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**VERBATIM REPORT**

**TUESDAY, MARCH 25, 1975**

**SPEAKER: THE HONOURABLE M. JAMES RUSSELL**

The House met at 3:00 p.m.

Mr. Speaker in the Chair.

MR. SPEAKER: Order, please! The honourable the Premier.

HON. F.D. MOORES, PREMIER: Mr. Speaker, on a point of personal privilege, there is an article in this morning's "Daily News" which I would like to correct. It says, "A College of Mining is to be established here (meaning Springdale) Premier Moores said during the weekend." That is an incorrect statement, Mr. Speaker. The fact is that at that time in Springdale it was discussed by a group of citizens and myself and the time when I did have occasion to speak that evening I said certainly the idea sounded as if it would be possibly a sound idea. It was the sort of thing that should be investigated by the Department of Education and other departments. It was something that should be followed through with to see if there was any validity in it, but certainly at no time was there ever any undertaking of the establishment of that college itself.

MR. SPEAKER: The honourable the Minister of Transportation and Communications.

HON. J. ROUSSEAU (Minister of Transportation and Communications): Yes, Sir, Mr. Speaker, I would like to rise also on a point of personal privilege on a statement that appeared this morning in "The Daily News". The statement is very important insofar as I am concerned because it involves the very closest personal friend I have in government, but quite apart from that I cannot let the matter stand on record. I would suggest possibly, I have very little to say about the actual statement that appeared, somebody said I erupted angrily, maybe I did. I do not question that. Maybe what I think is 'angrily' somebody else may not think.

Mr. Callahan is reported to have said that I was asked in my official capacity - that is good. I accept that - if he thinks it was it is a matter of difference of opinion so I have no complaints about that sort of thing.

There is one statement here that upsets me personally and

I would not want to let it to be kept on the record and it is on page one, It says, "Mr. Rousseau also put distance between himself and responsibility for the continuing ban by pointing out that he had only inherited a badly muddled situation, not any of his own doing when he took up acting duties for the ailing Dr. Farrell."

Now I could not have recalled saying that yesterday, but I did go up this morning and I listened to the tapes and all I am going to do is I am going to read what I said yesterday and hope that people will correct the statement and look at it objectively and that is about the only statement I have to say. But I do want to read what I said yesterday and I think because it happens to be a matter of concern to me that I would want this put on record.

The honourable Member for St. Barbe North asked a question, "Mr. Speaker, could the minister indicate what liaison there has been between the Department of - Oh I am sorry excuse me. "Would the Acting Minister of Public Works, Mr. Speaker, confirm or deny a report" and so on, so I will just read what I said and - "Mr. Rousseau, Yesterday, or Thursday I guess it was, I had a call and all I said to the gentleman in question - it was not a new reporter, it was somebody in charge of circulation or advertising, I presume - and all I said was that I would have to check the matter out. I am the Acting Minister. I do not know what the details are, So all I said was that I was going to check it out and reply to the question I had posed to me by somebody in the advertising field. It was not a news story and I was rather surprised this morning that that was there, which I undertook to check, but in respect to any statement on that the Premier has indicated he would like to say something. He is at a meeting now and I presume if the question is posed tomorrow he will have a statement on it. That is the situation."

The honourable Leader of the Opposition asked a supplementary, "Would the minister tell us whether it is proposed to end the ban that is now in effect?" I rose again and said, "The Premier would want to make

the statement on anything concerned with that and he has asked for it to be deferred until tomorrow when he is here." The honourable the Leader of the Opposition posed another supplementary question, "I cannot make the minister answer a question, He has the right not to answer, but really, I mean he is neither answering nor not answering. Order, please! The Leader of the Opposition, a supplementary question; if I might. Mr. Speaker: Order. The honourable the House Leader was up on a point of order and the honourable the Leader of the Opposition asked, may I ask a supplementary question, Mr. Speaker, which he was allowed to do. He asked whether the minister can indicate whether any significant amount of government advertising at present has been placed in "The Daily News." He is the Acting minister of the department and thus it is appropriate." Another "Order, please!"

"Thus it is appropriate, Sir, that he tell us whether or not any government advertising, any significant amount of government advertising had now been placed in "The Daily News"?"

My reply was, "I see some advertising there. Whether that is significant or not I do not know. Maybe we differ on the term "significant." But as I say, and this is my position, that the Premier would like to reply to that question. He will do so tomorrow. And I will wait for the Premier's response tomorrow.

The honourable Member for St. Barbe North tried to have a question posed but the honourable Leader of the Opposition had a further supplementary question, "Would the minister tell us whether has been any change in the past few days in the government's practice with respect to advertising in "The Daily News"?" I choose not to answer the question at that point in time and that is the sum and substance of what I said yesterday.

Now how anybody could read into what I have just read as my statement yesterday that "Mr. Rousseau also put distance between himself and responsibility for the continuing ban by pointing out that he had only inherited a badly muddled situation, not any of his own doing when he took up acting duty for the ailing Dr. Farrell," you know it is beyond my comprehension. So I would like to

table this as a matter of record. I would like to indicate that as far as I am concerned in reading the text and listening to the tapes this morning and just reading the verbatim of the tapes, that to read that statement in this morning's paper out of what I said yesterday, you know, is a matter of concern to me. Certainly I can find no indication for that statement and I would like to rise on that point of personal privilege and table the pertinent documents in the House.

MR. SPEAKER: Order, please!

NOTICE OF MOTION:

MR. SPEAKER: The honourable Minister of Justice.

HON. T.A. HICKMAN: Mr. Speaker, I give notice that I will on tomorrow ask leave to introduce a bill, "An Act Further To Amend the Judicature Act."

ORAL QUESTIONS:

MR. SPEAKER: The honourable Member for Bonavista North.

MR. P. THOMS: Mr. Speaker, I would like to direct a question to the Minister of Health. In view of the fact that at the hospital in Gander which has 131 beds at the present time and every bed is filled up and we also have people, sick people in the hallways, could the minister inform this honourable House -

MR. SPEAKER: Order, please!

MR. CROSBIE: (First part inaudible) - is not allowed to recite alleged facts. He is not asking a question.

MR. ROBERTS: To that point of order, Mr. Speaker. The honourable gentleman is not reciting any alleged facts. He is stating some facts that are preparatory and prefatory to his question. That is an accepted question form. If any honourable gentleman opposite wished to look at the Hansard of Ottawa or anywhere else they would see it is quite in order to phrase a question, not with a speech, but to phrase a question by explaining the circumstances which give rise to the question. It is done all the time.

MR. SPEAKER: Order, please! The honourable member will be

permitted to ask his question and if the Chair feels that he is out of order, it will certainly not hesitate in calling him to order.

AN HONOURABLE MEMBER: Hear! Hear!

MR. THOMS: Thank you, Mr. Speaker. I was just giving the background information for the benefit of the minister.

MR. SPEAKER: Order, please!

MR. THOMS: Could the minister inform this honourable House if he has received any requests from the Board for funds to open up the two vacant wings that are at the hospital at the present time and if so, when can the Board expect these funds so that they can hire on the extra personnel to open up these wings which are badly needed at the present time?

MR. SPEAKER: The honourable Minister of Health.

HON. A. ROWE: Mr. Speaker, the answer to the first part of the question is yes. The answer to the second part of the question, I am not able to tell you when.

MR. SPEAKER: The honourable Member for Bell Island.

MR. S. NEARY: Mr. Speaker, would the Premier indicate to the House whether or not he is going to make his statement today concerning the ban on "Daily News" advertising? I am asking the Premier is he going to make his statement today?

PREMIER MOORES: Inaudible.

MR. NEARY: Well, would the Premier indicate whether or not the ban has been lifted on government advertising in "The Daily News".

MR. SPEAKER: The honourable the Premier.

PREMIER MOORES: Mr. Speaker, first of all, there is no ban as such on advertising in "The Daily News". I would say here now that this morning eating breakfast and reading "The Daily News" it was a job to swallow and keep from coming up at the same time because for the second day in a row we saw two editorials of a nature that is almost unbelievable in a daily newspaper in today's society. We have seen the last two days

two front page stories, no reference to people like King Faisal being shot, which is a major international event, but certainly lots of coverage of the fact that "The Daily News" are not surviving because of government advertising.

Now, Sir, I find the attitude of "The Daily News" both petulant, irrational and as far as the calibre of the editorial and management staff, one would almost say, I suppose, incompetent. Now, the freedom of the press is something that each newspaper or each section of the media as they may be have full control over. Governments have no control in this part of the world, thank God, on the freedom of the press and the things that they may or may not want to say.

However, Sir, the fact is that it seems ironic to me that any newspaper has to depend on a government to be propped up to do its job any more than any other business because a newspaper, after all, is a business. This government's policy is, Sir, to advertise in "The Daily News" as we will be doing the same as we do in "The Evening Telegram", "The Western Star" "The Springdale News", "The Aurora" in Labrador West or whatever newspaper there may be. Certainly, the government advertising will be appearing in "The Daily News", but Sir, that and the question of the attitude of the editorial staff of "The Daily News" are two different things.

The answer is yes. The government will be advertising again in "The Daily News", but certainly not because of the ability of the editorial staff that puts out that paper.

MR. NEARY: Mr. Speaker, a supplementary question to the honourable the Premier. Would the Premier care to indicate to the House whether or not the directive that has been given to the Minister of Public Works and Services concerning this ban has been rescinded or does the directive still stand on the record?

MR. MOORES: Mr. Speaker, to my knowledge there is no specific directive as such. I have talked to the acting Minister of Public Works and Services and suggested to him that the advertising in the "Daily News" be carried on as would be normal.

MR. NEARY: Mr. Speaker, on another matter. I would like to come around here to my old sparring partner and learned friend, my old college friend, the Minister of Social Services. I would like to ask the minister if his department and the government have completely reversed their attitude towards paying people on strike social assistance and if money has been refunded recently that was deducted through payrolls last year, and that the government is now back to the same position that was taken by the former Liberal Administration three years ago.

AN HONOURABLE MEMBER: Inaudible.

HON. A. MURPHY (MINISTER OF SOCIAL SERVICES): Oh my, what else is new. Mr. Speaker, I have very much pleasure in answering that question at this particular time. It came up, I think, on a certain open line this morning of which the member, I think, was a distinguished guest. It relates to refunds that my department made to certain people who had been on strike and had received assistance under the old form that they promised by a promissory note, to repay monies paid to them while on strike.

It all arises, Sir, - and I may tell the story now because there is no privacy in the thing - the Buchans strike went on for quite a while. They were one of the parties concerned, Sir. After the strike had finished there was representation made because of the very tough time these miners had had, and because of the fact that they found it impossible to repay their promissory notes the government in its wisdom decided to forgive them. But in the meanwhile we had four or five other



unions who had received assistance under the same plan, but had repaid their promissory note.

So, we looked at the whole question, Sir, and morally, more morally than anything else, morally we felt that if we forgave (A) his payments, we had to forgive (B), (C), and (D). I think that it just the story, Sir. We tried since we came in here to treat all people alike. We treat them as human beings with all the rights under the law. For that reason, Sir, certain people who had repaid as they had promised monies that they had received in the form of assistance while on strike did receive their money back. I do not think any fairer, Sir, could be done to anybody under the law.

MR. NEARY: Mr. Speaker, a supplementary to the minister. Will the minister indicate as I asked in the first part of my question - perhaps the minister was not listening to the question - does this mean now that the government have completely reversed its decision on their attitude towards paying social assistance to strikers or families of people who are on strike?

MR. MURPHY: The law, as far as I know, Sir, unless it has changed since lunch time, the law is that anybody - what is the expression? Willingly, is it? - willingly leaves their job, will not receive social assistance as such. This happened, Sir, about sixteen months, twelve or fourteen months, with the first question, this happened just over a year ago. So, there is nothing that exists now, because since January 1, I believe it was, that was brought in, Sir, that those who leave jobs willingly, who leave work and refuse to take work, will not receive social assistance.

MR. NEARY: Mr. Speaker, a supplementary. Would the minister then care to indicate to the House whether social assistance now, whether you are on strike or not, really does not make any difference - social assistance will be based on need in the future as it was prior to this administration taking over. Would the minister care -

MR. MURPHY: No, I do not care to answer it.

MR. NEARY: The minister does not care to answer it.

MR. MURPHY: It is all set out very clear.

MR. NEARY: Well, Sir, would the minister care to tell us if his department or any department of government is paying the expenses for the member for Bonavista South to be jetting off on Anti-poverty conferences? If so, would the minister care to indicate whether or not it would be better to send welfare recipients on these conferences or is he expecting the member to become a welfare recipient rather soon?

MR. SPEAKER: Order, please! Order, please!

That question will be placed on the Order Paper.

MR. MURPHY: Mr. Speaker, if I may. Wait now.

MR. NEARY: On the Order Paper. The Speaker said on the Order Paper.

MR. MURPHY: Wait now. Wait now.

MR. SPEAKER: Order, please! Order, please!

MR. MURPHY: This is a matter of privilege.

MR. SPEAKER: Order, please!

MR. ROBERTS: To a point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

AN HONOURABLE MEMBER: Privilege over order.

MR. ROBERTS: To a point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

AN HONOURABLE MEMBER: Privilege over order.

MR. ROBERTS: To a point of order, Sir.

MR. SPEAKER: The honourable Minister of Social Services rose on a point of privilege which takes precedence over a point of order.

MR. MURPHY: Mr. Speaker, just to get this matter cleared, Sir, before everybody in this province says, because the gentlemen has said in this House that the honourable member for Bonavista South receives money from the Department of Social Services to travel all around. There is no such a thing, Sir, and I absolutely deny it. Order, please! I

absolutely deny it, Sir. There is not one cent being paid to the Member for Bonavista South or any other member to jet all over the world, and I think again it shows the very low down contemptuous attitude of the member opposite to put such a thought into people's minds.

MR. SPEAKER: The Hon. Member for Bonavista South.

MR. MORGAN: Mr. Speaker, on a point of personal privilege.

SOME HON. MEMBERS: (Inaudible).

MR. MORGAN: For the past number of years, I have been actively involved in volunteer groups in this Province, the Human Rights Association, the Citizens' Rights Association, low income groups and now the Anti-poverty Organization of Canada.

MR. NEARY: Mr. Speaker, will you tell

MR. SPEAKER: Order, please!

MR. MORGAN: Mr. Speaker, the fact that I am now elected by a convention held in this city of St. John's, elected as a representative of the poor people of this Province, as the Anti-poverty Organization representative for Newfoundland, the fact that I have now been invited to attend two National Conferences, paid for totally by the National Anti-poverty Organization, from grants received from the federal government, number one, through the Secretary of State and number two, through the Department of Consumer and Corporate Affairs, so, Mr. Speaker, I take strong exception to being slandered when I am offering my time and efforts to do my best to help the poor people of this Province.

MR. SPEAKER: Order, please! Order, please!

MR. NEARY: Mr. Speaker, on a point of order. I would like to ask Your Honour to get the tapes, the verbatim report of the House, Sir, and check the remarks of the Hon. Minister of Social Services and the Hon. Member for Bonavista South, Sir. In both of their remarks, they made accusations and libellous, as far as I am concerned, and slanderous remarks.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order, please!

MR. NEARY: They made an attempt at character assassination, Sir.

AN HON. MEMBER: What character?

MR. NEARY: Mr. Speaker, this all resulted from a question that I put to the Minister of Social Services.

AN HON. MEMBER: This is out of order.

MR. NEARY: Mr. Speaker, this is an oral question period. Your Honour did not rule my question out of order. My question was perfectly in order. I asked the minister who was paying for these trips, if the minister's department was paying for them.

MR. MURPHY: (Inaudible).

MR. NEARY: I certainly did, Sir.

MR. SPEAKER: Order, please! Order, please!

MR. NEARY: Mr. Speaker, I want Your Honour to -

MR. SPEAKER: Order, please!

AN HON. MEMBER: (Inaudible).

MR. NEARY: - check the tapes to see, Sir, -

MR. SPEAKER: Order, please!

The Hon. Member for Bell Island rose on a point of order. It has taken him a considerable length of time and is using up valuable time of the question period in making his point of order.

MR. NEARY: Mr. Speaker, I will end up by asking Your Honour to check to see if there was any unparliamentary language used. If so, Sir, either one of those gentlemen should retract their statements and apologize to the House.

MR. SPEAKER: Order, please!

SOME HON. MEMBERS : (Inaudible).

MR. NEARY: Mr. Speaker, I would like -

MR. SPEAKER: Order, please!

The Hon. Member for Bell Island requested the Chair to check the tapes. That can only be done if a point of privilege is raised and the Hon. Member for Bell Island rose on a point of order so the Chair -

MR. NEARY: Mr. Speaker, maybe I rose on the wrong point, Sir. I rise now on a point of personal privilege and rather than go through it again, Sir, I ask Your Honour to get the tapes to see if there is anything unparliamentary in the remarks made by the slanderous gentleman from Bonavista South and the ignoramus from St. John's Centre, Sir, and if so, Mr. Speaker -

MR. SPEAKER: Order, please! Order please!

The Hon. Member for Bell Island rose on a point of order and then changed it to a point of privilege. In his remarks the Chair certainly considers referring to an honourable member as an ignoramus is certainly unparliamentary. I would ask the Hon. Member for Bell Island to withdraw that term.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order, please!

MR. NEARY: Mr. Speaker, of course I withdraw it. I mean ignoramus in the sense of not knowing the rules of the House, Sir, as far as the oral question period is concerned.

AN HON. MEMBER: (Inaudible).

MR. SPEAKER: Order, please!

MR. NEARY:

In that sense, Sir, in that sense, I think, the member is ignorant of the orders of the House.

MR. SPEAKER: Order, please!

MR. NEARY: But I certainly concede, you know, to Your Honour, and I will withdraw it. If Your Honour thinks it is unparliamentary withdraw it. That is why I am asking Your Honour to ask these two gentlemen to withdraw their accusations that they made, Sir. And that is why I am standing on a point of personal privilege and asking Your Honour to check the tapes, because this is what has caused this House -

MR. SPEAKER: Order, please!

MR. NEARY: the decourum -

MR. SPEAKER: Order, please! The honourable Member for Bell Island is proceeding to make a speech and the Chair recognizes another honourable member.

MR. NEARY: Mr. Speaker, I have a question for the Minister of Justice, Sir, concerning fire hall facilities in St. John's. Would the minister care to indicate if the government have any plans to expand the fire hall facilities in the City of St. John's, the same as they are doing for the police?

MR. SPEAKER: The Hon. Minister of Justice.

HON. T. A. HICKMAN (MINISTER OF JUSTICE): Mr. Speaker, the honourable gentleman is being slandered. Slandered. The honourable gentleman for Bell Island is being slandered because he has the reputation in this House of being a gentleman who listens carefully to every news item that comes over the radio, he reads every paper that is circulated in the Province, he clips them night and day. And, Mr. Speaker, I am sure that the honourable gentleman for Bell Island has somewhere along the lines read, learned that a new fire station is being built on O'Leary Avenue, I believe work has already started on it, if it has not it is only because the frost is not out of the ground. And this new fire station will be open and in operation during this calendar year barring force majeure and strikes or anything of the kind. And I thank the honourable gentleman for Bell Island for giving me the opportunity to once again make that announcement.

MR. NEARY: Hear! Hear! A supplementary question, Sir. Mr. Speaker, it so happens that I am so far ahead of the honourable gentleman that it is not even funny, Sir. I am well aware of that fire station -

MR. SPEAKER: Order, please!

MR. NEARY: The question I would put to the honourable gentleman if he would just listen, Sir, for a minute is, will the government be expanding any of the existing facilities or building larger facilities for the firemen in St. John's, larger buildings, that is what I asked the minister? Are the government going to put up larger buildings?

MR. HICKMAN: No, Mr. Speaker.

MR. NEARY: No? Will that is the question I asked.

MR. SPEAKER: The honourable Member for Labrador North.

MR. M. WOODWARD: Mr. Speaker, I would like to direct a question to the Minister of Justice. Can the minister tell the House if the Correctional Institute for Native People that have been talked about for Happy Valley-Goose Bay will get started this Summer?

MR. SPEAKER: The Hon. Minister of Justice.

MR. HICKMAN: I would like to be able to say yes to that, Mr. Speaker, but that would be very presumptuous on my part because I am sure that the Solicitor-General in Ottawa and the Minister of Indian Affairs, the Hon. Mr. Buchanan would not appreciate it. The position on the prospective Community Correctional Centre in Happy Valley is as follows; the Federal-Provincial Committee on Corrections which was initiated, or set up on the initiation of this administration, recommended that, or indicated that in Labrador that consideration should be given to a community correctional facility, not just for natives but primarily. One of the priority areas and priority recommendations in that Commission was that a firm of consultants, with experience in ascertaining the correctional needs of the Province and recommending the type of institution, be retained. This was accomplished not too long after we received a report of the Commission, and K. L. McReynolds and Associates of Thornhill, Ontario who have designed and supervised the construction of one or two or maybe more institutions in the North, and one in the, either the Yukon or Northwest Territories and the other in Manitoba where there is a large native population.

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amongst the inmates, did this work, completed it, submitted it to the Solicitor-General of Canada, the Hon. Warren Allmand and myself.

In that report one of the recommendations is that there be a Community Correctional Centre. This, Mr. Speaker, will involve a great deal of support on the part of the community, which the honourable Member for Labrador North, I think, is aware will be available. I have met



with one of the service clubs. I think it is the Kinsmen Club in Happy Valley and they have indicated their willingness to work with the correctional authorities if and when this is done.

The responsibility as this honourable House knows for matters involving natives rests in the honourable Judd Buchanan. In January I met with the Solicitor General of Canada and asked and submitted to him that this proposal should - we are now ready, willing and able to start talking dollars and cents, not only for that institution but at least one other institution recommended in the report. He has undertaken to seek approval in principle from his colleagues. Otherwise there is no point in our meeting and working out grandiose plans if when he goes to his colleagues, when the Solicitor General goes to his colleagues in Ottawa, they say, no, we do not agree of the principle of either total responsibility by the Federal Government for Happy Valley, a joint Federal Provincial institution for the Province. It would be a wasted effort.

So, the honourable Mr. Allmand, and I am sure he has no hesitancy and no objection to saying this, has undertaken to make the submission for approval in principle. We have indicated to him that if the plans are completed, that is the conceptual plans, that as soon as he gets this approval in principle we will be ready to talk dollars and cents with him and very anxious to co-operate. May I say the Solicitor General of Canada has shown a great deal of sympathy for this proposal and I am sure that if he has his way the approval in principle that he is seeking will be granted.

I also met with the honourable Mr. Buchanan and there I asked if we could meet to discuss what I think will be certain exciting proposals with respect to the whole concept of the criminal justice system as it relates to the native Canadian living in the Province of Newfoundland. He has indicated, he did

indicate that as soon as he got back to Ottawa he would have one of his officials contact mine and to my pleasure and delight within a matter of two or three days the communication came and the name of the official who will now work with the officials in my department.

So, I simply want to assure this House that as of today, whatever has to be done by the Province in the sense of planning, and the research of the assessment has been completed, Ottawa has shown a great deal of sympathy and I now await with eager anticipation a favourable decision from the Government of Canada.

SOME HONOURABLE MEMBERS: Hear! Hear!

ORDERS OF THE DAY:

MR. SPEAKER: The honourable Member for Bell Island.

MR. NEARY: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing, Sir, in connection with the proposed regional water and sewer services that are to be made available in St. John's. Would the minister indicate when the St. John's home builders and the developers can expect a decision to be made on this matter so that they can proceed with badly needed, or they can proceed with plans to build some badly needed houses in the City of St. John's?

MR. SPEAKER: The honourable Minister of Municipal Affairs and Housing.

HON. B. PECKFORD: I am not sure, Mr. Speaker, whether I understand the question clearly. As a matter of fact, I met with the Home Builders Association this morning. I know you are talking about the Bay Bulls Big Pond. It is difficult to assess right now in talking with the consulting engineers, FENCO, last week just when the water will come on stream. There are two or three different alternatives presently being discussed which have to go before the water and sewer board on April 7. So, until we have that meeting on April 7 with the water and

sewer board to just assess which way we are going to proceed technically with the Regional Water Supply, we will not be able to indicate to City Council who then could indicate to their home builders when they could start developing.

To just pursue that a bit further, in a meeting with the home builders this morning we discussed this whole matter as well as others doing with housing in St. John's and we are going to reconvene again to further discuss it after they have had meetings with City Council on Thursday.

AN HONOURABLE MEMBER: That is action, boy!

MR. SPEAKER: The honourable Member for Labrador North.

MR. WOODWARD: Mr. Speaker, I would like to direct a question to the Minister of Industrial Development. I wonder if the minister could inform the House if the plans or the negotiations with Ottawa with regards to the transfer of military reserved land in Goose Bay have been finalized and when can we hope to get the transfer to be completed and the community to get on about doing their job of running the community?

MR. SPEAKER: The honourable Minister of Industrial Development.

Hon. W. DOODY, Minister of Industrial Development: Yes, Mr. Speaker, I want to thank the honourable member for the opportunity to comment on that. We have been undergoing a series of frustrating discussions with the Ministry of Transport in Ottawa, the Ministry of External Affairs and to a lesser extent the people of DREE with regard to the turnover of facilities in the Goose Bay area. The member is undoubtedly aware of many of the implications and ramifications since he himself is a member of the Goose Bay Committee.

The problem has been one of, to a large extent, dollars and cents and to a lesser extent perhaps, although it seems to be even more frustrating, one of jurisdiction. The federal government authorities are somewhat reluctant to pass over title to the lands conditionally which was the original commitment which we have had from them. We have asked them to give us some funding in terms of the capital projects that the province has to undertake in terms of the Goose Bay transfer, and I am thinking in terms of something like \$10 million to \$12 million in costs of services that the Province will have to undertake, upgrading of sewers and pavements, of the energy supply, the electricity for the area and other costs. About a year or so ago, maybe a little more than that, I contacted Mr. Marchand who was then the minister responsible and let him know of our concern and he suggested with our concurrence that the thing should be done in sections, that the land and housing in the Goose Bay area should be turned over to the province as soon as the situation could be resolved in terms of these relatively simple things and then as we came to the services, the infrastructure areas, the capital projects and the expensive things, that they could be looked at project by project and the costing could be done on a joint federal-provincial situation or resolution could be achieved.

Unfortunately they have run into problems, presumably with Justice Federal or with External Affairs Federal, I am not quite sure which because as I say it is more of a frustration than anything

else. We have made little or no progress toward that end. We have drafted agreements for joint federal provincial signature. We have gotten literally nowhere with them. The last communication that we made was a telegram which we sent from our department on February 27, outlining in very simple detail the position of the Province, the frustration that the people in Goose Bay were feeling and the fact that just a simple turn over of the land and housing in the area would certainly go a long way toward resolving, I am sure, the feeling in Goose Bay which is that nobody really cares about what happens. The thing is just sitting there.

