage Board made on March 15, 1960 -- two years ago, Mr. Chairman -- and what did they say, in their recommendation to the Minister? "All the members of the board are of the unanimous opinion that constant study should be made of the law and its administration in the interests of all parties. It was suggested that a quarterly meeting be held by the board for this purpose." Quarterly meetings -- two years ago -- was the suggestion made. Yesterday the Minister of Labour says that he's got a new board set up and they're going to meet immediately. Two years later they have suggested -- and he tells us that they're going to meet now. That's all very well, but the board had suggested it to him two years ago. What did he do about it? He was too busy doing another job when he should have been a full-time Minister of Labour. I would just like to, just before I leave the Tritschler Report, mention it and this is an article that appeared in the Tribune so it's not my opinion or any lawyer that I have seen or any lawyers from that side or this side, but it's the Tribune 16th of February, 1962 -- "Brandon college professor criticizes report on labour. Professor G. F. MacDowell of Brandon College offered sharp criticism of the Tritschler report on Manitoba Labour Relations in a 3,000 word thesis released Thursday. Chief Justice G. E. Tritschler was appointed as a one-man Royal Commission to investigate the labour situation in the province following the Brandon Packers Limited strike last year. His report to the provincial government now is in its second printing and has drawn sharp contrast of criticism since its release. In his criticism the 43-year old Dalhousie University economics graduate said, "Mr. Justice Tritschler was cavalier in his dismissal of the difficulties involved in negotiation and relationship between labour and management." And I won't read the rest of it but that's enough to give the members on the other side an idea of what other people think -- not just us here in the New Democratic Party.

Talking about minimum wages, Mr. Chairman, I would like to point out to the Minister of Labour, we here in this group are not against industry being decentralized and going into small towns and villages in the province, but what do we read on the 9th of March, 1962, in the Free Press, a statement made by the mayor of Morden? "Mayor Cogan said Morden was fortunate because among its newer industries was a needle project which employed between 80 and 90 people and paid an average of \$28.00 a week to its employees. This money, the mayor

(Mr. Peters, cont'd) said, was for the most part earned by wives in the community and allowed their families to buy the extras which made for better living. Is this what we are proud of, that we have to have wives going out and making extra money so that the families can get things that make for better living? I don't think that's what we want -- (Interjection) -- Yes, \$28.00 a week wouldn't pay for a baby sitter in the city.

One other place where the Minister of Labour was lax because he had two jobs and not one. Going back through the annual report, Department of Labour, December 1, 1959. On page 93 -- you take a look there and you see a list of people who were brought up for failure to pay wages within 5 days and what do we have there? We have a plastering contractor from St. Vital and if you want me to read the name I can, because it's public knowledge anyway -- it's in the book -- Ivan Ivankovic -- and what happens? There's one, two, three, four, five, six, charges here, and what is the result? Placed on two years' suspended sentence, ordered to pay \$15.00 each month; \$10.00 in costs. Next charge -- same thing -- placed on two years' probation. Placed on two years' probation. Four times. That's in 1959. In 1960, Mr. Chairman, we go back to the report on page 116 and what happens? The same plastering contractor, convicted for the same charge, and what happens? This time he's given a suspended sentence of three years. Last year they say, "Don't you do it again because we're placing you on suspended sentence for two years." So now he's convicted -- three years' suspended sentence on recognizance of \$500.00 ordered to pay \$15.00 a month. That was in -- (interjection) -- three years. What happens next time? Does he get five years' suspended sentence, and the year after? Well let's go and take a look in 1961. So he's finally brought up -- I've lost the page now, oh here we are now -- Page 149. The same contractor; he's brought up this time December 18, 1959, "entered into recognizance and failed to keep and observe the conditions, unlawfully failed to pay wages to Vinko Kalic, Kristian Jablonski and Duro Orbradonic in the amount of \$611.66 while under suspended sentence, pending." The very next item is, the same contractor, "failed to pay wages on condition of recognizance," and what's the court finding? "Stay of proceedings. Pleaded guilty. Wages paid." How long does this go on, Mr. Chairman? If the Minister of Labour had been on his job, he would have had the laws amended so that people like this wouldn't be getting suspended sentences. They should be put in gaol like anybody else would for stealing money, because that's what it amounts to. This man's been allowed to go on, so this year, what do we get? We've got an amendment to the Employment Standards Act or the Fair Employment Act, that says the Minister may make him put up a bond of \$1,000.00. That's a big to these fellows who have worked. Why didn't they get their wages? And I understand before these charges are laid, Mr. Chairman, that the fellow is given an opportunity first of all to pay the wages before any charges are laid. He didn't pay the wages; the charges were laid; he's convicted; he gets a two years' suspended sentence; the next year he gets a three years' suspended sentence. I guess next year he'll get a gold medal or something. -- (Interjection) -- Don't worry, I will.

