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DEBATES OF THE LEGISLATIVE ASSEMBLY
(Hansard)

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Afternoon Sitting

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The House met at 2 p.m.

Prayers.

MRS. D. WEBSTER (Vancouver South): Mr. Speaker, I would like this assembly to welcome a group of people who have come here from the Vancouver Parks Association. Included in this group are: Marshall Smith, director of recreation for the Vancouver Parks Board; two park commissioners, Mrs. Atkinson and Mr. Livingstone. Also here are community centre directors: Mr. Shelton from Grandview; Mrs. Anders from Hastings; Mr. Warren from Douglas Park; Mr. Booth from Thunderbird; Mr. Thrussell from Kitsilano; Mrs. Pearson from Dunbar; Mr. Vick from Marpole Community Association and Mrs. Eaton from Kerrisdale Community Association.

HON. E.E. DAILLY (Minister of Education): Mr. Speaker, I would like the House to join me in welcoming a group of students from Alpha Secondary School in North Burnaby who also have with them a group of visiting students from Newfoundland who are being hosted by the Alpha students.

MR. G.B. GARDOM (Vancouver-Point Grey): Mr. Speaker, I would very much like all of the Hon. Members to extend a very cordial welcome to Mrs. Inez da Rosa, MBE, from Hong Kong and her husband, Mr. Fernando da Rosa. They are in the Legislature this afternoon with my secretary, Mrs. Teresa Campos, and her husband, Mr. Alvaro Campos.

MR. C. D'ARCY (Rossland-Trail): I would like the House to welcome Mr. Norman Gabana, the senior alderman of the City of Trail and elected representative of that city on the board of the Regional District of Kootenay-Boundary. Mr. Gabana is also chairman of the planning committee of the regional district.

Reading and receiving petitions.

CLERK: A report, office of the Clerk, April 23, 1975, in the matter of the petitions presented to the House on the 22nd day of April, 1975, by the Member for Chilliwack (Mr. Schroeder) and the Member for North Okanagan (Mrs. Jordan):

"Standing order 73(5) provides that the signatures of at least three petitioners shall be subscribed on the sheet containing the prayer of the petition. If the said petitions do not contain the signatures of at least three petitioners thereon, they accordingly do not comply with the standing order. All of which is respectfully submitted, I.M. Horne, Clerk of the House."

Introduction of bills.

BRITISH COLUMBIA NOISE CONTROL ACT

On a motion by Mr. Gabelmann, Bill 66, British Columbia Noise Control Act, introduced, read a first time and ordered to be placed on orders of the day for second reading at the next sitting of the House after today.

Oral questions.

DEDUCTION OF WIDOWS' PENSIONS FROM ICBC COMPENSATION PAYMENTS

MRS. P.J. JORDAN (North Okanagan): Mr. Speaker, I would like to direct my question to the Minister of Transport and Communications. Would the Minister advise the House if widows receiving widows' benefits under the Canada Pension Plan have the amount of the Canada Pension Plan widows' benefits deducted from ICBC accident compensation benefits?

HON. R.M. STRACHAN (Minister of Transport and Communications): I think the same rules apply to ICBC as apply to other areas of compensation. I will check it out specifically, but that's my understanding.

MRS. JORDAN: Mr. Speaker, just a further supplementary: while the Minister is checking it out, would he please check out also if they are receiving benefits, for the children they're supporting, from Canada Pension — if that amount is deducted? Would he also check out whether or not there is a premium paid for this by the insurers, and also would he bring back to the House information as to whether or not, when there was a choice of insurance companies in the province, individuals would receive the benefits they paid for when they took out their auto insurance regardless of whether they had income from old-age pensions or widows' pensions or children's pensions?

HON. MR. STRACHAN: I will certainly take that into consideration, but I would draw your attention to the fact that the regulations are public and are published.

MRS. JORDAN: Well, in response to the Minister I would suggest that this information, which appears to be true and is awaiting confirmation from the Hon. Minister, is coming as quite a shock to a number of older people and widows in British Columbia who are having accidents, making claims with ICBC and

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finding they're being ripped off.

CRUDE OIL SUPPLY FROM ALBERTA

MR. D.A. ANDERSON (Victoria): To the Premier and Minister of Finance, Mr. Speaker. In the light of the statements of Mr. Jim Rhodes of the B.C. Petroleum Corp. as reported in this morning's *Province*, may I ask the Premier whether the government has completed negotiations with Alberta with a view to securing supplies of crude oil for this new British Columbia refinery?

HON. D. BARRETT (Premier): Mr. Speaker, I would like to inform the House that negotiations are going on. There are a number of things we are looking at in terms of those negotiations. The Premier of Alberta has also publicly verified that the inquiries are being made, and negotiations are going on.

MR. D.A. ANDERSON: May I ask the Premier when he expects to receive assurances from Alberta of the supply of crude for this proposed refinery?

HON. MR. BARRETT: When the negotiations are completed. (Laughter.)

MR. D.A. ANDERSON: Well, Mr. Speaker, could I rephrase my question? When is the expectation of these negotiations being completed? If the cabinet is now trying to decide where to build, it seems sensible to get some assurance before that of getting crude from Alberta.

HON. MR. BARRETT: That's right, Mr. Member.

SITE OF NEW OIL REFINERY

MR. R.H. McCLELLAND (Langley): Mr. Speaker, on a supplementary to the Premier: yesterday the chairman of the British Columbia Petroleum Corp. said that the cabinet committee was meeting today to decide from three sites: Merritt, Roberts Bank and Surrey. Today the Premier announced that Merritt was no longer being considered but Clinton was. I wonder, Mr. Speaker...

Interjections.

MR. McCLELLAND: Rather, Roberts Bank was no longer being considered but Clinton was. Would the Premier be prepared to table the documents or the studies that have made Roberts Bank no longer a feasible site and have now included Clinton as one of the sites? Would it be possible to have the documents tabled as they're done?

HON. MR. BARRETT: I'm not quite sure of the question, but let me inform the House of where we're at. The cabinet committee did meet this morning and, as a matter of fact, four sites, after the completion of all preliminary studies, were brought to us at this morning's cabinet committee. Those four sites were: Roberts Bank, Surrey, Merritt and Clinton. Merritt and Clinton are both in the same general area. Roberts Bank was eliminated. Unless somebody in this House wants to espouse Roberts Bank as a location, there's not much point in tabling the report.

MR. McCLELLAND: Why was it eliminated?

HON. MR. BARRETT: Well, it was eliminated for environmental and seismographic reasons.

Thank you very much for your assistance. I knew you'd be some help some day. (Laughter.)

After that advice that was received, we decided on the best advice that Roberts Bank was out. That doesn't mean we're not thinking of going into our banking business — we're talking about a different bank.

Now there are three sites left.

MR. McCLELLAND: Where does Merritt fit in?

HON. MR. BARRETT: Merritt? It's in the interior.

MR. McCLELLAND: How come Clinton all of a sudden became...?

HON. MR. BARRETT: What you're dealing with is your own hysterical speculation rather than facts. I'm trying to tell you the facts and you don't want them now.

Interjection.

HON. MR. BARRETT: I'm trying to give you.... I'm answering the question; please don't interrupt the answers. The answer is that there are three sites left that we're looking at. All the preliminary studies have been done. We're not committed to any specific site. We've now announced that we're going to meet with the mayors and councils of Surrey, Merritt and Clinton to share with them the information of the preliminary studies.

MR. McCLELLAND: Behind closed doors?

HON. MR. BARRETT: If they're interested, as the elected municipal officials, to go further, then to go further we say that we must include detailed studies of their area and that they must commit themselves to public hearings when those detailed studies are completed. Only after that will we go ahead and choose a location in conjunction with them. We are

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proceeding in an orderly, rational manner. I know that's difficult for the opposition to handle, Mr. Speaker, but that's the route we're going.

MR. McCLELLAND: On a supplementary, Mr. Speaker, I asked the Premier whether he would be prepared to table with this House those studies so that all of the people involved could have a look at them and find out what the rationale was. Secondly, will the Premier guarantee that those meetings with the councils will be held in public rather than behind closed doors as has happened so far?

HON. MR. BARRETT: Mr. Member, I will not guarantee that the Social Credit caucus holds their meetings in secret or in open.

SOME HON. MEMBERS: Oh, oh!

HON. MR. BARRETT: That's your business and it's the councils' business. We will go to the councils and tell them exactly what the preliminary information is. We have an obligation to do that. Anything less would not be responsible. I don't want anyone else to go around playing politics with this issue, as some irresponsible people have been doing.

MR. G.S. WALLACE (Oak Bay): Mr. Speaker, it was also stated, on the same subject, that the government would acquire 51 per cent of the equity in the refinery. Regarding the other 49 per cent, particularly because of an interested observer in the gallery, I wonder if the government has made any decision about using Arab money for the other 49 per cent.

HON. MR. BARRETT: Mr. Member, I appreciate the question. It is true that the government is seriously considering having 51 per cent of the ownership of the refinery. There are a number of internationally known oil companies which are dealing with the Petroleum Corp. and wish to be equity holders in the enterprise as well. They are presently relying on their supplies in British Columbia from other outlets, and they are looking for more secure outlets, so we're talking to them on the basis of a first-come, first-served approach. There is a great deal of interest in this refinery; we can't serve all the private capital that wants to come in and be partners to this. They're flocking to B.C. to get a part of the action, but we'll have to be discriminating as to who we allow to share with us on an equal and fair basis. We'll give all the private entrepreneurs and oil companies a fair hearing, but no favours to anyone.

MR. L.A. WILLIAMS (West Vancouver-Howe Sound): A supplementary, Mr. Speaker. In view of the suggestion made by the Minister of Economic Development (Hon. Mr. Lauk) that the location of the refinery had to

be in close proximity to the market, could the Premier indicate whether or not there's any maximum distance from the greater Vancouver area within which this refinery might be built?

HON. MR. BARRETT: Mr. Member, I appreciate that question. The Minister of Economic Development has done an excellent job in his analysis in terms of the conditions that he was told to look at for his department — purely on economics. Economics dictate that the lower mainland location certainly would be cheap. On the other hand, it's within the range of consumer prices and wholesale prices to go beyond the lower mainland. That will be part of the consideration — up to Merritt and to Clinton.

The Merritt location and the Clinton location are close....

MR. D.A. ANDERSON: Or Calgary, Lethbridge....

HON. MR. BARRETT: Please, Mr. Member. Don't make fun of this very serious subject.

MR. D.A. ANDERSON: You haven't got any crude.

HON. MR. BARRETT: Please.

The distance, of course, is related to the location of the pipeline itself from Alberta. Merritt and Clinton make themselves attractive; they're within a range acceptable for limited additional costs and close enough to the market. That's why they came down in the narrowing in of the sites.

We're going to make the decision based on economics, environment and the socio-economic impact of the project itself. But we want the local communities — as I announced this morning — to be part of the process. Now that the government has completed the preliminary work, they're going to be part of the process as we lay the facts in front of them. I welcome support from all Members of this House, regardless of party, for this great project in British Columbia.

MR. SPEAKER: The Hon. Member for North Okanagan on a further supplementary. Then could we get on to other business, please?

MRS. JORDAN: The Minister, in speaking to this oil refinery, talked about economics and responsibility. I'd like to ask him, in view of the fact that Mr. Rhodes, who is the pilot of this project for British Columbia, has announced that the capital costs will be written off within seven years:

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1. Does the Premier himself, the Minister of Finance, not think this is rather an unseemly, rapid write-off?
2. Upon what preliminary studies did Mr. Rhodes base this statement, and is the Minister of Finance prepared to make those preliminary studies available to this House so that we may understand the price he's paying for his land which he has not yet selected?

MR. SPEAKER: Order, please. One question at a time.

HON. MR. BARRETT: I'd be pleased to answer that question.

Out of the experience of the Columbia River we decided to go into a profitable venture. As a result we see a payoff between seven and nine years out of this project. This is not a giveaway project. We are interested in profit and return to the people of British Columbia, and Mr. Rhodes' figures are accurate. I appreciate the opportunity of answering that question.

The Member wonders if it's too fast a payout. It's a payout that the present oil companies are getting out of their profits, and I like to think that, just like Can-Cel, we can do just as well as the oil companies. We're in the same field.

PARKLAND ACQUIRED AT COSENS BAY

HON. J. RADFORD (Minister of Recreation and Conservation): The other day the Member for North Okanagan (Mrs. Jordan) asked the question: does the acreage acquired at Cosens Bay, more commonly known as the Goldstream Ranch, cover the entire area recommended a few years ago by the parks branch? If the Member is referring to private land, the answer is yes. If the Member is referring to Crown land, the answer is no. But we are discussing some additions of Crown lands with the other departments.

MRS. JORDAN: Would the Minister then say that the area that contains Deep Lake and the other swamp area, known as the gulch, was included in the purchase?

HON. MR. RADFORD: No.

STUDENT SUMMER EMPLOYMENT PROGRAMME

HON. W.S. KING (Minister of Labour): Yesterday the leader of the Liberal Party (Mr. D.A. Anderson) asked the question as to why the special employment branch of the Department of Labour had applied for waiver of section 8 of the Human Rights Code as it applied to the special student summer employment programme. I would point out to him that that section is permissive for the purpose, as I explained yesterday, of allowing special programmes for special groups. The student summer employment programme is geared to those under 24 years of age and in that sense is discriminatory against other age groups. It's a programme designed specially for students in the summer recess, and they customarily let the human rights branch know what the purpose and philosophy of the programme is so there is no conflict.

MR. D.A. ANDERSON: Could I ask the Minister then if the entire student summer employment programme will then be put to these special groups — these specially disadvantaged groups such as potential high school dropouts and other groups? It appeared from reading the information that was coming from the government that the priority should be given to those who are potential university students and the second priority should be given to those who are potential high school dropouts — which creates certain dilemmas.

The other problem is that there seems to be no programme for anyone who is not a member of a disadvantaged group. I wonder if the Minister has some other programme which might deal with the ordinary citizen or student in that age group.

HON. MR. KING: I indicated that the area of possible conflict is with respect to age, not with respect to the programme content. The age of the students is customarily below 24 years; therefore those above that age are excluded. That's the area of possible conflict, rather than the criterion for hiring of students, be they dropouts, high school students or university students. In this case the programme is geared to university students, although it's not mandatory that they be students. People who are dropouts are in fact considered for employment. It is possible under the legislation to mount programmes geared toward other disadvantaged groups, if that's indicated at any particular time of the year. So I think he should not confuse the hiring criteria with the age requirement.

MR. D.A. ANDERSON: There's nothing except disadvantaged groups.

Orders of the day.

The House in Committee of Supply; Mr. Dent in the chair.

ESTIMATES: DEPARTMENT OF LABOUR

On vote 120: Minister's office, \$94,135.

HON. W.S. KING (Minister of Labour): I just want to make a few very brief comments about the department before I welcome questions from the opposition.

I would basically like to recognize the good work that has been done by the departmental staff throughout the past year. I think there have been some very encouraging and significant trends in labour relations in the province, from a variety of viewpoints.

Certainly in industrial relations we have seen a significant reduction in the number of man-days lost in strike activity. I'm sure that that is most welcomed by all Members of the House. Basically that is attributable to hard-working people within the department.

I want to pay a special tribute to the mediation services branch of the Department of Labour who, as many of you may not know, are called upon for an unusual kind of employ with the government. On many occasions in the heat of negotiations our mediation officers spend the entire night in discussions with the trade unions and management, seeking solutions to strikes which could possibly inconvenience the public and disrupt very crucial services in the province. I think it is well that the Members of this House and the public understand and appreciate the very dedicated type of effort put forward by our mediation officers on a year-round basis.

Again, I would like to pay tribute to the manpower section of the department under the administration of my Associate Deputy Minister, Mr. Azad, who is on the floor of the House today. I think we have brought that branch of the department under Mr. Azad's stewardship to a well-functioning branch in terms of meeting the demands of industry for qualified and skilled workers in the province. We have seen a very, very significant increase in the number of people under vocational and technical training in the province. Mr. Azad has been doing an effective job in that area.

It is very difficult to go through all the branches of the department and single people out, but my Deputy Minister, Jim Matkin, has certainly brought many fresh and vigorous ideas to the department. He has worked long hours, as have most of the senior staff of the Department of Labour.

I am pleased to say that on pretty well all fronts, be it the manpower side or the industrial relations side, the human rights branch or the various other areas, we have developed what I think is a very healthy relationship with industry and with labour in the province. I suspect that there is more consultation on a variety of fronts now than there ever has been in past years. I think that is acknowledged by both industry and labour. We have many joint committees where we are working together to overcome problems in terms of manpower training, in terms of safety requirements, in terms of trying to project new trends in industrial relations and so on. All of these things are very positive.

