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VERBATIM REPORT
(Hansard)

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Speaker: Honourable Patrick McNicholas

Wednesday

9 April 1986

The House met at 3:00 p.m.

MR. SPEAKER (McNicholas):

Order, please!

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Mr. Speaker, I rise to pay tribute to a churchman who has contributed greatly to the religious life of Labrador and Northern Quebec. Last week, Bishop Peter Sutton, of the Society of Oblates of Mary Immaculate, left the diocese of Labrador/Schefferville after twelve years of devoted service. Bishop Peter came to the diocese in 1974, and moved to Labrador City when the See was changed there in 1980. He was acknowledged as a great and trusted friend of all Labradorians, but he has had a special concern for the many Native People who were his charge. He has challenged us to enter into a dialogue with our Native People to ensure that justice is done.

Bishop Peter leaves Labrador to take up his duties as Archbishop of Kiwatin - Le Pas, an archdiocese including Northern Saskatchewan, Northern Manitoba and parts of Northern Ontario. He will be missed by all who are fortunate enough to know him.

MR. OTTENHEIMER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Intergovernmental Affairs.

MR. OTTENHEIMER:

Mr. Speaker, on behalf of hon.

members on this side I am pleased to associate our views with those of the hon. member. I have met Bishop Sutton on a number of occasions, although I cannot say that I knew him very, very well. Certainly we are all aware of his contribution to Labrador. Labrador, of course, was part of his diocese, and part of it extended into the Province of Quebec. Indeed, not only Bishop Sutton but the religious congregation of which he was a member, the OMI Oblates, have served the people of Labrador now for many years and I am sure a number of hon. members here have had the opportunity to meet with the Oblate Fathers.

Certainly we join with the hon. member in recognizing the important contribution made by Bishop Sutton to the people in the diocese and wish him well in his new appointment.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. BARRY:

On behalf of the Official Opposition, Mr. Speaker, we take pleasure in joining in the tribute to Bishop Sutton. I have met the bishop, and I also know him well through members of my family in Labrador City, who have had many close dealings with the bishop. He has done excellent work in Labrador. He will be missed. I think it is very fitting that this House pay tribute to him on his departure from the Province.

MR. SPEAKER (McNicholas):

Before calling Statements By Ministers, I want to refer to the

point of privilege raised by the President of the Council yesterday. I had the opportunity, this morning, of reading through Hansard, and in the particular circumstances I must rule that there is no prime facie case of breach of privilege.

I would, though, like to make a few brief comments. There have been numerous and numerous spurious cases of breach of privilege. We all know the definition of a breach of privilege given in Beauchesne, but it is a special privilege that we have here as members to carry on our particular duties. I am sure all hon. members know that much better than I do. Also, on points of order: Very frequently we get up on points of order that really are not points of order. I suspect, and I may be wrong, it is just to gain the floor when the hon. member should not have the time.

I am trying to do the best job I can and, if any hon. members think it is an easy one, maybe I should have them rotate here periodically. It is a difficult one. I find that there is an awful lot of shouting and catcalling from one side to the other. Now, I am not blaming hon. members on my right or left, it is just as bad on my left frequently, and I find it is extremely difficult to manage. I would ask for your co-operation.

Statements by Ministers

MR. RIDEOUT:
Mr. Speaker.

MR. SPEAKER:
The hon. the Minister of Fisheries.

SOME HON. MEMBERS:
Hear, hear!

MR. RIDEOUT:

Mr. Speaker, I am pleased today to update the House on the progress of our Middle-Distance Programme, and to announce that we have just completed the purchase of a second middle-distance vessel in Norway. As you may be aware, Mr. Speaker, this acquisition is part of an overall experimental development programme announced earlier in the year. This programme includes plans for my department to eventually acquire four vessels. The first such vessel, the M.V. Glen Clova, has been in operation for the past several years. The second vessel is scheduled to leave Norway today, April 9, and will arrive in Newfoundland within a couple of weeks. The remaining two vessels will be built locally, and will commence service in 1987. All four will be leased to Newfoundland crews for commercial operations.

Mr. Speaker, this Norwegian vessel, named the Sjovaer was one of four suitable prospects identified by my officials during a comprehensive review of the Norwegian fleet. Built in 1977, the Sjovaer has proven to be a very capable and efficient unit among the automated longlining fleet which has developed in the Malloy - Alesund area of West Norway in recent years. Except for ice-strengthening work to the hull, to be carried out later in the year, the Sjovaer will be able to commence fishing shortly after her arrival in St. John's. This will be accomplished, Mr. Speaker, with a full Newfoundland crew.

With regard to crewing, Mr. Speaker, we have held numerous

discussions with the industry, and there is a concensus that we fully utilize the experience and training gained from the Glen Clova experiment of the past few years. In order to build on this strength then, we now propose to divide this trained crew between the Glen Clova and the Sjovaer. The previous captain of the Glen Clova will assume command - under lease agreement - of the Sjovaer and the previous Glen Clova mate will become the captain of the Glen Clova.

It must follow that other crew members would include prospective skippers and engineers so that adequately trained officers and crew would be available to crew all four vessels under this programme, and possibly additional vessels providing the programme unfolds as successfully as projected.

Mr. Speaker, another activity related to this project is ongoing communication with the Fish Processing Associations of the Province to determine an equitable way to distribute landings from these vessels so that companies will have the opportunity to access this top quality fish. Fish of this quality, commands maximum prices, and this should help us achieve our objective of demonstrating the commercial viability of middle-distance vessels.

I might add, Mr. Speaker, that the Glen Clova has recently completed two trips of eight and ten days respectively. These trips were directed at halibut with very encouraging results illustrated by landings of 17,000 and 20,0000 pounds, plus a by-catch of cod and hake. A vessel gross revenue of

approximately \$70,000 per trip was realized. Trips such as these should satisfy those who remain skeptical about the economic viability of this technology.

The halibut fishery will undoubtedly serve to round out the overall fishing plan of the middle-distance vessel. This fishery was part of the banking schooner operation in years gone by. This should indicate, Mr. Speaker, that "Middle-Distance" is simply a new term used to describe a traditional method of fishing which has been successfully resurrected with updated technology. In Atlantic Canada, there are over sixty mid-sized vessels in operation and middle distance vessels are an important component of the fishing fleet of all nations on the North Atlantic rim. Those vessels have the capability to remain at sea and engage in productive fishing throughout the year. In much the same way as the resource short plant programme, this class of vessel will assist in reducing the extreme seasonality of the fishery on the East and the Northeast Coast of Newfoundland and Labrador.

MR. SPEAKER (McNicholas):

The hon. the member for Twillingate.

MR. W. CARTER:

Mr. Speaker, I thank the hon. minister for giving me a copy of his statement prior to the opening of the House. I should point out that questions we raise with respect to the viability or otherwise of the mid-distance fishery should not be interpreted by the minister or the House as this party being against the middle-distance-fishery concept; we believe that maybe there is a future in that particular area.