What about Workmen's Compensation, Mr. Chairman? What have we done in regard to workmen's compensation, in regards to persons who were injured, say, ten or twenty years ago and complications of the old injury set in? What happens? They go back on compensation. Oh yes. But what are they paid? They're paid on the rate of the time of the accident, and although they might be employed at a place where they have a union contract which allows them if they're off sick \$40.00 or \$50.00 a week, they can't draw that money because they're on compensation. So they go on compensation and what do they get? Twelve dollars a week. Has the government looked at this? This is something they should be looking into. Not labour relations trying to drown labour and it. This is the things that they should be looking into. What about safety? How many inspectors have the government employed in the last few years? I know that the Department of Safety or the department that looks after safety, under the Minister's jurisdiction, are doing a good job, but have they got enough help? Today you go into almost any plant of any size at all; they have an electric fork lift truck; they have what they call a pilot truck. So they have inspectors going around to see if these things are in working condition; if they have brakes on; or whether the electrical mechanism is working? There was an accident a few years ago -- very fortunately the fellow was not killed -- but what was the cause of that accident? What was the cause of it? There was one of the mechanisms that wasn't working properly. Have we got inspectors going around? I know you can have all the

(Mr. Peters, cont'd) staff you want at Norquay House that are doing a job, and a darn good job, but how many have you got out in the field going and checking? That's what counts. How many inspectors have you got inspecting elevators and all the rest of it?

This afternoon the Minister said the department had taken over the -- they'd stopped the vacation pay by stampbook method, that they were now doing it with the IBM machines, and that they handled \$1,450,170.00. I wonder if the Minister could tell us if these cheques are mailed out to the people. Do they have to come and claim them, or how are they handled? And he mentioned Workmen's Compensation Board. He said that 5% of the people employed by the Board now are people that have disabilities. What I would like to know, are they people that the government hired that were disabled, or are these people who were in an accident and are compensation cases, or are these straight people with disabilities that the department hired? And anything else I have to say I think I'll leave to the items.

.....continued on next page.

MR. CARROLL: Mr. Chairman, I should make some comment on some of the points that have been raised here this afternoon.

I think that we would all agree on both sides of the House with the Member from St. Boniface in his suggestion that there should be a spiritual or moral approach to labour relations, and I think we have all in one way or another expressed that really, by law, we can't solve any of labour's problems. We just established the framework within which parties can negotiate and establish the basic rules, but it remains for the parties themselves to solve their real problems. I think that his way of expressing it is only slightly different maybe than the Member from St. John's in earlier debate in this House, and similar comments by the Leader of the NDP.

The suggestion, as I recall, from the Member from St. Boniface, was that only a few of the recommendations of Mr. Justice Tritschler were implemented by the government and that we should really not be getting into this field at this time but should take longer to give consideration to his recommendations. Well I will say that there has been a great many representations made to the government in the last few years from both labour and management sides, which have established more or less a pattern of what these people seem to feel should be changed in our Labour Relations Act. While some of the matters which are coming forward also were approved by Mr. Tritschler, I think that it's safe to say that our legislation has not been based solely on the Tritschler Report but it has added its weight of evidence to that which was already with the department when we came to considering these problems.