I just wanted to pay tribute to the many people in the department who have really put in a tremendous effort, an effort that goes beyond the normal type of role that public servants play in a variety of other departments. Mr. Chairman, I think that with that I will simply turn over the floor to the opposition Members with the hope that they are able to zero in on some of the particular areas that interest them. I want to assure them that I will do my best to respond in a way that will provide them with some additional information and so help them understand the kind of structure we are trying to develop and the kind of problems that we encounter on a day-to-day basis.

Thank you, Mr. Chairman.

MR. D.E. SMITH (North Peace River): I would like to begin my remarks by...

HON. G.R. LEA (Minister of Highways): Did you shuffle your cabinet?

MR. SMITH: ...addressing a few remarks to the Minister of Labour and making a few observations as I see them...

AN HON. MEMBER: You came up with all jokers.

MR. SMITH: ...on the scene of labour-management relations within the Province of British Columbia.

I think it is fair to say that when you analyse the scene in British Columbia, it is never a static position. It is continuously changing. There is constant change taking place within the framework both of labour and management. The present Labour Code with which we deal in the Province of British Columbia is the outgrowth of a lot of labour legislation that has been with us collectively over a long period of years. It probably reflects to a greater degree the most frequently voiced opinions of the labour force as expressed through their labour union representatives over a period of time. So over a period of years, the legislation we have before us now as a Labour Code has been really there as a result of modifying and changing our labour regulations to fit the particular situation in which we find ourselves in the Province of British Columbia.

I think it is fair to say that the Labour Code as we see it today in the Province of British Columbia is very favourable to organized labour and to union representation. I think it is also fair to say that the Minister, who has made his point of view known quite often in the Province of British Columbia, has an objective in mind; and that is to provide the

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legislative machinery within this province so that all labour groups, regardless of what their vocation may be in the province, will have the vehicle through which they may decide if they wish to be involved in a collective bargaining agreement.

I think perhaps the Minister anticipates the day that all labour, regardless of what location they are in, will be subject to a labour union contract which was bargained collectively. Now that's his position, and as Minister of Labour I presume he is entitled to that opinion.

Certainly the Labour Code, as we see it today, coupled with the decisions that have come down from time to time, particularly during the last two years by the Labour Relations Board, reflect a bias in favour of the positions taken by labour unions. That's not to discredit either the labour unions or management or the Minister of Labour. I think it is a matter of fact and a matter of record that our labour legislation today in the Province of British Columbia certainly reflects a bias in favour of organized labour.

Perhaps as a result we have conflicts, either present now or anticipated from labour negotiations that will take place in this province during 1975, that place all the citizens in the Province of British Columbia in a position of wondering just what type of an atmosphere will exist during the labour negotiations which must take place in very major contracts in the Province of British Columbia this year.

I'm sure that both labour and management are giving lots of thought and spending a lot of hours considering this problem right at the moment.

On the other side of the coin, if I can use that phrase, on the management side you see a position of increasing concern. They are concerned about labour unrest in the Province of British Columbia. They are concerned that automation, either fully or partially, has brought about a great disinterest in work by the majority of the people involved in delivering their labour to industry or whatever today. They are concerned about strikes, and they are concerned about work-to-rule regulations or a pattern that has developed along those lines. They are concerned about the fact that labour quite often decides to take study sessions rather than defy labour-management regulations. They are concerned about picketing and the renegotiation of a large number of existing contracts which come up for renewal in 1975. Certainly management is concerned about the demands that will be made upon them for increases in salary and other fringe benefits this year.

In that respect they must look at the settlements the province has given to the civil servants in British Columbia and, in fact, other areas, including the federal politicians in Ottawa, when they consider what may be asked of them in the way of salary increases during 1975.

In some circles there is so much concern that they feel that substantial increases could result in their early

demise from the industrial sector of the province, and that in order to remain competitive, particularly in the sense of the export market, there are only so many dollars that can be paid out in any given time without everyone in the province feeling the impact of unemployment. Certainly we have as high a rate of unemployment today as we have had for a long time, even though it is reduced by one-tenth of one percentage point. It is certainly nothing to be proud of. We anticipate that the unemployment rate could go much higher.

The other thing that I think both labour and management and government, particularly government, must be concerned about today is that it is now possible for a relatively small but highly skilled percentage of people employed in any given industry to bring about a tremendous amount of inconvenience and hardship through the withholding of their services to a large segment of the public. Quite often the public, the third party in this case, are the innocent victims that are affected by disputes between labour and management. They are not directly involved, but they are certainly affected.

I think a good example is the problem we have had with the controllers on airlines like Air Canada, where a relatively small segment of the employed people in that particular industry were able to tie up an entire continent and the entire Dominion of Canada. Yet the result was, naturally, to give them a substantial increase in wages, salaries and benefits which, in turn, were almost immediately passed directly on to the consumer at the other end by increases in air fares. So the third parties involved, in my opinion, today have more right to be concerned than ever before.

Mr. Minister, I think that it's high time we held both labour and management fully accountable for their actions in the Province of British Columbia. I think they should be held fully accountable in the same manner as any other individual is in this province. They should be fully accountable to the courts of this province for the action that they participate in. Too often today, and in increasing numbers of cases, we find that both sides to a dispute have acted irresponsibly. Illegal action takes place, irresponsible action takes place and it must be open to challenge by the large segment of the public who are not directly involved. I think the public today more than ever before is asking for a basis of common justice for all people, including labour unions and managements involved in labour disputes for whatever the cause might be.

There's a demand today that more decisions be made by the courts and not by appointed bureaucratic boards who are above the courts and beyond their control, and for rights of appeal to be opened so that the courts can be the final arbitrators

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in many of these things. As I view the situation, there is increasing public displeasure today with the games played by both labour and management when it comes to the crucial time of renegotiating a new contract and a collective bargaining agreement.

It's becoming a threadworn phrase, this matter of collective bargaining and negotiating in good faith. If you were to take a poll in the Province of British Columbia today, I think you would find that the majority of people believe, because of what they have seen happen in labour disputes, that there is no such thing as bargaining in good faith by either side, or very little of it, involved now. It's generally the big stick approach by both sides. Really, it comes to a head-on confrontation between labour and management before anything of significance takes place.

People have a right to feel that they're being used as the pawns in this game, and quite often they're the ham in the sandwich. I believe that it's up to government to at least reflect in their policy their displeasure with this practice and say that there has to be an end. Industrial peace is something that we all strive for in the Province of British Columbia. In the long run, this continual confrontation between labour and management must stop. It's one of those things that we can only afford in the most prosperous of times, but when we get into times of difficulty and inflation and depression of the economy, it just is not one of those positions that we can support indefinitely.

I'd like to know what the Minister's opinions are on a complex problem, I agree, but one that is involving ever more increasing numbers of people in the Province of British Columbia, who are not directly concerned but indirectly feel the brunt of everything that happens on the labour-management relations field.

I'd like to know the Minister's point of view with respect to members of the cabinet, including himself, acting as directors or taking positions in Crown corporations in the Province of British Columbia. I believe that because of the situation with respect to the B.C. Railway, the Minister divested himself of responsibility of a directorship there. I say rightly so, because a conflict of interest was involved. You're not able to serve two masters at one time and do justice to either of them. That was the exact position that you placed yourself in when you allowed yourself to become a director of the B.C. Railway.

A number of the Members of the official opposition made a tour throughout the province, and I was one of those Members, talking to the people who work for the railway at the time when they were out on strike. There was dissatisfaction with this problem, and it was mentioned to us in almost every place we visited. They felt that it was time that the Ministers of the Crown divested themselves of any responsibility for directorships in Crown corporations.

If it's the policy of the NDP to continually and increasingly become active in the business and industrial sector of the Province of British Columbia, in the forest industry, in the housing industry, in the petroleum industry — you name it now — then it's equally important that the public be protected and that Ministers of the Crown are not directly involved in a department where they may become subject to conflict of interest. I'd like to know what the Minister's feelings are on that particular matter.

I know we had a large number of people who are members of the farmer's union of British Columbia lobbying all Members in the Legislative Assembly the last few days respecting their desire for permissive legislation which would allow them to become subject to a collective bargaining agreement. I think the Minister of Labour should tell the committee what his stand is on the matter and how he feels he would implement such legislation, or if in fact he has any intention of bringing before this House that type of legislation.

There's one other area, too, that I would like the Minister to comment on, and that is the matter of industries not directly involved in a labour-management dispute being picketed and their employees, because they may be members of an affiliated union, respecting that picket, thereby being deprived of the right to earn an income. I think it's a very unjust and unfair thing for one segment of industry, who may have a dispute with their employer, to picket another segment of industry that has an ongoing contract which is in force and in place and being respected on both sides at that point. Those people respect the rights and privileges of the union to the extent that if a picket is thrown up they don't cross the picket line. As a result, you have a number of people unjustly and unfairly deprived of making a living.

It's one thing to be part and parcel of an industrial dispute in which you are actively involved between your particular union and the management of your particular industry, but it's something else to use that type of weapon as a means of creating pressure on industry collectively other than that particular industry the employees are involved in.

I made a few points to which I believe the Minister of Labour would be anxious to reply. Perhaps if he would do so, we could get on to some of the other Members in the committee who would also like to pose questions to the Minister of Labour.

HON. MR. KING: Mr. Chairman, I'll try to respond to the Hon. Member for North Peace River in order of the points he brought up and the concern that he expressed.

He indicated that he read my objective as being to

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provide a vehicle which would give working people in the Province of British Columbia the right to make their own decision as to whether or not they should be represented by a trade union. That's very true; that's correct. I would think that that would be the objective of most governments, regardless of their philosophy, which believe in the right of the working people to make their own decision as to representation. I certainly subscribe to that approach.

We have no legislation before the House with respect to the agricultural and domestic workers who, I think, the Member was probably hinting at. There was a committee which sat — a committee of which the Member for North Peace was a member — and held wide discussions throughout British Columbia on the wisdom of extending the right to organize to workers in the agricultural sector. I would just point out that even in the industrial sector of the province the final decision as to who will or will not be allowed to be a member of a trade union is vested usually in an independent agency — in our case, the Labour Relations Board. That agency has historically throughout Canada — indeed, throughout North America — made that determination, in the first place, on the basis of whether or not the worker is an employee in the true sense, whether there's an employee-employer relationship. Beyond that was the question of whether that employee exercised a management function or was in a position of confidence or confidentiality with respect to information on industrial relations; that's the historic test.

Naturally the legislation that gives people the right to be covered leaves a final adjudicative responsibility to some agency to view the individual circumstances and the individual applications. So I think it should be understood that because you pass permissive legislation, that does not indicate automatic coverage to everyone in the agricultural sector and, indeed, everyone in the industrial sector. They have that test to go through. That's traditional and historic.

He indicated that I show a bias. Well, I suppose that depends on where you're sitting. From the Social Credit point of view, undoubtedly I do show a bias. I have a certain political philosophy and I recognize the Social Credit bias. We're somewhat poles apart, I would think.

But I think what is really important is that the law governing the framework of labour relations is seen to be equitable and even-handed. I believe that to be the case. Quite frankly, my own feeling is that that is the way it must be. Without that acceptance, without that credibility, from either labour or management's perspective there is no hope that the government can play a positive role in moderating the conflict of industrial relations.

While you may say that some of our legislation is biased, you know that depends on your political philosophy, but in terms of administration of the legislation on the statute books now, the indication I receive from management and labour is that they feel a fair balance has been struck, a fair balance for the proper functioning of labour's rights and for the proper functioning of management's rights.

We are making changes as we go along. Certainly we find weak spots. Certainly we find changing circumstances. That is the nature of industrial relations; indeed, it is the nature of life. But I don't think it really serves anyone's best interests, neither the province's nor the party's, to have the politicians indicating a bias or a prejudice.

I accept that the Member for North Peace River (Mr. Smith) means well in his recommendations and advice on how the process should be approached. I disagree with him, but I wouldn't call him prejudiced; I would call him, perhaps, ill-informed in terms of practical industrial relations because there is no basis for a government to come down in an autocratic way and say to management and labour: "Look, you must conform to this concept of moderating your postures, and you must conform." I don't think we have a right to impose that kind of judgment on the responsibility of people in a free society. I want to suggest to the Hon. Member that where that approach has been tried, it has been notably and significantly ineffective. It has produced more conflict rather than more harmony.

I think what we have to try to do is to, first of all, convince the parties that they have an equitable, reasonable system, that they have a fair shake, as it were, and to convince them within that structure that they have an obligation not only to their own interests but also to the community at large, and try to persuade them to be reasonable, to be sensitive to that obligation in a social way.

I could go on about that, but I don't want to waste the time of the opposition Members whom I know have more questions.

The Member made a reference that "bureaucratic boards should not be above the courts." He seemed to be suggesting that the courts are a more appropriate agency to regulate labour-management relations than would be an administrative tribunal such as the Labour Relations Board. That is your point of view — you are welcome to it. But

I would think it is a pretty lonely point of view.

I can't find anyone, on either the labour or management side, who would advocate going back to the courts in terms of regulating even strikes and picketing laws because the Labour Relations Board is the agency that is in touch with organization of workers from day one when they start an organization campaign, through the certification process, through the collective bargaining apparatus, mediation, and the whole range of requirements that they must fulfil, right through to the regulation of

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the laws of strikes and picketing. Surely that continuity, that relationship, that understanding of the relationship which exists between the employee and the employer is helpful. It is helpful in trying to find persuasive remedies rather than coercive remedies.

All I can say is that the Member's point of view is pretty lonely because the industrial relations community in British Columbia is indeed, I think, in pretty wide agreement on this proposition.

Interestingly enough we have had extremely wide interest shown in the approach that British Columbia has taken, not only from within the Dominion of Canada but from states south of the border, from as far away as Australia. We have had overtures and requests for more information on the approach we have taken under the Labour Code. So I think more and more people are becoming persuaded that this is a better approach. In fact, as I indicated, when we see a reduction of over half a million in man-days lost by strike activity in a major bargaining year, it doesn't indicate that we are out of the woods, but it is a positive indicator and one to which we should pay attention.

He says that there is no bargaining in good faith in B.C., and I think that's a rather regrettable statement. I'm not sure the Member meant it, Mr. Chairman. I think perhaps it was a bit of an exaggeration.

It is true that there are those who abuse good faith at the bargaining table, but we are dealing with hundreds of thousands of people — citizens of British Columbia, incidentally — and I think we have no more right to expect 100 per cent maturity and good conduct from this large group than we do from any other area. To suggest, because there is not good faith in every case, that government should become more involved and more arbitrary is overlooking a variety of other social ills that we have in this community.

I would draw the Member's attention to the marketplace in a variety of other ways. You know, there was an interesting programme on "Marketplace" on national television the other night, dealing with generic and non-generic drugs and the abuse that flows, the inconvenience and the hardship that flows to the consumers and to the citizens of Canada.

Now in perspective we have to realize that there is a whole variety of areas that perhaps need a great deal of attention, but we should not lose our perspective and ask one segment to carry the total responsibility for the nation's ills. That is a common inclination of the media and of some politicians who perhaps have failed to take a penetrating look at the problem.

Now the Member said that Ministers should not be represented on the boards of Crown agencies. I don't know when the Member changed his mind, or when the Social Credit Party changed its mind, but it seems to me that I recall Mr. Gunderson, who was a one-time cabinet Minister, active for many, many years on the board of PGE. It seems to me that I remember Mr. Williston and Mr. Kiernan, who were board members of the B.C. Hydro and a variety of other Crown agencies. I just wonder when the Social Credit Party came to the conclusion that it is so harmful to have cabinet Ministers represented on some Crown agencies.

The reason I left the board of the British Columbia Railway was not through any conflict which I felt hampered me, but rather because of the pressures of other work within the Department of Labour. I regret, in a way, that I am no longer able to function on the railway board because it is an area in which I have more than a passing interest, having been a railway employee for some 28 years. I felt that I did have a contribution to make in a very practical way.

The NFU question, the National Farmers Union seeking bargaining rights: the Member is asking me for an answer and I'm not sure that that lies within the jurisdiction of the Department of Labour — whether or not to grant bargaining rights to the farmers' union. However, I listened to the group, as I am sure most of the other Members of the House did, and noted their submission, and I am quite prepared to consider that position. But I arrived at no conclusions, quite frankly, as I notified them.

The Member brought up the air-traffic controllers' strike, which I found somewhat perplexing. Surely the Member knows that that dispute and that jurisdiction lies within the federal arena. It has nothing to do with provincial control, and I want to assure the Member that I have quite enough problems trying to sort out and referee the industrial relations of the Province of British Columbia without extending myself into the federal arena, although I am sure that at times the provincial department could make a contribution.

MR. SMITH: Nobody asked you to extend your authority into the federal....

HON. MR. KING: Well, I don't know why it was brought up. I see nothing in my estimates governing the increased price of air passage as the result of the air-traffic controllers' strike, which was what the Member raised.