We do have certain questions, Mr. Speaker: We question, for example, some of the methods being proposed by the minister in the harvesting sector of the middle-distance fishery. We believe that maybe there is something to be said for utilizing some of the larger longliners that we presently have in this Province. In fact, as I pointed out yesterday, we have 181 vessels in the fifty-four foot to sixty-four foot class, a large number of which, I am sure, could play a very important part in any mid-distance fishery undertaken by the Department of Fisheries, and all the more important, Mr. Speaker, when one realizes that the owners of a large number of these larger vessels, certainly the sixty-four foot vessels, I suggest, could very well use that kind of an input into their operation.

We would like the minister, Mr. Speaker, to give us more details on the acquisition of those boats. For example, and I am sure the House, certainly we on this side, would be quite willing to grant him leave to tell the House if there was a broker, for example, involved in the purchase.

MR. RIDEOUT:

No.

MR. W. CARTER:

The minister says no. Fine!

We have heard rumours that maybe the government is contemplating the purchase of the Keltic. In fact, there is a Special Warrant, I think, covering the Keltic.

MR. RIDEOUT:

The Keltic was our first choice. There was a warrant there, but it was changed.

MR. BARRY:

Did you use the money in that warrant for the purchase of that one?

MR. SPEAKER:

Order, please!

MR. W. CARTER:

Mr. Speaker, there are other questions that I think remain to be answered. The minister in his statement, on page two, the third paragraph, mentions the two trips that have been made recently by the Glen Clova, and he goes on to say that these trips were very successful. In fact, he alluded to two trips, both of which grossed a revenue of approximately \$70,000. I think there is an old saying to the effect that 'One swallow does not a Summer make', or words to that effect, and I do not think that we can base the expenditure of a very substantial amount of money on the outcome of two trips.

MR. BARRY:

The Glen Clova lost money.

MR. W. CARTER:

Yes. The Glen Clova, as we pointed out yesterday, Mr. Speaker, in Question Period, the experiment undertaken by the federal department, the Department of Fisheries and Oceans, ended up with a \$209,000 loss during that year. The experiences gathered, Mr. Speaker, from that experiment would indicate that the landings in certain periods of the year, for example, at a time when the resource short plants would need extra input, were down considerably. In fact, landings in the period between November and April, in that five or six month period, were down by 67 per cent.

Now it seems to me that that is

the time of year when ideally we should have bigger landings, and that might very well be explained by ice conditions and other obstacles that obviously were in the way. Nevertheless, Mr. Speaker, these are some of the things that need to be addressed. Certainly, I think that maybe we should put more emphasis on salting fish. I noticed in the Fisheries and Oceans reports on the outcome of the Keltic studies -

MR. SPEAKER:
Order, please!

The hon. member's time has elapsed.

SOME HON. MEMBERS:
By leave?

MR. SPEAKER:
By Leave.

SOME HON. MEMBERS:
No.

MR. SPEAKER:
Leave is not granted.

Oral Questions

MR. BARRY:
Mr. Speaker.

MR. SPEAKER:
The hon. the Leader of the Opposition.

MR. BARRY:
I would like to address a question to the Premier. I would like to ask the Premier what has happened to his commitment given to the workers and to the people of this Province that if the union went back to work there would be an agreement within forty-eight hours 'at the outside'? I think those

were the Premier's words.

PREMIER PECKFORD:
Mr. Speaker.

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Mr. Speaker, unfortunately the union left the table at 6:10 on Monday and have not returned to the table. That is the reason why the time frame was not kept. I will table for the information of hon. members the situation as I described it in a press conference this morning. Number one, the two sides met on Monday at 10:00 o'clock, recessed at 12:30, reconvened at 4:00, and negotiations continued until 6:10 at which time the union left the table because of the promotion clause. (5) All those talks were on non-wage items at the union's request. Our team offered our wage parity package, they refused to receive it, so you can see why even in those seven or eight hours that the forty-eight hours' offer could not be kept. They would not receive the wage parity package. The Deputy Minister of Labour talked to Mr. March on Monday night. Mr. March said he would be briefed by his team and talk to him the next day. On Tuesday, in the absence of any contact by the union, and as a result of a front page article in The Evening Telegram, the Deputy Minister of Labour contacted Mr. March. Mr. March indicated that promotion provisions were not satisfactory, and that this single item could prevent an agreement. He said that to the Deputy Minister of Labour. Government has sent in writing our position on the non-wage items discussed on Monday to NAPE this morning, because it was done verbally on Monday. So

they left the table at 6:10 on Monday thereby precluding the possibility of getting the early agreement that I talked about last Wednesday, although we have indicated publicly that we would like for them to come back and continue negotiations. On the non wage items, on language parity, we have conceded on nineteen different points in the exact language that is in the Health Service contract and others. We are willing to continue negotiations - I would like a copy of that for all members - and we would like for them to come back to the table. To leave over just one issue, when there has been agreement on already nineteen or twenty, and with the wage parity package not on the table, we do not think is giving the talks a chance. We would like for the union to come back to the table.

MR. BARRY:
Mr. Speaker.

MR. SPEAKER:
The hon. the Leader of the Opposition.

MR. BARRY:
Mr. Speaker, would not the Premier agree that the words he used in his On Camera interview were only hollow rhetoric, and that the reason why the union left the table was because it very quickly saw that government was not prepared to live up to those guarantees given by the Premier in the On Camera interview? And would the Premier not admit that he has backed away from giving that same language given to the Health Services-

PREMIER PECKFORD:
No, no.

MR. SPEAKER:

Order, please!

MR. BARRY:
- and that is the problem with respect to the promotions clause?

PREMIER PECKFORD:
Mr. Speaker.

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Absolutely not, Mr. Speaker. Everything I said in On Camera has been kept. We have a wage parity package that they will not let us put on the table. They will not take it in their hands although they wanted wage parity. As it relates to Bill 59, we have met every one of the demands that the union has had. We have gone on language parity, which we agreed with in the back-to-work agreement in principle, because it cannot be applied syllable for syllable, word for word, clause for clause, exactly the same out of one contract into another because you are talking about a different work environment and different work duties, but where it has been possible, and the union knows this, we did. There are nineteen now where we have actually extracted the exact words. Where we could, we did. Where we can, we will.

But the union left the table just on one issue, promotion. Before they come back to the table apparently they want the government to capitulate and agree to promotions being done in the public service on seniority and not on merit. What we say is if there are applications for jobs in the public service and if two people have relatively equal qualifications - not even equal, because that is too narrow - then

seniority will apply. But to say as a general rule for every position in the public service - by the way, their position that is on the table now is not only for the bargaining unit but for the non-bargaining units, for the management and executive - that seniority will apply is not practical. In other words, if the hon. the Leader of the Opposition and myself are the two left to choose from in a job advertisement and -

MR. BARRY:

You would get it on seniority. I would get it on merit.

PREMIER PECKFORD:

Well, fine. The people of Newfoundland have already decided on that.

SOME HON. MEMBERS:

Hear, hear!