Now the question of education is one that I think is really a most important one, and I'm very pleased to be able to tell the House that we do have an amount in our estimates this year to try to improve the understanding of labour-management relations. We know that from time to time there are others who conduct courses of various kinds to, generally speaking, give a one-sided view of this relationship. We would hope that by the department taking the initiative in this field, that we would hope to be able to get both sides together so we can have a free flow and exchange of ideas, which we think will be beneficial to both sides. We agree that there should be more education. We are taking steps in that direction. We would hope to have a seminar course available commencing next fall, or next winter, possibly under university auspices. We've had some discussions with them and we would hope to be able to have something worthwhile to offer in this very important field.

Now the suggestion of greater leadership on the part of the government in education and trying to foster a better understanding. I don't think there has been a lecture or a speech or a few remarks given at any time by myself or members of the department, that has not stressed this feeling, trying to create this atmosphere of better understanding between the parties in dispute. I think that it's safe to say that we have tried to encourage along with the federal government at Ottawa the Labour-Management Committee idea. We think this is a good approach to better understanding; to better safety in the plants; to better job methods; better work conditions and all of these things. We believe, too, that the National Productivity Council has a great deal to offer to labour and management, if we get the co-operation of both, because I think we'll all agree that management can't pay better wages unless they can sell their products, and sell it at a price that will enable them to pay these higher wages. I think it's in the interests of all to try to increase the productivity of goods in Canada, to produce more goods more cheaply in order to offer savings to the consumers at home and to be able to compete in markets abroad, which are essential to the well-being and health of our national economy.

I think that the changes which we are bringing in in our legislation do not really disturb this relationship between labour and management. Freedom of both parties to negotiate and to take action remains. Of course, there is a legal impediment on them to obey the law, which I think is something that no one in this House would suggest should not be the proper attitude of responsible bargaining parties.

The contribution to political parties. I think the Leader of the NDP has dealt with that question. He advises us that no one contributes through the labour funds to political parties without his authorization. I'm not sure whether he gives the authorization in advance by saying, "I want to give the NDP" or whether he has to contract out by saying "I don't want to give" -- (Interjection) -- he contracts out. There's some question as to the morality of that way of doing it. I don't wish to comment on it myself at this time. -- (Interjection) -- Ethics may be

(Mr. Carroll, cont'd.) a better word -- I don't know.

The Wage and Salary Survey -- some comment about the cost being too high. I think it is true to say that we have not had the kind of experience that we should have had in setting up our equipment to handle these things at the beginning. Until our procedures are worked out I think possibly costs may be running a little higher this year. I think possibly we'll have a good look at the economics of handling this in future and we'll be making a decision in favour of the most economic way, unless, of course, the time element is a factor which overrides this other consideration.

The Unified Code for Manitoba. I believe he said something like this: "A new Liberal Government will therefore introduce a national labour code for industries under federal jurisdiction on work done under federal government contract. This would establish a minimum wage, maximum working hours, pay for vacations, and statutory holidays, national standards for health and safety and other working conditions." Well I think we can't establish the national standard for a good many of these things. I think you will find in studying our labour legislation that we do provide for most of these other standards that have been suggested by the Member for St. Boniface.

Oh, there was one other suggestion here, I'm not sure that I caught it right. In his letter to Walter Gordon, I think he was suggesting that there should be a committee of elder statesmen to consider -- was it changes in labour legislation? Was that the suggestion?

MR. DESJARDINS: Mr. Chairman, it was the study, the whole problem of labour and if there are any suggestions, but certainly

MR. CARROLL: I think that's a good suggestion and one that I would subscribe to. I think we're always looking for good advice. I see in last night's paper, maybe some of you noticed it, "You must pull your socks up, an elder statesman tells Canadian unions." This was C. H. Millard who has been the President, I take it, of the International Confederation of Free Trade Unions speaking about labour responsibilities, etcetera, who appears to be coming back and giving some good advice now in the light of his own mistakes in the past. -- (Interjection) -- Well, I can only say, often pulled the trigger himself, now he's coming back and saying: "Be careful boys, this isn't necessarily the right answer." Union members are citizens and consumers first, first and foremost. I don't think in handling our industrial relations we have yet grown into the position in Canada where the public is sufficiently taken into account. I think these were sentiments that I tried to express, not for that I must confess, in my opening statement on the introduction of the second reading of The Labour Relations Act. Part of the success of industry and labour working together in western Europe is due to the fact that both have matured to the point where very few cases go to strike. This is not a one-sided thing. It means that management must mature as well. It isn't one-sided -- I'm sure he means that. I wouldn't want the House to get any other impression from the remarks that I'm making here.