Finally, the Member questions the ally provision of the Labour Code, section 85 of the code, which provides the right that where a third party involves himself in a labour dispute by giving positive aid to an employer, he can be viewed as an ally who is aiding and abetting the employer in resisting a strike. Under those circumstances, if the Labour Relations Board in their wisdom find that to be the case, he is then subject to picketing.

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I'm surprised again that the Member for North Peace River objects to that proposition, because that is a modification of the law that existed under your administration. Under the Social Credit administration the employer was wide-open game for picketing, whether or not it was a branch plant residing in some other part of the province and whether or not a collective agreement was in effect at that plant. That is no longer possible. So I think perhaps the Member is somewhat confused over that section of the code. I think that's the gist of the Member's questions, Mr. Chairman.

MR. G.B. GARDOM (Vancouver–Point Grey): I'd like to make a few remarks in the estimates of the Member for North Peace River, who we gather was on trial this afternoon. The Minister painted rather a rosy glow and he made a considerable number of observations to the suggestions that were made by the Member for North Peace River (Mr. Smith). But it seemed to me the Minister failed to really accept and take on the full responsibility of his office as the Minister of Labour. He was digging up old chestnuts and going back to the days of Einar Gunderson and Ray Williston and so forth. Well, we're in 1975, Mr. Minister, and the buck is supposed to stop at your desk.

I take a degree of exception to the attitude that you did display this afternoon in indicating that everything in B.C. is in a sort of rosy situation. It seems to me that industrial turmoil in the Province of British Columbia is not on the wane at all, and the man-days-lost figures are indeed staggering. I think they very clearly indicate that we could well be on to a path of economic destruction if they're going to continue on in the same vein.

One only has to go back — oh, say a few years to 1961 — and take a look at some figures from then until the present time just to see how this has compounded and has grown over this time frame of 13 or 14-odd years. In 1961 we found 34,000 man-days lost; in 1962, 32,000; 1963, 24,000. In 1964 it sprung way up to 181,000; 1965, 104,000; 1966, 272,000; 1967, 327,000; 1968, 406,000; 1969, 406,645 — about the same as the year before. In 1970, a terrible breakthrough to 1,684,463 man-days lost. In 1971, a drop, according to my figures, down to 276,999; 1972, the largest figure of all — 2,120,848 man-days lost in the Province of British Columbia as the result of industrial labour-management disputes. In 1973, 705,000; 1974, 1,609,431 man-days.

Well, in 1975, in this province, we're capital-short, we're technology-short, we're research-short, we're know-how-short, we're dollars-short and we're certainly markets-short. For solution everyone is fearing, and truly fearing, a very long hot summer in labour-management negotiations.

According to the Minister's statistics, there are 453 collective agreements expiring in 1975, covering over a quarter of a million employees — 233,920 employees. In the first quarter of this year alone, there were 50 disputes involving 12,500 employees and a loss of 255,000 man-days, so we find only 12,500 employees part of the creation of the loss of 255,000 man-days. Yet it appears there are 400 other settlements and agreements to be considered involving another quarter of a million employees. On the basis of experience for the first quarter, the experience for the next three-quarters is going to be very dismal indeed.

I'd say the prospects are bleak and I'd like to know what specifically the Minister has in mind to head these things off. It seems from his remarks this afternoon that his policy is more one of wait and see. I want to hear from him what the new and positive programmes of his government are to prevent labour-management confrontation becoming the possible death knell of the economic progress of this province.

No way we can plead ignorance; the signs are there and the indicators are evident. He talked about reducing the adversarial aspects as well. That doesn't really seem to be true. I definitely concede and agree and congratulate the Minister of Labour and his staff on making an exceptionally determined effort to cut down on the adversarial aspects, but they do not seem to have, in actual fact, been cut down. It's true you've made the Labour Code a law — untested, but it is a law unto itself, and it's reduced the role of the courts. Certain of those aspects I thoroughly agree with. But the Minister has sort of taken the tack that the structure is able to solve. In my view, it cannot because it will take the willingness of management and the willingness of labour to accept the structure, and that, so far, is not evident.

The climate may improve periodically, but the iceberg is still down there. It's shifting and it's creaking and it seems ever able to dash to the bottom of the economic sea so many of the hopes and aspirations of our people in this province.

I'd say that the Minister has got to look at the process from another point of view. This has never been done effectively by him, save and except in the ad hoc situation we experienced in the fall dealing with the firemen situation. He's got to look at it from the point of view not of the protagonists themselves but from the point of view of the third party, the person who has got to take the lumps and gets absolutely none of the gravy, and that's John Q. Public. It's always been his understanding and his hope and his expectation that government would accept and would enunciate policy, and would initiate frameworks wherein society will function. That's all he wants. All the general public wishes to do is have society function, wherein the public would not have to suffer

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damages and loss from labour-management confrontations that are quite beyond public confines, quite beyond public control and quite beyond public responsibility. But his very valid and, I'd say, correctly expected understanding and his hopes and his expectations — I'm speaking now of John Q. Public — are not being fulfilled because this government has not only not provided the mechanisms and the directions for those concepts, but it has acted contrary to them.

I think government has got to impress upon management and labour that what was considered a right to strike and a right to lock out, in many instances, is no longer such a right but is a privilege. And it is a privilege that should not be lightly abused. I'd say that is definitely so in the essential services: safety, health, education, transportation and communication. I think that is becoming more so in the remainder of the public sector and certainly also in the larger operations in the private sector.

Now there's no question that technological change and the interdependency of society have made the third party, the public, reliant upon continuance of services to be able to exist. In my view, government cannot be and is not supposed to be the economic saviors for the public. That is the public's job. But the public cannot do the job without the tools. And one of those tools is the absolute fight to the continuance of essential public services which, by law, the public has to pay for and which, by law, the public should receive. I'd say that it is high time in the Province of British Columbia that it becomes a condition of service in essential public services that the privilege to strike and the privilege to lock out comes to an almighty end, and I'd say a long overdue end. It should be a term of employment that those people who wish to work in the public service and who seek public services as a career,

specifically in the essential services, are prepared to abandon the right or the privilege of work stoppage — most definitely, as I've stated, in the essential services. That should be a condition of service, as would also be binding arbitration, vis-a-vis the policy that has been carried on with the teachers.

The concept for the teachers, which has worked well in this province, was that education must be ongoing and it must be operative in the public interest. The teachers have complied, and the taxpayers have complied. The concept has proven out; it has worked. But to permit a handful of people who are not providing educational input to close down that particular system and frustrate this concept, which has been publicly tested and publicly accepted, was preposterous — as witness the outside workers shutting down the school system within the last few months.

It's true no one can be forced to hire and no one can be forced to work. Nor should the bystanders, the third party, the general public be expected to take every kick in the shins. If he does, if he is forced to take those kicks in the shins, then surely to goodness should he not be able to be compensated? If the services that he's justly entitled to are not provided, should he be permitted not to continue to be forced by law to pay for them? Is that an unreasonable request? Or if he suffers damages by illegal work stoppages, should he, the third party, not be entitled to maintain action for those damages?

You know, there's the maxim at law, Mr. Chairman, that where there's a right there's a remedy. But here there is a right but there is not an available remedy. I'd say that the public has had a bellyful. I think they are tired of this constant unfairness and this constant derogation of their rights without an opportunity for recourse.

Management and labour haven't seemed to care; there's no question that governments have not seemed to respond. But the feeling of public resentment and public concern over their own lot now is much on the increase. Some have suggested that management and labour be compelled, say, to make assessments to public damage funds to provide sources of compensation for public loss suffered as the result of illegal — and I underline the word "illegal" — stoppages with returns back to management and labour, by way of, say, dividend benefits or pension fund contributions if the illegal work stoppages did not occasion.

Mr. Chairman, should not those people who are responsible for illegal strikes or illegal lockouts also, perhaps, have to face some kind of a public fine or some kind of a public levy or tax so they would face more than personal shortfall for their own illegalities, and the public revenues would at least be able to keep up to date and keep pace? Don't you also think, Mr. Chairman, that we could make, in the private sector, far better strides towards industrial harmony by encouraging the concept of partnership, or profit sharing? There's no question of a doubt that with people having a piece of the action they always have a better understanding of all of the problems connected with it and they're prepared much more harmoniously to seek and reach agreements and cures,

Year after year in this House, Mr. Chairman, I've advocated that we should have a management-labour-government research and information council — sort of a perpetual and travelling ombudsman, free of management, free of labour and free of government, but supported equally financially by the three. The objectivity and guideline of that information council would sift the wheat from the chaff and see that objective information and data is furnished to the public in these large work stoppages.

They're faced with an absolutely contradictory

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round of propaganda from management and from labour. It's impossible for the public to get at the true facts by virtue of these widely conflicting and, I'd say, subjectively oriented statements and figures. It would be possible to expand the concept of that council to enlarge it to provide impartial advice and, if and when requested by either management or labour, let it provide a climate and certainly a forum for meetings between management and labour, conduct workshops, train arbitrators, and formulate collective agreements and profit-sharing arrangements, but most of all assure that its operation be public in every sense. So then the general public at least would be able to look to this one area for an impartial assessment of the dispute in question.

I'd like to deal with another topic, because I know other Members have some remarks and questions they

wish to ask the Hon. Minister. This deals with Canadian unions.

It seems to me, Mr. Chairman, that nationalism is a direction that is being practised with a great deal of fervour by the Canadian socialists, from the nationalization theories of Mel Watkins, which are daily becoming realities in socialistic B.C., to the almost express hatred of multinational corporations that has been time-engendered through generations of Canadian NDPers in the days of Woodsworth and Coldwell, to Tommy Douglas, to the more shrill attack of David Lewis. I think now it's even more artfully articulated by the current NDP federal leadership hopefuls. Social reform is the lesser goal if not achieved by the route of complete state economic control. We witness the remarks of the lady Member for Vancouver-Burrard (Ms. Brown), who I wish was in her seat, who has apparently hooked, lined and sinkered Watkins. There doesn't seem to be any half-way measures with her. It's all the way, and that's the ticket — state control — as it is with so many of her B.C. colleagues.

The Watkins manifestoes. The Premier (Hon. Mr. Barrett), the Attorney-General (Hon. Mr. Macdonald), the Speaker (Hon. Mr. Dowding), the Minister of Municipal Affairs (Hon. Mr. Lorimer), the Minister of Education (Hon. Mrs. Dailly) are all signers and they're all subscribers. There are quite a few in this Legislature who unfortunately are left of the NDP, such as the Member for Delta (Mr. Liden), and the one for Richmond (Mr. Steves).

But in your fervour to eliminate the corporate structure and to eliminate global-wide producing, manufacturing and marketing agencies, which one perhaps would think would be a natural adjunct of the technological and communication revolutions that we've all experienced and perhaps in themselves would be pacesetters toward international free trade. But the Canadian socialists and the B.C. socialists in their fervour to eliminate these kind of structures are exercising what they consider to be their own territorial imperatives. They have committed themselves to the ultimate paradox of having their brand of selective nationalism only applied to the managerial ownership and administration side of men and women who are working in concert, but not to the labour side.

Now I know the NDP welcomed today, I'm sure, the announcement of the Prime Minister of Canada of an inquiry into the power that is being wielded by business corporations to see whether further legal restraints are necessary. I would say: would that he had included government in those terms of reference and would also that he had included that it's the job of the inquiry to determine whether concentrated labour power produces economic and social benefits for the public. I think that those should have been part of the terms of reference of that inquiry. But if that had been so, the hue and cry that would have come from the socialist side would have been pretty well unbelievable because there's so many there who are still of the view that there should be one law for labour and another for the rest of society.

It's fine for them to Canadianize and nationalize the sources and means of production and distribution, but leave the union conglomerates as they are. Surely to goodness, Mr. Chairman, that is the ultimate paradox in their thinking. I'd say that their only consistency on this is their inconsistency.

But just as they've practised in this House selective closure and selective accountability of government programmes and policies, so they're practising selectivity of imperatives territorial when considering operations of individuals grouped together in companies and operations of individuals grouped together in unions. If they wish to constantly yip-yap about Canadianization of companies, let's hear something from them about the Canadianization of unions. The international unions dominate the Canadian trade-union movement. Three out of every five Canadian unions belong to an international union, and international unions are primarily American where in most cases the final and the ultimate authority is from the United States. The interest of the Canadian trade-union worker is governed from there, as is his job security, his advancement process, his redress for grievance and his level of income.

Is it proper that these kinds of decisions should be made in New York, Washington, Chicago or Detroit? Yet while the NDP Members stand up on their horses and constantly howl about the need to lessen economic integration with the United States, we find that their silence is deafening when seeking Canadian autonomy for Canadian trade unionists.

If national goals are superior to international aims, which appears to be part of contemporary NDP

philosophy, then I suggest that they should clean shop and be consistent in their attitude and approach

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and try to rectify this imbalance. They should be advocating that Canadian unions sponsor and urge programmes that are in the Canadian interest alone, as opposed to the weight of the contradictory and adversarial measures that exist in the United States, where the programmes advocated there are surely and expectedly in the interest of the American labour movement. But those could well be inimical and contrary to the interests of the Canadian workers and the Canadian trade union movement. What might hurt or assist the welfare of a worker in one country can work on the other side of the coin to a worker in another country.

I think there should be resident, as opposed to non-resident, leadership. I think that the money involved should remain at home for research and bargaining support services, or to provide the expertise and give Canadian experts themselves the opportunity to exercise that expertise. We constantly hear the NDP talking about the export of dollars from Canada. Here we have a great export of dollars in the trade union movement and not a word of complaint from the New Democratic Party about that. Pension funds, as my friend mentions — where is the base of those? Primarily in the United States.

Representative services to locals should be granted without them having to hotline their way through to Washington for an okay. There should be freedom of staffing and budgeting. That should be Canadian-exercised; it shouldn't be Detroit- or New York-exercised. The constitutions themselves should be required to have a Canadian flavour and not be based upon the whims and directions of the U.S. labour bosses or the U.S. trade union movement.

What's wrong with having Canadian unions home-governed? Let them control their own assets in this country, and their dues and their pension funds, as my friend mentioned, and keep the dollars where they are supposed to do the most good. Keep the dollars where they are supposed to do the most good. Let's be able to have full, complete and proper accountability here, which is not possible when you've got to go across the line in your trade union movement, my friends, to do just that.

I'd ask you to make a positive move towards the Canadianization of trade unions and see that paid staff members having authority over Canadian members must be Canadian citizens or landed immigrants. See that money that is raised in Canada remains under the control of Canadian trade unionists. Ensure that all trade union officers having authority over their members will be elected exclusively by their Canadian members. Ensure that the constitution which will govern the operation and the affairs of a union in Canada would be approved and be subject to amendment only by the Canadian members. I think that if you started to make this type of thing a condition of certification in British Columbia, or indeed in Canada, you'd be overcoming some major problems and you'd certainly be overcoming the paradox which at the present time surrounds you.

HON. MR. KING: Mr. Chairman, that was one of the more right-wing speeches I have heard the Second Member for Point Grey make. He covered such a wide variety of areas that it's difficult to respond to all of it. In fact, it's difficult to acknowledge that some of the remarks should be dignified with a response.

But I do want to respond particularly to the last point the Member made with respect to the Canadianization of trade unions. I would suggest to him that the only point of disagreement we have is whether or not the workers in this province have the right to determine what their representation vehicle shall be, whether it shall be international, Canadian or whatever other stripe one may want to place upon it. I think that the workers have the native intelligence and the will to guide their own destiny and their own internal affairs without too much assistance from the Liberal Party and without too much autocratic assistance from any governmental agency.

There's one thing I will say about the Second Member for Point Grey: he's quite consistent. He makes that speech every year. But what's very inconsistent about it is the position the Liberal Party takes. We find the Liberal Party shattered from stem to stern again on questions of major importance. I think it's interesting to note what the former federal Minister of Labour had to say on the question of international unions — Bryce Mackasey, a very prominent Liberal in this province and, quite frankly, an excellent Minister of Labour when he occupied that portfolio. He had this to say when he was addressing the IBEW convention last year:

"Mackasey States Case for International Union.

"Postmaster-General Bryce Mackasey, a former shop steward in the International Brotherhood of Electrical Workers, outlined the advantages of international unions for Canadian workers in an address to the IBEW convention in Kansas City last month."

He was even down in Kansas City!

"We suffer from multinational corporations. We know what it is to have a plant closed down in London, Ontario, and its production transferred to Australia or to London, England, or to have Firestone and Goodyear close the plants in Canada and bring up the tires from the United States,' Mackasey told the convention. 'It is not easy to tell the young generation, who forget the contribution that the IBEW made in our formative years, that it is in the best interest of the labour unions to remain, if possible, international,

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because our enemies would like nothing better than to divide and conquer."

That is a pretty strong statement.

"First you convert the internationals to nationals, and then the nationals to regionals, and then the regional unions to smaller segments, and finally you have no unions left worthwhile to take on these mighty cartels."