We said we will just let the money part of it sit until such a time as it is resolved. We can spend a lot of time talking about it if necessary, although really I do not think that that is necessary. But just for the sake of the people in that area let us turn over now the land and the housing, the apartments, the industrial buildings or these areas which may be used for industrial purposes, warehouses, other vacated buildings and up to today, Sir, we have had on that particular telegram, this is just an example of an ongoing series of letters, and telexes and telegrams and representations, we have had a simple acknowledgement from the office of the minister of the receipt of the telegram but we have had no indication of whether or not they are willing to go along with it or to discuss it or to consider it or to do anything else with it.

So as much as I would like to be in a position to indicate to the honourable member, and indeed to all people in this honourable House and to the Province of Newfoundland that the situation is resolved, quite the opposite is true, Sir, despite all the representations and the efforts that we have made to the contrary, to my knowledge we are not all that much closer to solving the problems of the people in the Goose Bay-Happy Valley area than we were practically two years ago when we started the Goose Bay Project group.

ORDERS OF THE DAY:

MR. SPEAKER: Order 4.

On motion that the House resolve itself into Committee of the Whole on said bill, Mr. Speaker left the Chair.

COMMITTEE OF THE WHOLE:

MR. CHAIRMAN: Order, please!

On motion clause 38 carried.

MR. CROSBIE: Mr. Chairman, subclause 3 of clause 39, there are a couple of words left out in the last line. It should say, the manner prescribed in paragraph (h) of - and then add the words - subsection (1) of section 17.

On motion amendment carried.

On motion clause 39 as amended carried.

On motion clause 40 carried.

MR. CROSBIE: Mr. Chairman, in clause 41, in the third line, there are some words that should now be deleted. I move that we take out the words in the third line, the words being, other than those barred by section 23, because that section has now been eliminated. So it would read, incurred by the Corporation may be brought by or against the Corporation.

On motion amendment carried.

On motion clause 41 as amended carried.

MR. ROBERTS: Your Honour this strikes me as a somewhat curious clause. What I am really saying is that I do not understand why it is in here. If there obviously is a reason why it is in here, perhaps the minister can enlighten us. Are we contemplating a change of frequency?

MR. BARRY: If I could have a moment, Mr. Chairman, I will just check my notes on that one. There is nothing new in that, I do not think. A change of frequency, that is the same section, Mr. Chairman, that is being carried on from the old act, the Power Commission Act, the Power Corporation Act, which was passed last June and is contained

in this act as well. It is a power which the Corporation believes is necessary. It is not that it is contemplated that there is any specific -

MR. MURPHY: Any fifty cycle left?

MR. BARRY: - area today - there is some fifty cycle, Buchans, for example. But it is not because it is contemplated but in the event that it does prove necessary, Mr. Chairman. It is a power which a corporation should have.

MR. ROBERTS: Buchans - (inaudible).

MR. BARRY: It is an area around the Buchans area.

MR. MURPHY: Corner Brook turned over.

MR. BARRY: There are outlying areas around the Buchans area, I understand.

MR. ROBERTS: Buchans is the only substantial town .

MR. BARRY: Buchans is the only substantial town, I believe.

On motion clause 42 carried.

On motion clause 43 carried.

MR. ROBERTS: Mr. Chairman, I do not object to clause 44 but I find it curious that clause 42 and clause 43 say, in effect, the Corporation, you know, may do certain things and has the power to change frequencies and so forth and so on. Clause 44 says that no action shall be brought after a period of one year. I just do not understand, if by clause 42 and clause 43 certain powers are given to the Corporation or assured to it by legislation, then clause 44 says, no action can be brought irrespective of the use of those powers after a period of a year. Well, you know, if it is lawful to do something, how could an action justify - an action could lie. I suppose somebody could always go down and swear out a writ, you know, and it would then go before a court and the court would strike it out on the grounds that there was no cause of action. But I just do not understand why a one year limitation is put in.

MR. BARRY:

Well, again, Mr. Speaker, I have not had that specific point brought to my attention before, but I would assume that the fact that the power as given to the Corporation to change frequency, does not necessarily mean that this can be done without compensation in the event that there are either agreements or possibly even understandings held out to customers prior to the changing of frequency. It may be, in other words, that there may be actions lie against the Corporation in the event that there is a change of frequency either under contract or tort law. It is desirable that this not be sort of hanging, that any uncertainty arising from a change of frequency remain hanging like a cloud over the Corporation for an extended period of time. I am always reluctant to see these limitation periods in there, but I am told that to give a clear picture as to the potential liabilities of the Corporation when bond issues arise and so on, that this is the type of clause that is desirable in order to give certainty as to what the potential liabilities of the Corporation are.

I do not foresee this as being of any immediate current application, but again if we have the section with respect to the change of frequency in there, Mr. Chairman, as I say, presumably this could lead to potential actions being brought against the Corporation. It is desirable to have these actions brought as quickly as possible after a frequency change.

MR. ROBERTS: Your Honour, I think I follow what the minister says. But then that gives rise to a further question which I suppose really is the whole point of it, but I wanted him to approach it the way he was good enough to. There is nothing unusual about limitation periods. Indeed there is a general statute of limitations that govern actions and different types and different periods.

Here in (44), Your Honour, we are having a one year bar against actions arising out of some acts or some omissions by the Corporation with respect to the powers under (42) and (43). Back in (41) the Corporation have adopted a general two year rule. Now, I have



two questions. First of all, why do we need special legislation as opposed to the general law, the general limitations principles which apply to all actions in this province? Why do we need special rules here?

Secondly, if we are going to have a special rule, and I will concede there may be circumstances which justify it, but I ask the minister to indicate what in his mind these are - why is it two years for certain types of actions and one year for others? Is there a reason or is this just a purely arbitrary thing that some draftsman has dreamed up? I appreciate the minister's mental processes, I think, when he says it was in a previous bill, but there are many things in the statutes of this Province that have got there that should not be there now. Either conditions have changed or they should never have been there to begin with. What often happens is a draftsman is given very general instructions by a minister or by cabinet or by a cabinet committee, and out of this he produces a fully fleshed bill that has in it all sorts of clauses, usually the ones, Your Honour, found at the tail end of an act that give the most Draconian and marvellous powers, you know, that really nobody gave any instructions in respect of them. Just the draftsman puts them in because the instinct of most draftsmen, I have found, is to give the government all the power they can and to reduce both the power of the citizen and the power of the House.

Well, that is fine but we should not do it without knowing what they are doing. So, could the minister indicate why we have special limitations rules for actions against this Corporation, and secondly, why we are to have inconsistent rules in respect of any special rules there may be?

MR. BARRY: Mr. Chairman, this is another one of those sections which has been carried forward from previous legislation. It is a situation where, as far as I am concerned, there is no particular problem that I am aware of, and I have not been made aware of any particular problem with that section. I do not consider it a useful exercise to direct the law officers of the crown or the solicitors

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Tape 718 (afternoon)

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of the Corporation to engage in an extensive search of the history or the section or an extensive analysis of the best possible approach to this particular area. We have had a section here that has been in two previous acts. It has not caused any problems that I am aware of. There has not been any public outcry.

As far as I am concerned it is not likely to cause any problems in the future, it may be useful in the future, and for that reason it is difficult for the proposed legislation.

Now the Hon. Leader of the Opposition asks why have a different limitation period in Section 44 than in Section 41? Well Section 41 deals with any actions that may be brought against the Corporation for any matter whatsoever whereas Section 44 deals with actions brought specifically resulting from a change of frequency. And whereas, Mr. Chairman, it is, I submit, reasonable to expect any potential litigant to start action within one year in the case of a change of frequency, a very significant event, that an event which in the past has from the reading that I have done at times created a fair amount of controversy in this Province and in this honourable House, I believe they had a fairly extraordinary session of this honourable House prior to the decision to standardize the frequency across the Province and to change the areas in Central Newfoundland and on the West Coast from fifty cycles to sixty cycles. It was a fairly emotional and controversial and extensive undertaking at the time, Mr. Chairman. At the present time it is something that we have accepted as a matter of force that sixty cycles is the obvious way to go, but we had previously in Newfoundland a situation where, I believe it was because of the British influence, the influence of the managers of our pulp and paper mills in Corner Brook and Grand Falls where they brought in the British or the European fifty cycle frequency -

MR. MURPHY: The old A.N.D. Company.

MR. BARRY: and you then had a lack of uniformity across the Province. You did not have any standard frequency which, of course, has a significant affect as far as appliances are concerned and so on. So that when this decision was made to move to sixty cycles, back in the fifties, "Ank" I believe -

MR. MURPHY: Only about -

MR. BARRY: In the mid-sixties, the early sixties before Bay D'Espoir -

AN HON. MEMBER: Inaudible.

MR. MURPHY: That is right. I think after the 1962 election, it was.

MR. BARRY: It was a fairly significant and controversial and emotional thing. I think the belief was, and I think the same situation will occur now, that a change of frequency in an area is of such significance that it is unlikely that any individual is going to sleep on his rights, if he is being damaged or harmed, or feels that he has a cause of action in any way then he is going to be immediately made aware of it - and one year, or one year limitation period is there for a reasonable period to have to limit this type of action. But in the more general type of action, Mr. Chairman, I submit, that two years is more of a standard thing. You have your two years for your motor vehicle accidents. You have your two years for breach of contract, I believe. Mr. Chairman can give me some advice on this - I have forgotten my Statute of Limitation, it is so long since I practiced law. I would not recommend to anybody here just saying let us tear out these sections altogether and rely on the Statute of Limitations, because the Statute of Limitations, in my experience, Mr. Chairman, is a very confusing piece of legislation. It is legislation that we have had with us - what, for hundreds of years? brought over from the British jurisprudence.

MR. HICKMAN: It is new to this province.

MR. BARRY: It is new here but it was -

MR. HICKMAN: New in England.

MR. BARRY: Well it is over one hundred years ago -

AN HON. MEMBER: No, it is not more than a century old.

MR. BARRY: But, but -

MR. ROBERTS: - experience and Lord Campbell's Act allowed -

MR. BARRY: Lord Campbell's Act was in the 17th - 18th century?

MR. ROBERTS: 1840 in round numbers.

MR. BARRY: Anyhow,

one of the problems that has arisen, Mr. Chairman, and what makes it so confusing is that in the process of incorporation, bringing over the British statute in North America, pieces have been left out and there have been changes and even a very fundamental -

MR. ROBERTS: Discovered one this morning that you cannot - you can unreasonably withhold consent on the assignment of a leasehold interest in this Province.

MR. BARRY: Even, I guess, the most basic limitation period that comes to mind for the average man in the street, the squatter's rights, there is, in my opinion and some more experienced lawyers do not have the same doubt, but in my opinion there is a lot of doubt as to -

MR. ROBERTS: You mean the twenty and sixty -

MR. BARRY: Right - as to whether there is any such thing as a limitation period against the Crown in the Province because of the fact that in incorporating the legislation in Newfoundland a significant section of the old British statute was omitted and left out.

MR. ROBERTS: Omitted by intent or by -

MR. BARRY: Who knows? That is one of the problems that you have with legislation. We do not know why it was changed.

MR. ROBERTS: Well, the way we whiz legislation through here, you sometimes wonder how many of those we are going to bequeath to our heirs.

MR. BARRY: Mr. Chairman, this again, I submit, is not a fundamental point. I can understand the Leader of the Opposition's queries on it, but I would submit that it is not unreasonable to have a shorter limitation period for actions arising out of a significant occurrence such as change of frequency which insures, I think, that nobody is going to be penalized for sleeping on their rights. This is such a significant occurrence that everybody in the Province could be expected to be aware of it and for that

reason the one year limitation is set there rather than the more standard two years in the previous general section.

MR. ROBERTS: If it is two years in running down action, it is pretty significant. You know, if you are run down, you got two years to get out your writ. I do not see why it is not two years here.

On motion, clause 44 through 46 carried.

MR. CHAIRMAN (Stagg): Shall clause 47 carry?

MR. ROBERTS: Mr. Chairman, only one comment on (47). I mean these are the usual regulations clauses that say in effect that no matter what anything else in the bill says, the Cabinet can make the regulations they see fit.

The only request I would make, or suggest they make in respect to (47) which deals specifically with pensions is the - it is not an amendment, it should not be in, but I would like an undertaking from the minister that it will be tabled in the House details of such pension plan as the corporation, when I say may establish, I have no doubt they will establish one. I am not particularly concerned about, you know, any arrangements made with any individual. If we have any questions about an individual they will be raised in the proper time and at the proper place, but what does concern me is the situation which arose in the mid-1960's when government finally began to get into the pension business. We had a civil service pension plan that I believe was introduced by the Commission of Government that represented the modern thinking of 1938 but was really quite outdated by the time 1968 came. We now have quite a good pension plan.

When we began to look at these pension plans we began to discover that the crown corporations, the little empires that surround the duchy of the government, these little empires each had their own pension plan. They offered significantly different, and in most cases significantly better benefits, all of them

funded out of the same public trough. Here we are now, we are creating a great monster of a corporation that may well have a thousand or more employees that will be responsible for millions of dollars a year and quite rightly they are going to have the power to make pension plans. There is no requirement in here that the -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: I am sorry?

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Oh, gosh! Yes. The Housing Corporation had a group life plan that was the envy of - and nobody in here realized it until one day the civil service came in and asked if they could have a group life plan and they were told, well, that was a matter for negotiations and you know, be negotiated out. After all, it is a benefit in the same way as a salary increase or anything else. We were told that, well, the Housing Corporation already had a group life plan, a medical plan, an income maintenance plan, some -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Yes, well all civil servants have a guaranteed - it is only the politicians that do not.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: The Power Corporation? Well, you know, this just proves, I guess, the point of what I am saying. The Minister of Social Services has supported it and sustained it. There should at least be a requirement that the House be informed in a formal way. An undertaking for

the minister would be adequate for these purposes, that details of a pension plan will be made public and then if there is some difference between that and the Public Service Pension Plan, if that difference is not justifiable then there would be an opportunity to debate it and to discuss it and to defend it or otherwise, as the case might be.

It is not a picayune question at all because I suppose in most employee-employer relationships these days, pension plans and the other plans referred to, sick plans and group life and all these are really a very significant part of the remuneration which the employee expects to get in return for his services. Certainly when you come to compensating the higher paid officials they can be of immense significance in getting money into the hands of these people.

So, you know I do not object to it. The Corporation have to have the power and this is the sort of thing that it is reasonable to let the Cabinet rule upon. If they are satisfied and they approve that is enough. That is the power we can delegate but I ask the minister if we could have an assurance that he will make public the plan whenever it is adopted and I assume that will not be very long because if I know anything about the way public servants work, about the first item on the internal agenda of the new Hydro Corporation will be their pension plan and when that is done then they will turn to some other items perhaps of interest to the more general public.

MR. BARRY: Mr. Chairman, I see no problem in keeping honourable members informed with respect to pension plans or any other significant developments with respect to the Hydro Corporation and I am sure this is something that it would be very, even if government wanted to be, somewhat difficult to keep as a state secret. The invasion of Normandy they managed but I do not think -

MR. ROBERTS: The invasion of Normandy was made public at the appropriate moment, at three o'clock in the morning on June 6, 1944.

MR. BARRY: Well, until the Premier goes down to see the Lieutenant-Governor I hope that we will not have any such surprise to lay on the honourable Leader of the Opposition.



MR. ROBERTS: Today? Today?

AN HON. MEMBER: The sooner the better.

MR. ROBERTS: Open line on CJON this morning, I am worried now, they say we are going to win.

MR. DOODY: Twenty-one to eighteen.

MR. ROBERTS: And the honourable gentleman's wife called four times for the Liberals and seven times for the Tories.

MR. DOODY: Inaudible.

On motion clause (48) carried.

On motion clauses (49) and (50) carried.

MR. ROBERTS: Clause (51) Your Honour the choo-choo was going down the track rapidly. The only question here why the retroactive clause. Obviously the government intend to proclaim it with effect from a date between now or whenever His Honour gives assent, as I assume His Honour will, and sometime between now and January 1, again there must be a reason for it. It is not unusual to have retroactive clauses in legislation but it is certainly not the usual thing.

MR. BARRY: Well, Mr. Speaker, in our more serene moments -

MR. ROBERTS: Does the honourable gentleman have one?

MR. BARRY: In the isolation of the Cabinet Room we -

AN HON. MEMBER: The ivory tower.

MR. ROBERTS: Yes, and it is isolated down there.

MR. BARRY: You know the scenario that contemplated that all honourable members were reasonable men, we forgot about the honourable members opposite, it was a mistake there Your Honour, and we contemplated that this act could have possibly gotten through the previous session -

MR. ROBERTS: It could have if the honourable gentleman had seen fit to introduce it and debate it.

MR. BARRY: If you recall, this was on the Order Paper, Mr. Chairman, in the previous session. At one stage we were looking at the possibility of having the act apply as of January 1, 1975 so as to have the books of the Corporation start from January 1, 1975, have the Corporation go on a calendar year which the Corporation put forth as being highly desirable from their point of view. I have to confess that -

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MR. ROBERTS: How about the government's point of view?

MR. BARRY: I was just going to mention. I have to confess that this was a matter of some debate as to the desirability of the Corporation being on a different year end than the Province itself was. I forget how we resolved it or reconciled it. We came to an amicable solution anyhow.

But this may be a new point right now, Mr. Chairman, since we are into, what is it, March 25. This, as far as I can recall, Mr. Chairman, this is the reason this was put in with the possibility of having the books of the Corporation start of from -

MR. ROBERTS: Do you still intend to have the books begin on January 1?

MR. BARRY: To be quite honest with you, I have not been in communication with them on that point. I do not know if there is any great advantage to be gained from it for this year anyway.

MR. ROBERTS: Why not just drop the proclamation clause period?

MR. BARRY: What is to be lost by having it in there? There is no great harm.

MR. ROBERTS: What is to be lost by taking it out? Yesterday the honourable gentleman was knocking down amendment after amendment on the grounds it was superfluous.

MR. BARRY: Mr. Chairman, I submit that the one who proposes a change in the status quo must show some reason for it.

MR. ROBERTS: That is the election campaign you are talking about now, and we will propose good reasons.

On motion clause 51 carried.

Motion that the committee report having passed

Bill No. 1 with amendments, carried.

On motion that the committee rise and report having passed Bill No. 1 with amendments and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. SPEAKER: The Chairman of the Committee of the Whole reports that they have considered the matters to them referred and report having passed Bill No. 1 with amendments and ask leave to sit again.

On motion report received and adopted.

On motion committee ordered to sit again presently.

On motion amendments read a first and second time

On motion Bill No. 1 ordered read a third time presently

by leave.

On motion a bill, "An Act Respecting The Newfoundland And Labrador Hydro-Electric Corporation," read a third time, ordered passed and title be as on the Order Paper.

MR. CROSBIE: Motion 4, Mr. Speaker, Committee of the Whole on certain resolutions and Interim Supply.

MR. SPEAKER: Motion No. 4, the Hon. Minister of Finance.

HON. H. R. V. EARLE (Minister of Finance): Mr. Speaker,

I have a message from His Honour, the Lieutenant-Governor.

MR. SPEAKER: March 24, 1975, the Hon. Minister of Finance.

I, the Administrator of the Province of Newfoundland, transmit estimates of sums required for the public service of the Province for the year ending 31st. March, 1976 by way of Interim Supply, and in accordance with the provisions of the British North America Act of 1867, as amended, I recommend these estimates to the House of Assembly, signed by the Administrator.

On motion that the House resolve itself into Committee of Supply, Mr. Speaker left the Chair.

A bill, "An Act For Granting To Her Majesty Certain Sums of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Seventy-Six And For Other Purposes Relating To The Public Service."

MR. CHAIRMAN: The honourable the Minister of Finance.

MR. EARLE: Mr. Chairman, I would like to point out that it is for \$92,030,000 which is exactly six/fifty-seconds of the estimates for this coming year. That represents six weeks of interim supply which should allow this House ample time to pass the estimates so that we will be in a position to carry on the business of the government in the period while the estimates are being discussed.

Now, the break down of this is given in the bill, department by department. If somebody wants to do a bit of arithmetic and divide it by six/fifty-seconds, they will find that this supply is right through the piece. The details of course are contained in the estimates which have already been distributed to the House and we will be dealing with them department by department.

MR. ROBERTS: Mr. Chairman, as the minister has said this is purely an interim supply bill to give the government a little walking around money between now and the period when we assume and we hope the estimates and the supply bill will have been approved by the House. We have no objection to it. Six/fifty-seconds - you know, it is six weeks worth of supply. I notice it is not broken down evenly by department. It is not six/fifty-seconds of the requirement for each department. The total may be six/fifty-seconds, but in some departments it is - I am sorry.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: In any event, the fact remains that the estimates are before the House and we are debating them as extensively as the rules will permit. So, on our side we see no need to have a great deal of discussion of this bill because essentially it is almost a procedural thing so the government can issue the pay checks and pay their bills and do the other things that they have to do in the period between now and the

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middle of May by which stage, presumably, the government will have obtained supply from the House.

On motion, Head of Expenditure I through to Head of Expenditure XX, carried.

On motion clause (1) carried.

On motion clauses (2) and (3) carried.

On motion Recitals and Preambles carried.

On motion title carried.

On motion preamble to the Resolution carried.

On motion title carried.

On motion Bill and Resolution without amendment, carried.

On motion that the Committee rise report having passed the Resolution and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. CHAIRMAN: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report that they have adopted a certain Resolution and recommend that a bill be introduced to give effect to the same.

MR. SPEAKER: The Chairman of the Committee of the Whole reports that they have considered the matters to them referred and directs him to report that they have adopted a certain Resolution and recommend that a bill be introduced to give effect to the same and ask leave to sit again.

On motion report received and adopted, Committee directed to sit again presently by leave, carried.

On motion Resolution read a first time.

On motion Resolution read a second time.

On motion a bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Seventy-Six And For Other Purposes Relating To The Public Service," read a first time, ordered read a second time now by leave.

On motion bill read a second time ordered read a third time now by leave.

On motion bill read a third time ordered passed and its title be as on the Order Paper.

MR. CROSBIE: Motion (3), Your Honour, Supplementary Supply.

MR. EARLE: Mr. Speaker, I have a message from His Honour the Lieutenant Governor.

Mr. Speaker: March 24, 1975 the Hon. Minister of Finance. I the Administrator of the Province of Newfoundland transmit Supplementary Estimates of the sum that is required for the Public Service of the Province for the year ending the 31st. March, 1975 by way of Supplementary Supply. And in accordance with the provisions of the British North America Act of 1867 as amended I recommend these estimates to the House of Assembly. Signed the Administrator.

On motion that the House resolve itself into Committee of Supply, Mr. Speaker left the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Order, please!

A bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Seventy-Five And For Other Purposes Relating To The Public Service.

MR. EARLE: Mr. Chairman, in introducing this Resolution and Bill I only have to say that it is for \$42,046,000 which is covered by all the special warrants which were issued during the year. These warrants were distributed to the House approximately a week ago and have been in members possession. They are for monies which were provided for various departments as covered by these warrants. And that the total is for \$42,046,000 and I have much pleasure in moving the adoption of this Bill.

AN HON. MEMBER: Hear! Hear!

MR. CHAIRMAN: The Member for Bell Island.

MR. NEARY: Mr. Chairman, we will agree, of course, to this Bill being passed without too much delay in the Committee. I do not think the minister made it quite clear what this \$42 million is for, although he did mention that the warrants were tabled there a week or so ago. This \$42 million is money that is being spent over and above what they estimated in the various departments. And later on, Mr. Chairman, both in the budget debate and when we are going through the item by item analysis of the estimates we will come upon some of these things again,



and then we can have - we will probably go into some of these matters in greater detail at that time.

MR. CHAIRMAN: Shall the Resolution carry?

On motion Resolution carried.

On motion Heads of Expenditure II to XX carried.

On motion clause 1 carried.

On motion recitals and preambles carried.

On motion title carried.

Motion that the committee report having passed the bill without amendment, carried.

On motion preamble to the resolution carried.

Resolution: To be submitted to a Committee of the Whole House in relation to the grant of Supplementary Supply to Her Majesty.

On motion title carried.

On motion that the committee rise and report having passed a certain resolution and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. CHAIRMAN: Mr. Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report that they adopted a certain resolution and recommend that a bill be introduced to give effect to the same and ask leave to sit again.

MR. SPEAKER: The Chairman of the Committee of Supply reports that they have considered the matters to them referred and have directed them to report having adopted a certain resolution and recommend that a bill be introduced to give effect to the same.

On motion report received and adopted.

On motion committee ordered to sit again presently.

On motion resolution read a first and second time.

On motion a bill, "An Act For Granting To Her Majesty Certain Sums Of Money For Defraying Certain Expenses Of The Public Service For The Financial Year Ending The Thirty-First Day Of March One Thousand Nine Hundred And Seventy-Five And For Other Purposes Relating To The Public Service," read a first time, ordered read a second time now by leave.

On motion bill read a second time ordered read a third time now by leave.

On motion bill read a third time ordered passed and its title be as on the Order Paper.

Motion, second reading of a bill, "An Act Further To Amend The District Courts Act."

MR. SPEAKER: The honourable Minister of Justice.

MR. HICKMAN: This is a fairly formal bill. There is before the House of Commons, the Parliament of Canada, a bill to amend the Judges Act, which provides for supernumerary judges for district courts and county court judges. These two sections correspond with the provisions in the Judges Act and has been approved by the Government of Canada. I move second reading.

MR. SPEAKER: Is it the pleasure of the House that the said bill be now read a second time?

MR. NEARY: Mr. Speaker, the Leader of the Opposition is on his way in.

MR. SPEAKER: The honourable Leader of the Opposition.

MR. ROBERTS: Mr. Speaker, I would like to thank the government for their courtesy in not informing they were going to be doing legislation.

AN HONOURABLE MEMBER: Filling in.

MR. ROBERTS: Well, they can talk about filling in, but, I mean, I would just like to thank the Minister of Justice for his courtesy and his colleagues as well. The bill itself is fairly straightforward. It provides for the creation of the supernumerary judges. We now have, I think, five district court judges in Newfoundland with provision for two more. This would create extra judges. It would give us a lot of judges.

I did not hear all of the minister's remarks. I am not quite sure why - the minister may well have dealt with this in second reading -

MR. HICKMAN: If the honourable gentleman would want to yield I will -

MR. ROBERTS: Well, I will yield, but I would like to hear just - the minister may have said it in second reading. I did not hear all of his speech.