PREMIER PECKFORD:

To concede to the Leader of the Opposition, for the sake of argument but only for the sake of argument, if the Leader of the Opposition and myself met the minimum requirements of a position that was advertised, both of us met them, but he had twice the qualifications as I did and had three years' experience, and I just met the minimum requirements and I had five years' experience, then I get the job over him.

So they want seniority to be the determining factor in all positions. They have made their position very clear. We cannot accept that. We can accept that where it comes down to two people and they are relatively equal, in other words give some flexibility, in qualifications, then seniority can apply and will apply, and we have got that in the agreement.

But to say right across the system that merit will be subservient to seniority within the bargaining unit and even non-bargaining units, then we cannot accept it. That is the reason why, apparently, they walked away from the table.

We have kept every single commitment that we have made, and more. As a matter of fact, to just tell the Leader of the Opposition how far we have gone, on temporary, seasonal people in the Department of Transportation we have allowed seniority to apply.

MR. BARRY:

Come on, now.

PREMIER PECKFORD:

Just one second now. This is important for people to understand.

MR. BARRY:

Do an advertisement.

PREMIER PECKFORD:

Well, then, if you do not let me answer, I will have to. Mr. Speaker, on temporary seasonal workers, like out in all the highways depots, if a foreman has three or four people out there and he has got to decide which one goes on the snowplow, and he has one guy out there who has three seasons' experience and a whole lot of qualifications and another one with five years' experience and very little qualifications, he is going to have to take the person who has five years' experience. Even now, we have given that away.

MR. FLIGHT:

Mr. Speaker, this is an abuse of the rules.

MR. BARRY:

Mr. Speaker.

MR. SPEAKER:
Order, please!

I do not want to interrupt the Question Period, but I would ask that we would have short questions and short answers.

The hon. the Leader of the Opposition.

MR. BARRY:
Thank you, Mr. Speaker.

Would the Premier confirm that merit all too often with his administration involves the merit that is earned within the Conservative Party of this Province?

Secondly, Mr. Speaker, would the Premier indicate under whose direction are negotiations proceedings? Is it under the Premier's commitment that there would be an agreement within forty-eight hours or is it under the President of Treasury Board (Mr. Windsor), who says that he will not negotiate to a deadline? Which view is prevailing right now?

MR. SPEAKER:
The hon. the Premier.

PREMIER PECKFORD:
Mr. Speaker, after my forty-eight hour commitment last Wednesday we went to the bargaining table for a back-to-work agreement and the union did not want to put in a time frame. So the back-to-work agreement, which supersedes my comments of last Wednesday, is now operative with no time frame in there. Then, after the back-to-work agreement was signed, the union said, outside of the agreement, ninety-six hours. So if you want to look at what we are working under, we are working under a back-to-work agreement in

which there is no time frame. We will put our best foot forward to get it within forty-eight hours if the union will come back to the table. How can you negotiate when somebody leaves the table on one item, promotions? How can you negotiate? They have left the table and have not returned. We are still at the table.

As far as merit goes, we will stack our administration up against any administration in the history of Newfoundland and right across Canada through the Public Service Commission. We do not have to take second place as it relates to merit. We have good public servants who have gotten their jobs through merit and have gotten their promotions through merit and not just seniority, and we will stick to that, Mr. Speaker. We are not ashamed of that at all.

MR. KELLAND:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Naskaupi.

MR. KELLAND:
Thank you, Mr. Speaker.

I would like to ask the Minister of Career Development and Advanced Studies (Mr. Power) to confirm a story carried on CBC in the last day or so that the Resource Technicians Training Programme in North West River will be cancelled following the graduation of the first course this Spring.

MR. SPEAKER:
The hon. the Minister of Career Development and Advanced Studies.

MR. POWER:
Mr. Speaker, I cannot confirm the report, I did not hear it myself

but I can outline the back down of that programme. It is a programme offered by Memorial University. We, as a government -

MR. TULK:

We want an answer, not a sermon.

MR. POWER:

Do you want the answer or not? The member for Naskaupi (Mr. Kelland) may be interested, the member for Fogo (Mr. Tulk) may not be interested.

Mr. Speaker, the Resource Technicians Programme, which was sponsored by Memorial University last year, was a very good programme. The university gets money from this government, this year a \$79.5 million grant, and another grant for their School of Medicine - which is a very substantial amount of government's money for post-secondary education - and it is the university's decision because the university has autonomy. The Government of Newfoundland, the Department of Career Development does not go over to the university and say what programmes they can teach, whether they should teach an Arts programme, a Resource programme or a Medical programme. We give them the money, they are autonomous, they run that portion of post-secondary education in this Province, and if they have decided to cancel that programme then it is their decision and not this government's.

MR. KELLAND:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. member for Naskaupi.

MR. KELLAND:

I find that answer a little unusual, Mr. Speaker. In recent

times, and in fact I have a letter here from the minister which I will ask him about, there was some talk that the school would perhaps move from Northwest River to the Happy Valley-Goose Bay District Vocational School. The minister will confirm for us that there was some consideration in changing the administrative responsibility to the DVS in Happy Valley but not the school itself. Now, would the minister confirm if that has been scrapped and if indeed the programme will be cancelled?

PREMIER PECKFORD:

What about short questions now, Mr. Speaker?

MR. FUREY:

You had long answers, 'Brian,' give him a break.

MR. SPEAKER:

The hon. Minister of Career Development and Advanced Studies.

MR. POWER:

Mr. Speaker, there has been extensive discussion among the university, my department and the District vocational School people in Happy Valley-Goose Bay, and there is some thought that, if government does make the decision fairly shortly about a college for Labrador, that new Resource Technicians programme could be done under the college structure. But as it stands right now the District Vocational School, in Happy Valley-Goose Bay is not in a position to take over that course and it is up to the university to decide whether it will be funded again this year or not.

MR. KELLAND:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon

member for Naskaupi.

MR. KELLAND:

Thank you, Mr. Speaker.

Has the minister proposed any sort of an alternative? Notwithstanding what he just said, if in fact the university, as I understand from the Director of Northern Studies, cancels the programme following graduation this Spring, has he put forth any proposals to his colleagues in Cabinet, or in any other forum, for an alternate programme so that the youth of Labrador will be able to take advantage of resource management training similar to what was designed for the current course?

MR. SPEAKER:

The hon. Minister of Career Development.

MR. POWER:

Mr. Speaker, we have an extensive set of plans for all of the post-secondary system in this Province, and first and foremost in that will be a new system for Labrador taking in a campus at Happy Valley-Goose Bay, the district vocational school and some of the programmes that we are doing in Lab City-Wabush. At this stage of the game it is just too early to commit that Resource Technicians programme to that new infrastructure. But if the university obviously is not going to do that programme this year, which has been a very successful programme, and the students there are very likely to gain employment in the outfitting and tourist portion of the industry in Labrador, then we certainly want to continue that programme. If the university in that large grant, that large increase that we have given, up to almost \$80 million this year, cannot find

\$160,000 or so to fund that programme, then certainly we will find some other way to do it.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

The hon. member for Windsor-Buchans.