That is what the former Liberal Minister of Labour had to say. Here we find the Second Member for Vancouver–Point Grey advocating a different course altogether.

Is he, as his federal colleague charges, motivated to divide and conquer the labour unions of this province and to deliver them in a helpless state to the mighty cartels? That is what his federal colleague says.

AN HON. MEMBER: Oh, Bill, come on!

HON. MR. KING: That's what he says. It's not my statement. It's not my statement.

Now, Mr. Chairman, the Liberal Party, but particularly the Second Member for Vancouver–Point Grey — and I wish he wouldn't leave the chamber because I am going to provoke him. That Member loves to dish it out, but he can't take it.

SOME HON. MEMBERS: Oh, oh!

HON. MR. KING: That Member loves to dish it out, but he can't take it, Mr. Chairman. He never misses the opportunity in a speech in this House to dredge up the Regina Manifesto. That was 1933. I was three years of age. He never misses the opportunity to dredge up the....

AN HON. MEMBER: The Waffle Manifesto.

HON. MR. KING: Oh! The Regina Manifesto, too. The Member has read it.

MR. D.A. ANDERSON (Victoria): You don't even know what you are talking about.

HON. MR. KING: The Member has read it. He drags up the Regina Manifesto, the Waffle Manifesto....

MR. D.A. ANDERSON: The Waffle Manifesto — ahhh!

HON. MR. KING: He went back to the days of Coldwell and Douglas, and he says that this government is opposed to any free enterprise.

AN HON. MEMBER: That's right.

HON. MR. KING: I say that is not true.

AN HON. MEMBER: That's right.

HON. MR. KING: I say that is not true. I say that the Regina Manifesto was born in the Great Depression when times were extremely tough.

MR. GARDOM: Waffle Manifesto!

HON. MR. KING: The Member has dredged up the Regina Manifesto and used that as proof positive that this party does not welcome capital investments...

MR. GARDOM: Waffle! Waffle!

HON. MR. KING: ...and free enterprise in the province...

MR. GARDOM: Waffle!

HON. MR. KING: ...and I repudiate that. But surely, Mr. Chairman, if it is fair for him to drag up the Regina Manifesto, it is fair for me to re-emphasize and remind that Member of the Liberal Party platform in the election of 1935 right here in British Columbia.

AN HON. MEMBER: Oh, ho, ho, ho.

HON. MR. KING: "50,000 Orientals in B.C.," it says. This is a Liberal ad in *The Vancouver Sun* of that date.

AN HON. MEMBER: *The Province*.

HON. MR. KING: *The Province*, I beg your pardon.

"CCF party stands pledged to give them the vote. The Liberal Party is opposed to giving these Orientals the vote. Where will you stand on election day? A vote for any CCF candidate is a vote to give the Chinamen and the Japanese the same voting rights that you have. A vote for the Liberal candidate is a vote against Oriental enfranchisement."

MR. G.S. WALLACE (Oak Bay): Let's go back to the Old Testament.

HON. MR. KING: If we want to deal in the past history and associations and prejudices of political parties in this nation, then you better clean up your own dirty laundry. You better get your house in order over there. I can tell you, Mr. Chairman, I would far rather be associated with a party that was prepared to take on the international cartels on behalf of the workers than I would be to associate

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myself with a party who had a history...

MR. CHAIRMAN: Order, please.

HON. MR. KING: ...a legacy of discrimination...

MR. CHAIRMAN: Order!

HON. MR. KING: ...against Oriental people in this province!

MR. CHAIRMAN: I would ask the Hon. Minister to return to the vote, please.

AN HON. MEMBER: Tell that to Art Lee.

HON. MR. KING: Mr. Chairman, "return to the vote"! The Second Member for Vancouver–Point Grey had something to say on the vote and I am responding to him. I am responding to him and his mud-slinging.

MR. GARDOM: Tell us about Woodsworth. It's a political fact in your own history.

HON. MR. KING: They love to dish it out, Mr. Chairman, but they can't take it.

AN HON. MEMBER: He would let Wallace in but never let Lauk in.

HON. MR. KING: They're like that...well, I won't bother drawing their attention to that.

The only points the Member did make that were related to my department in any way relate to the dissatisfaction and the concern that the public shows and demonstrates for labour conflict in this nation. I would like to say that that is a valid concern. Where we seem to disagree with the Liberal Party is with respect to what the cure should be.

The Second Member for Vancouver–Point Grey puts forward the proposition that the courts should be the agency to regulate strikes and picketing and if the public interest is offended whatsoever, then there should be sanctions against the workers involved — usually the workers — which presumes, I suspect, that the workers are responsible for every conflict. Presumably, pursuing that to its natural conclusion would result in those workers who objected to these arbitrary remedies being jailed or punished in some other way. I want to say that that approach has been tried in other jurisdictions. It's been tried in Australia, and it has produced more conflict and more illegal strikes in that nation than we in Canada have in a legal way. So I suggest that's no cure-all or no positive assurance that conflicts still will not occur and the public will not be inconvenienced.

I think one other point that the Member should recognize is that the computation of man-days lost in the Province of British Columbia includes those disputes that happened in the federal jurisdiction. Perhaps it is about time we started to separate those in a statistical way so we can see where the major conflict lies. We have had very serious strikes in the long shoring industry, which is under federal jurisdiction, and in the air transport industry, from a variety of components, and these have added greatly to the man-days lost and to the public inconvenience in this province. So perhaps it is about time we started to separate those statistics and place the blame and the responsibility where it truly belongs.

I would point out that the reduction of over half a million man-days lost in this province holds greater significance when we look at the growth in the work force over 1972. We've had a spectacular increase in the organized sector and I think, as I indicated earlier, that is no blueprint for ensuring there will be no conflict in the future, but there is a very positive and a very encouraging indicator. So we do have some things going for us, and I think we will continue to strive towards those goals.

MR. GARDOM: Just on a point of privilege and to have the record correct, Mr. Chairman, the Minister was alluding to my reference to a Regina Manifesto. At no time was I referring to that. I used the words, "Waffle Manifesto." I referred to the Waffle Manifesto. I have a copy here; it is the one that five Members of this government signed and they have never repudiated it, and that happened within the last three years. The Minister, I think, has been out of school since then.

MR. D.A. ANDERSON: On a point of order, Mr. Chairman, I feel, like the previous speaker, that we would like to set the record straight. This party here in no way has adopted the policy as put forward by the advertisement of the Member, which came out before my birth. The Hon. Art Lee, a Chinese-Canadian Member of Parliament for the Liberal Party, I think, would also repudiate it. We in no way accept those views as the views of our party any more than I think the NDP today accepts the views of Woodsworth on Anglo-Saxon immigration only because of their superiority as the views of their party.

HON. D.G. COCKE (Minister of Health): Oh, come off it!

MR. D.A. ANDERSON: I think this type of name-calling should cease. I think the Minister should start

dealing with 1975 and the problems within his own department at the present time.

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HON. MR. KING: Mr. Chairman, on a point of privilege: the Member did dredge up Coldwell, Woodsworth and various manifestos, and if he did not...

MR. GARDOM: Waffle Manifesto. Be serious, Bill.

HON. MR. KING: If he did not mention the Regina Manifesto today, Mr. Chairman, he certainly has on other occasions, and I'm a bit tired of that being dredged up also.

AN HON. MEMBER: I don't care how tired you are. You're the Minister of character assassination.

MR. D.A. ANDERSON: You've dragged out something that doesn't happen.

MR. CHAIRMAN: Order, please.

HON. MR. KING: Will you respect the floor?

MR. D.A. ANDERSON: Ha! It's hard to respect or deal with your statements.

HON. MR. KING: I accept that the Liberal Members divorce themselves from the deplorable platform on which their party ran in 1935, and I would ask that they accept that the Waffle Manifesto, which in no way was an adopted party platform of the New Democratic Party, be recognized in the same way.

Interjections.

MR. CHAIRMAN: Order, please.

MR. D.A. ANDERSON: Five sign it and you say it's nothing!

MR. CHAIRMAN: Order, please.

HON. MR. KING: That's the measure of their sense of fair play, Mr. Chairman.

Interjections.

MR. CHAIRMAN: The Hon. Member for Oak Bay, back on vote 120.

MR. WALLACE: Whew! I never thought I would make it. This is 1975, and I'll try to make my comments relate to 1975. If we are all talking about when we were born, I think it should be recorded, Mr. Chairman, that I am the senior party leader in this whole House, age-wise, anyway. Maybe I'm too old for the job.

Seriously, the whole question of the Labour portfolio really has to be one of the most vital ones in all the departments we debate in this House. Yesterday I remarked about the tremendous economic value of Lands, Forests and Water Resources in this province, but on the other hand, you can have all the resources that you want if, for whatever reason, it proves impossible to keep the labour force employed. I think the real challenge is to recognize that we must try to settle disputes without work stoppages.

This seems a very self-obvious statement but I think it sometimes gets lost in rhetoric and tirades about the respective rights of employers and employees when the rights of the individual citizen in this society are so frequently overlooked.

AN HON. MEMBER: Right on!

MR. WALLACE: I agree that the Minister has touched on some statistics which show that 1974 was not

such a bad year. But then it's the old story: it depends what you're comparing it to. We've had some disastrous years, and anything is better, for example, than 1972. I just feel that while the Minister has conducted himself very energetically in the field and, I think, done a very responsible job as Minister, there certainly is no room for complacency. I'm not suggesting that the Minister is complacent, but again I was somewhat disappointed to hear his answer to an earlier opposition speaker this afternoon, simply going back to this old worn-out approach that you're doing a better job than the Socreds.

I just wish we could start taking a more positive approach in this House and not always be comparing ourselves with some less-than-satisfactory situation on account of which this government came to power. The fact is that the former government was not meeting the needs of the people of British Columbia. Whenever we raise any criticisms from this side of the House we get this tired, worn-out old answer: "Well, at least we're doing better than the Socreds." That's like saying your car is doing so many miles per gallon; it's not very good but it's better than going on a horse and buggy. I just think that the Minister can rise above that kind of response when we're trying to debate this very important segment of British Columbia public affairs.

Whether the Minister's figures are good or not — and I think that they show a decrease in man-days lost in 1974 — I looked up some of the figures also. I agree with the Minister that we shouldn't hang our hat on statistics completely, but trends certainly can be shown over a longer period of time. I've got some figures for the years 1960 to 1964 and 1970 to 1974, and I took averages. In that time, the labour force didn't quite double on average, and yet the number of disputes on the average between 1960 and 1964 was 23 annually. Between 1970 and 1974, the annual

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average for labour disputes was 115. I don't think we can deny that while the labour force has increased over these years, the number of disputes in the same period of time has proportionately far exceeded the increase in the labour force.

The Minister has mentioned that there are federal statistics mixed in with the provincial statistics and this can be misleading. All I know is that the people in British Columbia who talk to me wherever I travel tell me they're not really that concerned whether it's federal or provincial; they're just sick and tired of strikes, period. It's a concern of a vast number of residents of British Columbia who, while they may see some temporary improvement one year over another, ask this question time and time again: what can we do to either prevent work stoppages or settle them without some of the bitterness and the long number of man-days lost?

There was a very interesting article in the press the other day entitled: "Future Grim as Canada Lurches Toward a World Strike Record." It pointed out that from a national point of view.... I know, and I'm accepting that this Minister can't be responsible for the rest of Canada. But I think the kind of debate that we should have in this House today should range a little further than our strict provincial borders since many of the problems we have in British Columbia are sort of emulated at other provincial and at the federal levels.

The British publication entitled *The Economist* rates Canada second only to Italy in the terrible statistics we have in relation to strikes. Just to quote a quick comparable figure: in Canada for every 1,000 workers, we have lost 1,724 days compared to Italy, which lost 1,912. *The Economist* makes the statement that Canada runs the same risk as Britain, which has been heading down the road to industrial stagnation and social disorder. *The Economist* goes on to make the statement that the real risk now is that governments and the public will make the unions a scapegoat. That's the risk that this economic publication says exists. It goes on to make a point. It says: "Not only would that be wrong because management's stupidity is as much to blame as union selfishness...."

I don't know if these words are a little exaggerated but it points out that there are two sides to every argument. I think there is a real danger that the frustration and feeling of helplessness which the public have in the face of strikes will lead to hitting out in various directions that might not be well-considered or carry much hope of some positive, productive solution to many of the disputes.

One of the persons who has recently been quoted publicly is a Mr. John Crispo who is, I believe, the dean of management studies at York University. He makes the point that the assumption that a rough relationship existed

between education and salaries is no longer accepted. Unfortunately, he makes the point that with nothing to put in its place there's a relatively proportionate return of salary in relationship to the individual's education. At any rate, he does suggest the alternative of an independent tribunal with some authority to rule on income and wage claims.

The Second Member for Vancouver–Point Grey (Mr. Gardom) referred earlier on this afternoon to the commission the federal government has set up to investigate corporations in Canada. I think it's just a further reflection of the point I've made that there are two sides to any of these disputes and that it would be disastrous either for British Columbia or Canada as a whole if all the investigation were done in one direction and all the legislative action directed against one side of the two parties participating in disputes.

Certainly it doesn't please me very much as a Conservative to see the federal Liberals in the form of Turner and Trudeau now talking in as veiled a way as they can with any sense of decency about the element of wage, price and income control, which might have to be imposed in order to bring about some stabilization of our inflationary problems and our labour disputes. I agree. I am not suggesting that they are on the point of imposing such solutions but certainly, when you read the kind of statements or listen to the interview which the federal Prime Minister had in relation to legislative curbs which he said might have to be needed, it seemed to me to come very close to the federal policy of the Conservative Party, which in large measure led to its defeat in the last election.

Interjection.

MR. WALLACE: Maybe I shouldn't speak about it, Mr. Member. I'm just sticking to the facts.

The Liberal Prime Minister said that legislation to curb the power of organized labour might become inevitable unless labour is prepared to behave very responsibly. That same statement included the statement: "The monopoly of large industry is the more dangerous in the sense that I think the monopoly of labour has been created as a reaction to be able to fight large industry and make monopolistic labour groups." He went on to say that he thinks there is legislation adequate to control the large corporations. That's rather strange because two or three weeks later he sets up a commission to find out if the legislation is adequate to control the monopoly of big business. But he did state — again I'm quoting Mr. Trudeau: "There is not much legislation to curtail the monopolistic power of labour. I think unless labour itself is prepared to behave very responsibly such legislation may become inevitable."

I think these points are worth making on the

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national scene because we are a confederation of 10 provinces. There are overlapping factors which would make it artificial just to divorce ourselves completely from the problem of disputes and strikes and confine it only to British Columbia.

Certainly the Conservative Party these days is asked, or I'm asked: "what is your position on this or the other...? The public doesn't hear our position. Well, let me tell them right now our position in respect to the concept of strikes and essential services. Our position there is very plain. I hope the whole of the province listens so that I don't have to be accused of pussyfooting around with some of the difficult problems which exist in society today.

The resolution that we passed at our annual convention in December of last year reads as follows:

"Let it be resolved that employees in essential services shall not have the right to strike, but those designated as essential shall receive automatic pay increases in line with other employees in similar occupations."

We've heard a great deal, for example, of the accusation against this government that they have recently negotiated unduly high wage increases, which are reflected in demands by the private sector of the economy. I'm not getting into that debate; we'll hang on to that until we debate the Provincial Secretary's (Hon. Mr. Hall's) estimates. The point I would like to make is that we believe that if essential service employees could be demonstrated to be treated fairly and equally on the basis that they would receive automatic wage increases comparable to those negotiated by other groups who do have the right to strike, we can show that the strike weapon not only is archaic —

that's been said by veterans in the labour field in different parts of the world — but that we can make another system work by showing that it works within the ambit of essential services.

I would agree with the Minister, who has often said that we have to take pilot projects and experiment a little bit. I'm the first one to admit that if such a project in the essential services field was a failure or was less than successful, there was always the alternative of going back or trying another path.

All I'm saying is that it is frequently said by members of the public that there should not be the disruption and the public danger which can arise when essential services are given the right to strike.

As the Minister knows, the very first time that one vital sector of our society, namely the firefighters, did go on strike, the very next thing that happened was that this House was called into session to put them back to work. So one can quite legitimately ask the question: what really is the validity of the phrase "right to strike" if, when the strike occurs, the weight of the Legislature is used? On the occasion I quote, I think it was used wisely, perhaps unavoidably, but the public safety was greatly at risk. I think that some of the disruptions we've had in the health and hospital field show a very distressing and, to me, deteriorating sense of dedication by people who basically, down through many years, have been looked upon as having a dedication, first to the people they serve and then to the concept of bargaining rights or their material rewards from the work they do.

I also would like to make the point that while the federal and provincial statistics being mixed up might not give the true picture I wonder if the Minister could tell us.... I have a few questions, one in particular.