Now the Leader of the NDP. We come to him -- "If the government pursues its course, it will disrupt labour-management relations." I don't know whether this is a threat or not.

MR. PAULLEY: It's not a threat. It's a statement of fact.

MR. CARROLL: But what about all the good legislation we're bringing in in this session. I think we have eight labour bills. One of them contains a few things that some people are objecting to, and largely without any basis for their objections, and I'm going back now to some remarks that may have been made earlier about some of the trade union leaders who made comments at a meeting, I believe in Winnipeg last week, where they criticized this legislation. They said it was a terrible thing and I think some people were suggesting that they weren't going to obey it; they'd sooner go to gaol and things of that kind. In discussing this with some of those people, I was informed by another party that some of these people haven't even read our Labour Relations Act, who were up making those comments. I think this is a very serious charge when people can get up on platforms and condemn things without having the full benefit of the facts before them. I think this is a criticism of people who make these statements without the full knowledge of the matter that they're discussing.

MR. PAULLEY: Mr. Chairman, I might say to the Honourable Minister that's why we object to the legislation he's bringing in, that he hasn't the full knowledge of the facts.

MR. CARROLL: I wish you would then tell us where we're going wrong. I think some of your friends have tried. Your attempt -- it may be more heat, more smoke and less fire,

(Mr. Carroll, cont'd.) and possibly on further consideration you might have given it some arguments. Maybe you will at the committee stage.

MR. PAULLEY: Will do.

MR. CARROLL: Education in schools. Well I think that's a question really for the Minister of Education. You'll have another chance next year. I think he's under some pressure to do a good job with some of the subjects they're already teaching. I don't know whether we can get out into this field. I think the idea is good. I think it does affect our livelihood very much, and I think there should be a better understanding.

Panic legislation -- Well I don't quite agree. Full-time Minister -- At one time we brought in good labour legislation, now we're not. You disagree with what we're doing now. I was just wondering -- I would like to ask the Leader of the NDP if he believes that unions, as such, should live up to their contract obligations. Should they be bound by The Labour Relations Act and responsible for any infractions of it -- for damage results or loss?

MR. PAULLEY: I would say, Mr. Chairman, if the Honourable the Minister of Labour is asking that as a question, I would say yes, that labour organizations should have, as one of their responsibilities, the living up to the law, providing the law is just. -- (Interjection) -- Well, Mr. Chairman, may I suggest that the medical profession in the Province of Saskatchewan have indicated that they are not going to live up to the law. -- (Interjection) -- My friend the Minister of Industry and Commerce says what they do is one thing, but what labour does, he suggests, is another thing. I suggest that there is a similarity. Surely if it's right in one case for an organization who is banded together for their protection to turn around and to say we're not going to abide by the laws no matter what your laws are, that the same thing would hold true insofar as labour legislation is concerned.

MR. EVANS: Mr. Chairman, I don't defend any statements that may have been made on behalf of any body anywhere that says they will defy the law. I ask my honourable friend if he is taking this as an example which he should follow in his Party and base his conduct on, or that labour leaders should follow. If anyone declares they will break the law, does he think that is justification for him doing so? -- (Interjection) -- I indicated that you quoted a precedent of another body in another province which is alleged to have said that they will break the law. Do you think that is sufficient reason for advocating the same course?