MR. FLIGHT:

Thank you, Mr. Speaker.

My question is for the Premier. Yesterday the Offshore Petroleum Board announced the awarding of three areas for exploration on the Grand Banks, and the three companies involved that got areas for exploration were Chevron Canada Resources Limited, Amaco Canada Petroleum Company and Shell Canada Limited in partnership with North Atlantic Petroleum Limited. Would the Premier indicate if he is aware of that company and who the major shareholders of that company, North Atlantic Petroleum Limited, are?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

I have not got a clue, Mr. Speaker. I was not sure exactly what companies actually got the permits. I knew Chevron was involved there and I heard -

MR. MARSHALL:

Shell.

PREMIER PECKFORD:

- Shell and Amaco, as the hon. member said. I have not got a clue as to who they are.

MR. J. CARTER:

Mr. Speaker, on a point of order.

MR. SPEAKER:

A point of order, the hon. the member for St. John's North.

MR. J. CARTER:

All these questions are obviously originating from the Opposition research assistant, Mr. Murphy, and since the Opposition members are having difficulty reading them, this side is prepared, I am sure, to give leave for Mr. Murphy to come and ask them directly.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

There is no point of order.

The hon. the member for Windsor-Buchans.

MR. FLIGHT:

Mr. Speaker, I will be glad to table the share list of North Atlantic Petroleum which indicates that the president is one Mr. Frank Ryan and the present secretary is one Mr. Basil Dobbin.

MR. SPEAKER:

Order, please!

MR. BARRY:

A good question.

MR. FLIGHT:

A good question, Mr. Speaker.

MR. SPEAKER:

Order, please! The hon. member is making a statement.

The hon. member for Windsor-Buchans.

MR. FLIGHT:

Mr. Speaker, talk about short questions. Mr. Speaker, I have indicated the major shareholders in this company are Mr. Dobbin and

Mr. Ryan, and everyone knows that they are key organizers and fund raisers for the PC Party and personal confidants of the Premier. Would the Premier indicate whether or not he is aware if any undue political influence was used in making sure that that company, North Atlantic Petroleum Limited, is participating with Shell Canada?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

You know, it is the first I knew of it. I do not get involved in the business of individuals around this Province. There were bids put out by an independent joint board which is federally/provincially constituted. These officers are there. They screen applications and award acreage. I was not aware of it at all. So, therefore, if I was not aware of it, I guess it was pretty hard for there to be, from my part, any political influence. I have never spoken to anybody in the board. I spoke to Mr. Baugh before he was appointed one day with the President of the Executive Council. I have had no dealings either directly or indirectly with the board. I was not even aware that Shell had any of the acreage. It is out of my sphere altogether. That is not my business.

MR. FLIGHT:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A final supplementary, the hon. the member for Windsor - Buchans.

MR. FLIGHT:

I would ask the Premier, or he can defer the question to any of his

Cabinet as far as I am concerned, if he would indicate if he is aware of any one in his Cabinet is aware by what expertise does this company bring to offshore exploration? What expertise or otherwise do they bring to the exploration offshore in a joint partnership with Shell Canada?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Well, I do not know. I guess Shell brings some expertise. They have been drilling off Nova Scotia for years and they have done some drilling off here. The Shell Company is pretty substantial.

MR. FLIGHT:

I am talking about North Atlantic Petroleum Limited.

PREMIER PECKFORD:

I do not know. I have not got a clue. It is none of my business. I could not care less. I have nothing to do with it. It is none of my business. It does not come to Cabinet or come to any minister, but goes to a joint board. Those decisions do not even come to a minister, that is done by the joint board. That is why it was set up that way, completely independent. I do not have a clue. If the hon. member wants me to undertake it - I guess he could find out just as well as I - I could write the company and ask them what kind of expertise they have, if that is what he wants to know. It makes no difference to me, you know. I have nothing to do with it.

MR. FLIGHT:

Mr. Speaker.

MR. SPEAKER:

That was a final supplementary, I

say to the hon. the member for Windsor - Buchans.

MR. FLIGHT:

Mr. Speaker, since the Premier indicated that he is willing to do that -

MR. SPEAKER:

The hon. member was recognized for a final last time.

MR. FLIGHT:

It is a new question, Mr. Speaker.

MR. SPEAKER:

You have to wait your turn.

MR. FLIGHT:

Well, a final supplementary, Mr. Speaker. My questions were not long, Mr. Speaker.

MR. SPEAKER:

A short final supplementary.

MR. FLIGHT:

Mr. Speaker, since the Premier indicated that he is willing to do this, I would ask him: Would he undertake to write Shell Canada and ask Shell Canada the real reasons for the participation of North Atlantic Petroleum in the offshore, and would he undertake to table the correspondence or the answers that he gets from Shell Canada?

MR. SPEAKER:

The hon. the Premier.

PREMIER PECKFORD:

Mr. Speaker, I will write saying that I had a question asked by the member opposite and that he wants all this information, that he is not willing to write himself and find out. I will write them. I mean, the member can get it himself, but if he wants me to write on his behalf and ask them for all that information, I will.

I have no problem.

MR. FLIGHT:

There is finally evidence that the offshore is subject to political interference.

MR. SPEAKER:

Order, please!

PREMIER PECKFORD:

If the hon. member has got a charge to make let him make it, not do it by innuendo. I was not even aware of who got the acreage. It is no business of mine whatsoever, none. It does not even come to me or the government or anybody. But I suppose they are allowed to go out and do work the same as his Liberal friend is allowed to go out and do work.

MR. FLIGHT:

Tell me one who is doing anything in this Province today.

MR. FENWICK:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FENWICK:

Thank you very much, Mr. Speaker. My question is for the President of Treasury Board. My question is: On Sunday evening at seven o'clock when you signed the back-to-work agreement that included a guarantee of contract language parity, were you aware at that time that the hospital support staff agreement did have a clause in it in which seniority was the governing factor for promotions within the bargaining unit?

MR. SPEAKER:

The hon. the President of Treasury Board.

MR. WINDSOR:

Mr. Speaker, first of all, that agreement, if the hon. gentleman would care to read it, states that we agree with the principle of contract language parity. It obviously was not the sort of thing that government would want to agree to holus-bolus, verbatim, with every item that the union might ever request, to give them the right to pick the best items out of any of thirty-five other public service agreements that are available to them to put into this agreement. We did state to them that we accepted the principle and that we would make every effort to give them language parity where it was reasonable and practical so to do. We have shown that. We have nineteen items which we put forward yesterday to which they have not responded either verbally or formally to us yet. But we have shown clearly, Mr. Speaker, that we recognize that principle, that we are making every move to honour that principle, and we would be delighted if we could get some response from the union.

MR. FENWICK:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek, a supplementary.