I was unable to find out from the Minister's department, when I was preparing these comments, any statistics on the whole cross-section of illegal stoppages of work. In other words, there are no statistics about illegal strikes or illegal lockouts, walkouts, booking off sick, study sessions and all the completely dishonest euphemisms which many people use to hide the fact that they're on strike, whether they like to use the word or not.

As I referred to in an earlier debate, we even have members of medical profession with the audacity to tell this community in British Columbia that they're booking off sick when this, in fact, is an absolute and an utter lie. They are not sick. They are using a device to withdraw service. I just emphasize how strongly I reject this pretence of withdrawing service from your employer, particularly, of all places, in hospitals and then having the gall to turn around and tell the public at large that they're booking off sick. I think that was a most regrettable example. It's the first one and I certainly hope it's the last. As long as I've anything to do with public life.... That I am a doctor, personally, has nothing to do with it. I just think that this is a kind of example which doesn't help the whole labour-management relations field at all.

The statistics on illegal withdrawal of labour or lockout seems to be completely lacking. I may be corrected, but I'm told there are no federal statistics and there are no provincial statistics. It would interest me greatly to put the illegal man-days lost alongside the legal ones and see what percentage they are of the total.

The Minister talked, I think last spring, about his research department — that he felt it held out some hope of pinpointing some of the causative factors and the possibility of finding out preventive measures. I wonder if the Minister could quickly tell us to what degree in the last year the research department has come up with some previously unknown conditions which greatly influence whether a strike happens, and if it does happen, how it should be handled.

In the greater Victoria area we're all very disgusted with the long — I think it's 15 weeks — strike of municipal workers represented by CUPE. We've been through a school strike caused by the withdrawal of

service by janitors. I would wonder, again, if the Minister has any new policy to put forward to try and at least mitigate the effects on innocent third parties in such disputes as the school strike, which we've just emerged from in the greater Victoria area.

I'd like to quote from the Supreme Court of British Columbia hearing that was held in Victoria, March 25, in relation to that strike, held before Judge Wooton. This was an injunction by the school board to try and change the picketing habits, or restrict the picketing habits, so that teachers and students — the students in particular being the innocent third party — could receive the education for which the Public Schools Act is written.

I would like to quote the judge, who states:

"There is a dispute between the board and the labour union, and involved in this dispute there are matters of law of grave importance as to whether certain provisions of the Schools Act should override or overrule sections of the Labour Code. It is most desirable that the trial of this matter be ultimately heard."

I won't read any more of it but this was the issue which the judge defined as being all-important. He does mention the students receiving their education. But, at any rate, the decision of the judge in that case was that at least picketing should not occur in the morning hours when students are arriving at school or the afternoon hours when they leave school.

I think this might represent some all-too-small step forward in measures which would mitigate against innocent third parties who really have no direct involvement in the dispute being denied a service or some important commodity simply because two other parties are in dispute. I wonder if the Minister would care to comment on the future policies that this government might develop, particularly in the educational field. These are annual negotiations, Mr. Chairman.

The people in Victoria say to me: "My goodness, we have had this long, drawn-out problem in the schools. Some of our children will not make their grade and will have to repeat a year, or there will be problems of one kind or another. We know that this time next year we might be going through the same difficult situation because of the failure to renegotiate the contract at this time next year."

I am very interested in today's newspaper because this Minister has talked many times about this government's policy, which is clearly one of non-intervention in legitimate disputes unless asked, without going through all the ramifications of industrial inquiry commissions and so on, which we have discussed before. I notice today that in relation to the CUPE situation in Vancouver it is reported that:

"The B.C. Federation of Labour has urged the provincial government to provide leadership in settling current disputes between municipalities and the Canadian Union of Public Employees.

"The federation has asked that Deputy Labour Minister James Matkin become actively involved in bringing the parties together."

I wonder if the Minister could tell us whether he is responding to the request of the B.C. Federation of Labour and what action he plans to take. I remember the Minister once remarked in the House, back on March 8, 1974...and the quotations from *Hansard* are very interesting because the Minister says:

I don't think there would be any criticism whatsoever if I used my office to prevail, to cajole or even to lean on the parties to take a more responsible position so that a settlement might be consummated and a strike averted.

Indeed, Mr. Chairman, I plead guilty to doing that. I certainly have laid the wood to many groups and to trade unions to have them take a more responsible position, a more conciliatory position, to resolve their differences.

That is a statement which the Minister made in this House. While it is better, in my view, if governments can stay out of arguments, I think at the same time they have a responsibility to judge when they should intervene. One of the biggest concerns of many people in the province is that while the government's good intentions not to intervene are admirable, there are times when this government has sat on the sidelines when perhaps intervention could have led to a solution and perhaps a more rapid solution.

I wonder if the Minister has any new proposals to make as to the whole question of intervention by various means and the timing of such intervention. He has frequently answered me at question period at different times in the

House in the sense that, unless he is asked, he does not intervene. I've had the same — what I consider ineffectual reply from the Minister of Education (Hon. Mrs. Dailly). When I keep asking her what her primary responsibility is — namely, to see that the children are educated — I am referred back to the point that it is a labour dispute and that this is not the Minister of Education's problem. Then, when you inquire about the labour dispute, the Minister won't intervene because he hasn't been asked.

All I am saying is that the parents and a lot of people in B.C. are getting fed up with that kind of runaround. They know the problems there; they are not suggesting that they have some brilliant answer that will come down from on high if you do meet with both sides. But what people in B.C. are saying is that this government is so unavoidably dedicated to staying out of disputes that things really have to get to some pretty, terrible pitch before they take any initiative. That's the public comment I frequently hear.

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The Minister may choose to disagree; I can only pass on what people say to me. This isn't just any handful of people; this is people not only in the greater Victoria area but in other places where you travel.

I would just like to finish with one or two specific questions. The Minister made a statement back in March to the United Steelworkers' conference, saying the only qualification that a union representative has for bargaining is sometimes that he won an election and that there is need.... Mind you, Mr. Chairman, I'd be the first one to admit that maybe that's the only qualification we have standing here in this House running the affairs of B.C. — the only qualification being that we won an election. The Minister of Highways (Hon. Mr. Lea) looks dismayed at that remark, but I include myself, Mr. Minister, in the statement.

Anyway, to be serious, the Minister did say that there was some need to set up some process whereby people could be educated to develop expertise in the whole bargaining process. He did state that there will be lecturers available and audiovisual material so that participants could receive some education in this matter. I just quickly say that when the committee on education travelled the province last summer, one of the most frequent comments we heard from school trustees was that they felt completely inadequate to get into the bargaining process and, for that reason, looked at other means whereby they could really stay out of the bargaining process by delegating it to a regional or central body.

MR. CHAIRMAN: The green light is on, Mr. Member.

MR. WALLACE: So I wonder if the Minister could tell us a little more about the positive educational proposals. I did want to speak a little bit about the handicapped and the blind, but I'll probably get to that later in the debate. The last point I want to just ask is the question we asked about female employees being dismissed because of pregnancy.

The main area where the issue arose was a very unfortunate one. I personally sincerely believe that pregnancy shouldn't change employment at all. But in the area of employment as a stewardess in an airplane, I just simply have to ask the question as much from a medical point of view where safety is involved: how can anyone visualize that a lady who might be several months pregnant and who chooses to continue to work in that capacity could really meet the duties of her job in the kind of stress and emergency of an airplane crash or whatever? The clinical, medical facts are indisputable; in that kind of job the degree to which she could carry out her responsibilities could be seriously impaired. I don't blame the airlines one little bit for asking this kind of question if only for the reason of some possible disaster, for which they might later undergo litigation in the courts. We all know that after air disasters the litigation gets into many millions of dollars. I think the airlines are quite legitimate in at least raising the question. Federal and provincial legislators believe that the air stewardess....

MR. CHAIRMAN: Time's up, Mr. Member.

MR. WALLACE: Yes, could I just ask leave for one minute, Mr. Chairman, to finish this point? It is rather important.

Leave granted

MR. WALLACE: I'll be very quick. If a stewardess, for example, chose to work to the 34th week of pregnancy — which is what generally happens, certainly in Britain and other countries in terms of social benefits and payments being available starting at the 34th week — I just believe honestly that from the clinical point of view it would not be safe for the passengers of an airplane to depend on the services of a stewardess 34 weeks pregnant in the kind of situation that could well arise in the operation of a commercial aircraft.

MS. R. BROWN (Vancouver-Burrard): Mr. Chairman, I just have a couple of statements I'd like to make to the Minister. Before that, I wonder if, through you, I could make a comment on the statement made by the Member for Oak Bay (Mr. Wallace).

As someone who has been pregnant a number of times, I was always under the impression that the dangerous time was the beginning, in the first three months, and that was when the foetus was in danger, certainly not when you got to the 34th weeks or whatever it is that you just mentioned.

You practise delivering babies, I have them; so maybe you are more knowledgeable about these things than I am. I don't want to get into a debate with you over it, Mr. Member.

MR. WALLACE: I wasn't talking about the foetus.

MR. GARDOM: It's tough to carry the trays.

MS. BROWN: Right. I think I've had the experience, but I think really what the women were saying was that they should have the right to decide just how long they could carry on their duties and not have someone — even a male as knowledgeable as a doctor — decide for them whether they could do this job or not.

What I really want to do is to congratulate the Minister of Labour for the job that the human rights branch did in Surrey recently. As you know, Mr.

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Chairman, there have been some problems there in terms of racial conflict with the East Indian community. The human rights branch conducted a pilot project in which they went from door to door and spoke to people one Sunday. This turned out to be a very important experiment and certainly seemed to have been very successful. Now one doesn't know how successful it is in terms of its long-term kinds of goals, but certainly on a short-term basis it seemed to have defused a lot of the hostility in the community that was directed towards the East Indians living in that particular area at that time.

[Mr. Kelly in the chair.]

What I want to ask the Minister is whether this is something that the human rights branch is looking at as an ongoing thing now that it has intervened in this positive kind of way?

I certainly support the concept of positive intervention on the part of the provincial government in areas like this where there is conflict. I want to know whether the human rights branch is planning on doing this. As you know, the whole racial tension in the Vancouver area has not yet completely subsided and there is some in some other parts of the province too. I think that as long as we have the federal government condoning this kind of hostility towards immigrants who come from Third World countries we will have racial tension.

I thought it was interesting, for example, that the Minister of Immigration should remark that there was more racial tension in Vancouver than anywhere else, seeing as how he has done such a very good job, quite frankly, in stimulating it. I would like to know what kinds of plans the human rights department has in terms of positive intervention, because I think that is the role of government.

Interjection.

MS. BROWN: Well, if the truth must be known, the trouble is being caused by a Green Paper which says, in fact, that it is amazing that the Canadian people have taken the level of immigration from countries like the Third World countries without some conflict before now. I don't know how many of you have read the Green Paper, but I have read all four volumes of it. This is not a debate on the Green Paper.

I want to congratulate the human rights branch and ask the Minister whether there is plan for any future action in this area and, at the same time, suggest to him that this might be a good a time as ever to beef up the staffing of the human rights branch. I think that if they are going to not wait until people bring discrimination to them, if the branch is going to involve itself in a positive way in disputes, certainly they need more staff than they have now.

The second area I want to bring to the Minister's attention is the area which I really am quite tired of talking about, and that's the apprenticeship programme and how really difficult it is for women to get into these apprenticeship programmes. I notice, for example, that a woman made the front page of the Sun yesterday because she'd completed the painting apprenticeship, the very first in the history of British Columbia. That's progress, but it is disgusting that it has taken us 2,000 years almost to get that done.

I want to know whether there are any plans in the department to speed up. Do we wait another 2,000 years before some of these other apprenticeship programmes which are closed to women are going to be open to them? What kind of really concrete planning in terms of counselling, not just to the trades themselves that are keeping their trades closed but in terms of women does the department have in mind for these two groups, and what does it have in mind for helping them to break into this area that is closed?

Finally, I just wonder whether, in terms of amending Bill 11, which I feel is a very excellent piece of legislation, he is considering, in view of the kind of requests made to him by the trade-union movement about secondary picketing and the problems involved, for example, in supporting the grape boycott and yet being unable to picket stores like Super-Valu which still insist on bringing in California grapes, any kind of plan on his part to amend that section of the Labour Code.

What we would like to do, through you, Mr. Chairman, is to have the law amended so that it is possible to use informational picketing or picketing to say to people: do not shop in this store because it is carrying grapes from California, a place where the grape growers are being continually oppressed and exploited by the producers.

Thanks very much, Mr. Chairman.

MR. GARDOM: Would you do the same thing with the B.C. Hydro turbines?

HON. MR. KING: Mr. Chairman, to respond to the Second Member for Vancouver-Burrard (Ms. Brown), first of all she brought up the question of the activities of the human rights branch in attempting to break down manifestations of racial prejudice in various areas of the lower mainland. I would like to assure her that it is a function of the Human Rights Commission, which is an independent agency in legislative terms, to try to take positive action to prevent discriminatory actions from taking place in the first instance. That involves and implies educational programmes, the circulation of educational material on some of the subtleties and

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types of discrimination that some people are even unconscious of until it is drawn to their attention, a variety of initiatives in terms of the media advertising and so on which will not only reveal some of the types of discriminatory practices that have taken place but will also indicate to those who are discriminated against the remedies and the options that they have available to them under the Human Rights Code.

I think the activity that they undertook in Surrey, I believe it was, is completely consistent with my hope of what the commission will continue to provide to the community.

The human rights branch of the department, through our director, Kathleen Ruff, collaborates very closely

with the Human Rights Commission and they support each other in this type of educational activity. So we can look forward to more and more of that.

The Member asked a question regarding the availability of apprenticeship training in the trades to women. I wish to acknowledge that this has been an area where it was for many years virtually impossible for women to break in. I want to assure her that the recent acceptance of a female in the painting trade will not be the last by any means. We are undertaking action to accelerate opportunities for women in vocational training.

I forget, quite frankly, what the last point was that the Member brought up. Oh, it was the picketing section of the Labour Code. She asked whether or not there might be amendments to the Labour Code with respect to informational picketing. Quite frankly, I am considering amendments to the Labour Code, but I am not very receptive to opening up in a general way informational picketing. In reality, I can never distinguish between informational picketing as opposed to real picketing in a labour conflict. The consequence is the same; as a rule it results in the closure of the plant. If it's to disseminate, they have the ability to do that through handing out pamphlets rather than picketing per se. I think the real difference between informational picketing and intentional picketing at the time of a strike or lockout is something that's not very real. There's really no difference and the consequence is the same.

Moving to the Member for Oak Bay (Mr. Wallace), and trying to respond to some of the questions he asked, I would first of all like to say to the Member that, yes, I regret that the exchange has become rather acrimonious at times. However, we have to respond in the best way that we possibly can to the kind of climate and the kind of inferences that are placed on questions and presentations made by the opposition. I want to welcome the approach taken by the Member for Oak Bay. He usually is fair, although I disagree on many occasions with some of his conclusions.

I'll deal with some of the points he made in reverse order. He brought up the pregnant stewardesses question, on which I made a public statement when it became apparent that a federal agency of government was applying to waive protection extended to pregnant stewardesses in terms of their employment. As far as I know, that action was taken not out of a questioning, as the Member indicated might be the case; it was taken as a direct initiative without any communication or consultation with the trade union involved and against the body of medical evidence, which I have read, which certainly conflicts with the medical conclusions drawn by the Member for Oak Bay. Far be it for me to try to make a judgment on that. But I think it's really ill-advised to proceed in an arbitrary way to eliminate any job-security protection to females who happen to be pregnant without a very detailed examination of the whole issue and without a thorough study of the medical implications to ensure that the proper rights and the human rights of the girls involved are not being abridged.

That was very simply the essence of my statement: if that kind of discrimination took place without any satisfactory justification, which was not offered by the airline involved, then I would expect that the Human Rights Commission in the Province of British Columbia would undertake an investigation of any such discrimination that accrued to a resident of this province. I would not presume to judge or to comment on what the conclusions of that inquiry might be, but certainly it's a valid question to ask in the realm of human rights.

MR. WALLACE: Is there any inquiry being done on this situation now?

HON. MR. KING: No. There's no specific case that has been brought to my attention. I'm not aware of any that has been referenced to the human rights branch as yet.

Labour education. Yes, Mr. Member, I have talked about this for the past year and a half. I don't want to give a distorted view or a distorted perception to the comments I have made. I have not only pointed out that in many cases trade union bargainers lack background experience but it's true on management's side also. In many cases, someone who wins election as a city alderman to a police commission or a fire commission ends up chairman of the bargaining committee. The lack of any background experience or expertise can certainly, and has very often, been a contributing factor to a dispute and a conflict and a work stoppage which should never have occurred were the people at the bargaining table more experienced.

This is what I'm talking about and, yes, we do intend to bring forward legislation at this session of the Legislature which will enable us to go into that

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kind of comprehensive education system for bargainers, for industrial relations people in the province.