MR. PAULLEY: Not necessarily so, Mr. Chairman, at all, but I do suggest this. The Honourable the Minister of Labour asked me a question insofar as upholding the law and I said yes, providing the law is just. But the point of the matter is that the law, that we figure will be unjust if it is enacted, is before us for our consideration now. In respect to Saskatchewan, it is a law at the present time and therein lays the difference. Now then, if perchance the Government of Manitoba pursues the course that it is doing at the present time and enacts what we consider -- and I think can be established an unjust law in respect of labour legislation -- then we'll have to await what happens after that. But I do say this, and here is my main point, that governments should not enact unjust laws and that is why we are opposing the legislation that we have before us at the present time.

MR. CARROLL: Well, I'm glad to have that clarification and I'm quite sure that you'll have an opportunity to speak on it at the committee stage. I hope that I'll have another opportunity before it gets to committee, so maybe we can come to agreement sometime in the future here before too long.

MR. PAULLEY: We will agree to disagree.

MR. CARROLL: I won't commit myself like that. Now the Minimum Wage Board should have constant review -- I think this was the Member for Elmwood. I believe that they did have meetings. Their meetings were within their own control and they did review regulations and things of that kind during the last two years. The reason that we have just re-appointed two new members -- or three -- is that one of the employer members tendered his resignation upon becoming a full-time member of the Workmen's Compensation Board. That left a vacancy; two others expired in March, the Chairman himself and Mr. Butterworth, the employee representative, and they have since been re-appointed. They have instructions to proceed with an examination of the minimum wage to bring forward a further recommendation on it at this time. I believe he said the average wage at Morden in a plant down there was \$28.00 a week. That would likely, I suggest, be during the initial stages of development in that

(Mr. Carroll, cont'd.) particular industry. As you know, when a plant opens and starts from scratch without trained personnel in an area where there aren't adequate machine operators, sometimes you can make provision to allow employment under The Minimum Wage Act for a period of up to three months, I think, until the staff could be brought up to the point where they could be producing; and also with the understanding that they would not be producing at the minimum level but substantially above that once they had developed the necessary skills in the operation of those machines. Now that may be the answer to the question you raised. If you could give me the name of the firm, I think probably I could provide you with the full statistics on it.

This plastering contractor that was mentioned, I do agree that it has not appeared to be possible to get control over small contractors. In some cases they operate with very little in the way of capital, very little in the way of equipment, and they just have an old beat-up truck and a plaster box on the back and they're in business -- and they go out and they hire people. We've long since past the days, I believe, when we put people in gaol for failure to pay debts. The old Debtor Court days -- I don't know whether it's still possible or not, but it has been a long time since I've heard of people going to gaol for failure to pay legitimate debts. Now we hope to be able to get control of this situation by the amendments to our Employment Standards Act whereby contractors or employers who have a reputation for failing to pay debts, who have a conviction against them, whereby we can prohibit them from employing other people in those situations. That, I think, would enable us to clear up this situation. We're no happier with it than you are. In fact, this is one of the big jobs of the department, trying to chase down people like this and to bring them to justice, and we are tightening up The Employment Standards Act to try to eliminate that particular situation.

Now with respect to safety. I'm very pleased to be able to tell the House that last year we had a reduction of 1,900 accidents in construction, I think largely because of the increased activity of our inspectors in the construction industry, and this is, of course, one of those industries where you have a great many accidents. Our accidents in total came down last year. Our accidents under the Workmen's Compensation Board, our compensable accidents were lower last year.

Now I don't know about the disabled workmen that are employed by the Workmen's Compensation Board. I don't know whether they had previously been in government service or not. If you are particularly interested in that, I could undertake to get the information and give it to you privately at a later date if you so desire.

I think that is just about all that I have at the moment. I think I may have missed one or two. I'd be glad to get them though on the items themselves if that's satisfactory. There was some comment with respect to Professor McDowell. I would like to say that I've had some correspondence with him, but at the moment I'm not at liberty to disclose that correspondence. I will endeavour to get his permission to tell the House about it.

MR. CHAIRMAN: Administration passed. Item 2 -- passed. Item 3 -- passed. Item 4 -- passed. Item 5 -- passed.