MR. FENWICK:

The question I asked, and I am going to repeat it because I do not think I saw the answer in there, is this: In a Hospital Support Staff Agreement, within the bargaining unit there is a clause that says that when promotions within the bargaining unit are to be considered, seniority is a governing factor. It is a very noticeable exception in the General Service Agreement. My question to you, Sir, is were

you aware at the time that you signed that agreement that that contract language was in the Hospital Support Staff Agreement and not in the General Service one at the time?

MR. WINDSOR:
Mr. Speaker.

MR. SPEAKER:
The hon. President of Treasury Board.

MR. WINDSOR:
Mr. Speaker, yes, obviously I am aware of the wording that is most of the agreements that we have signed. But I point out to the hon. gentleman that that wording was put there in 1975 as a result of a Conciliation Board report, and it applies differently in a hospital. It can work in hospitals, but we have had some difficulties with it. Nevertheless, in the hospital situation you are not in the sort of area where you are getting promotions as you are in the Public Service. You either have training that qualifies you for a certain job or you do not, and there is very little differential between persons in a particular classification. So whereas it can work in a hospital system, it does not work in the Public Service.

MR. FENWICK:
A final supplementary, Mr. Speaker.

MR. SPEAKER:
A final supplementary, the hon. the member for Menihek.

MR. FENWICK:
The President of Treasury Board now admits that he knows that the Hospital Support Staff Agreement had it at the time he signed it. He even knows when it was put in, he even knows what the problems

were, so it is obvious at that time he knew it. My question to you now, Sir: Is it not obviously that you have now broken your word in terms of giving that contract language parity? Because that has been a paramount issue in those General Service negotiations for almost the last decade, and you could not have failed to know that that was there. My question to you is, is it not now entirely apparent that you were not signing that agreement in good faith? And the question I have for you is why should the union be under any restraints whatsoever to live up to its side of the agreement since you have very clearly broken your side of it at this point?

MR. WINDSOR:
Mr. Speaker.

MR. SPEAKER:
The hon. the President of Treasury Board.

MR. WINDSOR:
Mr. Speaker, as I told the hon. gentleman, yes, of course I knew that was there. Yes, it has been an issue for many years, and, yes, government's position has been for many years that it is unacceptable and that we cannot operate the Public Service under those terms and conditions. What we agreed to in that back-to-work agreement was that we accept the principle of wage parity. We made it clear we could not accept every item of language that they would put forward. We accepted the principle and said where it was reasonable and practical to do so we would try to meet it. We have done that. We have been extremely reasonable. We have lived up to the terms and conditions of that back-to-work agreement, but we have not seen the union live up to its terms and conditions to sit

down and, negotiate in good faith. They have refused to even accept the wage offer, and if the hon. gentlemen will recall, wage parity is the issue that they were out on the streets for for five weeks.

MR. W. CARTER:
Mr. Speaker.

MR. SPEAKER:
The hon. member for Twillingate.

MR. W. CARTER:
My question is directed again to the Minister of Fisheries (Mr. Rideout) and it concerns an article that appeared in The Evening Telegram on March 29, in which the minister, Mr. Speaker, is quoted as expressing surprise with respect to the statement coming out from Ottawa from his federal counterpart to the effect that he was considering the abandonment of the Northern Fishery Development Corporation. The minister, Mr. Speaker, went on to express surprise, too, in light of the fact that they had a meeting a week previously, that no mention was made of that decision -

MR. SPEAKER:
Order, please! The hon. member is making a speech.

MR. W. CARTER:
- hardly an indication of the new-found spirit of federal/provincial co-operation. Mr. Speaker, my question to the minister is can he now tell the House he has been in touch with his federal counterpart? Will the corporation be established as promised and as agreed to by the previous minister, Mr. Fraser, and, again, agreed to by the present administration?

MR. SPEAKER:

The hon. the Minister of Fisheries.

MR. RIDEOUT:
Mr. Speaker, we operate in a spirit of co-operation, not in a spirit of capitulation, unlike the hon. gentleman when there was another government in Ottawa. The fact of the matter is, Mr. Speaker, that I have never been able to hear or see in any print form or electronic media form what the federal minister is alleged to have said. I commented on a question that was asked me by the media that said that he had said such-and-such a thing. The fact of the matter was that I had discussed an the NFDC with him in Charlottetown and he had told me they had not made any final decisions, and I was pressing on him the need to get a final decision because we want to know, and have to know, and should have known months ago, whether there was going to be an NFDC or not. Our position is quite clear on that. The other thing I would say, Mr. Speaker, is that there have been certain groups in the Province who are making it very, very easy if the federal government wants to back away from NFDC. There have been lobbyists and representation made from different groups in this Province to the federal government saying that in 1986 NFDC is no longer as necessary as it perhaps was in 1982 or 1983, and that could be part of the problem that we are facing.

MR. W. CARTER:
A supplementary, Mr. Speaker, to the minister.

MR. SPEAKER:
A supplementary, the hon. the member for Twillingate.

MR. W. CARTER:

First of all, did he telephone the minister after having heard this statement? And, with respect to the latter part of his answer, Mr. Speaker, can he tell the House if one of the groups that he alluded to would involve certain former politicians, certain former colleagues of the minister, who apparently are quite anxious to get their hands on certain fish processing operations in that part of Newfoundland, and could very well have the effect of discouraging maybe the entrance into the area of the Northern Development Corporation?

MR. SPEAKER:
The hon. the Minister of Fisheries.

MR. RIDEOUT:
Now, Mr. Speaker, let us make it very clear. The only plants that we have any control over are the Northern plants in Main and Makkovik, and a couple of the other Northern places, and there has been absolutely no request from any former colleague or former politician, from one side of the House or the other, looking for any of those Northern plants. Now if there has been other plants that FPI or somebody else might have up for divestiture, that I cannot comment on. I can only say that as of this day I have not seen any recommendation that includes anybody falling in that category. What I am talking about, Mr. Speaker, is Torngat Co-op, which have lobbied very, very ferociously with the federal government saying that they should operate the plants and not NFDC or anybody else.

MR. W. CARTER:
A final supplementary, Mr. Speaker.

MR. SPEAKER:
A final supplementary, the hon.

the member for Twillingate.

MR. W. CARTER:
I wonder if the minister then can tell the House if in fact he has received a request from a company called North Limited, which apparently is quite anxious to get involved in the fish processing sector in that part of Newfoundland and Labrador?

MR. SPEAKER:
The hon. the Minister of Fisheries.

MR. RIDEOUT:
I have no recollection of any request from any company called North Limited.

MR. FUREY:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for St. Barbe.

MR. FUREY:
Mr. Speaker, my question is to the Minister of Consumer Affairs and Communications (Mr. Russell).

Consumers in the Province generally feel like they are being ripped off at the gas pumps, Mr. Speaker, and on home heating oil. In the last three and a half months we have seen the price of crude oil sliced by more than half. I want to ask the minister why this major slice in world crude prices is not reflected at the gas pump and in home heating oil.

MR. SPEAKER:
The hon. the Minister of Consumer Affairs.

MR. RUSSELL:
Mr. Speaker, I do not know where the hon. member has been for the past number of days -

MR. DIMN:

He has been in Cuba.