MR. HICKMAN: If the honourable gentleman will yield -

MR. ROBERTS: I shall yield gladly, Sir.

MR. HICKMAN: This bill, as I said earlier, Mr. Speaker, arises out of the

fact that there is now before parliament a bill to amend the Judges Act to provide for supernumerary judges in the district and county courts similar to the provisions applying to the superior courts of Canada. In order for that provision of the act to apply to any particular province, provincial legislation is required. This simply provides - this will create the position that when the Judges Act of Canada, the amendment is passed, the district court judge upon reaching the age of, I think, it is fifteen years on the bench or the age of sixty and not less than ten years, can if he so desires, elect to become a supernumerary judge. There he will be on the - if it is a supernumerary judge from any one of the five district courts in the province, his successor and occupier of that office would be in a position, should the need arise, to ask him to come back and try a case where a judge disqualified himself or a judge is ill or is on vacation. That is all there is to it.

MR. ROBERTS: Mr. Speaker, I thank the minister. The minister has not told us anything we did not know because what he has told us is what the bill would do. What I had hoped he would tell us is why the government brought in the bill. Well, I understand that at least two of the judges, two of the five district court judges we have in Newfoundland today, may possibly become supernumerary judges. I am sorry, the minister is looking quizzical.

MR. HICKMAN: You may be right in -

MR. ROBERTS: Well, you know, I have no privileged information on it. I have certain information which I would assume is widely available to the profession of which I am a subscribing but non-practicing member. I have no objection to the bill itself, but I think it should be noted we are getting a lot of judges in Newfoundland now. We have four on the high court, the Supreme Court. We have five district court judges at present. I believe Ottawa are proposing to create two more. That is seven. That will give us seven district court judges, the possibility of seven supernumerary district court judges, three appellate judges, men or women, well, men in this case. There are no

women are eligible at this point. Men who will sit on the court of appeal. That is twenty-one judges possibly. Then we are not counting the so called provincial judges, the magistrates, nor are

we counting the possibility of supernumerary judges on the Supreme Court. But we have no supernumerary judges on the Supreme Court at present. Indeed, it might be very useful if we did because the court work, I understand is falling behind because of the fact that as yet no successor has been appointed for the late Mr. Justice Higgins. A supernumerary judge would be useful.

We are getting a lot of judges. That may be good news for the lawyers or it may not. The bar of Newfoundland is now the largest it has ever been in numbers. I would think that what - 150, 160 members of the bar?

AN HONOURABLE MEMBER: Close to it, I think.

MR. ROBERTS: 150, 160 - So, all I can say is for those of my brethren who are both learned and who aspire to the judicial heights of the bench that the odds are pretty good because when this bill goes through giving an extra seven positions available, assuming the Parliament of Canada approves the money necessary and the Government of Canada are willing to appoint the judges, that means the odds are about one in seven that a member of the bar will get to the bench.

I would think every lawyer in the Province, Sir, will rejoice this night at the beneficence of the Minister of Justice thus increasing the odds. I look around my honourable colleagues, the learned gentlemen in the House, the Member for St. John's East who is available these days, the Member for Burin who has been available for some time, the Member for St. John's South who, I would think, has no aspirations for judicial office but has aspirations for another branch of government, the Member for St. John's West -

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: No, he is certainly not available for this. I could look around the House, a number of gentlemen who are present,

but who are not members of the House. I think it is encouraging, Sir, that one in seven members of the bar in Newfoundland can expect at any given point in time to be a judge. We may be the most over-judged people in Canada. I do not have the figures for the other Provinces of Canada, Sir, but I would doubt whether any Province of Canada has quite as many judges as we do on a per capita basis.

The Province of Ontario has 6,000 or 7,000 members at the bar and I am morally certain there are not 1,000 judges counting the supernumerary judges or 1,000 judicial positions available in the Province of Ontario. There are about twenty men on their high court and about eight or nine on their court of appeal and then, I suppose, the county courts, which we call district courts, there may be 100 of those and even double them for supernumeraries. You may have 400 or 500 men.

So, I say to my brethren at the bar, Sir, that the odds in Newfoundland are twice as good and I would hope there would be an influx of lawyers into Newfoundland for the benefit of my colleague from Bell Island who has such a regard for members of my profession.

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Now, Mr. Chairman, if I were the Member for Bell Island, I would not press this Law Society to be an honorary member. The honourable gentleman may have been intimately associated with the bar, my friend from Bell Island, Sir, but he has been honourably associated as well with it and that is a proud distinction.

We support the bill but, I must say, of all the problems facing Newfoundland today, I would not have thought this one was very high on the list. If we intend to have a couple of judges who have indicated that they intend to or would like to leave the active bench and to become supernumerary judges and all that that entails, well sobeit. But I must say, of all the problems facing Newfoundland or even of all the problems facing the

administration of justice in this Province, I would have thought this particular measure was very far down any list of priorities. As is well known, and I make no secret of it and honourable gentlemen opposite try to throw it up to it as if they feel somehow it is reprehensible, I do not practice the bar of this Province, either the bar in the courthouse or any other bar in this Province, and I am not intimately familiar with the workings of the judicial system. But I understand from the lawyers with whom I occasionally have converse from time to time that there are considerable problems. There are considerable problems in having appeals heard in Newfoundland, considerable problems in getting transcripts, not in lack of judges or lack of judgment or slowness in rendering judgment, but considerable difficulty apparently in going through the techniques of the technical aspects of having transcripts prepared because, of course, before a matter can go to appeal, Your Honour, an appeal is not a trial. An appeal is a reconsideration of the evidence and the materials involved in the original trial. That involves transcripts of the oral testimony and the oral testimony, the oral evidence can be a very large part of the evidence introduced in a trial.

Well, I understand the very real difficulties in having that information prepared so that appeals can



go forward. I understand also there is a considerable amount of difficulty with a number of other aspects of the administration of justice in this Province. I regret that the minister has shirked his duty and has not dealt with those other aspects.

The Law Society I understand have submitted a number of briefs to him. I understand that individual solicitors and members of the Bar have approached him to make representations. "The Evening Telegram" has a ritual editorial which comes out every six and one half weeks about the need for a royal commission to investigate the administration of justice in Newfoundland. While I hold no brief either for the "Telegram" or for ritual editorials, an idea should not be scorned just because it is in the editorial columns of "The Evening Telegram." Perhaps some consideration should be given to that.

I do know that in many parts of Newfoundland, Sir, and this act will do nothing to help this, our people do not have access as they should to the system of justice. We have, thanks to Ottawa, got a criminal aid scheme that is pretty good. It is pretty good for the lawyers and it is pretty good for their clients. I understand now that any person, any citizen of the Province who is charged with a serious criminal matter, you know, can expect to be defended by a legal counsel and if he does not have the money to pay the just fees then the Legal Aid Society under their rules will pay them, in certain cases in civil action. But we do not have full access to the civil law under a legal aid system. Even more than that, Sir, the distribution of lawyers in this Province is such that many citizens of the Province effectively have no access to the service of a lawyer. Oh they can get a lawyer if they are in court on a criminal charge and facing the possibility of a term in jail or something very serious like that, they can get a lawyer if they are relatively well off and willing to pay the price to have a lawyer come to some community where no lawyer is in practice.

But if a person in Twillingate, in the constituency of my friend, the Member for Twillingate, wishes legal advice he really

cannot get it unless he is willing to go to Gander, the nearest solicitor and I think there is only one firm practicing full time in Gander, Mr. Richard Eason and his associates. Marystown I think has one firm only, a branch of the legal octopus participated in by my friend for Placentia West, the firm of Thoms, Fowler, etc., etc. The Happy Valley area or Labrador has resident lawyers only in Labrador and there is one firm or two in Labrador West, again difficulties of access.

MR. CROSBIE: That is not relevant.

MR. ROBERTS: Mr. Speaker, honourable gentlemen opposite say it is not relevant. It is completely relevant. The government are bringing before the House, a bill, "An Act To Amend The District Courts Act," and I am giving my thoughts that this bill which purports to improve the administration of justice by creating additional judges, I am saying there are more important things that could be done and if the government are going to do this sort of thing then let them bring in a scheme to try to encourage lawyers to settle in the smaller communities.

The Northern Peninsula, Sir, between Deer Lake and St. Anthony, 300 miles.

MR. CROSBIE: Point of order, Mr. Speaker.

MR. SPEAKER: Order, please!

MR. CROSBIE: You know there are certain rules, Mr. Speaker, as to debate in this House. Now we are debating an "Act To Amend The District Courts Act," to provide for supernumerary judges, that is, judges who can be styled judge of the District Court and they can exercise the powers but in effect they are retired. Now that is the whole sum and substance and the principle -

AN HON. MEMBER: Inaudible.

MR. SPEAKER: Order, please!

MR. CROSBIE: The sum and substance and the principle of the bill and all that is relevant to discuss, Mr. Speaker, is the -

MR. NEARY: Inaudible.

MR. SPEAKER: Order, please!

MR. CROSBIE: Is the principle of this bill which is whether there should be supernumerary judges or whether there should not be supernumerary judges under "The District Courts Act," and all this comment and talk about lawyers practicing in Marystown, practicing here and so on, it is all irrelevant, and I ask Your Honour to keep the honourable gentlemen relevant to the principle of this simple amendment which deals with supernumerary judges.

MR. ROBERTS: If I may speak to that point of order, I submit that I was adhering well within the rules of relevancy. The rule of relevancy would mean that we discuss the principle of this bill and the principle of this bill is to amend "The District Courts Act," and I am giving some reasons why in supporting the bill I do not feel that it goes far enough and I submit that that is relevant and I should be allowed to continue without harassment from the honourable gentleman from St. John's West. May I proceed, Sir, or does Your Honour wish -

MR. SPEAKER: Order, please! Not having a copy of the said bill before me I am perhaps not in a position to say whether the honourable Leader of the Opposition was relevant to the bill or not. It appears as if he may not have been as relevant perhaps as he should be to the principle of the bill, However, he will be permitted to continue.

MR. ROBERTS: Thank you Your Honour. I had largely concluded my remarks with the effect of these interjections and harassments by - if Your Honour would like a copy I would be glad to let Your Honour have a glance at my copy.

I had hoped that Your Honour would have been supplied with bills.

AN HON. MEMBER: Are you questioning the Speaker's ruling?

MR. ROBERTS: No, who is -

AN HON. MEMBER: (Inaudible).

AN HON. MEMBER: Be a man and never mind muttering under your breath.

MR. SPEAKER: Order, please!

MR. ROBERTS: Mr. Speaker, apparently the House Leader cannot accept the rulings but as I was saying, I had largely finished what I had intended to say on the bill. The effect of these interjections by the House Leader is to prolong debate and not to speed it up. But if he wishes to interject, let him interject away as it were.

I do not feel that this is a priority item in the administration of justice in this Province. I think that there are a number of things which could be done, which would be of infinitely more use to the people of this Province, to the bar of this Province and above all to the system of justice in this Province. That is what we should be concerned with in this House. We should not be concerned only with minor technicalities but rather with ensuring that we have in this Province a system of justice which is effective, which is practical and which is accessible to all of our people. We do not have it now. This bill will do nothing at all, nothing at all, to make it more accessible. It will not provide the people of Newfoundland with a better system of justice. All it will provide is a few more judges. Well, well and good. I have no objection to a few more judges. It is good for the judges but I would like to see something that is good for Newfoundland as well.

MR. SPEAKER: If the honourable minister speaks now, he closes the debate. The Hon. Member for Bell Island.

MR. NEARY: Mr. Speaker, I hope the Minister of Justice, Sir, did not think that I was going to let this opportunity slide by without having

a few words about the minister's department and about the principle of this bill, Sir.

Mr. Speaker, as the minister indicated in the beginning, Sir, this bill will amend the District Courts Act to provide for the additional office of supernumerary judge for each District Court. Well, Sir, this may or may not be a good thing. I look at it, Sir, fairly objectively. I look at it in a positive way. I hope, Sir, that it will not be just a move that is being made by the Minister of Justice to create another little soft, cushy situation. I hope, Mr. Speaker, that if this bill is passed by the honourable House and that we have one or two or three or four or ten supernumerary judges in this Province that it will speed up justice in this Province.

Your Honour is probably aware, if Your Honour is not aware I am sure that some of the members on the government benches, especially the more learned members on the government benches, are aware, Sir, that there is a terrific delay in getting people before court in this Province. Whether it is a private prosecution, Sir, or whether it is somebody who is being prosecuted by the Crown or by the police under the Criminal Code or what have you, civil cases, it seems, Mr. Speaker, that it takes years and years some times before these matters are ever brought before court. And we are told from time to time, Sir, by the Minister of Justice and by various other spokesmen for the Government of Canada that the reason is is that there is a shortage of judges in this Province and that we do not have an Appeal's Court in this Province. The minister has told us in this honourable House that that is one of the reasons for the delays. We have cases, Mr. Speaker, in this Province that are outstanding now, not for a matter of months, Sir, - the Hon. Premier is looking over and sort of pointing back and forth. I was hoping that the Hon. Premier would forget about that. That is not the case I was referring to.

AN HON. MEMBER: You are not knocking it.

MR. NEARY: No, I am not knocking it. But, Sir, there are cases that are outstanding for as much as a year and a half and two years. The people who are charged have not been brought to trial and the feeble excuses that we are getting, Sir, is that the Crown is not ready to proceed with the case or we have to wait until this one is -

AN HON. MEMBER: That is your reason.

MR. NEARY: No, that is not my reason. I am here all of the time, you know, any time the thing comes up I am prepared. But, Sir, - and Mr. Speaker, I raised a matter in the House the other day and we cannot discuss it because the Minister of Justice, and probably rightly so, indicated to Your Honour that the matter is before the Court. But, Sir, that matter has been before the Court now since last July, and why has not the trial date been set? Why? Because we are told that there is a shortage of judges.

The position that was left vacant by the Late Judge Higgins has not yet been filled. Maybe it is not the fault of the provincial government, Sir. It may be the fault of the Government of Canada. Mr. Speaker, as an ordinary layman I do not understand, I cannot understand, perhaps the Minister of Justice when he is closing the debate can tell me, why does it take so long to appoint people to the Bench? Why?

MR. HICKMAN: He never asked me.

MR. NEARY: No, Mr. Speaker, the honourable minister interjected a little bit of partisan politics. Well, Sir, -

AN HON. MEMBER: Inaudible.

MR. HICKMAN: For the minister's information, Mr. Speaker, I will tell you this that personally speaking, and I cannot speak on behalf of my colleagues, personally speaking, Sir, -

AN HON. MEMBER: Speak on my behalf. Speak on my behalf.

MR. NEARY: No, I am speaking on my own behalf. I would prefer, Sir, that the judges that are appointed to the Benches of the Supreme Court were not appointed along partisan political lines. I would prefer, Sir, that they were appointed on their qualifications.

AN HON. MEMBER: Hear! Hear!

MR. NEARY: Now, Mr. Speaker, you know -

AN HON. MEMBER: Inaudible.

MR. NEARY: You know, Mr. Speaker, when Mr. Diefenbaker was there it was the same thing, when Mr. Trudeau is there it is the same thing -

AN HON. MEMBER: Inaudible.

MR. NEARY: If Mr. Stanfield were there it would be the same thing.

AN HON. MEMBER: He will never be there.

MR. NEARY: Mr. Speaker, I -

AN HON. MEMBER: Inaudible.

MR. NEARY: I fail to see, Sir, I fail to see what your political affiliation has to do with being appointed to the Bench, and people getting a fair shake. You know, what difference does it make what a man is, if the present Minister of Justice has the qualifications, and he aspires to the Bench, and he has a good record, and he can look at things objectively, and he has his sanity, he is in complete control of all his faculties why should he not -

AN HON. MEMBER: Inaudible.

MR. NEARY: I beg your pardon?

AN HON. MEMBER: You just disqualified -

MR. NEARY: I did not automatically disqualify the minister I hope, Sir. But, Mr. Speaker, why should the minister be not appointed to the Bench? You know, it does not make any difference to me, I mean, if I break the law and I get hauled up before a judge of the Supreme Court it does not make any difference to me if he is an N.D.P. or a Tory or a Liberal, at least I do not think it is, I would like to think, Sir, that justice will be done, and that is the important thing.

AN HON. MEMBER: Inaudible.

MR. NEARY: I beg your pardon?

AN HON. MEMBER: It might take a while to get a chance to know -

MR. NEARY: Well, Mr. Speaker, there has been a delay - and probably this is the reason why a lot of these cases have not yet been able to get before the courts, and whether or not the appointment of supernumerary judges will cure this, will remedy this situation or not, Sir, the minister certainly did not make it clear in his introductory remarks. As a matter of fact, Sir, when the minister got up and introduced this bill in second reading, "An Act Further To Amend The District Courts Act" I must confess that up to that point I was not really to familiar with the term supernunnery judge.

MR. HICKMAN: Supernumerary.



MR. NEARY: Supernumerary.

AN HON. MEMBER: Inaudible.

MR. NEARY: Well I thought the judges were all going to be put in the convent there for a while - super.

But, Mr. Speaker, until my colleague, the Leader of the Opposition came in and enlightened us all with his few remarks in the House, Sir, and as I listened and followed very attentively to what my leader had to say, Sir, I suddenly realized that this particular bill is far more significant and far more important, Sir, than the Minister of Justice was leading us to believe.

AN HON. MEMBER: Inaudible.

MR. NEARY: Well, Sir, it must be important because it is after taking precedence over unemployment, cost of living -

AN HON. MEMBER: Inaudible.

MR. NEARY: Come-By-Chance, Churchill Falls. It has taken precedence over everything else in this honourable House today. So, Sir, it must be

quite an important piece of legislation. I am just that naive and stupid, Sir, to believe that that is a very, very important piece of legislation and that the House Leader should call this bill before he called the Minister of Manpower's estimates.

So, Sir, it has to be a very important piece of legislation and I am going to support it, Sir, and I am going to support it for one reason only, not that I want to see the judges when they become aged sixty or if they have fifteen years or aged sixty in ten years service that they get put out to pasture and they can have a little bit of gravy, you know. They can pick up a few extra pennies here and there. I am not supporting it for that reason, Sir. I am supporting it because I hope that this will remedy a very, very bad situation that we have in this Province inasmuch as it is taking too long to get a lot of cases before the courts of this Province, Sir. And as long as these delays are caused, Mr. Speaker, and I know several of these people, I know these people have discussed their problems and their cases with me and I am only an ordinary layman and they are completely frustrated and hamstrung and in a lot of cases, Sir, are almost forced into bankruptcy because of the delays.

So, I would like for the minister when he is closing the debate to tell us whether or not this is going to take care of this problem. I hope it is, Sir, and that is the only reason I will support this bill.

MR. SPEAKER: The honourable Minister of Fisheries.

MR. CROSBIE: I move the adjournment of this debate.

MR. SPEAKER: The honourable minister has moved the adjournment of the debate. Those in favour of the adjournment of the debate "aye", those against "nay". Carried.

On motion that the House resolve itself into Committee of Supply. Mr. Speaker left the Chair.

MR. CHAIRMAN (Stagg): Order!

## Manpower and Industrial Relations, Head VI

MR. CHAIRMAN (Stagg): Shall 501-01 carry?

MR. MAYNARD: Mr. Chairman, I suppose it is appropriate to have a few words on the Head, I am sure. Other members are going to have a few words as well. Maybe the appropriate thing to do would be to give a report, first of all, of the activities of the department during the past year and an analysis of what we hope to do during 1975. Perhaps the most appropriate way is to take the department by sections because we have a number of various sections in the department which are labour, industrial relations branch, manpower, human rights division, engineering and technical services, etc.

So, the labour one, which is the one that is known to the public, the labour section, I will give a few statistics. The division is concerned with the administration right now of day to day activities under four separate acts, the Labour Relations Act, the Public Service Collective Bargaining Act, Fishing Industry Collective Bargaining Act and the Newfoundland Teacher Collective Bargaining Act, as well as being responsible for what is known as the Trade Union Act.

During 1974 the department received some sixty-two requests for conciliation services to assist unions and employers in dealing with disputes or working out contracts. The greatest number of these were settled with the help of the conciliation officer alone, approximately seventy per cent. We have shown through experience over the years that the most appropriate way of settling labour disputes or assisting in settling labour disputes is through the work of a conciliation officer although there are times when we do have to go beyond the conciliation officer stage and appoint conciliation boards.

We only do this where a dispute is protracted to a point where it can seriously affect the economy of the region or the Province. We are very careful in our analysis of the situation before a board is appointed. We find that normally it does not do much more than delay the inevitable possibly for a few weeks.

During the past year we referred seven disputes to conciliation boards. At the end of the period these conciliation boards have contributed to the settlement of four disputes. Some conciliation board findings are used as a basis for further negotiations. Others are rejected outright. Others are accepted in total. We also receive requests, of course, for arbitration to deal with differences that may arise in a collective agreement between unions and employers throughout the life of the collective agreement.

Last year during the 1974 calendar year, sixty-two arbitration decisions were filed with the department following the adjudication of grievances brought before arbitration boards. Many of the differences between employers and unions which arise during the term of a collective agreement are dealt with by arbitrators or arbitration boards without prior reference to our department. It is only the most difficult ones that we assist in. There is usually a mechanism within the collective agreement for dealing with these disputes, but there are times when we do have to become involved in arbitration and when we are called on to become involved, of course we do so.

At the present time there are approximately 230 collective

agreements in force in the Province. During 1974 there was a further 130 agreements filed with the department. These agreements terminate at various times throughout the year. This coming year, 1975, as all honourable members are aware by this time, is going to be one of the busiest years, if not the busiest year on record for the Department of Labour, the labour section. At the beginning of the year, 1975, there were 130 collective agreements to be renegotiated. That is approximately half of the total collective agreements in force in the Province. However, the 130 collective agreements that were to be open for renegotiation throughout the year comprise the very large segment of the organized work force in the Province, probably around the vicinity of seventy-five per cent.

We have the construction industry, the public service, the fisheries, and most of the - and mining - most of the larger industries are represented in those 130 collective agreements. So, it is going to be a busy year from the point of view of conciliation work by the department. There is also going to be numerous new certifications of new bargaining units made by the Labour Relations Board. It is difficult to tell how many, but we estimate probably 100 new certifications will be issued. This, of course, means that there will be 100 new contracts negotiated. Most of

these will, because of the various factors this year, inflation and this sort of thing, most of these agreements will need conciliation services. So our conciliation staff are going to be very hard pressed to keep up with the work load. And talk about numbers, not quality, because certainly from my point of view the quality of the conciliation staff we have is second to none, but unfortunately we do not have the sufficient numbers to spread around and there are times when I have one conciliation officer trying to handle five cases.

Of course, apart from the disputes which are the things which are more in the public eye, the conciliation staff also has to assist in many other functions which takes up a considerable amount of their time, such as investigations for the Labour Relations Board in determining whether a bargaining unit has the required percentage of members before it goes before the board for certification or otherwise, investigations for revocation of collective agreements and these are very, very time consuming. They are things that have to be done and the staff carries them out in conjunction with their other conciliation work.

I would like to say just - to give a few statistics about the number of work stoppages that we have had in the Province over the past year, the calendar year of 1974, There were a total of ninety during that calendar year, fifteen of these were what is termed as legal, there were strikes at the termination of a collective agreement, the remaining seventy-five were considered as having been illegal strikes, in other words strikes during the term of the collective agreement.

The total time lost as a result of these ninety work stoppages amounted to some 88,000 man-days or approximately 708,000 man-hours. That translated into the loss to the economy is equivalent to approximately 1,000 people being out of work for a period of four months. Work stoppages during 1974 involved some 15,000 employees. Only 1400 or a little

over 1400 of that number are considered to have been engaged in what is again commonly known as legal strikes.

To give a comparison of the work stoppages that occurred during 1973 so that the overall number increased from 1973 number of seventy-six to ninety in 1974. However, the number of illegal work stoppages increased from fifty-six in 1973 to seventy-five in 1974. But the number of man-days or man-hours lost in 1974 was approximately one-third of that for the previous year. It simply means that the strikes, even though there were more strikes in 1974 there were less man-hours lost so therefore the strikes on the average lasted a less amount of time, shorter periods.

Some of the more serious work stoppages are well known to the members of the House and I do not think it would be appropriate to go over them here at this time.

Our Province and indeed the whole of Canada seems, Mr. Chairman, to be plagued by illegal work stoppages and I have heard numerous comments on the cause of illegal work stoppages and I have heard numerous suggestions put forth as to what the cure is.

The fact is, of course, that no one as yet in any jurisdiction, whether it is in Canada or in other parts of the Western world, have ever been able to determine what is the real cause or indeed, what, if any cure there is for illegal strikes. Now, I am not suggesting for a moment that there are no solutions. I am merely saying that so far no one has been able to find the answers.

However, I might point out that everyone in every jurisdiction, every Labour department across North America, at least, are looking, searching for a solution to illegal work stoppages and I suppose somewhere down the road we may be able to find a solution. Now, illegal work stoppages per se appear not to involve the Department of Labour that much, but certainly in one way or another all work stoppages involve our department and it adds to the work load that we have.

Throughout this year, as noted in the Throne Speech, we will be bringing before the legislature further legislation emanating from the Cohen Commission Report. Some of the report has already been implemented in the form of the Public Service Collective Bargaining Act. Some of it was implemented partially, at least, in the Fishing Industry Collective Bargaining Act a few years ago. There are other parts to the report that we intend to incorporate into a new Labour Relations Act.

Now, this has been a long drawn out process. It has been some two years in the making, but it was necessary for us to have the full participation of both the labour element and management before we could put together an act that would be workable. The various sections in the act have been studied, or in the report



rather, have been studied quite thoroughly by both sectors of the Province. They have made their suggestions. I might say that there are a large number of recommendations in the Cohen Commission Report that have been agreed to, either in the original form or in a modified form by both labour and management and these sections, of course, will be going into the new act.

There are other recommendations in the Cohen Report that will be implemented which have not been entirely agreed to by both side, but they will be implemented or will be proposed in the act because of the departmental administration. But I do not think there will be anything in the new act that will get either labour or management upset or, at least, I hope not because the aim and objective of bringing in a new act is to try to bring peace and harmony on the labour scene in the Province, not to try to create further division between the two sectors.