This is the kind of positive thing we are trying to do. You know, if the opposition questioning would be of a more positive nature in trying to elicit this kind of information, then the dialogue would be a bit more mature and perhaps a little less heated. But as I said, if you like to dish it out then you have to be prepared to take it, too.

I'm not going to repeat to the Second Member for Vancouver–Point Grey (Mr. Gardom) my story about Big Red again — I told him that the other day.

The question of the case before Mr. Justice Wootton on the injunction is, I understand, subject to an appeal at the moment, and I think it would be improper for me to comment on it. Yes, the strike is over but the decision which Mr. Wootton handed down is apparently subject to an appeal to the supreme court and, as such, I think it would be improper to comment on it.

He asked what effective contribution the research branch of the Department of Labour is making to provide positive aids to the bargaining process. I can only say that I have received quite a wide number of letters acknowledging and applauding the changes in the kind of statistical data which the research branch is putting out, both in terms of the analysis of collective agreements so that trends and developments can be noted and can be appreciated in the broad spectrum of the B.C. economy, and also with respect to a variety of other special functions that the branch is undertaking studies on. I think that this is an area that — it is certainly my hope — will continue to expand as we find more and more ways, and as labour and management, on occasion, identify effective roles that can be played by the research branch.

In the more or less philosophical areas that the Member raised regarding rights to strike in essential services, the Conservative Party platform with respect to essential services...well, that's interesting. The Member did not identify what might be designated as essential services. It's a fairly catchy phrase, you know, but I don't know whether one would stop at fire departments, police forces, hospitals, or whether one might go to something like the forest industry that certainly has a major and profound impact on the economy of this province. It's difficult to say; it's a matter of degree.

AN HON. MEMBER: What do you think?

HON. MR. KING: Well, what I think is embodied in the Labour Code of British Columbia, and that is clearly understood by some Members of the House.

Interjections.

HON. MR. KING: Quite frankly, I would simply ask the Member a question or two in response.

I wonder what we would do where this right that you wish to withdraw is challenged; where workers say: "Look, we are receiving such unjust treatment that we are going to defy the law," and that has happened on many occasions.

In the City of Montreal, the firefighters struck and there was a major problem in that city. You know, in the Province of British Columbia the ferry workers have taken strike action when they had no legal right to do so. This is true right across the nation; it's true pretty well all over the world today. It seems to me that where we really differ is that the opposition feels we should be very arbitrary and we should hold out, presumably, very harsh sanctions against that kind of eventuality. Now you have an obligation, if you're going to advocate that, to spell out precisely what these sanctions would be for violation.

AN HON. MEMBER: Binding arbitration.

HON. MR. KING: Binding arbitration might be defied too, and you have an obligation to say what you're going to do if there is defiance. Are you going to put them in jail? Are you going to issue large fines against the people involved? You see, the difference is a sociological view of how we treat groups of people in society. It's a little bit like parliamentary democracy. It's a pretty clumsy system, but I think it's the best one we have, and I think that's quite true about collective bargaining. That's something that's accepted by the United Nations; it's something that's accepted by what we like to refer to as the nations of the free world.

I find it curious and a bit disturbing that the opposition says: "Well, we can't tolerate the injury and the affront and the inconvenience to the public any more." But they really don't identify what steps they are going to take to stamp out any threat of worker dissatisfaction to the extent that it produces a work stoppage. I think they have an obligation and a responsibility to do that.

I'm of the view that the system certainly isn't perfect. It can be improved, unquestionably; that's what we're seeking to do. I would rather appeal in a persuasive way than a coercive way for responsibility among the trade union people and among industry in this province, because we're dealing with a large group of people, and their social interaction is affected and weighted by a whole variety of forces.

I think it's a mistake to try and be very autocratic and set down one rule that's going to be applicable to all the myriad circumstances that you encounter in industrial relations. In my view, it's an oversimplification borne out of a lack of real experience. I just want to suggest that that approach has been tried. The mediation commission was pretty

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autocratic and it produced very few settlements. I've talked about Australia on many occasions. Their incidence of conflict and unrest is far worse than that in Canada. So there are no easy answers.

[Mr. Dent in the chair.]

Again, I would note that in discussing this whole area of industrial relations, I regret a bit that during the just over two and a half years this government has been in office, we are challenged by the opposition to have shown marked improvements in the field of industrial relations. I think we have. I haven't suggested it's perfect; I've suggested we're making progress.

I regret that not one opposition Member — not one — has on any occasion in the last two and a half years phoned me, or come to my office, or entered into any discussion with me regarding questions of policy, regarding really understanding how the department functions, regarding proffering any suggestions of a positive nature that I might consider as an aid to the whole system in the province. You asked the question: why am I a bit defensive in my response? I find a negative type of questioning by the opposition, and I regret that — not because I object personally, but because I think that industrial relations in the province is something that should be kept pretty impartial in terms of how we treat it politically.

MR. WALLACE: Like Levi on the picket line?

HON. MR. KING: I think it's a bit lamentable that the opposition's indications that they are sincere in trying to find better solutions is not backed up by any positive suggestions that I have received, either during the session or otherwise.

As far as the Minister of Human Resources (Mr. Levi) is concerned, I have indicated to the Member before that that's on his head. He has perceived his responsibility to be one of walking the picket line, apparently, in his constituency. That's a choice for him to make as the local MLA. It's a choice for every Member of this House to make, and I don't think it has anything to do with the estimates of the Minister of Labour. Thank you.

MR. P.L. McGEER (Vancouver–Point Grey): Mr. Chairman, I want to commence in an unusual way today by tossing a bouquet out to the Minister, and if he doesn't faint from shock....

MR. WALLACE: Look out, Bill.

HON. MR. LEA: What did he do wrong?

MR. McGEER: Well, according to some officials of the American-dominated unions what he did wrong was to appoint a representative of one of the Canadian unions to the Labour Relations Board. It's something we've asked for right along, and I think it was a wise decision and a fair decision of the Minister. Moreover, I like the way he defended that appointment, when it was attacked by people who are not friends of the Canadian unions, by saying that the man justified his appointment on the basis of ability. I understand he's an extremely able trade union representative.

I want to associate myself with the remarks made by the Second Member for Vancouver–Point Grey (Mr. Gardom), with respect to the need to have a balanced view of nationalization in Canada, and to say that unless there's complete freedom for Canadian corporations to operate, we're not going to get that particular balance.

I can't agree with what the Minister of Labour had to say regarding the actions of one of his colleagues in the Treasury benches, because if he were to picket the ferry operation, if the ferries were to go on strike and leave the Minister of Transport and Communications (Hon. Mr. Strachan) holding the bag, I don't think that would serve the interests of cabinet solidarity, nor would it serve the interests of appropriate relations between government and industry. The Minister should have criticized his cabinet colleague for having walked the picket line, because it was a show of partisanship. Some have contended that what the Minister of Human Resources (Hon. Mr. Levi) did was even illegal. He was one.

Interjection.

MR. McGEER: You've got sharp ears, Mr. Minister. If you had as sharp a mind, you would do a much better job of running your side of the government administration.

We believe in cabinet solidarity, at least in public if not in private, and I can't think of anything less proper than for a Minister of the Crown to walk a picket line. It seems to me that that is the sort of action which undermines the impartiality of government.

MR. CHAIRMAN: Order, please. Is the Hon. Member discussing the Hon. Minister of Human Resources' responsibilities or the responsibilities of the Minister of Labour?

MR. McGEER: What I am saying, Mr. Chairman, is that if one Minister walks the picket line, the government walks the picket line. If one of the cabinet colleagues walks the picket line, the Minister of Labour walks the picket line. And if the government walks the picket line, then it is taking

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sides; it is abandoning its proper responsibility, which is not to labour and not to management but to the general public. If the Minister is to serve the general public and uphold his role as government leader in this field, he cannot accept that kind of behaviour from another Minister; nor can the leader of the government, the Premier, accept that kind of behaviour.

Again, it is a display, Mr. Chairman, of government immaturity. It is the end result of people skilled in protest and not in leadership taking responsibility.

I believe without question that the Minister of Labour is one of the most able performers in the government. If he had been the Minister of Human Resources, I am sure he would not have walked a picket line. He is definitely one of the more balanced of the cabinet and would recognize the impropriety of such a course.

The Minister of Human Resources is not one of the stars of the cabinet. He is not a balanced Minister...

MR. CHAIRMAN: Order, please. I think the Hon. Member...

MR. McGEER: ...and he needs to be held to account...

MR. CHAIRMAN: Order, please.

MR. McGEER: ...if not by the Minister of Labour in labour matters...

MR. CHAIRMAN: Order, please! The Hon....

MR. McGEER: ...then by a Member of the opposition in labour matters.

MR. CHAIRMAN: Order, please! I think the Hon. Member is wandering away from the strict administrative responsibilities of the Minister of Labour. I would ask him, rather than to get into a discussion about the conduct of the Hon. Minister of Human Resources, to confine his remarks to the administrative responsibilities of the Minister of Labour.

MR. McGEER: Well, I consider it part of his administrative responsibilities to call down another member of his cabinet when he transgresses into an area where he doesn't belong. Whose job would it have been, Mr. Chairman, to criticize the Minister of Human Resources for transgressing his responsibilities?

MR. CHAIRMAN: Order, please. The Hon. Member knows that it is not permitted to ask one Minister to counsel another Minister.

MR. McGEER: Oh, but it is proper to ask one Minister to fulfil all the responsibilities of his office. If those responsibilities unfortunately require him to criticize another Minister, then so be it.

MR. CHAIRMAN: Order, please. As long as the Hon. Member shows the way in which this falls under the direct administrative responsibility of the Minister of Labour, you may continue.

MR. McGEER: That's right. I tried to indicate that.

MR. CHAIRMAN: But if you cannot, I would ask you to confine your remarks to the administrative responsibilities of this Minister.

MR. McGEER: Yes, well, I tried to explain that by indicating that if one Minister of the Crown walks a picket line, the government walks a picket line. It's because it's cabinet solidarity; brothers in the bonds; solidarity forever — all those familiar phrases which the present Treasury benches understand even better than we do. Because of this brotherhood and solidarity forever, if one walks, the government walks. If that's wrong, somebody has to say so. Here the Minister was invited to do that and he passed his opportunity up. We're merely saying it for him and trying to remind him of the full extent of his responsibilities.

Mr. Chairman, one of the things I consider to be healthy about the trade union movement is that there is spirited competition. As a free-enterpriser, I always think it desirable to have that. We certainly have competition among unions in this province — some feel too much competition. I hope the Minister of Labour has had second thoughts about his intention a year ago to slip by that little amendment that would have reduced competition in the labour movement. This period each year where union members have an opportunity to switch their affiliation if they are dissatisfied with the service they are getting from the current union.... I refer to such situations as we had at Kitimat, Trail and so on. It seems to me it's a very healthy thing for the labour movement and for the workers that this opportunity exists.

I hope that opportunity is going to be continued and that the Minister will not contemplate amendments that would restrict that. If there were, it would limit, naturally, the opportunities for the Canadian labour movement to become emancipated from the control which now emanates from Washington, Detroit, Chicago, Pittsburgh and so

on.

At the First Ministers' conference that I was privileged to attend as an observer, held April 9 and 10 in Ottawa, which was to consider the Canadian economy and the pricing of energy in Canada, the Prime Minister astonished many people by devoting

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much of his address to the First Ministers to the subject of labour. Many people may not have heard the remarks of the Prime Minister, but I want to strongly associate myself with what he had to say. I think the Minister of Labour should be familiar with it. The Prime Minister said:

"Among the institutions that we must be prepared to look at frankly is collective bargaining. Time after time, failure by management and labour to reach agreement brings some part of our economy to a stop: the Port of Vancouver one week, the St. Lawrence ports the next, the airlines, the construction industry, the postal service, and even schools and hospitals.

"Figures released by the International Labour Office indicate that in the last 10 years we in Canada have lost the second-highest number of days of work through labour stoppages among all the industrialized countries of the world. It is a record that must cause us to ask what is wrong."

I'd just like to interject here, not quoting from the Prime Minister at the moment, that British Columbia stands highest in Canada in this matter of days of work lost through labour stoppages. So Canada is second worst in the world; we're worst in Canada.

The Prime Minister goes on to say:

"We are not the only country with free collective bargaining, so our problems are not a necessary result of that system. What is wrong? Is it the way we handle negotiations? Is it our structures for collective bargaining? Is it an undue degree of unreasonableness on one side or the other, or on both? Such constant stoppages dislocate our economy and diminish our productivity.

"Moreover, we are not getting, as a result of all these stoppages, a less-inflationary pattern of settlements. Our settlements are now much higher than in the U.S. They thus are limiting our capacity to compete in the world.

"Both the federal and provincial governments have jurisdiction in labour matters. All our governments are major public service employers. We in each of our governments must look at the problem of collective bargaining, both as legislators and as employers. In the private sector both employers and workers must also look at it.

"Is everything possible being done to avoid unnecessary dislocation? All of us have much to lose if free collective bargaining falls into disrepute. Collective bargaining is a vital part of our free economy and free society, but it will not remain as free if it cannot be made less destructive than it is in Canada today."

Mr. Chairman, several Members have spoken in debate and have asked questions of the Minister of Labour. In one way or another they were asking him simply what steps he and his government are going to take to make free collective bargaining less destructive of society. What are we going to do to protect the public against stoppages in essential services?

My colleague from Vancouver–Point Grey and other Members of the Liberal Party have repeatedly made positive suggestions to the government in this regard. We have stated quite frankly that it is our position that compulsory arbitration should apply in those services which are considered essential. They include transportation, hospitals, firefighting, and so on. People are not forced to work in those industries; this should be taken as a condition of their employment in those industries. Bargaining is one thing; a strike is another.

Mr. Chairman, the government has repeatedly rejected those suggestions. We have had a firefighters' strike. We've had repeated school strikes. We've had a strike in the ferry service that destroyed the tourist industry in the City of Victoria during one year where workers left, leaving people stranded in their automobiles overnight, with no motels or accommodation for them. We've had these things, yet the Minister has not told us what he is prepared to do

to see this kind of thing limited in the future. It hasn't been a lack of constructive arguments or proposals from this side of the House; it has been a failure on the part of the government to act.

I would like to ask the Minister, if he has no proposals to offer today, if the remarks of the Prime Minister were even discussed by the Premier when he came back from that conference in Ottawa. Has it been a matter of cabinet concern? Are we going to try and bring some measure of common sense and discipline to this process which the Prime Minister tells the other Premiers in Canada is out of control? Is the Minister of Labour prepared to suggest that the system has served us well when Canada has the second-worst record in the world, and British Columbia the worst record in Canada? Can we say that the settlements which have been achieved, right in the government service as employers, will protect our ability to compete in world markets?

There is a very tough round of labour negotiations coming up this summer. The people who are in the producing industries quite likely will ask: "If we are producing the wealth in British Columbia, are we not entitled to just as much, and maybe more, than those who are not directly responsible for producing that wealth?"

It is all very well for the Minister of Labour and his cabinet colleagues to give away the taxpayers' money, but it is something else again when lack of restraint in government service impairs the ability of the private sector to serve the world, because that

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costs jobs, and indirectly it loads further costs on the backs of government that has to support the Minister of Human Resources (Hon. Mr. Levi).

These are fundamental questions, Mr. Chairman. I don't think it is good enough for the Minister of Labour to indulge in rhetoric, condemning the opposition, bringing up newspaper advertisements of 1935 telling us about the Regina Manifesto when nobody even referred to it. Mr. Chairman, all the Member for Vancouver–Point Grey (Mr. Gardom) did was refer to the Waffle Manifesto that was signed by five cabinet Ministers. That's what he was referring to. The Premier is a Waffler; the Attorney-General (Hon. Mr. Macdonald) is a Waffler; the Speaker (Hon. Mr. Dowding) is a Waffler; and I think that it's fair to ask how deeply the policies of that Waffle Manifesto are felt by the other Members of the Treasury benches, because....

MR. CHAIRMAN: Order, please. I would ask the Hon. Member if the Waffle Manifesto is under the administrative responsibility of this Minister. Would the Hon. Member confine his questioning or his comments to the administrative responsibilities of this Minister, rather than Mel Watkins or someone else?

MR. McGEER: But don't you see, Mr. Chairman, how insidious that Waffle Manifesto...? Have you read it? Mr. Chairman, I tell you it's an insidious document and if it found its way into....

MR. CHAIRMAN: Order, please. The Chair would love to express an opinion but cannot, and therefore I would ask the Hon. Member to follow the rules and confine his remarks to the administrative responsibilities of the Minister of Labour.

Interjections.

MR. McGEER: Certainly, Mr. Chairman. Then, instead of being an impartial man, he'd be the boss of all the workers. That's the objective of the Waffle Manifesto: take over everything.

HON. MR. LEA: Have you read it?

MR. McGEER: Of course I've read it. It's a terrifying document.

Interjections..