MR. RUSSELL:

- apart from Cuba, talking to some philosophical friends of his. Mr. Speaker, it is my understanding that the price of gasoline at the pumps has decreased in the area of approximately forty cents per gallon over the past two or three weeks. I will admit, Mr. Speaker, it not low enough, it should go lower, and I would be delighted to see it go lower.

MR. BARRY:

Thirty cents a gallon, 'Jim', not forty.

MR. RUSSELL:

It is close to forty cents a gallon at the present time.

On the cost of home heating oil, Mr. Speaker, I wrote the various companies some time ago expressing my concern about the variance in the prices. As I indicated in the Legislature earlier, I have received some replies from them outlining their reasons for the variance.

MR. FUREY:

A supplementary, Mr. Speaker.

MR. SPEAKER:

A supplementary, the hon. the member for St. Barbe.

MR. FUREY:

Consumers generally across this Province are wondering where the minister has been for the last year.

SOME HON. MEMBERS:

Hear, hear!

MR. FUREY:

Mr. Speaker, the mandate of this particular ministry calls for the

minister to protect the consumer and the consumers feel like they are being ripped off. It is not good enough to write companies and be a mouthpiece for companies and multinationals.

MR. SPEAKER:

Order, please!

The hon. member is making a speech.

MR. FUREY:

My question is: Would the minister consider setting up a special independent enquiry to look at and study why the price of gas and oil is taking a molasses slow crawl on the decline end? Because when we see an increase in world price it appears the next day at the pump and in the oil tanks of the average consumer in this Province.

MR. PECKFORD:

Where are the short questions, Mr. Speaker?

MR. FUREY:

Now, Mr. Speaker, if you can keep the Premier quiet for a minute, my question is simply this -

MR. MARSHALL:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. the President of the Council.

MR. MARSHALL:

Mr. Speaker, in a supplementary question it is out of order to make a speech. A speech can be made whilst asking a question. The hon. gentleman should be asked to pose his question and not make a speech, in effect, by just getting up, "My question is," and then he goes on and makes a speech.

MR. SPEAKER:

Order, please!

There was no point of order. The time for Oral Questions has now elapsed.

MR. FUREY:

A point of order, Mr. Speaker.

MR. SPEAKER:

A point of order, the hon. member for St. Barbe.

MR. FUREY:

Mr. Speaker, I was near the end of my supplementary when the hon. the House Leader (Mr. Marshall) chose to try to dissipate my few seconds and take the answer out of the minister's mouth. Now, Mr. Speaker, fair is fair. I have a supplementary. The consumers of this Province are very concerned, and I want leave to finish the tail end of my question. It is fine for those twenty-two ministers with public cars and public credit cards because they do not even know the price of gas in this Province. Mr. Speaker, I ask for your protection to finish my supplementary.

MR. SPEAKER:

Order, please!

The time for Oral Questions has elapsed.

SOME HON. MEMBERS:

By leave!

SOME HON. MEMBERS:

No, no.

MR. SPEAKER:

Leave has not been granted.

Presenting Reports by
Standing and Special Committees

MR. POWER:

Mr. Speaker.

MR. SPEAKER:

The hon. Minister of Career Development and Advanced Studies.

MR. POWER:

Mr. Speaker, I would like to present to the House the Provincial Advisory Council on the Status of Women's annual report for 1984-85.

SOME HON. MEMBERS:

Hear, hear!

Petitions

MR. DECKER:

Mr. Speaker.

MR. SPEAKER:

The hon. member for the Strait of Belle Isle.

MR. DECKER:

Mr. Speaker, I have a petition from residents of Englee. It is signed by fifty people from the town of Englee and the prayer of the petition is: "We, the residents of Englee, petition the hon. Ron Dawe, Minister of the Department of Transportation for the Province of Newfoundland." The gist of it is that the hon. minister would consult with his counterpart in Ottawa to take immediate steps to form a secondary roads agreement whereby road number 432 be completely upgraded and paved. Yesterday, Mr. Speaker, I presented a similar petition from some people at Bide Arm who were also asking that this road be paved.

I was extremely disappointed yesterday, Mr. Speaker, when no member from the government side saw fit to even rise and speak to this petition. During the night I began to wonder why members

opposite would not support a petition by a group of people who live in Northern Newfoundland, many of whom never have the opportunity and privilege of driving on pavement. I began to wonder why it was that members opposite would not even lend their support. The hon. Government House Leader (Mr. Marshall) did shout across the floor at me yesterday and say that he would support the petition. Mr. Speaker, I thought he would have supported my petition and I would have been pleased to have a man of his weight, of his stature and his influence with the Premier in the Cabinet stand up and support that petition but he chose not to support the petition. The reason that he did not support the petition and the reason why members opposite are not going to support this petition is obvious. The Tory Party has become a St. John's party.

It is just as well for the people of Bide Arm, the people of Englee, the people of Roddickton and the people of St. Anthony to accept the fact that this Province today is being governed by a St. John's party which could not care less about gravel roads outside the overpass. That is a fact of life that we have to live with, we have to accept and we have to do our utmost to change, Mr. Speaker. Let me assure hon. members opposite that we are doing our utmost to change it and I am sure that we will change it in the very near future.

During the present time we have to face the fact that this Province is being governed by a St. John's clique who have no concern whatsoever for the roads on the Strait of Belle Isle or anywhere else in this Province outside the

overpass, Mr. Speaker.

In one of the whereases in this particular petition I am presenting today the people refer to the fact that the roads within the district contribute to an extremely short vehicle life and high automobile maintenance costs, Mr. Speaker. Now, I know exactly what I am speaking about.

It is normally accepted in the Province of Newfoundland today, where paved roads exist, that a new vehicle will last at least five years before there is any major maintenance required on that vehicle. In the Englee area, Mr. Speaker, a person is extremely fortunate if he can get two years out of his vehicle before he has to go in for some major repairs. This is a fact which is accepted by people of the area. It is even accepted by the automobile dealers. Many people from Englee will go to Corner Brook to trade their car on a new vehicle. And the car which comes from Englee is referred to, Mr. Speaker, as a coast car. As soon as it is referred to as a coast car, you can be assured that the person who is trading that car will lose anywhere from 10 per cent to 15 per cent of the price off the value of that car as compared to the hon. House Leader's car which is continually driven over paved roads in St. John's, in the favourite part of this Province, as far as the present government is concerned.

Another "whereas" says, Mr. Speaker, that the high sales taxes, the escalating cost of vehicle registration and licence fees, and the gasoline taxes are being applied to the people in Englee at the same rate as they are being taxed in other places in

Newfoundland where they have the privilege of driving over paved roads.

Mr. Speaker, I am wondering if there is any justice in this method of applying taxes? The person in Englee who is compelled to drive his car over a gravel road, over a glorified cow path, who does damage to his vehicle every time he takes it out of the driveway, Mr. Speaker, is being taxed at the same rate as the Government House Leader (Mr. Marshall) who only drives his car over a paved road inside the glorious overpass where the sun ever shines on this Tory Government, on this Tory St. John's.