Another section of the department, Mr. Chairman, is the Labour Standards Division. Now, this again is a division that is not heard of too much, but they do work very quietly and very effectively and it is a very important division to the people of the Province, especially the people who are organized into some collective or organized by unions and have a collective agreement. During the past twelve months the Labour Standards Division has recovered over \$100,000 on behalf of nearly 1,200 employees against whom

breaches of the Labour Standards Legislation had been committed. Now, these breaches come under various acts, such as the Minimum Wage Act, the Employment Notice of Termination Act, the Annual Vacation with Pay Act, the Workmens' Wages Act, etc. The Labour Standards Division has a staff of eleven. We have regional offices at Grand Falls and Corner Brook. Their main job is to investigate complaints that an employee has been shortchanged is the word, through the provisions of the Minimum Wage Act or that insufficient notice had been given on their termination of employment. The Labour Standards Division, the inspectors investigate and if they find that there has been an infraction of the act or one of the acts included, they lay charges through a magistrates court to recover the wages that are owing to the employee.

We have also throughout this past year and previous to that made a thorough analysis of the various acts under the Labour Standards Division and we have now come to the point where we are consolidating all of the various Labour Standards Legislation into one comprehensive Labour Standards Code. We expect to also bring this piece of legislation before the House of Assembly in the not too distant future and the code will contain a number of provisions which will improve the working conditions of the unorganized sector of the labour force.

When we talk about the amount of money that is recovered by the Labour Standards Division, the amounts, of course, do not sound all that impressive, but it is extremely important to the people for which the money was recovered because the \$100, \$200, \$300 or whatever the amount may be is important to a person, especially a person who is making barely the minimum wage level. So, it is an important job that we will continue and hopefully we will be able to do more of it and increase our ability to do more of it throughout the coming year.

Under the new Consolidated Act the Minimum Wage Board as we know it now will be disbanded. The only act that has a board at the

present time that investigates and has hearings and suggests to the government what the level of minimum wage should be is the Minimum Wage Act. However, we are going to replace that board with what will be known as a Labour Standards Board. That board will hold hearings and will recommend to government standards not only for minimum wage but for notice of termination, for vacation with pay and this sort of thing, the whole broad spectrum of labour standards. As soon as the new act is brought in and as soon as it has gone through the legislature, we will be setting up the new Labour Standards Board which will be a considerable improvement over what we have had up to this date, although I might say that the Minimum Wage Board has done a fair amount of work in the past two or three years. They are now in hearings and will soon within the next couple of months suggest a new schedule of minimum wage to government that government can consider for implementation over the next year or two years or three years, whatever the case might be.

One other section of the department that is becoming more and more important, and people are getting to know much better, of course, not only in Newfoundland is this happening but all across Canada, and that is the Human Rights Division. And Human Rights has become a fairly active force in all jurisdictions in Canada over the past three or four years.

AN HON. MEMBER: Inaudible.

MR. MAYNARD: It is becoming more and more known here in the Province of Newfoundland. And I am sure that the public once they are able to get the information on what their rights are under the Human Rights Code they will be taking advantage of that protective legislation. As members are aware we brought in some amendments to the Human Rights Legislation in the Fall of 1974 sitting of the Legislature, which has been passed and proclaimed. It is now in effect. We are now at the point of trying to analyze just what we will need in terms of staff, in terms of facilities to be able to properly implement the Human Rights Code. It is impossible to do that, of course, until such time as we are able to ascertain what response there is going to be from the public for protection under the Code itself.

We are also heavily involved with discussing Human Rights legislation, Human Rights procedures with other jurisdictions across Canada. I understand that the federal people are now about to bring in a Human Rights Act that may complement or it may override, we do not know as yet, the provincial legislation. We are hoping that it will go along and be a complementary piece of legislation to the provincial legislation but we have to wait and see that.

However, we are trying at the present time to set up a properly constituted commission and to determine what expansion we have to have in the division. We may again be making some further changes in the present legislation over the next year depending, of course, on what happens with the national conferences that are going on from time to time, both on the director, deputy minister level and the ministerial level. So honourable members may be seeing some further amendments to the Human Rights Code depending on these discussions.

The section of the Department of Manpower and Industrial Relations which is fairly new, and it is almost at the same time becoming more and more important, is the Manpower Division. I think it is probably a division of the department that very little was known about until the name of the department was changed to the present name of Manpower and Industrial Relations. There are very few people in the public of Newfoundland knew that the provincial government was involved in Manpower at all.

However all provinces across Canada within the last year or so have come to realize that they must themselves get more involved in Manpower procedures. Up to this point in time the federal government has done the bulk of the Manpower work. They, of course, paid out most of the money, but they have also set most of the policies. And these policies, although they are supposedly well thought out and they are suppose to be well implemented, they are not applicable to all sections of Canada, because Canada is a very diverse country in many ways. And what is applicable to Newfoundland is certainly not applicable to British Columbia or Ontario or Quebec. Unfortunately federal policies tend to be standard across Canada. And in that

context we often find that their policies, even though the federal people mean very well in instituting these policies, they do not apply to various sectors. For the first time in history, I think it was last August, the Manpower Ministers of the various provinces got together in Edmonton and had the first Manpower Ministers' Meeting. There was a follow up to that in December, which I attended. I did not attend the one in Edmonton. My colleague, who is now Minister of Transportation, did. But I attended the one in Regina and I found out that with the exception of Alberta there were no provinces in Canada that had a comprehensive Manpower policy. We also found out that even though we did not particularly like the way that the federal government were administering Manpower policy, although we each had different views of it, of how it should be done, we also found that the reason the federal government were administering the policy and were sort of taking over what is assumed to be a provincial field, was simply because the provinces had never bothered to do anything themselves. We came away from that meeting with one thing in mind, that all provinces, if they wanted to have an input into Manpower training, re-training, placement services so on and so forth, all provinces would have to formulate comprehensive Manpower policies on a provincial level.

When that was done, we could then try to co-ordinate as much as possible, try to streamline as much as possible across Canada with, of course, regional differences, provincial differences entering in. We would then approach the federal government and possibly regain some of the jurisdiction that had been sort of given up by default because the provinces had not had a policy. Now this is the exercise that this Province is involved in right now, trying to put together a comprehensive policy. We have various people working on it. We would hope to have some substantial work done on this within the next couple of months. When we do that, we decide what we can do or what we should do as far as Manpower is concerned.

Then I think we can discuss on a very realistic basis with the federal government, what we need.

The key, of course, to any Manpower policy is the creation of jobs. Once jobs are created, once the other departments of government find the means to create jobs, then it is our responsibility as a Manpower department to have the appropriate trained personnel to be able to take advantage of those jobs. This is what we have been attempting to do all along but unfortunately, because of the lack of a comprehensive policy, we have not been able to zero in on the problem properly. We have got to expand both the programmes and the personnel required to administer the various programmes but at the same time, we have to create some sort of a sense of direction as to where we are going and what we are trying to accomplish.

One of the major things that we have to undertake in our department, and I find this is true again all across Canada, is research and statistics, not statistics for the sake of gathering them up into nice, neat, little folders, but statistics only to the point where they can be used for actual, real planning. Up to now we have had, as I said, a very ad hoc approach. There has been no data available to us, and we have not tried to accumulate all that much data on the various components of the labour force. We do not have a proper profile of the work force. We have no idea of the numbers - well I was going to say, no idea, but that is a little bit in error - but we have a very vague idea of the number that is employed in the Province in each trade, each occupation. We have very little idea of how many vacancies may exist in any one occupation. We have

very little idea whether we are overtraining or whether we are doing less than necessary. So, all we are doing and this has been done in the past for X number of years, is trying to make a very educated guess. An educated guess, although it may be the only thing to do at times, is not a very accurate method of determining manpower needs and what we have to do in the way of training and retraining, mobility, and all the other elements of the manpower policy.

For instance, we hear every day that there are 43,000 people unemployed in the Province. Statistics Canada tells us this. We have no way in arguing with it. It may or may not be exactly right. It may be off by ten per cent, fifteen per cent. We do not know. It is a frightening statistic. Even if it was only half of that it would be a frightening statistic, but it is just that, a statistic that is done in a nice, neat little folder by a Statistics Canada flash sheet that comes out every month. We fold it back and we have no idea of whether there are really 43,000 people unemployed or whether there are 33,000 or whether there are 53,000. We do not know how many are seasonal. We have no idea how many are unemployed through voluntary means. We have no idea how many are unemployed because they have insufficient training whether in the particular trade they have been working at or whether they have insufficient training to go to another job. We have no idea how many are in the wrong location for the jobs that may be open. There are many jobs open from time to time with no one to fill them.

So, unless we are able to gather this type of information and put it to good use, then there is no way that we can tackle the problem of unemployment. When I talk about a manpower profile, and talking about simply that, of us knowing how many people, exactly how many people are unemployed, how many jobs there are available, what kinds of jobs they are and whether or not we have the people to fit into the jobs and if they are the wrong location how can we get them there or do they want to go - once we have that information, we can realistically say that we have not battled totally the issue of



unemployment but we will be able to cut down the numbers a considerable amount.

For instance, it is totally unrealistic - I know the numbers are included there - it is totally unrealistic to say that the fishermen along my coast, the one I am most familiar with, are unemployed. There are no fishermen on my coast unemployed at this point in time although he is included in the statistic that comes out from Statistics Canada. So, we have to separate the seasonal people from the, I suppose, full time people. Once we do that, we will have a much more realistic figure.

I am sure that with all that information we would still probably come up with a very frightening statistic, but at least we would have more realism about it and it would be much easier to deal with. So, that is the aim we are trying to take in the Manpower Department. It is going to take some time to put all of this together, but it is absolutely necessary that the exercise be started and we have started it. It is necessary that we consult with other provinces to see what they are doing in this field. Once again I point out that the only province in Canada that has a comprehensive manpower policy is Alberta. It is necessary that we continue our liaison in relationship with the federal government, of course, as are all the other provinces.

But the essential point of the whole works is that we ourselves be able to pinpoint and identify what the problems are, because in the final analysis we are the people who have to try to tackle the problems. We have to try to correct it.

I do not know if there is too much more to say on the department, Mr. Chairman. There are a couple of other divisions that might interest members, and I am sure I will be asked questions on the various sections of the department from time to time throughout the estimates. I already indicated to the House of Assembly yesterday that we had made some dramatic changes, if you will, in the Workmen's Compensation Board, which also comes under my department. I was asked at that time what the difference was in this board and other boards across Canada. The basic difference is that we have outside the commission itself the permanent members of the commission. We have no appointed representatives of labour and management to share in or take part in the policy making of the board and to take part in the major critical decisions of the board. The board has been in a state of flux for some considerable time, but I do think that with the appointments that were made yesterday or were announced yesterday that the board will be run and run well for the next few years, at least we are hoping so, that the morale of the staff which I am told by reliable sources has been at a low ebb will be built up, that we will be able to look forward to a period of relative stability in an agency that is extremely important to the working force of this Province.

In conclusion, just a few words. The department is a relatively small one in terms of staff and in terms of expenditures when we dare compare it to other departments. But we do get involved in some very important matters. We are hoping that we can carry out the responsibility. I can say truthfully that throughout the whole department I think I have as good a staff as I can find anywhere, a very dedicated staff. For the number of people involved, they do a tremendous amount of work. Again if honourable members have

questions I will only be too happy to respond to them, either now or on the clause by clause study of the estimates of the department.

MR. CHAIRMAN (Mr. Dunphy): The Hon. Member for Bell Island.

MR. NEARY: Mr. Chairman, I was listening very attentively there to what the Minister of Manpower and Industrial Relations had to say, Sir, and it reminded me, Mr. Chairman, of the annual staff meeting, the minister giving his little annual report at his Christmas party to his staff meeting, a little get together of his staff. It was certainly not something, Mr. Chairman, that you would expect in a year when we are having such turbulent labour-management relations in this Province. It certainly is not the kind of report that you would expect to get here on the floor of the House of Assembly.

The minister went to great pains to tell us about the various divisions and the various branches of the department, and as he whined and droned on, Sir, giving us his little lecture, I would not help but wondering to myself, Sir, thinking to myself, no wonder, Mr. Chairman, is it any wonder that last year we had seventy-five illegal strikes in this Province. The minister just brushed over that.

MR. MURPHY: (Inaudible).

MR. NEARY: No, Mr. Chairman, I am not .

If the Minister of Social Services would restrain himself, just listen to me, he might learn something.

MR. MURPHY: Inaudible.

MR. NEARY: Just casually, just throughout these statistics very casually, no comment on them, did not get into any great detail of the causes, of what the solutions to this problem are. Ninety work stoppages, fifteen legal, seventy-five illegal, 88,000 man-days lost so the minister told us, 708,000 man-hours, 1,000 men he said, 1,000 employees if you want to consider it in terms of employees lost, four months wages and salaries. The minister just skips over it as if it was nothing.

MR. MAYNARD: Do you want to correct it?

MR. NEARY: No, I am not going to correct it, Mr. Speaker, but I am going to remind the House that over a year ago, almost two years ago, the Premier of this Province made a public announcement that there was going to be a great international conference of labour and management called in this Province, an international conference. I do not know what part of the Province he was in at that particular time when he made that announcement.

MR. EVANS: - are gone on strike too.

MR. NEARY: Maybe he made it out in his own District of Humber East, I do not know but he certainly made it and we have been asking questions every year ever since about this great international labour conference that is going to take place in Newfoundland. The minister made no reference to that at all. What about the Neary Royal Commission on Illegal Work Stoppages? What became of that?

MR. EVANS: Inaudible.

MR. NEARY: The minister made no reference to that. The minister did make a reference to the Cohen Royal Commission, Sir, a commission that we set up, the former Liberal Administration set up, had the wisdom, set up when we were the government.

Mr. Speaker, I must say I am grossly disappointed with the minister's annual report. I was expecting much more from that minister,

Sir, although as the minister pointed out, in the tail end of his remarks, Sir, that this is but a small department. You would not consider it as one of the big spending departments because all it spends, Sir, every year is about \$1.5 million this year, \$1,420,000. That is all it will spend. In numbers it probably has a smaller number of employees than any other department of government.

AN HON. MEMBER: Inaudible.

MR. NEARY: No? The Minister of Industrial Development has probably a lesser number of employees. He only has one.

MR. DOODY: No. No. You are right.

MR. NEARY: I am right. But, Mr. Chairman, the point I am making is it really does not make any difference about the numbers or the amount of money that is being spent. This department, Sir, should be, Mr. Chairman, and it does not necessarily have to be in dollars and cents and in numbers of staff, should be considered as one of the leading, one of the most important departments of government.

AN HON. MEMBER: It is.

MR. NEARY: No it is not, Sir. It take a back seat. Yes it does, Sir. It is pushed in the background. I do not know whether the minister himself is able to provide the leadership that is required in that department. The minister has been off and on in that department. This is his second go at it now. The Minister of Transportation and Communications had a flick at it, and then got caught up in the re-shuffle and then the Member for St. Barbe South had to be brought back, put back into harness. The whole place was in turmoil. The roof was falling right down around the government's ears. There was no leadership, no inspiration, there was nothing. The whole thing was just a complete shambles. No fault of the Minister of Transportation and Communications, the former Minister of Labour or the former Minister of Manpower and Industrial Relations, it was not his fault. He was not getting the backing of his colleagues any more than the present minister is getting

the backing of his colleagues. I got the impression after listening to the minister, Sir, that they would wish - you know, the minister is kind of screwing up his face. He wishes that the peasants would stop going on strike, these illegal strikes - Oh! that you were just a bother - wish the peasants would -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Oh! No, no, I am well aware, Sir, the minister - but I got that impression, Sir, from the minister's remarks, that he would wish and the government would wish that the poor, old peasants would stop their uprisings and go away somewhere. No, it is only a bother. That is the impression I got. Like the other day, Sir, when the minister came into this honourable House and left the impression, Sir, after he came down from Ottawa that the government and the Minister of Manpower especially had been right up to their eyeballs in these negotiations that were going on in Ottawa, these tedious, sensitive negotiations that were going on between the trawlermen, Canadian Labour Congress and the fish merchants. Mr. Chairman, you would not know, the way the minister got up, and it was most unusual, Sir, - the Premier made a ministerial statement, and then a minister got up and supported it. Kind of an unusual precedent to create in this honourable House, Sir. I thought the minister, the way he was so emotional and so keyed up, I thought, Sir, he had just been rescued off the beaches of Dunkirk, He was so visibly shaken when he was making that statement.

I am told, Sir, by my usual reliable source that in that round of negotiations that took place in Ottawa that the minister nor none of his staff sat in on these negotiations. Now, the minister can contradict it. The minister can -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Ah! Do not be so silly, Sir. I have it from a most reliable source, Sir, that they spent all their time during

that visit - no, never mind. I will not say they spent their time in the - maybe in the restaurants, spent most of their time in the restaurants, that they did not sit in on that final round of negotiations, but, Mr. Chairman, the impression that the honourable the Premier and the honourable minister tried to leave in this honourable House and with the people of this Province, that the memorandum of agreement was brought about because of their untiring efforts.

AN HONOURABLE MEMBER: True.

MR. NEARY: Ah! Not true, Sir, it is not true.

AN HONOURABLE MEMBER: Dead on.

MR. NEARY: The Canadian Labour Congress and the international union, their little finger had more to do with it than the Minister of Manpower. The Minister of Industrial Development knows that. It is true, Sir. Here we are here, the poor old minister just returning from the battle field, shellshocked, making his report supporting the ministerial statement made by the Premier, so visibly shaken, Sir, that I thought for sure, thought for sure that we were into a Third World War.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, the minister knows the point that I am making, Sir. My point is a very valid one. If the minister wants me to repeat it, I will repeat it. Then that final round of negotiations in Ottawa that the government is trying to take credit for, they had as much to do with it as our cat. They did not even sit in on these negotiations. The Minister of Manpower would be less than honest, Sir, if he did not tell this honourable House just precisely what happened during that last visit to Ottawa and give a little credit where credit where credit is due, give a little credit to Richard Cashin, the President of that union and give a little credit to the trawlermen themselves and the negotiating committee.

AN HONOURABLE MEMBER: And a little for them too.

MR. NEARY: And a little for them. Oh! Yes, but I got the impression the other day that the minister and the honourable the Premier were the heroes - none for Mr. Cashin.

AN HONOURABLE MEMBER: None for you.

MR. NEARY: None for the trawlermen themselves, none for the Canadian Labour Congress officials who had sat in on the negotiations, none for the international union. Oh! No, Mr. Chairman, none, none. The poor, old minister was so exhausted that he could not even think who was there at



these discussions. Well, Sir, I know who was there and I know who worked hard.

AN HONOURABLE MEMBER: You were not there.

MR. NEARY: No. I may as well have been there. I know, Sir, who worked hard, who worked extremely, extremely hard. But, Mr. Chairman, be that as it may, I hope that matter is resolved now. I hope it is.

AN HONOURABLE MEMBER: No, you know nothing, "Steve".

MR. NEARY: Ah, Mr. Chairman.-

MR. MORGAN: You were hoping it would be prolonged and prolonged and prolonged.

MR. NEARY: Mr. Chairman, that kind of a remark is hardly worthy-

MR. MORGAN: That was your hope -

MR. NEARY: - it is hardly worthy of any recognition at all, Sir.

MR. MORGAN: More labour unrest you want in the province -

MR. NEARY: Mr. Chairman, that kind of a remark, Sir, will only lead to the downgrading of this House, and I ask Your Honour to ask that Yahoo to retract that remark, Sir.

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

Two wrongs do not make a right. I am sure the honourable member is aware of that and the honourable member from Bonavista South as well. The debate has been temperate to date. I think the honourable member has been relevant. There are times he has bordered on the irrelevant and at times he has walked the razor's edge. However, he does have the right to be heard in silence, and interruptions of the honourable member will be made by the Chair.

MR. NEARY: Thank you, Mr. Chairman.

MR. MORGAN: Mr. Chairman, on a point of order. He referred to me as a Yahoo. I would like to have that remark retracted.

MR. NEARY: Does Your Honour want to rule on that?

MR. CHAIRMAN: Well, that may be a difference of opinion between two honourable members, although I do not think we can get it under that heading. It seemed to be made in a rather jesting mood by my honourable friend from Bell Island. I do not think that a general insult was meant

by it. I ask him if he might rephrase his remarks so that this matter does not get out of hand.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Make sure it is water this time.

Mr. Chairman, as I said a few moments ago -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: As I said a few moments ago, Mr. Chairman - did Your Honour ask me to retract? What did -

MR. CHAIRMAN: The Chair is not going to make a great issue of this, but in Hansard it all looks the same no matter what the expression is on the honourable member's face when he makes it. It all appears the same when it is reduced to print. So, I would suggest the honourable member might rephrase his remarks. I am sure he can be uncomplimentary in a parliamentary way.

MR. NEARY: Mr. Chairman, I will not rephrase it, I withdraw it altogether. It is really not worthy, Mr. Chairman, of comment. There are far more important matters, Sir, to be discussed under this department than to listen to the interruptions that come from the other side of the House, Sir.

AN HONOURABLE MEMBER: From the Yahoos.

MR. NEARY: From the so-called Yahoos. I do not know who they are, Sir.

Mr. Chairman, the Minister of Manpower and Industrial Relations, Sir, right at a crucial time in our history, I must say has given this honourable House today a very, very disappointing report of the past year's activities and what we can expect in the year of 1975 of our -

AN HONOURABLE MEMBER: 1980.

MR. NEARY: 1980 of Our Lord. The minister, Sir, did not in any way, shape or form indicate to this House and to the people of Newfoundland what actions for instance the government proposes to take on this matter of work interruptions, the number of illegal strikes, the number of lock-outs, the number of legal strikes that have taken place in this Province over the last year or so, and a sort of a backhanded hint from the minister that he expected some pretty turbulent times ahead.

The minister, Sir, kind of threw up his arms and said, well this is happening all over the world. It is happening all over North America. So, poor old Newfoundland is no exception. There is nothing we can do about it because it is a fact of life. It is happening in every other country in the free world where men and women have the right to go on strike. So, poor old Newfoundland is not going to try to rock the boat. We may as well go along, prod along

at asnaill's pace and accept this as a fact of life because the minister left the House with the distinct impression, Sir, that there is not a thing that can be done about it. It is a funny thing about this administration, Mr. Chairman, when they get themselves boxed in, when they do not have the answers to problems, and the Minister of Fisheries and the Hon. the Premier and the Hon. Minister of Industrial Development are all experts on this, they will get up and say oh, well blame it on galloping inflation but we have no control over galloping inflation here because it is happening all over the world.

AN HON. MEMBER: Inaudible.

MR. NEARY: That is right, Sir. And this is the argument they use. And yet, Mr. Chairman, every report that has been written both on a federal level and on a provincial level indicates beyond any shadow of a doubt that there are things that can be done within the Province that can help solve these problems.

Mr. Chairman, over in England, in Great Britain, when they had the general election there a few months ago the big issue in that election, Sir, the big issue in that election was -

AN HON. MEMBER: The Common Market.

MR. NEARY: No, Sir, it was not the Common Market. It was precisely the same problem that we are facing here in Newfoundland today, and anybody who followed that election, Sir, day by day, read the newspapers, read the magazines and so forth all you had to do was remove the name Great Britain, put Newfoundland in, and you would swear that they were talking about Newfoundland. And during that great election, Sir, that saw the Labour Party swept back into power -

AN HON. MEMBER: Inaudible.

MR. NEARY: - there evolved a sort of a new term that the people of Great Britain, that the people of Europe, and the people of North America had never heard before, a term coined, I suppose, by Mr. Wilson -

AN HON. MEMBER: Inaudible.

MR. NEARY: No, not Mr. Don Wilson, by Mr. Wilson and the members of the Labour Party called the social contract, honourable members will remember that the whole election platform, the whole theme of the election was based around the social contract. And now if Mr. Nixon

had gotten the chance to carry on down in the United States he was just starting to get into this -

AN HON. MEMBER: Inaudible.

MR. NEARY: He was just starting to get into this concept of the social contract. And President Ford since he became President of the United States is sort of hinting at the same sort of thing. And right here, Sir, a little closer to home, in Ottawa, Mr. Trudeau has already taken steps to bring labour and management together.

AN HON. MEMBER: Inaudible.

MR. NEARY: To bring labour and management together, Sir, in an attempt -

AN HON. MEMBER: Inaudible.

MR. NEARY: in an attempt to try and do something about the poor labour-management relations that we have in Canada and in Newfoundland.

Now, Sir, I was over in Ontario there a few weeks ago and I brought back with me a copy of a report that was done for the Government of Ontario, I think, something like eight or ten years ago, done by a gentleman who has been in this Province, none other -

AN HON. MEMBER: Inaudible.

MR. NEARY: No, Sir, I was not on an Anti-poverty Conference, I would prefer to see welfare recipients go on these kinds of conference not the well-to-do people, not the townies.

AN HON. MEMBER: Inaudible.

MR. NEARY: And I brought back a copy of a report, Sir, that was done for the Government of Ontario by none other than Justice Rand, a gentleman who developed the Rand Formula, the Formula that has become so popular between labour and management. And I brought the report back with me, Sir, and I went through it from one cover to the other, I read everything in that report. Now that report, Mr. Chairman, was shelved by the Government of Ontario because when things are prosperous, and things were prosperous eight or ten years ago when the report was commissioned, unemployment was just starting to climb slightly in Ontario,

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it went up to about six or seven per cent and then it dropped back  
again. Things got

fairly prosperous, the report was presented to the Ontario Legislature but it was never implemented. None of the provisions of that report, Sir, were ever implemented. But, Mr. Chairman, there are some good recommendations in that report. Justice Rand, Sir, even back as far as ten years ago was thinking along the same lines as Mr. Wilson, the head of the Labour Party in Great Britain, the President of the United States, Prime Minister Trudeau and others in North America. They were thinking along the same lines, Sir. They were on the same trend of thought that the only way that you can solve this problem between labour and management is to get the two parties -

MR. CHAIRMAN: Order, please!

It now being six o'clock, I leave the Chair until eight o'clock this evening.

The committee resumed at 8:00 P.M.

Mr. Chairman in the Chair.

MR. CHAIRMAN: Head 501-01.

The Hon. Member for Bell Island.

MR. NEARY: Mr. Chairman, I wonder if we could have a quorum before I get started up. Is there a quorum, Mr. Chairman?

MR. CHAIRMAN: We have a quorum.

MR. NEARY: Well, Mr. Chairman, when the committee rose for supper, I was in the process of pointing out to the Minister of Manpower and Industrial Relations the amount of research that has been done into this matter, this great problem that is plaguing North America, Canada and Newfoundland. I was pointing out to the minister all the research that has been done into this matter, and I was briefly discussing the Rand Royal Commission Report that was made to the Government of Ontario. Now I know that honourable members are not interested, Sir, in whether they did a Royal Commission Report in Ontario or not.

SOME HON. MEMBERS: (Inaudible).