MR. A. E. WRIGHT (Seven Oaks): Mr. Chairman, I think perhaps it might be better if you would just give us a chance when you call the items. There are some of us that have some thoughts in mind here. I wanted to speak under (3) -- I hear you calling (4) -- in regard to safety. I would like to know from the Minister, and looking through the Labour Report, there's one word that I see very rarely and that's the word "safety". It's true that there are tables here showing the investigations and that, but I would like to know -- sometime back there was an accident in the CPR Shops, which involved the loss of life of two men, and being with the railroad I know that this comes under federal jurisdiction -- but I would like to know what our Department of Labour of the Province of Manitoba knows about that accident? In saying this, Mr. Chairman, I do it from the point of view that we should know of the circumstances with a view, not of using it politically, but with the view of preventing similar accidents in other shops that come under federal jurisdiction. And I have newspaper clippings of the occasion where the CPR were blaming the men -- and it may be true, I wasn't at the inquest. I would like to know whether or not the Department of Labour of Manitoba were able to attend the inquest, and whether they have all the facts that they should have, whether or not it's under federal jurisdiction.

MR. CARROLL: Well, Mr. Chairman, I must confess some negligence here because the member did mention this particular incident to me before, and I had hoped to investigate it and get some further particulars on it. It is an accident though, in the railway shops, and does not come under provincial jurisdiction -- it is a federal matter -- but I will undertake now to try and get particulars with respect to that accident and give him a report on it if the information is available to us. And I'll do that privately, if that's satisfactory to the member.

MR. REID: federal office in Winnipeg where a person could get information, because as the Minister says, it's not a provincial matter; it's a federal matter. For the average person it's pretty difficult for them to get access to Ottawa and get all inquiries. So in cases of accidents I was just wondering if there's an office here in Winnipeg where a person could get information.

MR. CARROLL: Yes, there are federal Department of Labour offices in this area.

MR. PAULLEY: Mr. Chairman, on Item No. 3, I want to ask the Honourable the Minister a question. I did informally mention this to the Honourable the Minister -- I don't know if he recalls it or not. It deals with the death of a youth as a result of a dynamite explosion at Grand Rapids, Manitoba. Now I perused the report of the department, Mr. Chairman, wherein they list the number of industrial accident fatalities for the year 1961, and also list as to whether or not an investigation was held into these fatal accidents. Excuse me, Mr. Chairman, that's not a correct statement when I said "as to whether or not." In each case these were investigated. But I do not see any reference at all into the accident that I am referring to. I have before me a newspaper clipping and I must apologize to the Minister and the House for not having the exact date, but I believe the date was somewhere about November 7th, or close to that, wherein reference is made to a young provincial government employee injured in a dynamite explosion at the Grand Rapids, Manitoba, hydro project, was pronounced dead on arrival by plane here, late Wednesday -- "here" meaning The Pas. The youth identified by Manitoba Hydro officials in Winnipeg as Harold Walter Cook, 19, was working on sewer installations at the trailer park at the site, 235 miles north of Winnipeg. Officials said that Cook, an employee of the Department of Mines and Natural Resources, was 30 to 40 feet away when workmen set off the dynamite blast at the project. Cook was subsequently placed aboard a Manitoba Government Air Services plane to be taken to the hospital at The Pas, 90 miles northwest of Grand Rapids. He was pronounced dead when he was removed from the plane at The Pas. An inquest was called for Wednesday night but was adjourned indefinitely. Now I would like to hear from the Minister circumstances surrounding this event; the precautions that were taken, or should have been taken, at the time of the accident; and I would like to hear in the absence of any reference to it in the annual report, a report from the Minister of Labour, or from the Minister of Mines and Natural Resources, or from the Honourable the Attorney-General in respect of this case. It appears to me, Mr. Chairman, from what I have been able to ascertain in this particular case that the person referred to, namely, Harold Walter Cook, was engaged at work, a dynamite explosion occurred, and as a result this young man lost his life. Now I do know that insofar as safety regulations are concerned they're rather rigid, or should be rigid, insofar as the protection of personnel, and I want to hear from the government and either of the Ministers I have mentioned in respect of this, the circumstances under which this accident occurred. It appears to me reading the annual report of the Department of Labour that they investigate various fatalities. The Honourable Member for Seven Oaks referred to the Minister a case dealing with an occurrence at the CPR Railway, which, of course, comes under federal jurisdiction, and I think that the Minister is perfectly correct in that. But here is an industrial accident which occurred in the Province of Manitoba, which resulted in the death -- and I believe that this young fellow was a young Indian -- to which no reference is made of an investigation by the Department of Labour. I'm interested, of course, first of all as to the circumstances prevailing which resulted in his death, and also interested in what steps the department is taking to make sure that there's no recurrence of this unfortunate occurrence. I would like to hear from the Minister if he has the information in respect of this; if he has not, from one of the other Ministers that I have mentioned.