If we were to reflect for a minute, Mr. Speaker, I am sure -

MR. SPEAKER:

Order, please! The hon. member has spoken for five minutes.

MR. DECKER:

By leave?

SOME HON. MEMBERS:

By leave.

MR. SPEAKER:

By leave.

MR. DECKER:

I am sure, Mr. Speaker, that members will have to agree that it is not fair, there is no justice in a province which would charge an extremely high sales tax on gasoline, charge extra money for the licence plates for the car, and yet those people are forced to drive over a road which is nothing more than a glorified cow path.

Mr. Speaker, I am pleased to stand today and lend my support to the people of Englee who are going

about this in a rational, reasonable manner and are asking the Government of Newfoundland to do something about the gravel roads in the area.

Thank you, Mr. Speaker.

MR. K. AYLWARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Stephenville.

MR. K. AYLWARD:

Thank you, Mr. Speaker.

I would like to stand and support my hon. colleague from the Strait of Belle Isle (Mr. Decker) on his petition today about trying to get the roads in Englee upgraded. I had a chance to drive over that road this Summer when we were visiting places during the life of our inshore fishery caucus committee. I must say that the description of the road in this petition really does not go far enough because I do not think you can label it as a road. The pot holes in that road and the condition of it are so extreme that you take your life in your hands when you travel over it. If we could get a couple of members of the hon. administration on the other side to take a drive through, we may get a realization of how bad it really is. So after having gone over that road myself to that great Liberal district, the Strait of Belle Isle, I must say it is unfortunate, my hon. colleague, that it is Liberal because otherwise we would probably have the road fixed. That will change in the near future.

I just want to read parts of this petition because they do give a

somewhat vivid description of how bad it really is:

"WHEREAS the condition of the cross country road and the other roads in our area contribute to an extremely short vehicle life and to high automobile maintenance costs; and

"WHEREAS we are required to pay equally with all other Newfoundlanders federal and provincial income taxes, extremely high sales taxes and escalating vehicle registration and license fees being given by governments towards lessening of these heavy financial burdens; and

"WHEREAS the bulk of the cross country road has been upgraded in preparation for paving over the past three or four years through a federal - provincial cost sharing agreement." It also says here we should have the federal and provincial governments sign a road agreement that will see this road completed. I want to make the point which was made very well by my colleague from the Strait of Belle Isle that this be placed on a priority list to get done because it is making the people of Englee suffer and they should not have to. It is making the economy of that area suffer. It is making the whole Northern Peninsula suffer in many ways. We are trying to attract tourists up there, supposedly, but when you see roads in such a shameful condition, it is very difficult to do.

I want this government to do something about it and to get a roads agreement signed. With all this consultation and co-operation that is going on, it seems as if we have got to wait until the ladies and gentlemen up in Ottawa

decide when they want to talk to us. Then they will tell us how much we are going to have. So when they tell us how much we are going to have, I hope that they have some money for the road in Englee so that we can finally get a reasonable or close to reasonable transportation route for those residents. Thank you, Mr. Speaker.

MR. MORGAN:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Bonavista South.

MR. MORGAN:
I would like to say a few words on that petition. Areas like Bide Arm, in particular, and Englee, I am familiar with. There is a fisheries operation there. I was in the area, not in the community but I flew over the community in the month of February in the helicopter and I noticed that the lights were on in the plant and there were operations taking place there. I think that is the first time in the history of the community people were working in the plant in Englee ever. When you have operations going in the Wintertime for the first time, providing employment, it is a ray of hope for the area, when you see the basic industry being developed in that way by a new company moving in to take over the operation, to make it workable and, hopefully, profitable and economically viable.

So when a petition is put forward of the nature put forward today, I was hoping that he would be more sincere and not get so partisan, attacking the party and the government. I think maybe in this case a little more honey would

work better than acid because it is important to the people of the area to be fair to them. Their need is very definite and I am sure the government will look at it whenever the funds are available and recognize the importance of upgrading and paving roads to resources, as I call them. Roads leading to a place where there is employment, especially in the fishery, I think we should give more priority to and I would like to express my comments accordingly.

MR. SPEAKER:

Order, please!

Today is Private Members' Day. The debate on the motion of the hon. member for Fogo (Mr. Tulk) was adjourned by the hon. member for the Strait of Belle Isle (Mr. Decker), and he has about five minutes left.

MR. DECKER:

Mr. Speaker, in my few remarks of the past day when I was speaking on this motion I was expressing some concern over the state of labour relations in this Province. I saw the government as being the major problem rather than being in some way helpful to the labour relations in this Province, Mr. Speaker. I was arguing that the government is indeed the cause of the problems.

Mr. Speaker, that could be carried much further I am sure and it could be said that the government is a cause of most of the problems in this Province today. I suppose about the only thing that government did not cause, cannot be held responsible for, is our weather. They have tampered with practically everything else.

AN HON. MEMBER:

(Inaudible) federal responsibility.

MR. DECKER:

Yes, that is a federal responsibility.

Practically everything else in this Province that the government has chosen to get involved with, they have turned upside down, Mr. Speaker. I refer to the number of close downs that we have seen since this government came in power, the number of doors that have been shut and the keys turned and the business people gone home.

MR. TULK:

On a point of order, Mr. Speaker.

MR. SPEAKER (Hickey):

Order, please!

The hon. the member for Fogo.

MR. TULK:

Mr. Speaker, we have heard back and forth across this House a member saying "that is a lie." I would ask the Speaker to keep a close eye on him.

MR. SPEAKER:

I am sorry, I did not hear that comment.

MR. TULK:

I know you did not, but I will ask you to keep a close eye on him.

MR. SPEAKER:

If that comment was made, then obviously it is unparliamentary and it has to be retracted.

MR. J. CARTER:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. John's North.

MR. J. CARTER:

What the member for Fogo is saying is true. There is no question about it. I would like to affirm the truth of it. I claimed, and rightly so, that incorrect statements are emanating from -

MR. TULK:

You said it was a lie.

MR. J. CARTER:

I did. I did indeed. I said it was a lie and I will say again, it is a lie. It is a lie that this government is responsible for all the troubles in this Province.

MR. SPEAKER:

Order, please! Would the hon. member take his seat.

MR. J. CARTER:

It is just a plain unvarnished lie.

MR. SPEAKER (Hickey):

Order, please!

The Chair has now had it confirmed what the hon. member said. I will ask the hon. member to rise in his place and retract the statement.

MR. J. CARTER:

Is it necessary? I am in your hands, Mr. Speaker, quite obviously, I am not about to challenge the Speaker on any matter like that but, when I do hear uncorrect statements, is it out of order to say that? Is it out of order to -

SOME HON. MEMBERS:

Yes, yes.

MR. SPEAKER:

Order, please!

MR. J. CARTER:

I am listening to the Speaker, I am addressing the Speaker and I am prepared to take instructions from

him.