MR. NEARY: The honourable members are more interested in localizing the matter and discussing what we think can be done here in Newfoundland to try to remedy the very serious problem that we have in this Province of work stoppages and work interruptions through strikes and lockouts, both legal and illegal. The committee will remember before we rose for supper that I had given the Minister of Manpower and Industrial Relations a slap on the wrist for his very dull, uninspiring, introductory remarks that he made into this very, very serious subject.

The minister, Sir, lectured to the House at some length giving himself the odd little pat on the back and giving his staff the odd little pat on the back, and I have no doubt, Sir, but the pat on the back to the staff was well-deserved. Because when I was acting minister of that department, Sir, and I was acting minister for almost a full year, I found the staff down there to be very co-operative,



very highly qualified, Sir, and were trying to do the best they could under the circumstances. Because somehow or other, Mr. Chairman, somehow or other, especially the lawyers in the Cabinet, look down their nose at the Department of Manpower and Industrial Relations, look down their nose at the Department of Labour for some reason or other that I could never put my finger on, and I can see that things have not changed all that much. I would gather that from the remarks of the minister this afternoon. They are still

plodding along, Sir, plodding along at a snail's pace. The minister tell us and we have heard this now three years running that we are going to have a new labour code in this Province. Well, so, Christmas is coming too, Mr. Chairman. When are we going to have this labour code? Are we going to have it this session of the House? We were promised it the last session and the session before that. We were promised a labour code in two provincial general elections and we have not seen any sign of the bill, of the legislation being brought into this House yet and when it is brought in, Mr. Chairman, I will make you a prediction here and now, that all it will be, Sir, is a consolidation of the laws of the statutes that are presently on the books. There will no new innovation, Sir. At least, the minister did not indicate any this afternoon. It will merely be a consolidation. They will take all the labour, all the good labour legislation that was passed in this honourable House, brought in by the former Liberal administration, Labour Relations Act and all the other wonderful pieces of labour legislation that were brought in here and they will all be put under one act. They will all be put under one act, Sir and they will call it the labour code.

Now, this is their major reform. This is their great contribution to this great problem, Sir, that we have before us.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Everybody in this Province knows where I was, Sir, during the IWA dispute. I was Secretary Treasury of the Newfoundland Federation of Labour, violently disagreed with the government of the day, have never changed my mind, and disagree with their actions right up to this very moment.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, when I joined the government, the IWA legislation, anything that was on the statutes in connection with

the IWA was removed, wiped off, rescinded. If my learned friend had been in the House when this legislation was rescinded, my honourable and learned friend from Placentia West would have seen me rise in my place in this honourable House as a Cabinet minister in the former administration and tell the story as I saw it at that particular time. But, Sir, that is all water under the bridge. What we had to do, Mr. Chairman, we had to look to the future and if we cannot look to this administration to bring in the major reforms that we need, Sir, to try to correct this cancer that we have in our society, then we will have to depend on my colleague, the Leader of the Opposition to do it because we have had a number of administrations in this Province, Sir, since we have had self-government, but we have not yet had the Roberts administration.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: We have had the Squires administration. We have had the Bond administration. We have had the Smallwood administration. We now have the Moores administration. But we have not yet, Mr. Chairman, had the Roberts administration.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, we will - we cannot - I have said this so often, Sir, I have said this so often, Mr. Chairman, that we cannot shape the past, Sir. We can only interpret the past, but we can shape the future. If this honourable group of gentlemen, Sir, who comprise the administration today are not prepared to face this problem head on, not to be cowardly about it, to have the courage of their convictions, then, Sir, we will have to wait until my colleague, the Leader of the Opposition, forms what will be known as the Roberts administration.

MR. EVANS: Inaudible.

MR. NEARY: Now, Mr. Chairman, this is a very, very serious matter, Sir.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, what we are talking about here, Sir, -

MR. CHAIRMAN (Stagg): Order, please! Order, please! Gentlemen, we have a long evening ahead of us and I suggest we are off to a rousing start. The honourable member may make prevocative statements. I would ask honourable gentlemen to my left to restrain themselves. They have the right to speak.

MR. NEARY: Mr. Chairman, we are talking about a very, very serious problem here, Sir, because everyone in this honourable House knows Mr. Chairman, that for every hour that is lost through a work stoppage, through a strike, whether it is legal or illegal, whether it is a lockout or whether it is a wildcat strike, Sir, every hour that is lost, Mr. Chairman, cripples our Gross Provincial Product. I would submit, Mr. Chairman, that it even goes deeper than that, Sir, it affects to a great extent the standard of living of all those people, Sir, who are involved either directly or indirectly in such strikes and lockouts. That is as plain as the nose on your face, Mr. Chairman. I would submit to this committee that it might be worth our while while we are on the minister's salary to spend an hour or so on this matter of work stoppages throughout the Province. It might be worth our while, Sir.

I would submit to Your Honour that most politicians, Sir, are afraid, are too cowardly, do not know how to approach this problem. They are afraid to talk about it. They are afraid they may be branded as anti-labour or they may be branded as anti-management. I would say to Your Honour that as elected representatives of the people that this would be a very, very unfortunate and cowardly position for us to take. Mr. Chairman, we can approach this problem without being considered to be anti-labour or anti-management. We can approach this problem, Sir, in a constructive and a positive way.

In my opinion, Mr. Chairman, if we are going to restore industrial relations and industrial peace in this Province, Sir, then what we should do, Mr. Chairman, is to appoint, and I am glad that the honourable the Premier is in his seat because this is a very, very important topic.

MR. EVANS: Inaudible.

MR. NEARY: How do you put up with him? Mr. Chairman, I would love nothing better, Sir, tonight than the honourable the Premier to get into this debate boots and all because this is a very, very important matter. It is affecting our whole economy. It is affecting the standard

of living both directly and indirectly to all those people who are affected by work stoppages, work interruptions, strikes, whether they be legal or illegal.

I would go as far as to say, Mr. Chairman, that most workers, whether they are the ones involved in the strikes, whether they be legal or illegal, are fed up with strikes. The public are fed up with strikes. The public are fed up with business and industry closing down.

MR. EVANS: Inaudible.

MR. NEARY: But everybody is afraid. Nobody would dare mention this problem because somebody might point the finger at them and say, oh he is anti-labour or he is anti-management, anti-employer. So, Mr. Chairman, what is the answer? What is the answer? The only thing thing that I can see to do, Sir, is for this House to appoint a Select Committee to examine the proposal that I have made on a number of occasions both inside and outside of this honourable House, examine a proposal that is similar to the social contract that was the big issue in the election in Great Britain there a few months ago,

a Select Committee, Sir, to take a good, hard, serious, sincere look at appointing my answer to the social contract, a Newfoundland Productivity Council.

Now, Sir, you may say, well what would be the purpose of setting up this Newfoundland Productivity Council. Well, Sir, I do not know whether it would work or not. I have no idea. It may. I would personally take the optimistic viewpoint. I would hope that a Productivity Council, comprising of representatives of management and labour from all over this Province, a meeting that the Premier promised us two years ago, a year-and-one-half ago, can sit down together, experts from the staff, if you want, at Memorial University, people in the vocational and technical field, representatives of labour and management, top civil servants, all sitting down together, Sir, trying to hammer out a solution to this problem. Why, Mr. Chairman, if we allow it to go on, if we allow it to continue on, it is not going to get better. The minister this afternoon indicated that it is going to get worst. He said that we are in for a rough year. What do we have to lose, Sir, by appointing this Productivity Council? I mean we only had last year, out of ninety strikes in this Province, seventy-five were illegal. Can our record get any worst than that? If we appointed a Productivity Council, Sir, could we have a worse track record this year? Sir, it may not be the answer but it is a lot better than nothing. It is a lot better than hearing the minister get up in the House this afternoon and lecture the members of the House as if he were having his annual meeting of his staff down in his department. There is not one inspiring idea, not one suggestion of how the government was going to approach this problem of work stoppages through strikes and lockouts.

Mr. Chairman, let me make one thing abundantly clear that I am not placing the blame on either side, because I think that both parties are equally responsible for strikes and lockouts and whether they are legal or illegal. Both sides must share the blame, Sir. I am not afraid to talk about it.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Chairman, in my opinion the present method, the present procedure, Sir, is primitive and negative and needs to be updated. I do not think for one minute that a group of civil servants, with all due respect to these gentlemen down in the minister's office, can put together a proposal, Sir, that will go anywhere near solving this problem. It has to be done, Mr. Chairman, it has to be done independent of the civil servants, independent of this House, it has to be done outside of this House by a group of sincere, dedicated men who are prepared to come to grips with this problem because it is affecting our Gross Provincial Product, and it is affecting the standard of living of every Newfoundlander, Sir. And it is easy enough, Mr. Chairman, for us to sit back and say, oh yes, sure, we do not blame the workers for walking off the job, looking for a few extra dollars in these days of galloping inflation and somebody else saying, oh we do not blame management for locking them out, and somebody else saying, oh we do not blame the employer for not giving this \$2.00 or that \$4.00 or we do not blame the union for going on strike because of certain working conditions or because they brought some pipe fitter in from the mainland.



It is all very well, Sir, we can sit back and make all the observations and we can make all the comments we like but the situation, in my opinion, is going to get progressively worse unless we are prepared as elected representatives of the people to take the bull by the horns and show the people of this Province that we can come to grips with this problem and we can do something about it. (It is only water).

Mr. Chairman, a Productivity Council - and I do not know - the Hon. the Premier has often accused the Opposition of not making a positive, constructive recommendation or a positive idea -

AN HON. MEMBER: Inaudible.

MR. NEARY: Well, Sir, I am putting one out tonight.

A Productivity Council, Mr. Chairman, will not only take a look at the causes of these problems, will not only research the root cause but will also try in some measure, Sir, to relate productivity to wages earned. Because, Mr. Chairman, I do not care whether we like it or not, and whoever does not like it can lump it, but somehow or other, Sir, we have in this Province have gotten the Santa Claus syndrome, that somehow or other we do not relate to the benefits, the standard of living we have, we do not relate it to productivity. We do not realize, Sir, that for every dollar that is spent there has to be a dollar earned. Would not, Mr. Chairman,

AN HON. MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, would not a Productivity Council, Sir, if it were appointed be able to somehow or other, I do not know whether we can change this generation, the thinking of this generation, we may change the thinking of the next - would not a Productivity Council, Sir, be able to take a hand, be able to persuade our educational authorities, be able to persuade the students at the College of Trades and Technology and all the district vocational schools in this Province, the students of our high schools, would they not somehow or other be able to persuade the Minister of Education and his colleagues to include in the curriculum a course, a subject on labour-management relations or in labour relations. The Newfoundland Federation of Labour, Sir, has been trying to get that for years and years. When I was with the

Federation of Labour, let me see how long ago that was,

AN HON. MEMBER: Inaudible.

MR. NEARY: 1960, I think it was, fifteen years ago. When I was with the Newfoundland Federation of Labour, Sir, I used to nearly go out of my mind when I would stop to think -

HON. MEMBERS: Inaudible.

MR. NEARY: when I would stop to think, Mr. Chairman, that in our schools there is nothing in our curriculum - and the Minister of Education knows this - nothing to -

AN HON. MEMBER: Inaudible.

MR. NEARY: Well maybe they have a mild attempt at it but the Minister of Education knows that there have been no real effort made to include the matter of labour relations in the curriculum of our schools. And the Newfoundland Federation of Labour have been asking for it for years.

Mr. Chairman, I went recently, members will hardly believe this, I went recently to address a group of students who were doing an Industrial Relations Course. Some of them were mature students, some of them had never worked, some of them had some work background, and some of them had been members of unions, and I asked these - there were about fifty students in that class - and I asked them right point blank, because they were expecting me to come in to lecture to them like some of the professors over there at the University, get out your textbook and read out your lecture. I said to them, look any of you fellows here know anything about the trade union movement or anything about labour-management relations? Now remember these students are almost ready right now to go out into the work-a-day world.

MR. NEARY: Put up your hands, I said, anybody who has ever been in a labour union, anybody who has ever worked, anybody who knows anything about the trade union movement. Every single student in that class, Sir, had to confess to me that they did not know but the trade union movement was fit to eat. Would members believe that?

AN HON. MEMBER: After twenty-three years.

MR. NEARY: What do you mean after twenty-three years? What does that have to do with it?

Mr. Chairman, they did not know anything about a matter that would probably have more influence and more affect on their daily lives than anything else in society today, the trade union movement. They did not know anything about it. They knew less about the labour laws of the Province and why wildcat strikes take place, all they know is that somebody was breaking the law. They did not know why.

Mr. Chairman, I was amazed and I was shocked, I was not surprised, I suppose I should have known better. But, Sir, there is no doubt about it that the trade union movement in growing in Newfoundland, with this great victory that the trawlermen will have under their belt. The quiet revolution that is taking place in this Province is going to encourage other workers to get organized into unions. If we are not prepared, Mr. Chairman, if we are not prepared to at least include in the curriculum of the schools something in connection with the trade union movement, labour-management relations, Sir, we are not worthy, Sir, we are not fit to sit in this honourable House as elected representatives of the people and we should be all thrown out on our ear.

MR. MURPHY: They made that resolution, the federation -

MR. NEARY: Yes, Mr. Chairman, they have made the resolution. It has been put in every brief I suppose that has been presented to government for the last fifteen years. But somehow or other, I do not know why it is, why the Minister of Education the other day, a couple of weeks ago, brought in a book called "Dory Loads". Dory loads of what I do not know but it is an interesting book, I read it. That is included

in the curriculum. We are going to have a school of music over at Memorial University and we are going to have this and that and the other thing. But nothing, not a sound, not a word, Sir, about a subject that is going to affect the lives of more people than anything else in society today. Not a sound, not a move, to include this in the curriculum.

All we learn in school, Mr. Chairman, and you probably heard this when you were growing up, I know I did when I was a young rebel going to school and I am sure the Minister of Mines and Energy felt the same way, that all we learn in school is about the capitalistic system. All we learn is about the value of the almighty dollar. We learn nothing about the trade union movement. Is it any wonder that when we get out in the workaday world that we do not know what bargaining is all about. We have not been taught it. We do not know the background. The only thing we know about a union is that when your contract is up you send your negotiating committee down and try to negotiate a new contract and then you block the union hall, everybody comes out when you got a big issue going, especially if there is the threat of a strike. Everybody goes to the union meeting. She is blocked. You cannot get inside the hall. About eleven months out of the year, Sir, when there is no contract you will find that the attendance at these union meetings, and I was a union man for fourteen years, and this is not a criticism of the trade union movement and I hope the press will not interpret it as what I am saying tonight I am quite sincere as a criticism of the trade union movement, it is not, Sir, a criticism. I am looking at this thing very, very objectively.

About eleven months out of a year nobody attends the meetings. They cannot even get a quorum. They cannot get a quorum, Sir.

So all they know, all most people know about the trade union movement is that you go in and you negotiate a contract for better hours, better working conditions and that is it, and then you are on holidays, you pay your union dues and you are on holidays then for the next eleven months. You do not have to do anything.

Well, this is wrong, Sir. This is wrong in my opinion. It needs to be rectified. I do not know how we can rectify it. You cannot force people to go to meetings. Maybe meetings are too dull. Maybe in this day of better communications, electronic media, maybe there is another way to do it. I do not know. The only reason I am throwing it out tonight is for this honourable House to think about it because it is a problem.

If we do not think about the problems of this Province, who is going to think about them? Maybe, Mr. Chairman, this is why I raise this matter, maybe it is because the matter of the trade union movement labour-management relations is not included in the curriculum in the schools. Maybe we are not educated into it. If we only realized, Mr. Chairman, if we only stopped to think of the great battle that took place in North America by the trade union movement for recognition. How sacred that right is, Sir, to join a union. If we only stopped to think about it. If we could only drill that into children's heads when they are going to school, I am sure, Sir, that we would have a much healthier situation than we have today.

Mr. Chairman, the Minister of Labour, the Minister of Manpower and Industrial Relations this afternoon when he gave his few introductory remarks just brushed this matter aside by making a general statement, ninety work stoppages in 1974 of which seventy-five were illegal. That is it, period, full stop. He did not tell us what he is going to do about it.

Well, I have thrown out a suggestion tonight, and I would like to get the views of other honourable members on this suggestion. Setting up a Select Committee of the House, Sir, to take a look at appointing a Provincial Productivity Council comprised of representatives of labour, management and other sectors of the community and such council

in turn, Sir, be given the responsibility of scanning the Province to look for symptoms of trouble, determining and rooting out the causes of trouble before the problems become confrontation, and try to get Newfoundlanders to produce more, Mr. Chairman.

Is that anti-labour? Is that anti-management? Is that partisan politics? Is it, Mr. Chairman? Or is it a positive, constructive suggestion that the Premier has been needling us about for the last couple of years? What do we have to lose, Sir? I would submit, Mr. Chairman, that we have nothing to lose. I think now, Mr. Chairman, that the time has come for us to sit down like men and have the courage of our convictions and face up to this problem.

I would say that if we were to do that, Sir, that Newfoundland may be a better Province as a result of our taking that sort of positive, constructive action. I would say, Mr. Chairman, that the government that does it will gain the respect of every worker and of every employer in this Province. People are fed up, Sir, are fed up with work stoppages, whether they are legal strikes, whether they are illegal strikes, whether it is a company closing down a mine, or whether it is a lockout on the part of the company. People cannot afford the loss of income, Sir, and they are looking to the authorities to do something about it.

I do not mean, Mr. Chairman, doing something about it by clobbering one side or the other. That is not the answer. That is the whole trouble, Sir. It is the whole trouble, Mr. Chairman, You have two armies lined up. You have all the employers, representatives of management on this side and you have all the representatives of labour on this side. Two great armies, a

great struggle going on, a great battle going on, and, Sir, as long as they stay in their respective corners, does Your Honour think that this situation will improve? No, Sir, they have to be brought together and I am not talking about banging their heads together either. They have to be brought together because it is a very, very sensitive problem we are talking about, Sir. They have to be brought together as diplomatically as possible, to sit down. I know, Mr. Chairman, I know, I can hear it now. No! No! Unions should not give up the right to strike. Maybe they should not. Employers will disagree, but Mr. Chairman, is there an alternative to the strike?

We are told, Sir, that compulsory arbitration is not acceptable. I have always been sold myself on the idea of profit sharing, but somehow or other, Sir, I have to confess that the idea of profit sharing is not acceptable. So compulsory arbitration is not acceptable and I hope the minister has not got that in his mind to put in the new labour code, profit sharing, making the employees a part of the business and letting them share in the profits, which will come, Sir. I will make you a prediction right now. That will come in the next five or ten years. But at this very moment it is unacceptable.

So, we are stuck with the negative situation. We are stuck with the work interruptions and stopages being brought about by strikes and lockouts. It is a two way street, Sir. One party is as much to blame as the other, but everybody seems to be getting fed up with it.

So, Mr. Chairman, I do not know whether the Premier is listening to my remarks or not. I hope he is because, Sir, I can tell you that my few remarks are being made in all sincerity. They are being made in good faith, Sir, because, Mr. Chairman, I know that when we seventy-five illegal work stoppages and fifteen legal work stoppages in this Province, Sir, that we see the multiplier

effect that Joey used to talk so much about, we see it working in reverse and we see gigantic losses to families directly involved in work stoppages and to families who are indirectly involved and it effects our prosperity, Sir, and it effects the standard of living of all people in the local community and the provincial community and if you want to apply it to our nation as a whole.

Maybe, Mr. Chairman, maybe the honourable members do not grasp what I am trying to say. I am trying to steer it down the middle and at the same time as emotionally as I can, without taking sides, bring this problem forcibly to the attention of members on the floor of this honourable House. I can do no more, Mr. Chairman. I can only do my duty as a member. I can only try to persuade members, both on the government benches and on this side of the House to listen to reason, to listen to this suggestion. Is it a good one? Is it a bad one? Will members get up and say, look, you are full of beans, it is not worth the paper it is written on. Or will some members get up and say, boy, that is a pretty good idea but I do not think it is going to work. Maybe we are too pessimistic.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: I beg your pardon?

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: My suggestion, Sir, is that a Select Committee of the House be appointed as quickly as possible to explore the possibilities and make recommendations upon the setting up of a provincial Productivity Council comprising of representatives of labour, management and other sectors of the community and that such a Productivity Council be given the responsibility of scanning the Province to look for symptoms of possible trouble and try to head off trouble before it takes place, root out the causes of the



problems before confrontations take place. I think we have to do this, Mr. Chairman, because I need not remind honourable members of this House that we have the second lowest per capita income in the whole of Canada in this Province, and we can ill-afford, Mr. Chairman, to let the situation just go on on its own without any direction, to go on, Sir, without any direction from the minister or from the government. We can ill-afford that. But that does not mean, Sir, and I have to keep repeating this because of the fear that I have of being misquoted or misunderstood, that does not mean, Sir, that I am taking sides. I am not. Both sides are to blame. And it may be caused, as I indicated a few moments ago, because of the lack of education into the trade union movement, because the Minister of Education has not seen fit to include this subject in the curriculum of the high schools, not the minister personally, not this particular minister.

But, Sir, it is going to have to be done so that when our young men and young women graduate, whether it is from the university, the College of Trades, the new polytech we are going to have or the vocational schools, that they will go out into the world, out in this workaday world of ours they will know or they will be well-informed about the trade union movement, they will be well-informed about labour-management relations, they will know how to negotiate, they will know how to be shop stewards, they will know how to be good trade unionists, good labour leaders, and they will know how to be good representatives of management.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Well, Sir, I do not know. Maybe I am asking too much. I think myself that Newfoundland would be better off for it. I may be wrong. Maybe a Productivity Council would fail. The social contract in Britain has not failed, Mr. Chairman. President Ford is taking a look at something similar in the United States. Do you remember a few weeks ago he called together all the representatives of labour and

management in the United States? And Prime Minister Trudeau up in Ottawa is about to do the same thing, if he has not already done it. He has done it a couple of times.

MR. EVANS: He did not do it to Hermitage.

MR. NEARY: But, Mr. Chairman, ninety per cent of the problem that I am talking about comes under, well not ninety per cent, ninety-eight per cent comes under provincial jurisdiction. And so it is up to the Province to come to grips with the problem and to try to embrace any opportunities that are there and to use every imagination or any brains that we have in an attempt to resolve this problem, Sir, if we are going to survive in this Province. God only knows that our Gross Provincial Product is low enough. We have the second lowest per capita income in the whole of Canada. If we are going to keep on demanding things, Sir, keep on demanding things that will help us to live better, then we are going to have to become a little productivity minded. And the minister made no reference in his uninspiring, dull, introductory remarks that he gave when he was introducing his estimates in this House this afternoon.

I would submit to you, Mr. Chairman, that this administration have no labour policy. They have been inconsistent in the way that they have been handling the labour management problems that have cropped up in the last few years. Some times the Premier sees fit to get in, boots and all -

MR. CHAIRMAN: Order, please!

This rule has not been evoked previously to my knowledge. However in reading the Standing Orders, it is clear that no member may speak for more than forty-five minutes in any debate. This is a debate. However, the honourable member may speak more than once in the debate. The honourable member has spoken for forty-five minutes now. However, I will allow him a few more minutes to clue up his remarks initially. This, of course,

means that the honourable member may speak again on this heading but the purpose of it is so that other honourable members may have a chance to speak as well.

MR. NEARY: Mr. Chairman, that is the first time, Your Honour, that that kind of a ruling has been made in this honourable House, and I am not certain at the moment just where I stand on it. Because my understanding is, Sir, that we have seventy-five hours to debate the estimates and there is no restriction or there has not been up to now, Sir. I do not know if there is a new interpretation being placed on it, I am not questioning Your Honour's ruling, but whether there has been a new interpretation placed on the rules. Because up to now there has been no restriction whatsoever, that members of the Committee, when you are in Committee, can utilize that seventy-five hours in whatever way they see fit. I would submit, Your Honour, that Your Honour had better take a second look at that ruling.

MR. CHAIRMAN: Yes. As I opened my remarks I indicated that this ruling had not been made before. However, section 49(a) is quite clear on the subject; "No member may speak more than forty-five minutes in any debate unless he is the Premier, the Leader of the Opposition or a person moving a motion of 'No Confidence' in the government." This is a debate -

AN HON. MEMBER: No, no it is not a debate.

MR. CHAIRMAN: It is a debate on the Estimates.

MR. WOODWARD: No, Mr. Chairman, -

MR. CHAIRMAN: Order, please! The honourable member may speak as many times as he wishes but other honourable members must have the opportunity to speak as well. Otherwise, an honourable member might speak for the whole seventy-five hours.

MR. NEARY: That is quite right.

MR. EVANS: (Inaudible)

MR. NEARY: That is the way the rules are, but anyway, Mr. Chairman, I am getting rather hoarse now and perhaps one of the other members of the House may wish to make some comments on some of the points that I have raised. Then when I hear what the honourable members have to say, Sir, I will plough on again for another forty-five

minutes or a half an hour or so. And after I hear the comments again and especially from the minister, I may carry on for another forty-five minutes, I do not know. Perhaps one of my colleagues might want to say a few words.

MR. CHAIRMAN: The honourable the Member for Twillingate.

MR. H.W.C.GILLETT: Mr. Chairman, I have listened with interest to the remarks made by my colleague, the Member for Bell Island, I only wish he could make them and would make them in the proper place. This House of Assembly is a good place to make them but they are not falling on to the ears of people who should be listening today. Because productivity, as you know, is our biggest downfall, not only in Newfoundland but in Canada.

Not too long ago I read that Canada's productivity is far, far below any other industrialized nation on earth. Far below. It certainly is our biggest problem today. We worry about foreign fishermen exploiting the fish stocks on our shores and beyond our shores, but we have something that is foreign to Newfoundland, always was foreign to it, into the minds, into the lives, into the hearts, into the working hands of our people, we are not producing. This, Mr. Chairman, is just as great a threat, I believe, as the honourable Member for Bell Island has said. It is just as great a threat to Newfoundland and to our way of life as any other threat that we have. It is a far greater threat, in my mind, than the foreign fleets fishing off our shores. Because do we have the men to go there and fish? :

This afternoon the honourable the Minister of Manpower and Industrial Relations mentioned in his speech whether or not our people would want to go where the work is for them. We must try and create work, he said, and then find out from the people whether or not they want to go where that work is.

Mr. Chairman, I think that the suggestion made by the honourable Member for Bell Island is a good one. What it will do to increase our relationship, our productivity, is more than I can

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say. I am not too sure that the profit-sharing is the answer  
either, because there are not always profits.