MR. ORLIKOW: Mr. Chairman, I wonder if I could ask the Minister one question. I think it's the only question I'll ask him -- I don't think he'll be sorry to hear that -- and he may have passed it up because I had to go out of the House. The Minister said, and I certainly

(Mr. Orlikow, cont'd.) approve, that the department had plans for a program of education and that he has something in the budget. I wonder if the Minister -- I realize and I'm not being critical; I'm looking for information -- I realize it's the first time we're doing it and I don't expect the Minister to give me a long detailed plan at this time, but could he give us some information as to what the general plan is? How much money is involved and which item it is, and is there any money for a matter which I have raised on other occasions for some publicity educational material to explain to the public the provisions of The Fair Employment Practices Act and The Fair Accommodation Practices Act? If there is, in what item is it? How much money is involved? And what does it propose in a general way that we do? As I say, Mr. Chairman, I may be in the wrong item, but I don't know what item this would come under.

MR. CHAIRMAN: We are on Item 3.

MR. CARROLL: Yes we are, Mr. Chairman, that's right. I think as far as the discussion, the question about the university-sponsored course, or the Department of Labour-sponsored course probably with the assistance of the university, that could be discussed under the Item 5, the Labour Relations Division.

I regret that I can't answer the question about the advertising for Fair Accommodation Practices Act and Fair Employment Practices Act. I do know there is some money available. I suspect it's under Item 1, Administration. I'll have to make inquiries over the dinner hour and advise the member on my return.

Now with respect to the accident at Grand Rapids, as I understand it -- and I've had this just quickly over the telephone -- one employee went out to tell another to stay in the trench, a blast was going to take place, and as I understand it, normally both of them would have remained in the trench until the blast was over and the rock had fallen and then they would go on with their work. As I understand it, instead of the man remaining in the trench with Mr. Cook, he turned around and left and he was followed by Mr. Cook, and Mr. Cook, of course, was killed in the blast which followed.

We are making changes in our legislation this year under our Building Trades Protection Act and we'll be making regulations under that that we hope will prevent accidents such as this occurring. I think up till now there's been very little work done in areas which require rock blasting, except possibly under the Mines Department and they have specialists in that field and I think you'll very, very seldom find an accident under those circumstances where you've got people especially trained in that field. Maybe the Minister of Mines and Natural Resources might want to say something about this as well. There has been a committee established of people involving the Department of Labour and the Department of Mines and Natural Resources, and a procedure has been agreed upon which would prevent, we think, a situation like this ever developing again. We can explain this; it involves the posting of sentries to give warning, offering audible signals and other procedures. But there is still some investigation taking place. They say it will be about two months before they'll come in with the final report and recommendations to the government. This letter was dated March 27th to me. There is some suggestion of the federal government having some responsibility with respect to the use of explosives and things of that kind. But a procedure is now in force on that job which we think will prevent an accident like this occurring again. We hope to be able to prevent accidents by regulation under our Building Trades Protection Act in the future.

MR. CHAIRMAN: I call it 5:30 and leave the Chair until 8:00 o'clock.

MR. PAULLEY: Mr. Chairman, if I may, just before you go, at 8:00 o'clock I intend to ask the Honourable the Minister of Labour as to whether or not a copy of the report in connection with this accident may be made available to me. I ask it now so that he may give this his consideration and possibly consult with some of the other colleagues that may be involved in this before 8:00 o'clock.