MR. McGEER: I wouldn't have signed it. No, sir. I wouldn't have been a member of a party that endorsed that kind of thing. No, sir. I'd have repudiated it, and I'm surprised that more of even middle-of-the-road socialists

wouldn't have....

MR. CHAIRMAN: Order, please. I'll try again, Hon. Member. Would the Hon. Member please try and speak to vote 120?

MR. McGEER: Well, Mr. Chairman, I didn't bring up the subject of the Waffle Manifesto, but the Minister of Labour discussed it and I think in return I should be able to discuss it.

MR. CHAIRMAN: Order, please. The Chair is allowing some latitude, but I would ask the Hon. Member to at least relate his remarks to the administrative responsibilities of this Minister.

MR. McGEER: I think so, Mr. Chairman. Perhaps we are taking too wide a view of what the Minister of Labour can do, but it's because we have this tremendous respect for him that we feel.... What are you holding up — that advertisement again? (Laughter.) Don't get me started on that. He's trying to bait me with this advertisement, Mr. Chairman. You noticed that. I'm going to resist the temptation because it's a pleasant afternoon. I'll merely ask the Minister to deal with this important question of labour policy.

HON. MR. LEA: What advertisement is that you're talking about?

MR. McGEER: Do you see what they do to me, Mr. Chairman? They tease me. I just want to show you that I'm a man of strong will. (Laughter.)

HON. MR. KING: Now I wouldn't refer to the 1935 election (laughter) platform of the Liberal Party. I wouldn't suggest that that was not in any way relevant to the views and the philosophies of the five little lonesome Members of the once powerful Liberal Party in B.C. at the moment. I would say it is no more relevant than the Waffle Manifesto is to the New Democratic Party government of the Province of British Columbia...

MR. GARDOM: It is.

HON. MR. KING: ...a document which I understand was put forward simply by a non-elected member of our party. However, I will read it again if the Members wish. It's right here in black and white; I'm prepared to read it.

MR. CHAIRMAN: Order, please. I would ask the Hon. Minister to speak to vote 120.

HON. MR. KING: I agree, Mr. Chairman. I agree. (Laughter.)

The Member did make some points that I'd like to respond to. I'm not sure what they were; try hard

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to find some.

Oh, yes. He was upset by the Minister of Human Resources (Hon. Mr. Levi) feeling impelled to go on a picket line to support some people in his constituency. The Liberal Party in British Columbia apparently seems to take strong exception to that kind of support by a cabinet Minister of a trade union — of the position of a group of workers. Once again, I can only comment on the inconsistency of the position of the Liberal Party. They talk about wafflers. My gosh, you know, Bryce Mackasey praises international unions to the sky and supports them. A few lonesome Members out here repudiate him. They lament the fact that the Minister of Human Resources walks a picket line and indicates a support for a trade union.

The Prime Minister of Canada just made a statement a little while ago. He sent a telegram to the asbestos workers and he said he wished to support his comrades, the asbestos workers — "comrades," he said.

SOME HON. MEMBERS: Oh, oh!

HON. MR. KING: That sounds pretty sinister to me. I wonder if he signed the Waffle Manifesto. My gosh, talk about wafflers. And I understand that it wasn't only the Prime Minister of Canada that indicated by telegram a support for his comrades, the asbestos workers. I understand the federal Minister of Transport and Communications, the Hon. Jean Marchand, indicated his support for his comrades on the picket line also. I believe there were two cabinet Ministers.

MR. McGEER: That's right.

HON. MR. KING: So why doesn't the Liberal Party try and get it together? You're like a ship without a rudder. You're going one way provincially and another way federally.

MR. GARDOM: We have trouble with those fellows in the east.

HON. MR. KING: You're going to end up in a unity party with the Social Credit people if you don't get it together pretty soon.

The First Member for Vancouver–Point Grey (Mr. McGeer) mentioned an amendment of a year ago that would restrict the free choice of a union. I know of no such amendment.

I introduced no amendment in the Legislature. I think perhaps you should research that a bit better. There was no amendment introduced.

Lost man-days? Yes, that's a matter of grave concern to everyone. We have philosophical differences about how we solve the excesses of the collective bargaining system — and, yes, there are excesses. Yes, there is a lack of responsibility in many cases, on the trade union side, on the management side, on the political side.

But, you know, until we're prepared to come to grips with the other abuses and excesses in society, I suggest that your fixation on wanting to introduce compulsion upon the workers of the nation is a bit unequal and a bit inequitable. If we're prepared to introduce restraints on interest rates, on rentals, on profits and on prices, then perhaps we can start to look at a system of government playing an ever-increasing role in the collective bargaining process.

I suggest to you that to suggest further government interference with the collective bargaining process is discriminatory against working people. After all, workers do not have the right to arbitrarily fix their reward; after all, they're little free enterprises, selling a commodity, their labour. They have to go through a whole process and contract to sell that commodity, one, two or even three years in advance. You name one other institution in society that is so restricted. Certainly not the neurological scientists or the doctors or the lawyers. Certainly not the businessmen. They adjust their rates pretty well automatically, without having to comply with any structure and certainly not with the public scrutiny that collective bargaining has during the whole process.

It's interesting to note what Mr. Justice Friedman had to say on that very subject. He's one of the most.... No, not Mr. Justice Friedman; Senator Goldenberg it was. He made a point that I think bears repeating. He is an individual who has had great experience — one of the best respected industrial relations people in Canada. He made this point:

"The normal procedure — and I know I will be damned by the judges for saying this publicly — is for the aggrieved party to present its case and the other party to reply; then the first party to rebut."

He's talking about how he arbitrates.

"I let them have after that whatever they want.

"This is because I feel labour relations are human relations. To me, one of the damaging aspects of labour relations is perhaps a tendency to deal with them in a sort of legal adversary relationship. You don't solve human relations that way, whether they are the relations between employer and employee, between husband and wife, or between two friends. They have to live together after the issue has been disposed of. It is a partnership that has to be resumed. That is my philosophy."

MR. GARDOM: Read what he said about welfare too. Who are you quoting from?

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HON. MR. KING: And that's precisely ours.

I'm quoting from a question-and-answer series by Senator Carl Goldenberg on labour relations. He was interviewed by Jes Odam of *The Vancouver Sun*.

Interjections.

HON. MR. KING: This is by Jes Odam of *The Vancouver Sun*.

Interjections.

HON. MR. KING: Yes, I'm not sure what the paper is. But it's a good article; I'd certainly commend it to the Members of the opposition. They'll find this in "Teamwork in Industry." Labour Canada. Printed in Ottawa.

I would just say to you that there are no easy solutions to group problems. We are talking about sociological activities. To suggest that compulsory arbitration is going to protect the public interest in every instance is myopic in my view. It certainly hasn't been the experience and I doubt whether it would serve us any better in this province.

We are looking at positive ways; we are looking at better research assistance to the parties so that they might moderate their initial positions; we are looking at a better system of education to ensure that those people at the bargaining table understand basic economics and the exercise of power — and they have considerable. They can then weigh that obligation to represent their members well and responsibly against the equivalent responsibility to recognize and be sensitive to the public impact of work stoppages and so on. I think that kind of persuasive approach is certainly bearing fruit in British Columbia and I think that it's something that can be improved on and will continue to be improved on in the province.

I think that's the only point that the Member made other than his preference of Canadian unions. I have no wish to get into a debate on that question, but I can't help but wonder how the Liberal Party, in the unlikely circumstance that they ever ascended to government in the Province of British Columbia, could then convince the workers that they were in a position of impartiality to adjudicate the process of worker representation? How could you possibly persuade competing unions, be they international or Canadian, that you did not have a bias and that you were prepared to be fair in setting up an adjudicative process which, under the framework of law that exists not only here but in other provinces, would allow a fair test of who the representative should be when you've stated a preference, when you've stated an objective of encouraging — and in fact considering legislative action to impose on the workers — what you view to be the most effective representation for them? I think that's a bit of an autocratic approach.

I have enough confidence in the working people of this province that they can determine and perceive their own needs and their own rights and choose the bargaining agency which they feel can do the most effective job for them.

MR. A.V. FRASER (Cariboo): I have a few words I'd like to say to the Minister. I noted that some Members have said that he's done a good job. I think that's basically correct, but I haven't heard too many Members say that he's had the odd failure, and that's what I'd like to talk about.

Specifically I'd like to talk about the work stoppage on the BCR last November that lasted from November 26 to January 7, approximately seven weeks; in fact, I think it was seven weeks. It caused no end of hardship to the crews of the BCR and the general public of the central interior. As a matter of fact, it's still having repercussions, Mr. Chairman. There were heavy losses suffered by individuals as well as large and small businesses, and they're still trying to recover from this lifeline that was cut off for seven weeks. I'd like to ask the Minister if he or his government or both are going to pay for the losses that were caused by this work stoppage, because, believe me, it's

still an item of big importance.

At that time, Mr. Chairman, this Minister was the vice-president of the BCR. I said at the time that he had a conflict of interest, being the vice-president of the railroad, the executive vice-president, as well as the Minister of Labour. In effect, he was an employer and supposed to be impartial on labour matters, and how could anybody be impartial when he's in the position of being the employer or taking the employer's side?

I realize, Mr. Chairman, that since then this Minister's been fired from that job of vice-president.

Interjections.

MR. FRASER: We'll get around to that. I think it's far more important what happened to the Minister of Labour than what happened to me.

Interjection.

MR. FRASER: Thanks very much. Anyway, I want to congratulate the president of the railroad for relieving this Minister of Labour of his duties. The only thing I'd like to say to the president of the railroad is that he should never have appointed him in the first place.

But getting on to the work stoppage, it leads to quite a point here of principle in the Labour Code. I just want the Minister to reiterate the position he took at that time to this Legislature regarding the appointment of industrial inquiry officers. The new Labour Code says that the Minister can appoint an

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industrial inquiry officer or officers. This is the law of British Columbia, I might say, in the Labour Code. But this Minister interprets the law his own way and procrastinates and waits for both sides in a work stoppage to request the appointment of an industrial inquiry officer.

Getting back to the strike in question, the work stoppage on the BCR, it is my opinion that that strike lasted four weeks longer than it should have lasted, because after two weeks this Minister could have appointed industrial inquiry officers; but he decided to play games and it didn't happen. He let it be known when inquiries were made that after both sides asked him for an industrial inquiry officer he would consider it.

Well, Mr. Chairman, I believe about a week elapsed from the time both sides finally got together and decided to ask this Minister for an industrial inquiry officer. From the time of that appointment it was a week or 10 days then that work stoppage was all over with.

So I would like the Minister to tell this House what is behind his thinking when the law of the country gives him the power to appoint an industrial inquiry officer, and he doesn't take the matter in hand when it affects all of the public. In this case it certainly did. Not only the workers and the general public, but also business people — everybody was affected, I think I might say, at a very crucial time in the year, the holiday time. There were a lot of places in the interior that didn't have any turkey for Christmas. I think they could have had if this Minister hadn't procrastinated.

I would like to know if that is his policy. Is he going to interpret the Labour Code on the appointment of industrial inquiry officers in that way? Is that his policy, or is he going to abide by the Labour Code? In my opinion, he should abide by the code and make a decision himself to appoint an industrial inquiry officer before you have both sides in a dispute asking for it, because that is where the difficulty is and that is where all the loss takes place, this loss of work, the loss of profits, business — the whole thing. I think it is absolutely wrong. I would like to hear from the Minister on that point.

HON. MR. KING: Mr. Chairman, the Member is apparently not reading the Labour Code very well. Section 122, the industrial inquiry commission section, states: "The Minister may, either upon application or on his own

motion, make or cause to be made such inquiries as he considers advisable respecting industrial matters, and subject to this Act and regulations he may appoint...." That is obviously permissive: he may, "either upon application or on his own motion." There is no admonition there that the Minister must appoint on every occasion.

I would suggest to the Member for Cariboo that if his friends and his party's friends in industry could hear what he is advocating here today, they would disown the Social Credit Party. They know that the imposition of a third party can destroy the collective bargaining system. It can work a hardship, under certain circumstances, against one of the parties to collective bargaining.

I have, under the authority of section 122, which is permissive, a firm policy which is clearly enunciated and clearly understood by both labour and management: that I must have the consent of both parties before I will impose an industrial inquiry commission. That is simply borne out of the realistic need to have the cooperation of both parties before that commission or nothing is attainable. The commission, after all, has only the authority to hand down a recommendation which is not binding.

So if the Member for Cariboo is suggesting that that process could contribute anything to a solution, when one of the parties disagrees to the setup of a commission to the extent that he might totally ignore it, then he has to have his head in the closet, Mr. Chairman. I would suggest that he speak to someone on either side of the industrial relations table — they would readily tell him that the parties would not welcome a policy that imposed an industrial inquiry commission at the whim of the Minister.

It is true that I do have the authority to impose one if I choose. Under unusual circumstances where the public interest is, in the view of the government, impaired to the degree that unusual action has to be taken, then fine, that can be imposed. But it would have to be pretty unusual circumstances. It would have to be a set of circumstances which did not mitigate unfairly against one of the parties to the dispute.

I would say, Mr. Chairman, that if the day ever arrives when the parties to collective bargaining are let off the hook to the extent that they no longer hold the basic, primary responsibility for solving their problems through collective bargaining, then the system is broken down and impaired irreparably.

That is the policy. It is clearly understood and clearly accepted by both labour and management because their interests would be in jeopardy in alternating circumstances if it were not so.

MR. D.A. ANDERSON: Mr. Chairman, I sometimes wonder whether this Minister has done much thinking in the '70s. He seems to restrict himself so often to the '30s, and he seems to constantly find difficulty with statements made by two Members of my party. Yet, when in trouble, of course, whom does he turn to? None other than a Liberal appointment to the Senate, Senator Carl Goldenberg.

He can quote him as an authority, as he does,

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quite rightly. He praises him very highly because the man is deserving of extremely high praise. I just find it so inconsistent that the Minister would damn the party and quote selectively — extremely selectively — over 40 years, yet not bother to mention, when he quotes Senator Goldenberg, his appointment.

Goldenberg stated in that interview, which was when he came out to UBC to receive a well-deserved honorary degree, ironically in law, because the man studies on a number of occasions, as the Minister quoted: "You cannot solve labour problems by the law alone." He talked in an interview with Jes Odum of the *Sun* about labour relations being human relations, which was quoted by the Minister. He talks about how judges would be horrified by some of his attitudes because he does not apply strict rules of evidence; he just lets people get things off their chest because that's the best way, he feels, in dealing with a human problem. I think he's right; I think that is the best approach. I warmly endorse the quotations that the Minister made of Goldenberg because they were certainly the best part of anything the Minister has said so far.

What I'd like to do, though, is take some of these concepts of Goldenberg and not simply deal with them in an adversary sense, which the Minister abhors in the labour scene and yet brings into this House in the worst possible way. I think perhaps what I should do is quote some of the other more philosophical points that he made and then suggest to the Minister problems that we have at the present time which he should look at — in fact, he should constantly look at — with a more sympathetic and concerned attitude than he has ever displayed to my knowledge in this Legislature.

Goldenberg says: "When there is a conflict between the welfare of either of the parties in a dispute, i.e. labour and management, and the public welfare, the public welfare must prevail." That's a remarkably correct statement. It's a statement from a man who is enormously respected both by labour and management, and apparently is enormously respected by the present Minister of Labour.

In that statement, Goldenberg has put his finger on one of the problems that the Hon. Second Member for Vancouver—Point Grey (Mr. Gardom) discussed quite thoughtfully earlier and which the Minister was so contemptuous of. He put his finger on something which was discussed by the other Liberal speaker in this debate, the First Member for Vancouver—Point Grey (Mr. McGeer), namely the problems in the public sector and the problems when labour disputes start affecting the public interest. Goldenberg's quotation that I gave you is the starting point from which I would like to base some suggestions for the Minister.

We know that in a traditional labour-management conflict, you have a private employer who will pay an increase in wages depending on the profitability of his operation and the productivity of his employees. That's the standard in traditional approach; it's on that basis that the adversary system developed. It worked and it still works in the private sector to a very large extent. There are, of course, refinements or problems dealing with industries dealing in foreign trade, but essentially it's that. If the industry can stand the price, they'll pay it. If they can't, they won't. Within those parameters, labour and management make up their minds.

But, Mr. Chairman, as I mentioned before in this House this year, the problem we're facing now is that more than 50 per cent of the contracts up for negotiation this year are not in the private sector; they are contracts in the public sector.

Mr. Chairman, you're looking very thoughtful. I'm sure you're contemplating exactly how productivity and profitability are measured in the public sector. You're looking particularly concerned — creases are across your brow — because there is no way at the present time to measure productivity or profitability in the public sector. In other words, we have adopted, Mr. Chairman, an adversary system of labour-management negotiations and conflict from the private sector. In the private sector it works because it's based on productivity and profitability, but in the public sector it doesn't work because there are no such bases in the public sector for comparison, no such benchmarks or guideposts against which you can judge whether or not there should be an increase.