There are no profits in the fishing industry today. They are losing, losing considerably. So you cannot apply it in the fishing industry. We have losses in other industries through which productivity cannot apply. Incentive? Yes. The incentive to produce more, and the more produced, the more the producer receives. I am all for it. I am all for it, Mr. Chairman. I think we should have more of it. But I doubt very much whether any negotiating team will be willing to sign on the profit or loss basis. I am very doubtful if they would.

I do remember, it is many years ago, oh it must be twenty or twenty-five years ago the then reports that he predicted at that time was the labour unrest that he had in his industry. That he predicted within twenty years or so the employees would have to be shareholders in the company. I think that many companies are doing that today. Many industries are going in for that kind of a concept of giving their employees shares in the company, an incentive to produce more.

I do not know whether I mentioned, it seems to me that I did mention this last year, in the bricklaying industry, for instance, in the United States every year the Bricklayers Union would put off a contest in the various parts of the United States, and a bricklayer who does not meet the requirements of the union cannot be certified. This is something else that I think we should have in this Province.

I have a feeling now, Mr. Chairman, that I could go into say, for instance, Grand Falls and pay my fees and become a member of the Carpenters Union, and probably I would not be asked if I can even sharpen a pencil, and go out with a piece of paper and say I am a carpenter. The same thing applies with our service industries. We go into a garage to get an automobile fixed, and the owner of that service station, that garage will charge us \$15.00 an hour, and those of us who know anything about machinery, if we stand and watch the man doing the job, we realize, oh my God if only I had my overalls on how much better I could do it and how much quicker I could do it, he does not know what he is doing. Nevertheless he has a piece of paper from a trade school or from somewhere, and that piece of paper enables his employer to charge as much as \$15.00 an hour. It applies

to all of our services industries. Ask anyone who knows, I am one of them.

To get somebody to come on board of a ship to fix a radar, for instance, or a radio-telephone, you are paying him to learn his trade, that is what it amounts to. I think, Mr. Chairman, that a great deal has to be done. Whether or not this generation will see it is more than I can say, as well as my colleague for Bell Island.

But I wholeheartedly support his proposal. It is a good one. And whether it will work or not is more than I can say but it is something that is worth giving it a try, Mr. Chairman. I think that is about all I have to say now, perhaps when we come to the various headings there might be something else. But feeling strongly the way I do about our productivity in this Province, and I am not alone in that, Mr. Chairman, and I am not taking sides with employers either. But I think that, and here again, I might sound a bit repetitious, but I have said this all along, if somebody or some government has to become unpopular in order to save Newfoundland or to save Canada, for instance, save the Western World, Mr. Chairman, some government have to become unpopular but in the end, I think, that the people will thank them. I would like to see this government or any government do what perhaps the honourable Member for Bell Island has suggested,



at least make that kind of a beginning and try and get people together, labour and management together. I think that has to be done, not only on a provincial basis but on a national basis and perhaps even on an international basis. Because as wages are negotiated upwards, every dollar that is being produced, Mr. Chairman, there is somebody always ready to get that dollar. That is what it is all about. So up goes cost, up go prices, up goes cost, up go prices. Fine. We could end up in getting \$100 an hour and paying \$90 for a pound of beef instead of \$1 an hour and \$.90 for the beef. The ratio is the same. But the sad part of it is, Mr. Chairman, that in order to arrive at that \$100 an hour, we lose extra number of millions of hours of manpower production. This is wherein the cancer lies, and this is the cancer that has to be taken out.

The relationship between management and labour now. I would say, Mr. Chairman, that there is a breakdown in communications in relationships even between the union and the union leaders. Because once upon a time the unions and labour did look to their leaders and obeyed their leaders. But today if a leader says, please, go back to work, you are striking illegally, they tell him to go to the same place as they tell the manager to go. There is a lot that has to be done, Mr. Chairman, and the type of leaders that we have, I think, will be the controlling factor in the future of the way that we shape our destiny as a producing Province, or even in Canada as a producing nation.

I do not know if there is much more than I can say now, Mr. Chairman, but I did feel that I had to support my colleague and friend from Bell Island because, I think, he was speaking not only my language but, I think, he was speaking the language of a great percentage of our labour force, a great percentage of it. And he was certainly speaking the language and voicing the sentiments of the ordinary citizen who suffers because of a strike, whether that strike

be illegal or not. So, Mr. Chairman, I hope that this government will accept the proposal of my colleague from Bell Island and select a committee to look into the feasibility of setting up a Productivity Commission, was it?

MR. NEARY: Provincial Productivity Council.

MR. GILLETTE: Council. And I hope we will see that before this session closes, Mr. Chairman.

SOME HON. MEMBERS: Hear! Hear!

MR. CHAIRMAN: The Hon. Minister of Social Services.

MR. MURPHY: Mr. Chairman, just a few words on this particular subject, because I think as both previous speakers have pointed out, it is something that is very pertinent as to what is happening in the world around us today.

Now perhaps we can go back in antiquity. The  
Hon.

member for Bell Island says it was back in 1960 where he was connected with labour. I can go back to 1936, Sir, when I was second vice-president of the Clerks Union on Water Street at that time attending federation meetings and we talked about - I heard the agreement reached between Dominion Stores the day before yesterday. I just said, God help us we have come a long ways.

Our first agreement on Water Street at that time, Sir, was to bring a married man from nine dollars to fourteen dollars per week. That was the first agreement we looked for. Now, that sounds startling and very startling when we talked of that, but we look at relative values of money, Sir, so on and so forth. We were very lucky, as I recall, back in those days. I was, as I say, on the executive of the Clerks Union. We had an outstanding man who used to address us once a week as a matter of fact in the newer building down there on what he called social justice. That man today is Bishop of St. George's, Corner Brook.

AN HONOURABLE MEMBER: Inaudible.

MR. MURPHY: Reverend Father McGrath, Father Dick at the time, who had just come back from the University of Washington and had made a study of human behaviour, if you like, and of social justice. In those days the creed was, an honest day's work for an honest day's pay, and the labourer was worthy of his hire. Now, these were two expressions you always heard. As we come on up through and I look back over the years I have been in this honourable House, and I do not wish to become political at this stage, but when I hear the member for Bell Island get up and try to tear the skin off the Minister of Labour because he decided that he would just review what his department has done, what they hope to do and without becoming overwrought or anything else on the thing, to sort of make a great political issue that the minister should have said this, should have said that, should have said something else.

Now, if we will remember - and perhaps I should not mention it but I have to - the strike that I hope is about to be settled, the member for Bell Island with others was saying, where is the government?

What are they doing? Get into this thing. I would like, Sir, at this time - I do not know if it has already been done - to acknowledge publicly the work that our Minister of Labour did, Sir, with his staff, by standing by and watching what was happening in that strike.

Now, we can argue both sides of this thing, Sir. Everybody says, look, I do not want to take sides or anything else. We are all like that. We do not want to take sides. We are politicians because we do not want to lose the employers vote. Well, what is far more important, we do not want to lose the 1,000 votes of the labour men. But, my mind harkens back to some two years ago when we had the strike on the Gulf Ferry, Sir, where we had hundreds and literally thousands of people, innocent bystanders, Sir, who were denied the right to move from this Province where they had been holidaying back to their native homes wherever they might have been, on the Mainland of Canada and/or in the United States. These people who came here of their own free will, Sir, at the invitation of this government, to spend some dollars as tourists, had to be assisted by ten welfare officers, Sir, of my department, in the provision of some food, some other necessities for children, for children and everything else. We had the story, Sir.

I am just trying to illustrate now, Sir, who wins in a strike. I do not know who wins, but I certainly know who loses, Sir, and that is the innocent bystander who has no more to do with causing the strike than the man in the moon if you like. Some three, four weeks ago I was in Ottawa at a conference. I was arranging to go to Montreal to visit some welfare officers there. I had a flight out of Ottawa. We went to the airport and were notified that our flight was cancelled because there was a strike on and no one to clean the runways. That was very good, Sir. I took the train. I waited and went and got a later train.

But, at that time, there was a lady there with five children who was booked to go somewhere else and there was no possible way she could go. So, I happened to chat with her about her problem. As a matter of fact, we helped her with a couple of packages she had and she

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had to return again, Sir, to get an hotel room for the night and it cost her, I think, an extra forty-five dollars that night, Sir, because the planes were not flying.

Now what in heavens name do that lady with the five children have to do with whether I got a raise or I did not get a raise or someone else got a raise. Someone says something has to be done. I do not know what the honourable Member for Bell Island is - this special committee and this committee and that committee and the other committee. But I do know, Sir, that since this government came in we have done everything in our power, Sir, to try to act as a go-between, if you like, when necessary, between employer and employee.

As far as the ordinary working person is concerned, Sir, our social legislation, I would say, is about the best in Canada today. I remember this honourable House, Sir, and the honourable Member for St. Mary's, the honourable Minister of Education, was Leader of the Opposition at the time, Sir, and the minimum wage at that time was \$1.25 per hour. We brought in a motion that it be increased to \$1.50, Sir, and there was consternation in the government ranks at the time, everything would crumble, Sir, that is only four or five years ago. But what makes it stand out in my mind, Sir, is the fact that the honourable Member for Bonavista North at the time, the honourable B.J. Abbot, that same afternoon rose in his place with a petition from the plant workers I think in Valleyfield, that they were only being paid \$0.85 an hour and they wanted more. He endorsed that right to the hilt, Sir. That was for the women at the time \$0.85 and for men \$1.25 and he spoke very glowingly what should be done for that. But still when our motion was put it was voted unanimously down, even by the honourable member opposite that they thought was too much.

MR. ROWE: You do not mean the honourable member for Bell Island.

MR. NEARY: No, the Minister of Fisheries.

MR. MURPHY: The vanishing Newfoundlander, Sir. Remember that famous night or famous morning at 2:00 A.M. when we were discussing, Sir, the famous hospital strike at the time where the ladies who worked in the kitchen for \$22 a week were the murderers. Remember this, they were the murderers and I came back, I remember I was off that night,

there were three of us in opposition and I came back here at a quarter to eleven with the honourable Member for St. Mary's and the honourable Member for St. John's East Extern and we sat there, Sir, and the vote was put about whatever measures were going to be taken and the Member for Bell Island and the then Member for Labrador West, Mr. Burgess, I will tell you you would want some trick fast camera to get their pictures vanishing through that door and somewhere to hide in one of the toilets so they would not be counted in that vote, that the government voted unanimously for, Sir.

Now we have them over here, now we have them over here, the great champions, the great champion of everything, do not do what I did, do as I say, because I am on Open Line. I am the great champion of the human race. The second coming, there he is over there.

But, Mr. Speaker, this question of labour, what is happening with labour and everything else, is a very, very serious problem and whether we are politicians or not, and the honourable Member for Twillingate and also the honourable Member for Bell Island, also put forth the facts. There used to be a saying years ago, wherefore and whither tending, and I ask that again, Sir, back in the old days we had the sweat shops, we had the old employer who used the employee to the hilt. I think we have gone a complete circle now, Sir. When you are selling a product, Sir, whether it is groceries, dry goods or anything else, you can come to any agreement with anybody because the next day all you need is a one per cent markup. You have your money back.

But, Sir, what worries me quite frankly is your public services. Here we are here, Sir, if we want our money where do we get it? Out of the taxpayers pockets. I was amazed a few short weeks ago when there was a prominent labour man on "Analysis", I think it was, and they were discussing this problem and he said how unfair it was, how the government were hitting below the belt, to say if they had to give an increase to the civil servants that they would have to raise taxes. In God's name where does the money come from, to run this House here, to run every

service we have. I am sure we do not chip in here between us to run this Province, but we put our hands in everybody's pocket and ask them to contribute their share. What the answer is, Sir, I do not know. I do not know. They say compulsory arbitration is out. We have over here, Sir, this great complex costing millions upon millions upon millions of dollars, that in my opinion will never be completed. The steel will rust out before we open the door, put a key in the door, because there has not been a month, perhaps I am exaggerating, but I suppose there has not been a month, Mr. Chairman, that there has been some type of strike going there at that. \$19 millions again this year into that?

AN HONOURABLE MEMBER: Inaudible.

MR. MURPHY: \$17 millions. Delays every day, every week, costs are soaring. Wildcat here, wildcat there. No, Sir, Mr. Chairman, this, as has been said again by the honourable Member for Bell Island, this is a very, very important department. I do not say, Sir, that this department is being shoved under the rug for any reason or anything else. This department does not originate this type of thing that we are talking about. They are the ones to try to protect our right, but basically they are the doctors and the nurses that come in and help. What this House decides to do, Sir, I would like for everybody to decide as representatives of this Province, Sir, not as a P.C. or a Liberal or a NLP or anything else.

I was amazed the other day, Sir, at the great outcry for democracy, democracy, when it was understood that someone had said that we had denied advertising to "The Daily News". Three or four labour leaders come out and said what a terrible travesty of justice, what democracy, and two weeks before one of the same labour leaders had his group picketing City Hall. They would not allow anybody in down there. What is democracy,



Sir? The rights of people, the rights of people.

So, Mr. Chairman, I do not wish to go on too long, but all of us, all of us are touched, somehow, our lives, by labour, by rates of wages and everything else. We came out this year, Sir. No one forced us to pass - two years we have increased systematically the minimum wage, \$2.20, Sir, the first of January this year, \$2.20, and what did the President of the Federation of Labour say? It should have been \$4.00. He could have said it could have been \$6.00 or \$8.00 or \$10.00 or \$12.00, Sir. Will someone sometime recognize, will sometime, whether they be labour or whatever they are, recognize what governments are trying to do.

All of us know. Any of us that can go back to the hungry thirties or the late thirties, whenever you want, Sir, know what we all went through. We know what this Province is up against, Sir. We know. We talk about the great rate of unemployment that we have in this Province, frightening really, but I think it was three years ago, Sir, we had more people with jobs walking around than we had unemployed. How many wildcats did we have - seventy-five? Just people out of - not working, not out of work. The work is there for them but just not working. What is the reason for it? Do we need a great conference? We meet with the Federation every year. At least we do them the courtesy, Sir, in meeting with them that the former administration, I understand, did not up to a certain point.

What is it all about? I think we have something like 140,000 people in the labour force. I heard a figure the other day, the millions that are collected in labour fees and dues, millions. They should be one of the greatest, one of the strongest organizations in this Province, Sir, and I will say this because I have said it before and I said it thirty-five years ago, at the time. The need for housing in these days were just as great now. With all these monies, Sir, with all these monies to put

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into a housing scheme for labour people, there would not be a need for one house in this Province today, Sir, and I say that. Put the money to work. Put the money to work.

I believe, Mr. Chairman, that we are

at the stage now in all negotiations, in all negotiations, between ourselves as human beings, between labour, between unions and everything else that if we are going to survive, Sir, we will have to do an awful lot better than we are doing at the present moment.

Thank you.

MR. CHAIRMAN (DUNPHY): The honourable Member for Bonavista South.

MR. J. MORGAN: Mr. Chairman, just a few words on this heading. First of all, I would like to be able to commend, pleased to commend the honourable Member for St. Barbe South in doing such a tremendous job in the position of Minister of Industrial Relations. Also to commend his colleague, now the Minister of Transportation and Communications for the fine job that he also did in that same portfolio.

Well, Mr. Chairman, just a few brief comments. I listened attentively to the Opposition spokesman, and indeed it makes me very concerned because during the past number of months, and the past couple of years I have listened many times to the Opposition spokesman, not in this Assembly, but over the various media getting involved in strike situations, standing up in support of strikers, taking stands, and that kind of thing should end. I am of a firm belief that politicians should no longer be involved in strike situations except, except in strike situations when the economic of a certain region of the Province or the Province in general is being hurt by a certain strike. But only, and only then must politicians in government intervene in strike situations. There is only one means of settling a strike - any other means of intervention is repugnant to the trade union movement, in general, and so it should be - there is only one solution, and one effective means of intervention, and that is conciliation boards.

Conciliation boards, conciliation officers are the only effective means of intervention. And I am getting rather sick and tired of listening to politicians standing through the media, taking stands in support of strikers here and there or taking stands on the other side.

So I am concerned with the Opposition spokesman on labour when he says tonight politicians should take stands. Politicians should not take stands. Politicians should keep their noses out of strikes,

out of disagreements between labour and management. They only hurt the situation more by getting involved.

We have today in the Province, I think, 230 collective agreements. Now if we have collective agreements between employers and unions why should politicians get involved? Why should governments get involved? But there is one thing that maybe prompts politicians to get involved and that is the very serious situation we had last year, for example, in 1974, when we had seventy-five illegal walkouts. It is fine to have collective agreements and to have legal strikes when all other sources of getting agreement breaks down, and the strike is the ultimate weapon. But when we have seventy-five illegal walkouts compared to just fifteen legal strikes in the past year, 1974, that maybe prompts concerned politicians for the economic of a certain region or their own respective area to get involved. But yet it should not. Politicians must refrain in the future, refrain from getting involved even when there are illegal walkouts, illegal strikes.

Last year we saw 88,000 man-days lost in this Province, 88,000 man-days of work lost by means of walkouts, by strikes. And ninety per cent of these man days lost was lost through illegal strikes.

MR. MORGAN: And what is the answer? I do not think any member of this Assembly has the answer to the question, what can we do to prevent illegal strikes, illegal walkouts?

The honourable gentleman from Bell Island mentioned that he would like to see a Productivity Council. I do not think that is a very good idea. I do think that one point he did mention was a very good point, and a point, I think, that was well listened to on this side of the House. We must have more education. We must have education, even down to the high school level, education that is going to teach the people going out to the labour market labour and management relations. We must be able to teach those people going out to work how to understand collective agreements. If we have, for example, 230 collective agreements it is of the utmost importance that all these people who come under these agreements do understand what kind of agreement they are working under.

Today we have in the Province situations where the workers and eventually the strikers do not know nor understand the total details of his or her collective agreement. That is what the problem is. The problem lies in education. They have to get more education even down to the point of teaching it and teaching it in specific courses both at the high school level and post-high school level.

Mr. Chairman, there is one aspect of the department, of which we are now discussing the heading, which is not really labour or labour problems, it deals with human rights. I am indeed pleased, as a man who represents a voluntary segment of human rights on a voluntary basis, I have been active with the Human Rights Association for the past number of years, I am pleased to note that last year there were forty-one individual cases or complaints regarding discrimination. Discrimination, whether it be in the field of religion, race, sex, social, even age, forty-one individual complaints were dealt with by the Human Rights Division of the honourable minister's department. I would like to

see this work being carried on, even stepped up in the future because I know that that Division can do an excellent job.

Mr. Chairman, there is one other division of this Department and that is the Manpower Division. Manpower Division, I think, is probably the one was overlooked tonight and is, maybe, the most important Division of that Department because that Division can do a lot. For example, I can see one role, and where I would like to see it emphasized more in the future and I would like the minister to make note of my suggestion on this, I would like to see more liaison between his department and the Manpower Division and the various vocational training outfits in this Province so that in the future we are not going to train twenty-five electricians and only need ten or train fifteen carpenters and need thirty-five, or train ten plumbers and pipefitters when the Iron Ore Company of Canada or Come-By-Chance or some other major construction project are looking for fifty for a period of three or four years. There must be a close liaison between the Department of Manpower, in this case the Manpower Division, the Manpower Training Division, to make sure that the vocational training of the different specified trades fields, that they must be co-ordinated with the manpower needs of the Province.

There is no point in us going out and training next month fifty or sixty electronic technicians when there are only five or six vacancies in the Province.

But on the other hand, we could need maybe sixty-five or seventy-five carpenters and only be training ten or fifteen. Also, I think, that division could very well work with the high schools in a sort of consultant service, consultant so that the person leaving Grade XI or Grade XII, in this case, Grade XI in most cases in this Province that they would be able to have somebody to turn to and get advice and opinions as to what kind of training they should take. In other words the kind of training that is going to be most beneficial to them so as they can get some advice from the Manpower Division as to what they can expect if they go into the high school or a vocational training school and take a specific course. So these points, Mr. Chairman, I think, may be only minor points but the points that I would like to see looked at by the minister in the forthcoming year.

I do stand, as a backbencher, with every confidence, although we are looking forward this year to many agreements coming to an end and many negotiations going to be commenced in the next number of months. I am standing with every confidence in the minister we now have in that department doing a good job in this year to come. Thank you very much.

MR. CHAIRMAN (Mr. Dunphy): The Hon. Member for Burgeo.

MR. EVANS: Mr. Chairman, I would like to address a few words to this heading. First I, too, would like to congratulate the minister on the excellent job that he has done. I think there are a lot of people, particularly on the coast that I represent, not particularly in my district, but the South Coast itself, who are very happy with the work that he has done in connection with settling the trawler strike.

Now I have listened to the remarks that have been made by several members on both sides here tonight, and I have been intrigued by some of them. I have been amused by others. To talk about solutions in labour, you are really getting out on a limb. You are damned if you do and you are damned if you do not, whichever course

you take. But labour has made great advances since the time when I started working, back in the 1930's. When I started out first as a teacher, back in 1937, after I left the old university, there were sixty-six people in my class. They called it teacher training then. It is known as education one, two and three now or whatever it might be. There were sixty-six students in teacher training and, you know, there were five or six of them who could not get schools that year. There were not enough schools to go around for that few.

AN HON. MEMBER: That was the old normal school.

MR. EVANS: That was the old normal school.

I started out at \$42 a month. I was one of the lucky ones too, and that was only for ten months of the year.

AN HON. MEMBER: Did you take your board out of that?

MR. EVANS: Took my board out of that.

And I knew fellows who taught before I did, who did not have a grade, who taught for a low of \$18 a month. There was a guy who just quit as principal in Creston there a couple of years ago, a good friend of mine, was one of them. And the Member for St. John's Centre can bear me out. I boarded with a family here who had a son, who started work in the old Westend Stores on Water Street at \$3 a month.

AN HON. MEMBER: It was \$3 a week.

MR. EVANS: Yes, \$3 a week rather.

AN HON. MEMBER: (Inaudible).

MR. EVANS: The member says he got \$4. He was a privileged gardener, V.I.P.

MR. MURPHY: (Inaudible).

MR. EVANS: V.I.P.

Now we talk about every field of endeavour, I fished in a banking vessel all one winter. In the month of January we had eight trips and most of those days the weather was



not fit to be outdoors. We made \$30 in one month, big money. But labour, as I say, through unions, has advanced to great lengths. I helped to form the Newfoundland Federation of Fishermen. That was formed here in 1951. I was a delegate representing the whole South West Coast, from Rencontre West to Port-aux-Basques. And I helped to organize other unions right here in this town besides.

Now today, as some of our speakers here have pointed out, we are burdened with strikes, either legal or illegal. About five to one was last year's figures, as I recall

for illegal strikes. Even when people are not going on strike you are always hearing we need a cost of living adjustment. Now what necessitates the cost of living adjustment? The fact that everybody is getting paid more from the primary producer up, the man who grows the spud today he is getting about five times as much as he got five years ago or ten years ago at the latest. And if you are driving up the cost of the primary product and you are driving up the cost of labour, of course the cost of living is going up. You know, all of us today would be better off if we were making about \$200 a month. All of us would.

Now we have heard many suggestions as to how this can be cured. The Member for Bell Island came up with a new one. But there is only one man in modern times, in my estimation who has come up with something that could cure this situation, That is President Ford in the United States. He announced recently there would be no federal government increases in salary this year in the United States above five per cent. Naturally, if I am not away out, that is going to carry over to the business community. You are going to see lower increases, consequently that is going to mean a smaller increase in the cost of living. But he did not go far enough if you want a cure. There is only one way that we are going to cure it, to bring down the cost of living. It might sound hard. Every union that comes up for a new contract, yes boy, new contract sure, we are going to cut ten percent off the cost of wages today and you are going right back to the primary producer, the man who produces the spuds and all the rest of it, as they say, and in five years from now you will probably bring the cost of living down by thirty or perhaps forty per cent. But if you think you are ever going to see a government that is going to have guts enough to do it, that is where you are going to find the crunch. But until such time as that action is taken we are always going to have strikes. The cost of living is going to continue to increase and I do not think that anything that we can do here is going to amount to a row of beans in bringing around a solution.

MR. CHAIRMAN: The honourable Member for St. John's South.

MR. WELLS: I have great pleasure in speaking on this. We are on, I take it, subhead 501 - Minister's salary, Department of Labour. We have not moved beyond that.

It gives me great pleasure too to follow my honourable friend from Burgeo-LaPoile because he always has something both entertaining and interesting to say. He sometimes proposes novel solutions. Maybe his solutions are not always absolutely correct, no solution that any member of this House poses is always perfectly correct, but you know the honourable member makes a point when he says that we cannot go on and on and on as a society, raising the cost of what we produce, be it our labour, our expertise, whatever it is and expecting that this society can grow and remain viable and strong.

One of the problems it seems to me, Mr. Chairman, has been in our society that we seem, all of us, to want more for doing either the same amount or doing less and of course that cannot be. One individual can manage to do that perhaps, or a group of individuals, but eventually society as a whole pays the price. If you want more you have got to produce more or you have got to work harder, you have got to earn more. But simply to ask for more because you want it without being prepared to give that extra, or produce that extra, in the end - and if this practice or the practice becomes widespread enough - in the end will weaken and destroy the society that it is practiced in and this is something. You know my honourable friend sometimes overstates his point, you know, and we smile but a good many essential truths are stated by him and I think he stated an essential truth in this House tonight.

MR. WELLS: I am sorry that I missed the earlier part of the session this evening, I would have heard my honourable friend, I am tempted to call him my honourable and learned friend from Bell Island, because I am sure that his interest in the administration of justice and his speeches on that, you know we will have to confer the title honourable and learned on him, much as -

AN HON. MEMBER: Inaudible.

MR. WELLS: Much as one does an honorary degree. I was cut off by the honourable the House Leader - he sits there calmly tonight, now looking at his papers - cut me off this afternoon when I was about to reply to the honourable gentleman from Bell Island on the District Courts. I thought that was the meanest thing. I do not know how the House Leader can do it, and sit there calm now, gazing around without a thought and a worry in his head about the terrible injustice that he perpetrated.

You see the honourable member over there has become the justice critic now as well as the labour critic. He tackled this subject this afternoon. He got at it vigorously. I thought, Mr. Chairman, and I think he thought that he was going to take the bull by the horns. But the trouble was that he seized the bull by the other end at a very inopportune moment and he is not, Mr. Chairman, going to come up smelling of roses.

But anyway, some day before the session is over, the House Leader will bring up that bill again on the District Courts Act and we can all expound on it and I will answer my honourable friend at that time. As I say, I am genuinely sorry. He and I always engage, when we are in the mood, in a little bit of repartee. But I am sorry I did not hear his remarks.

AN HON. MEMBER: Inaudible.

MR. WELLS: I am sure I did. The honourable member is extremely entertaining, no question about it, although, as I say, he has a propensity of grasping the bull by the wrong end. He accused me and others of

my brethren the other day of grasping the milch cow. But it shows how wrong he can be. There is something happening here, Mr. Chairman. What is happening?

AN HON. MEMBER: We are being -

MR. WELLS: On the serious note, Mr. Chairman, I think insofar as the estimates for the Department of Labour are concerned and particularly this beginning, the part of the estimate, the salary of the minister which enables us to discuss general aspects of the Department of Labour, I think that congratulations are in order to the Department of Labour of this Province, congratulations to the minister as the minister of that department for the job that he is doing, congratulations to the department as a whole and particularly to the senior permanent staff in that department.

It may be thought, and it is easy I suppose for any of us to think from time to time that the Minister of Labour ought to be a sort of prima donna, ought to be a man who rushes about the country getting involved in every dangerous situation, every strike situation, personally intervening like a sort of Henry Kissinger, to settle every matter that arises. Sometimes, Mr. Chairman, that can be pulled off but the man for the long haul, the man who properly administers the Department of Labour and the officials that properly do their job in the Department of Labour are not the Henry Kissinger types. But the men who were steady, who hold the line, who understand what labour relations is all about and who do not rush off, rushing into disputes trying to settle them by personal fiat all over the place but men who believe in the conciliation process, in the negotiation process and most of all believe in the process that allows disputes to work themselves out.

I remember, oh I suppose it must be four or five years ago now, when this party was out of power, working actively and very hard to become the party in power, and I remember on one occasion being asked and going out and addressing the Newfoundland Federation of Labour

meeting on behalf of this party. The meeting was being held in Grand Falls. I enunciated at that time what I believe to be the fundamental policy of this party with regard to labour and labour relations matters and I am glad to see that it has remained the policy of this party and that it is the party's policy and is the government's policy and I think that it cannot be over-emphasized, that this is the policy, the role, the type of approach which has been followed by the minister and the members of his department in this particular and recently past trawlermen's strike.

As I say, I think the department and the minister deserve the highest kind and the highest congratulations for the way in which they conducted themselves. Because I am sure we all know, we did not have to be close to it to know this, we all know that there must have been every day, from perhaps the second or three week of that strike, tremendous pressure upon the minister, tremendous pressure upon the government, to rush in and create a solution. Do

something, whatever it is, legislate people back to work, order them to do this, knock their heads together to do that, the coercive process, because when things go wrong in the labour relations field, when strikes are prevalent and especially important strikes or serious strikes, strikes with serious consequences, then people immediately look to government. They forget the collective bargaining process. They look to government and say, for God's sake do something because the country is going to founder or come to an end. That is where faith in the process, that is where the strength to resist this kind of thing is important.

That is why I congratulate the minister tonight and the government and the senior officials of that department because together they hung firm and allowed the Collective Bargaining Process to function. Because, you see, Mr. Chairman, what happens to the collective bargaining process when government succumbs to pressure and jumps into situations? Obviously you do not have to be very experienced in labour relations matters to know that when that is the order of the day, when that is what is done, the parties then refuse to bargain. They sit back. They take fixed positions and they say, it is all right, we can hang her down now boys because the government is going to impose some kind of solution on this.

So, let us cast the responsibility off ourselves and onto the government. Very often the protagonists in a labour relations dispute are only delighted to see all sorts of suggestions coming and all sorts of people getting upset and all sorts of people becoming concerned and saying, government do something because it takes the responsibility off them, the responsibility which they have as labour and as management to sit down and work towards solutions.

This minister, this department, and this government on this occasion in one of the most, perhaps the most, serious strike, and the strike with the most serious implications that has faced this country since the government took office, stood firm and it is to their great credit, Mr. Chairman, that they stood firm and they said, no, we are not

going to allow ourselves to rush in and order or legislate instant solutions. We are not going to allow ourselves to be pushed. You, union and you, employers, you have the greatest responsibility here to bring about the solution. Because, Mr. Chairman, anyone with experience in labour relations matters has been able to see time and time again that when solutions are imposed from above, and from above I mean by government, when they are imposed upon the parties and the parties do not go through the catharsis of working out their own solutions, the trouble is simply masked. It is simply hidden and it breaks out again. I venture to say that if this thing is rectified, this solution which we hope has been agreed upon - I take it, Mr. Minister, word has not come yet. Has it been rectified or not? We do not know.

If this is rectified, then these people, management and labour having arrived at a solution themselves between themselves and through the collective bargaining process, then that solution will mean something. It will have point to them. It will have meaning to them. They will be prepared to live by it and they will be prepared to build on it in future to the good of the fishing industry and to the good of the Province of Newfoundland.

So, Mr. Chairman, we see also in this process what is the best and highest role of a Department of Labour and a Minister of Labour. That is to offer every service at the command of government, every service that government can lay its hands on, so that the collective bargaining process, can be pursued. This of course is precisely what was done in this case. Officials were made available and ultimately the minister made himself personally available along with his deputy minister and they went to Ottawa and they stood there, not as persons choosing sides, but as persons representing the authority of the government and the people who elected them, saying, we are here and we will spend as much time as is necessary. We will make as much effort as may be necessary and we will do everything in our power to bring a solution about, but we are not going to give you a solution. We are not going to hand you a solution. We are not



going to impose a solution on you. We are going to give you the opportunity and the help and the sustaining help to build a solution for yourselves and the industry in which you both have a stake.

This was done, Mr. Chairman. I suggest to you it was done successfully and well. I do not know what the vote is going to be when it comes from the trawlermen. I sincerely hope that it is accepted. I do not know what management's position is going to be, but I hope that what was agreed tentatively between the parties will be accepted.

Either way, even if it is not accepted, even if it falls down, if so, Mr. Chairman, I think this House must still give the minister credit and must still give his officials credit for the part that they played, for the work that they did, because they have shown us in the last few short months, they have shown us how a Provincial Department of Labour should operate.

MR. WELLS: Mr. Chairman, having said that I do not propose, I do not propose to go over the whole gamut and workings of the department, that will come as the estimates are discussed in detail, but it gives me great pleasure to support and in due course to vote for, in whichever way votes are called in this Committee, for this particular subhead which I think as I say, the very fact of supporting it and voting for it is a vote of confidence in what has been a fine job well done.

MR. CHAIRMAN: Shall 501-01 carry?

MR. CHAIRMAN: The Minister of Transportation and Communications.

HON. J. ROUSSEAU, Minister of Transportation and Communications:

I am sure that the honourable members on the other side would not mind if people participated in this debate, not to take away your hours, but I think that the honourable Member for Bell Island set out behind the curtain a little while back that it is an important issue and I think that the very fact that so many people are standing up shows that it may not be as insignificant as has been suggested. While it may not be a big spending department and while there may not be many employees in respect to other departments of government, it is certainly one of the most sensitive and one of the most important departments in government.

I have a few words I would like to say, if I may, in respect to the department. First of all I would like to say that I was extremely pleased when I left the department in October of 1974 that the incumbent who had acted as Minister of Labour previously was returned by the Premier to fill the post of Minister of Labour.

I recall many, many, many, many, many years ago, it seems like a lifetime ago on March 24, 1972 when I was elected to the House of Assembly in what people may call the volatile District of Labrador West, I guess in respect to strikes of that time, I lived on his doorstep just about for up to six months. It was not easy to walk into this House of Assembly for the first time and know what the game was all about but I must say that the attention and the interest that he showed in

the District of Labrador West for those first very crucial months of my election was much appreciated and I would like to stand up here and say as a former Minister of Labour for a year-and-a-half and with some knowledge of what goes on in the labour relations field in this Province that I was quite happy that he was chosen by the Premier. I have no doubt that he will do as good a job as he has done before and that is as good a job as any man can do and I appreciate the help he gave me personally and I think he can be of great help to the people of this Province in respect to the field of labour relations.

So I would certainly like to go on record as saying that I am pleased with the appointment and I am sure he will continue the good work that he did before and now during his present incumbancy in the department.

I would like to say a few words about the comments made by the honourable Member for Bell Island. He asked us to get up and make some comments on the things he said, I do not find quite too much in there, what he said to comment on actually. It started off as a diatribe against the existing Minister of Labour and I kept waiting for something to come out and kept waiting and waiting, and I near had a heart attack here waiting and then he sat down. But I think that there was one thing that I would like to bring to the attention of the people in the press that today he suggested something to the effect that it appeared to him, as his personal opinion, that he was suggesting something in the respect of, peasants do not go on strike sort of thing. I hope that was not read to mean that the minister was sitting down there saying that. It was an interpretation that was put on it by the honourable Member for Bell Island and knowing the minister as I do, I can assure you that that is not the way he thinks,

and I would certainly not want that to be even inferred to be a feeling of his. I also would take some objection to a point that he made that there was no part played by the minister in the trawlermen's dispute. I think, if the Member for Bell Island played the part that he would have played in the year as an Acting Minister of Labour, I think he would know that you cannot spend the time that the minister spent in Ottawa and not get involved. You know labour and management do not get together by chance. Somebody has to bring them together, somebody has to sit down and mediate between them. There are too often polar positions, we look at the continuum, you may start a strike with two people at one end of the continuum and another group at the other end of the continuum and you have to bring them some ways, hopefully, to the middle of the continuum. That does not always happen. Sometimes you end up with labour winning a little more of the continuum than management or management winning a little more of the continuum than labour. But there has to be somebody there in the middle.

And certainly, I think, the accolades passed out by the Premier when he announced that the vote was going to be taken, the memorandum of agreement that was signed by the fish operators and the union at Ottawa, that the minister and his deputy are ones that were well deserved and ones that indicated the part that both gentlemen played in the dispute. Now I have already said what I think about the minister because I have been involved with him personally. And on a number of occasions when he was minister, and on a number of occasions when I was minister I went to him for advice. Also, of course, with respect to the deputy minister I was pleased to have his services commence with the department during my tenure as minister. I can say that the Department of Manpower and Industrial Relations is quite fortunate to have a man of his experience and expertise in the labour relations field. I was quite pleased to have worked with him for a year and a half. I know his ability, and I know his tenacity. And I can certainly assure the people involved in labour and management in

this Province that they certainly have a deputy minister who well knows the intricacies of the labour-management movement.

But, you know, it is a funny thing about the Department of Labour, we talk about the small staff involved. There is another gentleman down there, a number of gentlemen, the Assistant Deputy Minister of Industrial Relations, if we may, one Alex Bannister who very seldom people hear about, who is very cognizant of matters in the labour relations field, who is really behind the scenes. And I am sure the minister when he stands up will be the first to say, yes, I agree, who has done a fantastic job in that position, and, I think, certainly bears a debt of gratitude from the people of this Province for the many involvements he has had in labour-management disputes that have occurred in the Province, and also many that have not.

I know that last year during one of the larger contracts that came up during the beginning of the labour season and I asked him specifically to act as conciliation officer in this particular dispute, which he did, and it was the carpenters' dispute, when there were carpenters from all across the Province. That strike was settled. And, I thought, set the tone for many of the labour-management negotiations that continued through the rest of the year.

I think that I would probably be remiss if I did not also mention the conciliation officers. These are people you see their names in the paper that they have been appointed, and from my experience, I know that they are fine gentlemen. They know labour well. They are not being paid enough. But hopefully some day they will be able to sit across the table and talk to people and negotiate settlements, or mediate settlements, I should say, rather than negotiate them, mediate settlements in which they will be at a par salary-wise, with people from across the table that they are talking to. So these conciliation officers are of a great help to the conciliation process.

I would like to indicate one little statistic that often gets taken out of context. Last year, for example, we talked about ninety strikes, seventy-five

of which were illegal and fifteen of which were legal and all of a sudden the Province is in an uproar.

Now, I could say as far as my own personal opinion is concerned, I do not think that 1975 is going to be as bad a labour year as people think it is going to be. I think we have - hopefully the trawlermen's dispute will be settled. We will not know until within the next twenty-four or forty-eight hours. That may or may not be so but hopefully it will. One of the major strikes that Labrador City or Wabush - we do not know about Wabush yet but at Labrador City what could have occurred has been settled by ratification of an agreement a week ago and there are a number of others.

I noticed that the loggers have settled in Corner Brook with Bowaters, which is another major settlement. We know, of course, that the civil servants are going to be negotiating their contract salaries and government has maintained that they are prepared to sit down and try and come up with a reasonable settlement. I am sure that the public service of this Province are looking for reasonable settlement, so I would hope that there would not be any problems in that sector.

I think that the suggestion that ninety strikes which occurred last year of which seventy-five are illegal, it is a kind of a misleading statistic. For example, we have close to 150, I think 140 plus, but close to 150 unions in the Province. We have a vast number and I do not know the exact number of employers in the Province which are unionized. We have well over, not well over, 225, 250 contracts in the Province. Here we sit down and, you know, for a year and a half I went through this and I hear it again tonight, nobody talks about the settlements that are reached by the pure collective bargaining process, with no help at all from the Department of Manpower and Industrial Relations. Nobody talks about the negotiations that are concluded with the assistance of a conciliation officer which are far greater

in number than the ninety strikes that may have occurred during the past year, whether they be illegal or legal.

Let me say this, and this is rather an interesting point as far as I am concerned, but I have never seen yet an illegal strike in which there was not some feeling on the part of the union that they had been wrong. Now, when you look at a union-management contract which has anywhere from maybe two to fifty-two or 102 clauses and somebody sits down and signs that in good faith and the question of interpretation of a contract comes up and many times in the dialogue between union and management at the table that certain inferences are made or certain suggestions are made and the union or management may read something into the union or management position and all of a sudden a particular clause comes into dispute. When that clause comes into dispute the management or labour may read from what they had understood from a table to be the case in this particular clause and oft times the other side says no, that is not the case as we understand it and many of the disputes, of course, will result from a non-conformity in understanding of a particular clause.

Strikes are not good things but what is the alternative.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Why?

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Yes, but you know, I would like to say something. Give me a couple of more minutes, boy.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: I am doing this at the invitation of the honourable Member from Bell Island. He has asked me to get up and speak and praise him up for his ability in his speech and so on, which I am going to do, and flick him a little. He wants to get flicked.

Nevertheless, I think and I would agree with the Member

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from Bell Island in his non-consistency where he says that the department have been downgraded and everything else, but all of a sudden you find everybody in the House jumping up on this very important issue tonight.

The numbers are not important in the Department of Labour. The expenditures



are not as important as the quality of the people you have to settle the disputes or do the job that they have to do.

I listened with interest to the Hon. Member for Twillingate who suggested, in supporting the idea of a Select Committee on the Productivity Council mentioned by the Member for Bell Island, that we should get labour and management together. We have labour and management together. We have a Labour Management Co-operation Committee. We have had it for years. It is working, doing a fine job, getting together with labour and management trying to work out all the problems that may result from the many contracts and the many problems that may arise between labour and management. But he made one statement that I was really surprised at, and it struck me to see how little people understand about labour, and far be it for me to ever say anything derogatory about the Member for Twillingate, but he made a statement to the effect that the union used to obey their leaders.

AN HON. MEMBER: I did not.

MR. ROUSSEAU: No, the Hon. Member for Twillingate.

I do not think personally that the situation has changed. I think those who know what labour and management are like and those who understand the intricacies of an illegal strike know what I mean. What is the answer? You know people in this Province, the people in this country and the people in the world, from the sweat shop mentioned by my colleague, the Hon. Minister of Social Services, which we all read about in school, to what we have now is a long way, and nobody likes to strike -

MR. WOODWARD: (Inaudible).

MR. ROUSSEAU: Pardon?

MR. WOODWARD: (Inaudible).

MR. ROUSSEAU: Sweat shop, yes.

Nobody likes to strike but what is the alternative.?

AN HON. MEMBER: (Inaudible).

MR. ROUSSEAU: It is an economic weapon, the withdrawal of services. And I have been involved in a strike situation where I had not been able to get an airplane or I have not had my mail, but I accept that. That is an instrument of society until we find something better for it. Compulsory arbitration is not the answer. The only way that compulsory arbitration will ever work is when labour and management, in a particular situation, ask for it, when they both agree beforehand that they are prepared to take compulsory arbitration in any given dispute. It is the only way that compulsory arbitration will work. I think that labour would be the first to agree that the strike is not the answer, and they would like to find an alternative. I think that management would agree that they would like to find an alternative. I think the people who are affected would say that they would like to find an alternative. But until we do, and we are not the only ones here in this little Province who have so many problems, it is happening all across the continent, but I think that labour is being given a bum rap by suggesting that ninety strikes, seventy-five of which were illegal and fifteen which were legal means the end of the world, that we are in a period of labour turmoil in the Province. That is absolute balderdash!

You know, unless you sit down for one hour or one day or one week and attempt to mediate a labour dispute, nobody wants to be on strike. The labour leaders do not want their union members out with money out of their pockets. Management do not want to be losing their profits. It is not a matter of something they wish to continue. They want to end it, given the time to talk. A strike often results oft times when you sit down, and you get involved in a strike, when all of a sudden you understand that management has not listened to labour or vice versa. This is

what they have to do. They have to go on strike to make a point. If they can make their point without going on strike, then they would not go on strike. Nobody wants to go on strike and management does not want to lose its productivity or its profits. But I think labour has been given a bum rap by suggesting in this Province last year, and I said it publicly as Minister of Labour, and I will say it again now, that because there were ninety strikes last year and because seventy-five of them were wildcats, and because fifteen were legal, does not mean that this Province is in a state of labour turmoil.

I remember last year at seven and seven thirty and eight o'clock in the morning getting phone calls. What is on today? You know. There was a strike, a threaten of a strike, and a threaten of a threaten of a strike, and a threaten of a threaten of a threaten of a strike, and all of the sudden we were in turmoil. Bologna! Is that a parliamentary word? Balderdash!

I do not think it is fair - I do not say this because I want to make labour feel good - but I do not think it is fair to use the number of ninety with seventy-five illegal strikes and fifteen legal strikes as meaning the end of the world for this Province. We have to compare with that the number of negotiations that are consummated at the bargaining table without the help of a conciliation officer or without the help of any outside interference, the number that are helped by a conciliation officer, and we will find out that by far the larger percentage of negotiations that are completed are completed successfully without a strike.

Of course, living in the world we live in, we jump to conclusions on figures. We like to play on the term illegal in the strike situation. I would venture to say - I do not have the figures - but I would venture to say that of those ninety strikes, seventy-five of which were illegal, that many of them were by the same union in the same area. If you take Come By Chance and probably the Health Sciences Complex and maybe one of two other places, that you would isolate the number of illegal strikes. It is not fair to suggest because of this number that this Province is out of kilter in respect to illegal work stoppages.

I think it is an unfair figure to use. I think the implications of labour strife and labour turmoil in this Province are not accurate. I think that in this day and age with inflation -

AN HONOURABLE MEMBER: Ninety strikes are not accurate? Is that it?

MR. ROUSSEAU: No, I am not saying that. No, I did not say that at all.

What I am saying is that -

MR. WOODWARD: Ninety strikes is not a large number of strikes.

MR. ROUSSEAU: One second. What I am saying is that the ninety strikes that we are mentioning are not paired off against the number of situations in which a strike does not occur, the number of contracts that are -

MR. WOODWARD: They are not big enough.

MR. ROUSSEAU: - settled amicably.

MR. WOODWARD: They should be bigger strikes. They are too small.

MR. ROUSSEAU: If the honourable member asked me to sit down, I would. Now he is trying to confuse me.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Why?

AN HONOURABLE MEMBER: Inaudible.

MR. ROBERTS: Carry on, "Joe", you are making a tremendous speech.

MR. ROUSSEAU: I am what?

AN HONOURABLE MEMBER: Doing a fine job.

MR. ROUSSEAU: Really? Seriously? You like that?

MR. CHAIRMAN: Order, please!

MR. ROUSSEAU: A good point, though. The member for Bell Island has not said a word as yet. He is just there nodding. Because you know what I am talking about, do you?

MR. SIMMONS: Like the professor at Memorial, he is gone asleep.

MR. ROUSSEAU: Gone asleep. That is the ultimate insult. I would rather him get up and rant and roar than sleep on me. Are you sleeping on me?

MR. NEARY: I am sleeping with my eyes open.

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

The honourable member is speaking to Head 501-01 and the remarks directed at that particular member of the Opposition are of course irrelevant, or to any other member for that matter.

MR. ROUSSEAU: Yes, probably I should have spoken on a point of personal privilege. When the honourable member goes to sleep on me, that is something.

Anyway, what I am suggesting, and I will go over it again once

more for the honourable member for Labrador North in case it does not get into his head, what I am saying is the ninety taken in isolation does not reflect the situation in respect of labour in this province. Because if you look at the whole situation, good. You know, the ninety then does not look as bad. It is not good. One would hope that the figure would be zero and zero but it is not zero and zero.

In the proper rationale of looking at the complete situation in the province, the number of negotiations that are completed at the negotiation table without the assistance of anybody from the Department of Manpower and Industrial Relations and the number that are done with the assistance of people which you never hear about. You see a little line there, and bango, there is a settlement. But if there is a strike, it is a front page headline. That is the situation.

I think that I would like to make the point that I feel - are you getting ready to say something.

MR. NEARY: Mr. Chairman, I just want to remind the minister that if there are seventy-five illegal strikes, that means that the law has been broken seventy-five times. Does the minister condone breaking the law?

MR. ROUSSEAU: No, the minister does not condone breaking the law. What the minister is saying is that if the situation that was allowed

to develop should not have developed, and this is where we get back into and I do not want to take too much time now because people do not sit down and talk to each other, labour and management.

MR. WOODWARD: The boss is getting bored over there.

MR. ROUSSEAU: There is no boss over there. We are all bosses over here, all thirty-two of us. We all do our own thing, do we not

SOME HON. MEMBERS: Inaudible.

MR. ROUSSEAU: Are you the boss?

MR. EVANS: But we are not leaders -

MR. ROUSSEAU: I said there were thirty-two bosses on this side. Are there? After all this is a democracy as I understand it.

MR. WOODWARD: Inaudible.

AN HON. MEMBER: Carry on.

MR. ROUSSEAU: But anyway I wanted to suggest the education programme is certainly one worthy of note. I think that therein you may one of the answers.

AN HON. MEMBER: Inaudible.

MR. ROUSSEAU: You may have one of the answers. Of course the situation where management does not sit down and look at somebody across the table as being an adversary force would be helpful. I have said privately to many companies in this Province during my tenure as Minister of Manpower, and I will say it again here publicly in the House, that there are companies in this Province, in the twentieth century, who operate under nineteenth century management principles and you cannot help but have a confrontation situation. I am not saying all companies. The companies I am talking about know it because I told them.

You know there is a little thing called labour relations management. It is a matter of relations between labour and between management. You have to accept the fact that you are dealing with individuals and not with a thing out there called a union, and a union has to accept the same principles. They are not dealing with a thing up there. They are dealing with management. But there are human beings involved. I think that once the human beings on

the management side can get together with the human beings on the labour side that figure of ninety will be greatly diminished in this Province, across the country and across the continent. It is a matter of accepting the dignity of the human across a table, and hopefully through the years, and it is not going to happen overnight, that this will happen.

I would like to have the opportunity if I might to say a few words about the things that have been done by this particular government in the field of labour but I think I will keep that for the subheads that ensue. So with those few brief words, and at I am sure the vehement requests of the Member for Labrador North who is looking quite expectantly, I will now sit down and thank him for his prompt attention to my remarks for the evening.

MR. CHAIRMAN: The honourable Member for Labrador North.

MR. WOODWARD: If the honourable Member for Labrador West delayed the debate and drew my colleague, the Member for Bell Island, out of the House, I have no choice but to carry on the debate until he gets back from his conversation with the Leader of the Opposition.

Listening to the honourable Member for Bell Island, I think he made a very good speech. I think he is probably well versed in labour in this Province and my good friend here and colleague on productivity, I think it is a thing that one must look at and I think that it is something that our Province is suffering from today. We have had quite a few bouquets thrown at the Minister of Labour from his colleagues on the government side of the House, and maybe rightfully so, he deserves them. But, Mr. Chairman, looking at the number of labour disputes, and the previous Minister of Labour, the Member for Labrador West, is trying to say there were not that number, but you know there were, but there was the union or it was at the same place. It does not take away from the fact that we did have ninety strikes of which seventy-five were illegal.

Now I think, Mr. Chairman, that no one in this House tonight have really put their finger on how to solve this problem with strikes.



I do not think that while the government, running around with a squadron of collective bargaining people or conciliators going in and say yes, you sit down here, you said that, you said something else, and in between we are going to reach a compromise. I do not think that is going to solve our problem. All we will add to that situation is a number of more people to the civil service which is going to run around the Province trying to bring some semblance of order into the disorder of labour that we already have in the Province.

But have we ever looked at, Mr. Chairman, getting down with the unions. I feel, and the honourable Member for Labrador West almost put his finger on the problem, do we have too many locals? Are we dealing with too many

locals? Are the unions themselves, the joint unions certifying too many locals?

AN HONOURABLE MEMBER: Too many employers.

MR. WOODWARD: Or do we have too many employers? I do not necessarily mean that we have too many employers. People who are in the same industry or in the same business can be represented by one union, although they may be spread largely throughout the Province. I think we have a prime example of what happened on the development of the Lower Churchill, and this has not been mentioned here, where the employer, not the government, the employer was starting a big project which is going to go on for a long period of time, was going to involve a number, a number of thousands and thousands of workers of different trades. So they collect the unions together.

AN HONOURABLE MEMBER: - Upper Churchill -

MR. WOODWARD: Well, it is the Upper Churchill. It is not the dress shop or the sweat shop on Water Street where they pay the nine bucks a weeks. It is not -

AN HONOURABLE MEMBER: Inaudible.

MR. WOODWARD: No, no, it was the Upper Churchill. But they did that. They had the foresight to go out, collect all the unions together and said, look, we are going to need "x" number of trades, we are going to need "x" number of unions, we want you all to sit down together, draw up a collective agreement and no one, no one union can break that agreement and have a separate strike.

So, consequently, Mr. Chairman, what happened? What did we gain from that experience? The total project went ahead without one day of work stoppage as far as the development was concerned. We had another related industry or service that was providing like the QNS and L. They saw their chance to get in to get some extra salaries because of the fact that they were feeding the project.

They went on strike. but they did not delay the development. They did not delay it at all. The company saw fit to go around about and said, okay, we will leave them alone, if we have to fly things into the job, we will do it. It is going to cost us extra money and they did it. But we never hear and I think that the Federation of Labour in Newfoundland would be very receptive to sitting down with the government and consolidating a lot of the locals that they have in this Province and say, look, instead of dealing with a unit in a wholesale firm in Lewisporte, we will combine and put under one union all the wholesale firms in the Province.