This dilemma, if I could digress for one moment, was well illustrated by the Minister of Transport and Communications (Hon. Mr. Strachan) — and I'm quoting him loosely, he can correct me if he wishes — who said: "What could I do? They held a gun at my head." He was referring, of course, to the settlement of the ferry dispute. In other words, a settlement not based on profitability, not based on productivity, but a settlement based on raw political and economic power. That's the distinction between the public sector and the private. I'm in no way blaming the Minister of Transport for that statement because that statement sums up the enormous dilemma we face when dealing with certain groups within the public sector. It's essentially their power to disrupt which is the ultimate reason for reaching a settlement.

Mr. Chairman, as you well know, we've had public service strikes in Victoria now going on and on and on. We've had public service strikes elsewhere. We've had to come back to this Legislature on August 9 of last year to settle a dispute in the public sector dealing with essential services, namely firemen, and yet we have a system which is in no way better than it has ever been.

Mr. Chairman, the real problem area is, of course, I guess, inflation. Inflation has turned these traditional groups into very militant groups. Catch-up has

become a catch word, and catch-up means not just to the cost of living increases; it means to other unions as well. There is inter-union leapfrogging, and we have essentially the law of the jungle. There are no standards, no guidelines, no mechanism for wage settlements or even wage analysis in the public sector at the present time. There simply are no bench marks.

The adversary system we have, which has been transposed into the labour relations market, has been described by Mr. Ed Finn, the publications and information director of the Canadian Brotherhood of Railway, Transport and General Workers, on page 768 of the *Labour Gazette* of November. As he described it, it "threatens to break down the whole system of labour relations," and he is right. It threatens to break it down because governments, Mr. Chairman, are not just employers. Here, I think, is the point the Member for Cariboo (Mr. Fraser) was making a little earlier. Governments are more than just employers; they are also the custodians of the public interest.

I have had unionists in my office here in the building who have come to me and said: "Look, there is no point in going to government. There is no point in going to the Minister of Labour; he's a director of the railroad." Well, that has been changed, thank goodness. There is a conflict of interest between the government as the employer and the government as the custodian of the public interest, as was well illustrated by these unionists — and they were BCR unionists — who came to my office and said that there is no point going to the Minister of Labour. Labour doesn't get a fair hearing there because he is a director of the railroad. That is no personal reflection on the Minister. It's a problem that comes up inevitably where conflicts of interest of this nature exist and where the government blinds itself, refuses to believe they exist and refuses to do anything about it.

I don't think, in other words, that government can play both roles fairly and objectively, and I don't think that labour will ever accept the government as the employer capable of playing both roles fairly and objectively.

Again, to quote from Finn, he states in this article I mentioned:

"The easiest and most tempting course is to do nothing other than react in an ad hoc way to each crisis as it occurs. That is, let the contending parties hammer away at each other, try to assist them to reach a voluntary agreement by providing skilled mediators and conciliators and, if the worst happens, that an unacceptable public loss or public hardship ensues, enact emergency back-to-work legislation."

Finn has described in that paragraph exactly what we are doing in British Columbia.

But, Mr. Chairman, we simply cannot continue with the present system we have in the public sector. Finn gives us his examples of disastrous public service and government relations. He gives as an example the Government of British Columbia which, "after extending the right to strike to municipal firemen, had to rescind that right when some firemen tried to exercise it."

The point is that, whether firemen or other essential workers have the legal right to strike or not, government can't ignore the threat to public health and safety that the withdrawal of their services eventually creates. But the converse is also true. If such workers feel sufficiently aggrieved they will strike as a last resort, regardless of the legality or illegality of their actions.

Here, I think, is where the Minister has deliberately misunderstood the statements of the Second Member for Vancouver–Point Grey (Mr. Gardom). When he talks about having essential service workers under a system of compulsory arbitration, he is not talking anti-worker in essential services. He is saying that as the government and as a Legislature, as we did last year, we must take away that right if it is ever exercised — and we have now amended the Act so that it can never be exercised properly. As the government takes away that right, let's realize that and let's set up a system beforehand which allows for compulsory arbitration, a system which is set up quietly, dispassionately beforehand, a system which need not be suddenly thrust upon the Legislature, or a solution suddenly thrust upon the Legislature, when passions are high and when for all we know people may be suffering grievously because of a strike.

The only system that really works is to set up in advance problem-solving, dispute-solving mechanisms, and the route that has been suggested is compulsory arbitration.

Well, Mr. Chairman, I would agree that legal preventing of strikes, legal bans, are inappropriate unless you set up some other mechanism to deal with the problem that I mentioned earlier — namely, the fact that the government is both employer and custodian of the public interest. So let's see how we can make strikes less likely in the public sector.

The Minister rightly points out that if they are pushed hard enough, labour will strike, legal or otherwise, and everybody accepts that. But let's try and make sure that we set up a system, a preliminary system, which will make it less likely. That is what the Province of British Columbia and this Legislature did not do last August 9. We simply went ahead and forced them back to work in the traditional manner — which I am sure the NDP had they been in opposition would have raised blue murder about.

The fact is, Mr. Chairman, when you have the public interest involved, an adversary system does not work. When you have the public sector involved, you

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do not have profitability, you do not have productivity as measurement guidelines, and the adversary system simply does not work. Therefore, the adversary system itself simply does not work when dealing with civil service unions and, in particular, the essential services.

The question comes up, of course: how do you change the system? The Minister has consistently ignored the many statements we have made as to how to change the system, so let me repeat proposals for change in the system.

First, you are going to have to have some body outside of the government, outside of the Department of Labour, outside of the management of the BCR, or outside of the government management group, because the government has now simply become a management group. It becomes more so, Mr. Chairman, every time they take over a new company. You are going to have some group outside of the government which can put forward factual, hard information dealing with such things as job skills, comparative skills, differentials between skills in different employment positions, regional variations, cost of living increases — things of this nature.

No longer can the public service employee trust the government because the government at an accelerating rate is becoming the major employer in this province and in the country. As I mentioned, more than 50 per cent of the labour negotiations taking place this year in British Columbia will take place with public service groups of one sort or another. But the government is management. Therefore you cannot simply say the Department of Labour can put forth the information, the Department of Labour can give all that information, it is perfectly simple to get objective criteria and objective statistics. You cannot do it. That has been proved time after time by the government's handling of the BCR dispute, by the government's handling of firemen, and the government's handling of other disputes in the public sector, at the provincial level and at the federal level and at the municipal. You must have some sort of labour peace commission.

Here I am endorsing the views of Mr. Finn and also the views, I might add, of one Leland Hazard, a businessman, a former head of Pittsburgh Glass, which is found in the *Harvard Business Review* of January-February, 1968. Both management and labour, at least these two particular individuals, apparently are at one in the way they see a solution to the impasse created by the civil service union.

The first and most important step is to get some sort of outside information so that you can have objective judgment as to the dispute at hand and so you are not simply relying upon an untrustworthy government which happens also to be the employer — and it is untrustworthy in the eyes of the employees — and, of course, unions which are obviously motivated, quite frankly, by self-interest for their members. That would be your first and most important step.

You've got to determine what is a fair and reasonable standard; you've got to try and find some substitute for

the productivity and profit system which exists in the private sector. This is the one that I would suggest. Obviously, their recommendations could be ignored. But to do so would indicate pretty clearly to the public who was being unfair and who was being unreasonable in a labour-management dispute. My personal belief is that if that could be determined fairly easily — and I think that this system would determine it fairly easily — then solutions and labour peace would come a great deal more quickly.

I don't wish to go on this for a great length of time, Mr. Chairman, but I do believe that we are going to have to go back to Senator Carl Goldenberg's statement last year when he received his honorary degree, a most deserved honorary degree, his Doctorate of Laws. The fact is that when there is a conflict between the welfare of labour and management, and the public welfare, the public welfare must prevail. We are not getting that at the present time.

Mr. Chairman, I find it strange that after three years of this government and almost three years of this Minister, we find British Columbia singled out as the classic case as to the problems of the civil service union and how this system, this transposed system that came from the private sector, isn't working in the public sector. I most strongly urge the government to get away from just sloganeering or references to 40 years ago and get down to this major problem. It's a problem, Mr. Chairman, which inevitably is going to get worse.

We have had schools closed in my constituency in a manner which was, to say the least, disastrous for the student who was below average. Average students manage, bright students manage, but the kid who is not so bright is really behind the eight ball. Some of those kids will never catch up. Some of those kids have dropped out who otherwise wouldn't have — directly attributable to that strike in the school system.

We have a weird system, Mr. Chairman, whereby the teachers are forbidden to strike — and rightly so, because they have a system of compulsory arbitration — and yet other groups within that school apparently can strike and disrupt the school system. That is obviously wrong. Obviously, it is not the fault of the janitors concerned; obviously, it is the fault of a system which permits this to continue.

We have talked about essential services. I think the teachers in this instance may not be an essential service; you can always do without schools for a

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while. But when you are dealing with essential service such as police and firemen this Legislature has proved that the right to strike that we've granted them is as phony as a three-dollar bill. For us to continue to keep our eyes closed to the problem, for us to continue to say that it doesn't really matter, that we're going to have these great principles that work in the private sector with non-essential people and have it applied in the public sector with essential people, is just to ignore difficulties rather than try to prevent them. And surely trying to prevent them is the work of this Legislature.

I would point out that the Minister claims to have done great things since he's been Minister. Fair enough. But I would point out that unless he starts anticipating trouble which will be coming up, unless he starts dealing with some of these major issues, we are really not going to get very far ahead. British Columbia, as I mentioned, was singled out as the province which simply reacts in the traditional way — the traditional, unsatisfactory way. I find this curious when the government takes such pride in the labour field.

Therefore, Mr. Chairman, I leave that with the Minister with the hope that he will adopt or, at least, study this proposal for some improvement in the public sector. The public sector, let me repeat, simply cannot solve its labour-management problems in the way the private sector traditionally has been able to do. The public sector is quite different, as the Minister of Transport (Hon. Mr. Strachan) correctly pointed out when he made that reference to a gun being held to his head. It comes down to raw power which determines what the settlement will be — not skill, not importance to the community, not the difficulty of the job or the hours involved. It is straight power.

The result is that we're going to create an extremely distorted system of pay scales within the civil service if this is allowed to continue, as those who, for one reason or another, may not be the most critical public servants find their views being ignored.

Let me give you an example, Mr. Chairman — a hypothetical example. The ferry workers obviously affect all of us right away. But there may be a group of civil servants working in the health field who are enormously critical. They may be working in a research area — they may be doing lab testing or things of that nature. They may be to individual citizens absolutely critical. Indeed, their work may mean the difference between life and death. Yet they don't have the same economic, political and social clout as the fellows who block the ferries or any bridge or anything of that nature.

It may well be that in terms of society as a whole, and this is what this Legislature should be looking at, workers in the lab are much more valuable because, indeed, people die if they don't do their work. Yet their political clout, their ability to achieve their economic objective by way of the traditional labour-management dispute is very limited. I just leave that one example with you.

If we don't get away from our adversary system in the civil service, if we don't get away from a system which simply gives more to those who have more power, we are going to wind up with enormous strains within the civil service, and we are going to wind up with a civil service far inferior to the one we presently enjoy.

The Minister has yet to comment on this type of approach. He has yet to say much about the opportunity of reducing conflict in the public sector. He has yet to comment on the fundamental difference between the public sector and the private sector in terms of dispute resolution. I personally feel, Mr. Chairman, that it is high time he did.

Compulsory arbitration for essential services becomes a desirable thing to both parties, both government and the essential service employees themselves. I think if you put this forward you can get accepted something which Senator Goldenberg has pointed out as absolutely essential, namely putting the public welfare before the welfare of the parties in a dispute.

HON. MR. KING: I want to thank the leader of the Liberal Party for his views. I want to assure him that we have no conflict in terms of the public interest coming first. I think the area of disagreement is in terms of how we might accomplish the protection of the public interest. One should recognize that Senator Goldenberg did not in any way indicate the introduction of what is generally regarded as regressive legislation or the introduction of compulsory provisions to ensure the protection of the public.

There are a variety of choices. I have read and studied the proposal put forward by Ed Finn. In fact, I have some exchange of views with Ed Finn by correspondence on the structure that he holds out as a possible solution to bargaining in the public sector. It is rather interesting to note that in the last edition of the *Labour Gazette*, the federal Minister of Labour, Mr. John Munro, is anything but enthusiastic about the proposition that Mr. Finn puts forward. So again, I don't think it is any blueprint for solving public interest disputes. Again, it is an indication there is quite a division of opinion between the B.C. Liberal Party and their federal colleagues.

However, be that as it may, I think it is a valid area for discussion. I certainly welcome any ideas that the opposition has.

I do have some ideas I am considering for legislative change in this area which, in my view, might provide a variety of options and which would be more acceptable to the parties and perhaps offer

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solutions other than work stoppages. But I do not endorse the proposition that compulsory arbitration is a good solution.

Interjection.

HON. MR. KING: If you'd like to listen.... I listened attentively to you. If you'd like to listen, I'll try to explain to you why I personally oppose it and why this government opposes it and why, quite frankly, a whole variety of people in the industrial relations world oppose compulsory arbitration, both on management side and on

labour.

We hold that the right to strike in bargaining is the ultimate weapon which ensures bargaining in good faith, that serious good-faith bargaining will in fact be undertaken. We hold that if that threat is removed, then there's no inducement upon the parties to find a solution, and in many many cases it's a disincentive if the right to strike or the right to lock out is removed, because they may have to arrive at a modification of the demands put forward by their members, a modification which would not sit well politically with the membership in terms of the committee, in terms of the person in power holding political popularity. So why, under those circumstances, should he put himself in the position of making the decision when he is assured that if he fails to agree there is some agency waiting down the line to make the decision for him? The dynamics of it are such that by setting up the kind of system you advocate, you remove the incentive and the imperativeness from the parties, the basic responsibility to solve their own problems and to bargain collectively in a fashion that would produce a settlement.

As Minister of Labour I encounter many, many situations where I have to do cosmetic things — where, in effect, a settlement is attainable and both parties know it but they need a face-saving device. Due to a variety of considerations I may appoint, on occasion, an industrial inquiry commission to make the decision that neither party is prepared to make, out of the kinds of considerations I have outlined to you. One has to understand the dynamics of it. It's a real mistake to treat labour disputes, labour negotiations, in some textbook fashion which completely overlooks the human relations, the dynamics of the personalities involved, the political circumstances, and so on.

Now the public doesn't see this, generally, either. Only the parties involved are really aware. It's a bit unfortunate. Perhaps there's too much of that; I believe there is. That's why I'm talking about trying to move collective bargaining to a more sophisticated base so that we move away from many of those artificial obstacles to the parties meeting their responsibilities and accepting the basic obligation to extricate themselves from a potential situation which impairs the welfare of their members, which is harmful to their industry and which in many circumstances bodes real problems to the public interest as well.

My other concern is that if we did presume to set up compulsory arbitration in the essential services area.... The Liberal Party hasn't really identified what their views of essential services might be. Would they change from day to day as injury to the economy develops? Would they change from day to day? If that's the case, then you're really advocating nothing different from the basis upon which the present government operates and for which you condemn us, which is to make a judgment on when the Legislature of this province should step in the public interest to terminate a dispute. But to do that by statute removes the essential element of ensuring that the responsibility resides with the parties. It removes any inducement to the parties to bargain in good faith and to try consciously and sincerely to consummate an agreement.

I would rather wait until we do, in fact, have a threat to the public interest, rather than hypothesize that one might develop, and destroy the opportunity for a great deal of good-faith collective bargaining which does solve a variety of problems in the public sector. I would rather let that process work. In the event the public interest is seriously jeopardized, particularly as it affects the health and welfare of our citizens, then I submit that that's what we're here for as legislators — to step in in that eventuality and to provide a solution, in the same way that we provide special attention to a variety of other emergencies that may face the province from time to time.

The Liberal leader is entitled to his views. I appreciate them. I know what he's wrestling with; we have many of the same concerns. But I just want to suggest to him that we're not operating in a vacuum. We are studying a variety of the propositions and proposals put forward by such people as Ed Finn and others. I haven't found any solutions that I feel are profound in any way yet. We have a number of aids we hope to introduce which might further help and improve the situation.

The House resumed; Mr. Speaker in the chair.

MR. CHAIRMAN: Mr. Speaker, the committee reports progress and asks leave to sit again.

Leave granted.

Hon. R.M. STRACHAN (Minister of Transport and Communications): I expect that we will proceed with the Provincial Secretary (Hon. Mr. Hall).

Presenting reports.

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Hon. Mr. Strachan tables the aircraft logs of the government aircraft for the year 1974-5.

Hon. Mr. Strachan moves adjournment of the House.

Motion approved.

The House adjourned at 6 p.m.

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