I think, Mr. Chairman, this is the only way that we are going to have any semblance of order in labour in this Province. But by the government running around and playing Santa Claus to the unions and say, yes, if the company cannot afford to pay you, then we are going to subsidize you a little. The same thing applied to the - why were the government called in on the trawler strike? Why did they go to Ottawa to sit down with the Canadian Labour Congress people? Because they were just sitting there and waiting. They were not thinking. If you need, if you need an extra - if the industry cannot afford it, then we are prepared to chip in a little under a subsidization programme, if we get a little bit from Ottawa and then you are going to get what you want.

So, I think, Mr. Chairman, regardless what we do or how good the Minister of Labour is and how friendly his colleagues are, if they run around this Province, unless they get through to the unions and not while they are on strike, but if they get through, to change the structure of the unions in this Province. Until they do that, then you are not going to have any semblance of order. We have radical groups and we have small groups, and we have seen it at Come By Chance. There

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are fifteen people and they are high pressure welders but they are in a different union. They walk off the job- every person on that job honoured that picket line. Why should fifteen people be allowed to tie up a whole project that is costing a developer or costing the Province \$100,000- \$150,000 a day? Why should that be allowed? Why should we not have collective agreements? Why do we not go around to the unions and get them to group together?

I believe in unions, but I do not believe in the unions being so fragmented that they get beyond control, that you are runing

from shop to shop, to shop, to shop, to shop and then you have got no semblance of order. So I think a consolidation of a number of unions can be accomplished in this Province without any difficulties. And that consequently, Mr. Chairman, is going to reduce the number of strikes. We are never going to get away from the strikes.

But the Minister of Labour, in all of his wisdom, and he has been put very high on a pedestal tonight, has not mentioned the fact of how you are going to do it. We have accomplished a number of things. We have got people back to work. But we are going to continue to get people back to work. And as this labour force grows in this Province we are going to have more unions, and we have to hire more civil servants.

So what are we looking for in the long run, Mr. Chairman? Unless we get through to the unions, and the unions themselves agree to consolidate - and instead of dealing with 100 or 150 units, we can deal with three or four responsible unions, then this is what is going to help to solve our problems. But you first, not only do you have to do it while there is a strike on, or there is a threatening strike, but somewhere along the line the government must start now, and have that type of approach to our labour problems that exist in this Province.

MR. CHAIRMAN (DUNPHY): The Hon. Minister of Mines and Energy.

MR. BARRY: Mr. Chairman, there have-

AN HON. MEMBER: Inaudible.

MR. CHAIRMAN (DUNPHY): Order, please!

MR. BARRY: There have been a lot of emphasis placed on the number of illegal work stoppages in the past year, and on the fact that this number has increased over the previous year from fifty-six illegal work stoppages in 1973, to seventy-five illegal work stoppages in 1974. So I think the fact that should be pointed out, is that, I understand from the Minister of Labour that the number of man-days lost through illegal work stoppages in 1974 was only one-third the number of man

days lost in 1973. In other words a significant improvement in terms of the productivity lost because of work stoppages. And, I think, that this is a positive factor that should be brought out, and, I think, it -

AN HON. MEMBER: That is merely by luck more than anything else.

MR. BARRY: No, it is not merely by luck. It is both due to the good management to the Department of Manpower and Industrial Relations, the excellent work of the minister and his staff. It is also due, I would submit, to the added responsibility of both management and labour. I think it indicates a maturing of our collective bargaining process. And I think it is a factor that is worthy of note, it is a positive step in the right direction.

And just looking at the increase in the number of strikes does not give the full, complete picture. We have to look at the number of man-days lost, and when we have a threefold improvement in one year there, then, I think, that is cause for some congratulations, I think, to the employers and the employees in the Province, not that we are out of the woods yet, not that 88,000 man-days lost is anything to be proud of, we still have a serious problem in the Province, but we have come a long way ahead over the last year.

Mr. Chairman, I would like to submit that we have come a long way ahead still if more public discussion centered around this report that was done, this Royal Commission that was done by Mr. Neary back in 1973, which publicly was rejected almost out-of-hand within days after it was released because of one or two of the more radical or far-reaching changes in the collective bargaining process that were recommended by the Commissioner.

MR. BARRY: And I know that my remarks need not be directed to the Department of Manpower and Industrial Relations because I know they have studied this report and are continuing to consider the recommendations made here. But I think it was very unfortunate that because several of fairly prominent trade union leaders in the Province took exception to several of the recommendations in Mr. Neary's Royal Commission Report, This report as far as public consumption was concerned, died on the vine.

MR. MURPHY: "Leo" you had better use Edward Neary in that because -

MR. BARRY: Yes, this is Mr. Edward Neary, Q.C.

MR. MURPHY: In Hansard.

MR. BARRY: Barrister and Solicitor who was the Royal Commissioner here and I have to compliment Mr. Edward Neary for the excellent job that he did. I do not agree with all his recommendations. I agree with many of them but I think that he did a fantastic job in a very short time, in a very short and compact report. There were only eighty-two pages. I would recommend that anybody, any member of this House who wants to get some historical background into the trade union movement and who wants to see the issues that are involved in illegal work stoppages, would be fully justified and would gain a lot by going and reading this report.

As a matter of fact, I would recommend to the Minister of Manpower and Industrial Relations that this report, as a discussion document, is worth circulating to every school in the Province, every trade school, every high school in the Province and it would be a good start towards getting, and this is one area where I have to agree with the honourable Member for Bell Island and it has been my belief for a long time, that it is crucial if we are going to have a responsible attitude on the part of either the employer or the employees, towards the trade union movement, towards the collective bargaining process, that it has got to be started in the schools. You have got to

have people who live with the trade union movement and the collective bargaining process, who know what is involved in labour-management relations.

It is terrifying, Mr. Chairman, when you consider what it costs, not just the employers, good heavens. If you had these 88,000 man-days that were lost in 1974 -

MR. MURPHY: About \$3.5 million.

MR. BARRY: Mr. Chairman, \$3.5 million.

MR. MURPHY: About that.

MR. BARRY: More than that. What is a good day's -

MR. MURPHY: About \$40 a day.

MR. BARRY: A good average day's salary.

MR. NEARY: The equivalent of 1,000 employees for four months.

MR. BARRY: Okay. But anyhow let us just say it is \$4 million, \$3-million to \$4 million. Mr. Chairman, I am sure that every man that was out on the picket line on the illegal work stoppages in 1974 would, if there were an acceptable way of getting his dispute brought to a head, if there were an acceptable way of getting his grievance processed, then he would much prefer to have that \$3 million to \$4 million divided up amongst the employees who were out.

We say \$3 million to \$4 million, what does this mean in lost profits, lost profits to the employer, to the companies, profits, I would submit, Mr. Chairman, that again could have been available to the employees because I submit that the profitability of the employer is a factor related to the ultimate wage packet of the employee. So if we could solve this problem of illegal work stoppages and if we could find a way of plowing into the pockets of our employees a percentage, a significant percentage of the profits that were saved the employer, the employer would be happy, the employee would be happy and Mr. Chairman, the Province would be a lot better off.

Now without unduly delaying the Committee, Mr. Chairman, I would just like to point out the contents of this Royal Commission on Illegal Work Stoppages.



MR. BARRY: Mr. Neary started off discussing the historical background in the existing law, and a nice, little summary it was too. In four or five pages he gives a good field for the legal issues that are involved and for the way that the trade union movement developed. And anybody who has not had exposure to this can gain a lot by just by reading those four or five pages. Then he analyzes the problem of illegal work stoppages. And he sets out, and you can almost get the full report, Mr. Chairman, from reading the table of contents, a model of clarity, a model of logic, he sets out the reasons for illegal work stoppages, in his opinion. Let me just mention a few of them.

First he talks about distorted values and attitudes in our industrial relations environment. Mr. Chairman, this applies on the part of the employer and the employee. The Hon. Minister of Transportation and Communications talked about employers working with nineteenth century mentalities in the twentieth century. That is so true. And the commissioner here mentioned problems that arise because of employers, for example, insisting upon enforcing the letter of the Collective Bargaining Agreement and letting the spirit of the agreement go out the window, taking the philosophy, oh you got to be tough with the unions or they will run all over you, so you have continuing resentment and disgruntlement until every now and then it builds up and just overflows and out they go.

The second reason submitted for illegal work stoppages, lack of respect for and enforcement of the law. Well that is almost a truism. But, Mr. Chairman, one of the more, I suppose, controversial recommendations in this commission and possibly the main one that caused some of our trade union leaders to get their backs up and to say that this was not an acceptable report, was the recommendation that there should be an automatic process for sanctioning individuals or groups who became involved in an illegal work stoppage,

and that this should happen automatically. Because what happens now, of course, as we all know, is that if there is an illegal work stoppage, part of the settlement for getting back to work is that there will not be - this may not be always expressed but it is often an understanding - that there will not be a follow up in terms of disciplinary action. And I think it is almost accepted over the last year or so that you have illegal work stoppages and nothing happens. And when you consider some of the tremendously sensitive areas that we have or are likely to have in illegal work stoppages, areas where you could cause almost irreparable harm to the public interest, unbelievable losses in terms of either destruction of property or losses of productivity, that there has to be some way of maintaining and enforcing respect for the law. Now this cannot just be done by saying, off to jail. It has got to be a matter of attitude. It has got to be a matter of education. But one device, Mr. Chairman, which has been brought up - I am not sure that I can accept, as I say, all the recommendations here - but I would submit that even the more controversial ones are ones that are worthy of more public debate than they have had so far, more public discussions.

Another reason given for the illegal work stoppages, the lack of trust and understanding between labour and management. Again this relates to the attitude of the employer in enforcing the collective bargaining agreement, the consultation he has with his employees. It also relates to the attitude of the employee with respect to the collective agreement. Does it mean anything to him or is it just a piece of paper that he can ignore at will?

Lack of communication, another reason, lack of understanding of the collective bargaining process. A lot of these relate back to the question of education and getting more people more familiar with what is involved in the collective bargaining process. He talks about some of the inadequacies of the collective bargaining process itself, many of which the honourable minister is dealing with and already since this report there have been improvements made in some areas.

Other reasons, then he sums up quickly, problems relating to working in remote areas - we know how serious this is in Labrador. International and national unions, we occasionally see, and I would submit, interprovincial unions, the Mount Wright situation, as an example, the adversary system in labour relations. Some people would say that a lawyer should never be involved in negotiating collective agreement or involved in a dispute once an agreement starts. The court should never be involved. There should be special labour courts. All of these are ideas that come up periodically. Jurisdictional disputes between unions we get causing illegal walkouts. Political interference in the hiring of employees - there used to be a lot of that. There used to be a lot of it. Welfare payments to strikers, another controversial issue. Ministers of the Crown as mediators, another delicate area - you have to walk the thin gray line which the honourable minister is doing quite well. So far he has not tripped over it and fallen on his nose yet. I am keeping my fingers crossed with respect to the trawler strike because I suppose there is no district that is more fundamentally effected, maybe one other, maybe the honourable Minister of Justice's district and my own, on the Burin Peninsula, two districts fundamentally effected by the strike. Fantastic pressures on myself.

AN HONOURABLE MEMBER: Inaudible.

MR. BARRY: I am sorry - the Minister of Finance as well, of

course. Fantastic pressures on all of us to get into it, boots first, to start making public statements, slashing back and forth, getting their parties together, but, Mr. Chairman, the objective is to get such a strike settled to the satisfaction of the employer and the employee as quickly as possible.

That, Mr. Chairman, I submit, is not likely to happen when you have politicians raging in where angels fear to tread. For that reason, Mr. Chairman, although at times with great reluctance, I, myself, and other ministers have had to restrain themselves from getting involved in this very sensitive area.

Mr. Chairman, again I say that this report, this royal commission should be reactivated. I do not know if there is any way you can reactivate a report after it has been passed in and is under study and under consideration by the department. But I would submit to the minister that he could do worse than to get that thrown out as a matter for current discussion amongst the public. I know that there has been ongoing consultation between the department, the minister and employers' groups and employees' groups on many, if not all of the points raised here, that there is a list of items - how many on that list? So many agreed to both employers and employees, so many not agreed to by one or the other. There are about ninety various issues, Mr. Chairman, that the Department of Manpower and Industrial Relations has isolated over the last year or so as items that should be dealt with in legislation and is being dealt with in the legislation now being drafted.

There are areas where further consultation is necessary between the employers and the employees and we hope

that this will take place. Mr. Chairman, I cannot sit down without saying that in my opinion the minister has done an excellent job in the trawler dispute and he has shown that he has the same calm, and courageous approach as he had in his previous sojourn as minister. I know that in addition to supporting and voting for this item in the estimates, which is the minister's salary, that the House would even be prepared to grant them a cost of living allowance.

MR. CHAIRMAN (DUNPHY): The honourable member for Bell Island.

MR. NEARY: Mr. Chairman, now that I have gotten my second wind, I would first of all, Sir, like to say that I am very pleased to see the number of members who have participated in this debate so far. I think so far, Sir, it has been a very interesting debate. A lot of the members who have spoken, Sir, especially on the government side, completely misunderstood and misinterpreted what I said in my original remarks. I do not think they did it deliberately, Sir. I think they probably did it out of ignorance of the knowledge of labour-management relations.

It is too bad that the member for St. John's South was not here when I made my speech which I considered, Sir, to be one of the more important speeches that I have made in this honourable House. God only knows that in the last three years I have made a good many. I understand that the honourable member was out attending the Professional Ladies Association Meeting.

AN HONOURABLE MEMBER: What?

MR. NEARY: The Professional Ladies Association - I think that is what it was. Is it the professional -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: The member was out attending the meeting of the Business and Professional Ladies Club. I do not know if he is a member of that club or not, Sir, or if they made him an honorary member this evening or not, but it is too bad he was not here to hear my speech because if he had, I am sure that the honourable member might have agreed with some of the points that I raised as did some of his colleagues on the other side.

So, so far, Sir, it has been an interesting debate. I have no doubt but it is going to go on yet for a few more hours. I do not think we will finish the estimates of the Department of Manpower and Industrial Relations tonight, Sir. But, Mr. Chairman, I do want to clear up one point that was made by the member for Bonavista South. That member in particular completely misunderstood what I said. It went right completely over his head.

Whereas he disagreed with my idea of a Productivity Council, and that is his privilege and prerogative, I did at no time during my debate earlier this evening suggest that politicians should get involved in labour management disputes. I did not suggest it but somehow or other the member got the impression that I had suggested this. I did not. As a matter of fact, Sir, I suggested the contrary if the honourable member had been listening to me.

Then of course the honourable Minister of Mines and Energy who just took his seat felt that this was no place for politicians in this very sensitive matter of labour-management negotiations and labour disputes. Well, I agree with the member and I said so, Sir, many, many times during the trawlermen's strike. If the honourable member will just check the record, he could find out.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Every time I said it, Sir, the controversy was raging between the fish merchants on the one hand and the trawlermen on the other, and either the Premier was involved because of a commitment he made in a letter or the Minister of Mines was down trying to mend his political fences in Marystown.

I said time and time again, Sir, on radio stations, CJOX at Grand Bank, that this particular strike would not be settled until both parties got back to the bargaining table and sat down and negotiated in good faith. And as it happened, Sir, - you did not have to be any genius to figure that out - that is the only way you can solve a strike when it takes place whether it is legal, illegal or what have you, Sir, is sit down around the table. You have to keep

talking, and you have to negotiate in good faith, not just for the sake of sitting down and chatting back and forth, it has to be a matter of give and take. And as it happened, Sir, that was the way the trawlermen's strike was eventually settled.

But, Mr. Chairman, having said all of this, that I think all honourable members who spoke tonight probably found some common ground, they did, I think, Mr. Chairman, come to the conclusion, whether they said so emphatically or not, that there is a great weakness in the present system. And some of the members who have participated in the debate so far more or less, and I was amazed at the Minister of Transportation and Communications, more or less throw up their arms in defeat and said there is nothing we can do about it, it is world-wide.

Mr. Chairman, I would submit that we have to do something about it. We have to, Sir, if we are going to survive, Mr. Chairman, and be prosperous, we are going to have to figure out a way, Sir, to eliminate the present wasteful procedures that we have in labour-management relations. So that all Newfoundlanders, Mr. Chairman, may be able to earn a larger share of our Gross Provincial Product and by so doing, Sir, improve their standard of living, acquire a higher standard of living, by increasing, and this is very important, Mr. Chairman, by increasing the dollar value of all the goods and services produced in Newfoundland and Labrador. In other words, to increase the Gross Provincial Product, so that there will be more for all to share.

Now, Mr. Chairman, how could any member on the government side in all conscience object to that sort of set up, that sort of proposal? It is like motherhood, Sir. And I did not guarantee anybody, any member of the honourable House that this would work. I said it is worth a try. The minister himself made no suggestions, made no recommendations except to tell us that we are going to have this great labour code that we have been promised for the last three or four years. And so, Sir, in the absence of any constructive, positive suggest from the Minister of Manpower and Industrial Relations, I throw out a positive, constructive suggestion of my own, and it is too bad the Minister of Fisheries was not in his seat when I spoke, because I am sure the minister would not

sit there tonight reading the newspaper, that he would have gotten on his feet, as he usually does in this honourable House and gotten right into the thick of this debate, and maybe, maybe for once in this honourable House may make a major contribution or a minor contribution or a small contribution, I do not care how big or small it is, the minister if he had participated in the debate instead of sitting over there reading the paper and looking completely bored with life. He may have been able to make some contribution to this debate.

And I do not want to go over the ground again, Sir. I do not want to bore the House in going over the ground again. But, Mr. -

AN HON. MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, I want to mention, Sir, the matter of productive time that, I think, the Minister of Mines and Energy raised. Well, Sir, once the time is lost, Mr. Chairman, once you lose productive time it is gone forever, it is one of those irreplaceable resources.



And once wasted, Sir, it never, never, never can be replaced. While members may try to minimize the number of illegal strikes in the Province by saying, oh, well we only have seventy-five, there is only 88,000 man-days, there is only 708,000 man-hours, it is only the equivalent of 1,000 employees employed for four months, why they may try to minimize that, Sir. I do not think they really believe the arguments themselves because, Sir, a kindergarten student in this Province, and I suppose in Canada for that matter, knows that there is a real, real problem in labour management relations at the present time, not only in Newfoundland, across Canada, across North America. They have had it in Britain. Everywhere, everywhere today, Sir, authority is being challenged. The capitalistic system is being challenged. People are espousing Socialism, espousing Communism. East is challenging West. There seems to be no end to it at all and one would wonder, Sir, one would wonder sometimes if there is any solution to the problem at all or if the end of the world is in sight.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: I beg your pardon?

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Well, the Minister of Fisheries told the university students there a few months ago that he thought that the end of the democratic world was in sight.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Yes, Sir. So, Mr. Chairman, the thing may be too big for us. Maybe the members on the government benches are correct. It may be too big for us to tackle. If I listened to the arguments, Sir, of the government members and I was a pessimist like some of the members who spoke in this debate tonight are, I would just give up. I would quit. I would say, no, okay, fine, nothing we can do, sorry I made the suggestion, sorry I took up the time of the House, sit down, slick down in

my seat, go home tonight weary, exhausted, frustrated, bewildered, with the knowledge that because the Member for Bonavista South and the Minister of Transportation and Communications and the Member for Burgeo and a few other gentlemen who spoke in the debate said there is nothing we could do, nothing we can do. Oh! let nature take its course. Some members emphasize the fact - Oh! let her go like she is, let her go like she is. The only way that you can resolve problems is to let management and labour work them out between them. Let them work them out between them.

Well, Sir, I would submit that that procedure and that system was alright in its day, but it is now obsolete, as far as I am concerned. We need to replace it with more up to date procedures. We need to get rid of this negative attitude and this negative thinking that we have and I agree with the Minister of Mines and Energy that the fault is on both sides and I hope I made that abundantly clear tonight. I am not taking sides and I will be not be goaded or forced into taking sides by some of the remarks of the honourable members opposite, no way, Sir. It is just as much labour's fault as it is management's fault. But we are going to have to get rid of this syndrome, Sir, that has existed for so long, that management has to take a position, labour has to take another and never the twain shall meet. How is that, Mr. Chairman, for a non-lawyer, an ordinary layman?

AN HONOURABLE MEMBER: Not very ordinary.

MR. NEARY: We have to get rid of this syndrome, Sir, and

we have to get down to brass tacks, and we have to eliminate these present confrontation tactics that work to the disadvantage of both parties. We have to set our sights a little higher, Sir, and we have to start looking for solutions to the problem. Maybe my suggestion may be the infant step, maybe only an infant step, Sir, but I think it is a good one. It is certainly better than anything I have heard put forward in this honourable House today. And, Mr. Chairman, members can minimize this problem all they like, but it is a very, very serious problem, Sir. I do not think we should go into the specifics of it. I think we should keep our sights a little higher. Why it has almost become, I suppose, a legend, Sir. You know, rotating strikes are no longer, I suppose, considered to be illegal, are they? Everybody accepts the fact that rotating strikes are okay. And I think it was the Minister of Social Services who pointed out tonight the inconvenience that it causes innocent people. And, Mr. Chairman, I think we all realize that labour has to have a weapon. They have to be able to apply economic pressure.

AN HON. MEMBER: (Inaudible).

MR. NEARY: I beg your pardon?

They have to be able to apply economic pressure.

I do not think anybody will deny the trade union movement that right. But what I am arguing, Sir, what I am arguing here is that I think the time has come, and if it has not arrived now, we are in for a very rude awakening very shortly, when we have to take a good hard look at updating these procedures, because in my opinion, Sir, a strike is an admission of failure, not on the part of the union and not on the part of the employer but on the part of both parties. It is an admission of failure. The alternative, Sir, at the moment is to try to get the parties back to the bargaining table, but in the meantime, Sir, the Province and the nation may lose millions and millions and millions and millions of dollars.

AN HON. MEMBER: It is a serious question but what is the alternative?

MR. NEARY: I beg your pardon? What is what?

AN HON. MEMBER: It is a serious question but what is the alternative?

MR. NEARY: The only alternative that I can think of right now, and this may not work, is my suggestion of a Productivity Council to scan the Province to try to root out the problems before they occur. I mean, what have we got to lose by doing that?

AN HON. MEMBER: (Inaudible).

MR. NEARY: What?

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Chairman, I move the adjournment of the debate. No, I do not think I have to move the adjournment. I think Your Honour just rises the committee and then we can carry on again tomorrow.

On motion that the committee rise and report progress and ask leave to sit again, Mr. Speaker returned to the Chair.

MR. CHAIRMAN (Mr. Dunphy): Mr. Speaker, the Committee of Supply wishes to report having considered the matters to them referred and report having made some progress and ask leave to sit again.

MR. SPEAKER: The Chairman of the Committee of Supply reports that they have considered the matters to them referred and report having made progress and ask leave to sit again.

On motion report received and adopted.

On motion committee ordered to sit again on tomorrow.

MR. CROSBIE: I move that the remaining Orders of the Day do stand deferred and that at its rising do adjourn until tomorrow March 26, 1975 at 3:00 P.M.

MR. SPEAKER: It is moved and seconded that the House do now adjourn until tomorrow Wednesday at 3:00 P.M. Those in favour "aye." Those against "nay." Carried.

I do now leave the Chair until tomorrow Wednesday at 3:00 P.M.

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<b>Personal Privilege</b>	
Premier Moores rose to correct an article in <u>The Daily News</u> concerning establishment of a college of mining at Springdale.	2164
Mr. Rousseau rose to correct an article in <u>The Daily News</u> concerning his comments in the House of Assembly March 24, on a question dealing with government advertising in that newspaper.	2164
<b>Notice of Motion</b>	
The Minister of Justice gave notice that on tomorrow he would ask leave to introduce a bill, "An Act Further To Amend The Judicature Act."	2167
<b>Oral Questions</b>	
Request from the Board of the Gander Hospital for funds to re-open two vacant wings of the institution and the hiring of additional personnel. Mr. Thoms, Mr. Crosbie, Mr. Roberts, Dr. Rowe.	2167
Request for Premier to make statement of government's policy on advertising in <u>The Daily News</u> . Mr. Neary, Premier Moores.	2168
Payment of social assistance to people on strike. Mr. Neary, Mr. Murphy.	2170
Government's payment of Member's expenses to attend anti-poverty conference. Mr. Neary, Mr. Murphy, Mr. Roberts, Mr. Morgan.	2172
Expansion of fire hall facilities in St. John's. Mr. Neary, Mr. Hickman.	2176
Progress on suggested Correctional Institute in the Happy Valley - Goose Bay area for Native people. Mr. Woodward, Mr. Hickman.	2177
Proposed regional water and sewer services for St. John's. Mr. Neary, Mr. Peckford.	2180
Transfer of military reserved land in Goose Bay. Mr. Woodward, Mr. Doody.	2182
<b>Orders of the Day</b>	
Committee of the Whole on a Bill, "An Act Respecting The Newfoundland And Labrador Hydro-Electric Corporation.	2184
Debate continued by:	
Mr. Crosbie	2184
Mr. Roberts	2184
Mr. Barry	2184
Mr. Roberts	2185
Mr. Barry	2186
Mr. Roberts	2186
Mr. Barry	2187
Mr. Roberts	2192
The Committee rose and reported having passed Bill No.1 with amendments.	2197
On motion report received and adopted	2197

Committee of the Whole, Motion No. 4, Interim Supply	2198
Mr. Earle	2199
Mr. Roberts	2199
On motion bill read a third time and ordered passed.	2201
Committee of the Whole, Motion No. 3, Supplementary Supply.	2201
Mr. Earle	2202
Mr. Neary	2202
On motion bill read a third time and ordered passed.	2204
Second reading of a bill, "An Act Further To Amend The District Courts Act."	2205
Mr. Hickman	2205
Mr. Roberts	2205
Mr. Neary	2214
Debate adjourned (Mr. Crosbie)	2220
Committee of Supply	
Estimates of the Department of Manpower and Industrial Relations.	2221
Mr. Maynard	2221
Mr. Neary	2237
Mr. Chairman left the Chair until 8:00 p.m.	2249
The Committee resumed.	2250
Mr. Neary	2250
Mr. Gillett	2271
Mr. Murphy	2276
Mr. Morgan	2285
Mr. Evans	2289
Mr. Wells	2293
Mr. Rousseau	2300
Mr. Woodward	2314
Mr. Barry	2319
Mr. Neary	2327
On motion, the Committee ordered to sit again on tomorrow.	2334
Adjournment	2334