MR. SPEAKER:

Order, please! The hon. member is well aware of the rules of the House. If a statement is being made by another hon. member and the member disagrees, there are ways in which the hon. member can challenge that statement. However, he is acutely aware, I am sure, he has been in the House long enough to know that it is unparliamentary to use the word 'lie'. I ask him, therefore, to retract that.

MR. J. CARTER:

I appreciate your point, Mr. Speaker, and I do retract absolutely, but I do regret the incorrect statements coming from across the way, and constantly coming from members opposite.

MR. SPEAKER:

Order, please!

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

Mr. Speaker, I thank the hon. gentleman for being so gracious as to withdraw his remark. I am reminded of, I think it was Ben Jonson's poem, "It is not growing like a tree/In bulk doth make man better be."

Mr. Speaker, the Whereases of this motion pretty well sum up the state of labour relations in this Province. One of the Whereases, Mr. Speaker, says "WHEREAS the Province's Minister of Labour has declined an active role of conciliation and mediation during the life of the current dispute." Mr. Speaker, I will confess that I regretted once that the hon. Minister of Labour did not seek the nomination for the Liberal

Party on the West Coast. There was a rumour, and there was every indication that the hon. Minister of Labour (Mr. Blanchard) would have run for the Liberals on the West Coast, and could have taken a seat for the Liberals, Mr. Speaker, but we were too slow in getting to the hon. gentleman. I was disappointed, because I honestly thought the hon. Minister of Labour had a tremendous contribution to make to the Government of this Province, especially as far as labour relations are concerned. I am glad today, Mr. Speaker, that we did not go after the hon. Minister of Labour when we could have, because he is no more than the rest of the hon. group over there; he has no more to offer than the President of the Treasury Board (Mr. Windsor), he has no more to offer than the Premier, other than chaos, other than fighting.

MR. SPEAKER (Hickey):
Order, please!

I have to inform the hon. member his time is up.

MR. DECKER:
Thank you, Mr. Speaker.

SOME HON. MEMBERS:
By leave.

MR. SPEAKER:
Order, please!

Does the hon. gentleman have leave?

SOME HON. MEMBERS:
By leave.

MR. SPEAKER:
Leave is granted.

The hon. the member for the Strait of Belle Isle.

MR. DECKER:

I would like to thank hon. members for giving me leave.

What I was going to say, Mr. Speaker, is that I am thankful now that we did not have the hon. the Minister of Labour (Mr. Blanchard) to be elected to this side of the House because, when we take over the government, shortly, I would not want to be part of a government where a man completely disappears and crawls under the bed when there is a labour dispute. I would not want him to be Minister of Labour in a Liberal administration. I offer the hon. the Premier my condolences and I express my grief that he has to put up with a Minister of Labour who has no more concern for the people of this Province than the hon. Minister of Labour has, whom we almost had on this side of the House.

SOME HON. MEMBERS:
Hear, hear!

MR. WINDSOR:
Mr. Speaker.

MR. SPEAKER:
The hon. the President of Treasury Board.

MR. WINDSOR:
Mr. Speaker, I would like to take just a few moments to address this particular resolution. If I can find my Order Paper, I will have a look at the thing. There must be one somewhere.

Mr. Speaker, over the past couple of weeks, when this issue was first addressed, and again this afternoon, we have heard a great deal of rhetoric, particularly, coming from the other side of the House dealing with the present dispute. Mr. Speaker, nobody

wants to underestimate the importance of this particular situation. The first thing I would like to outline and emphasize is the illegality of activities that took place over a five week period. I think that needs to be emphasized, because, indeed, one of the most important issues that we are talking about here is the right of persons to decide which laws they wish to obey and which laws they wish to disobey.

Mr. Speaker, many questions have been raised about Bill 59. I am not going to defend Bill 59 itself, I will leave that to the Minister of Labour, who is responsible for labour legislation, but to the former Minister of Labour, who introduced that piece of legislation, I have been defending Bill 59 for the past five or six weeks and do so proudly, Mr. Speaker, because the principles of Bill 59 are principles which we believe in and believe in very strongly, principles which, Mr. Speaker, in the agreement that was signed by the Minister of Labour and the President of NAPE last Sunday night, have finally been recognized and accepted by the President of NAPE. For the first time, they accept the principle of having essential employees designated in the public service. Mr. Speaker, that is a major principle, that is a major change in the position of the President of NAPE. He finally admits that in the public service there must be some essential employees designated.

There has been a great misconception about Bill 59. Many points have been put forward, obviously, to confuse the public, confuse members of NAPE of exactly

how Bill 59 impacts on the designation of essential employees. I would like to point out that quite often people have talked about the 50 per cent designation, that it is unfair, it is taking away the right to strike from the union, or the impact of a strike, when 50 per cent of the employees, or 49 per cent can be designated before the union gets binding arbitration and gives up the right to strike.

Mr. Speaker, whereas that may be a fact, if hon. gentlemen opposite would examine what is indeed taking place here they will find that in the MOS bargaining unit only 6.7 per cent of the employees have been requested as essential employees. And I point out that simply, 'requested', because government has put forward, in accordance with the legislation, our position. The union has refused to negotiate it. Had they negotiated, Mr. Speaker, that number might well be 6.7 per cent, it may be less, I suppose it could even be more, but I doubt that. The fact is they refused to negotiate. So 6.7 per cent is not an undue number. I also point out that obviously during the Winter season, when snow clearing operations are in force, then that number, of course, increases for that period of time. But for most of the year, 6.7 per cent of the people are what we are talking.

In the General Service we are talking 8.2 per cent, except in the Summertime, when we have a large number of people involved in fighting forest fires. So the snow clearing operators and the forest fire operators distort the picture. But for most of the year you are talking 6.7 per cent of the MOS and 8.2 per cent of the General Service, not 50 per cent

as people would like to have members of the public, particularly, believe, that this government wants 50 per cent of the people designated essential.

Mr. Speaker, having said that, I point out that the union has failed to negotiate, has refused to negotiate, but now have accepted the basic principle that there are areas of the public service where essential employees should and will be designated in future. So they have accepted the basic principle of Bill 59, the implementation of Bill 59, and some of the regulations thereunder are, perhaps, something that obviously the Minister of Labour (Mr. Blanchard) has agreed to debate with them.

So, Mr. Speaker, just set that aside for the moment and say, 'Where are we now in this dispute?' As the Premier pointed out in his press conference this morning, we are again at an impasse. I point out that over the past week or so a great number of things have taken place, a great number of changes, the first of which was an unprecedented move where the Minister of Labour and I went to the Minister of Labour's boardroom where members of the bargaining team from NAPE were seated saying that they were waiting to negotiate. Obviously, we cannot negotiate with people who are breaking the law, but in an unprecedented move to try to resolve this very difficult situation, the Minister of Labour and I went to the Department of Labour boardroom, sat down with these people and prepared and began to negotiate a back-to-work agreement, the basic principles of which were to provide a framework for negotiations once proper collective bargaining resumed,

when the situation again was legal, in other words, when the members of the union had returned to the work place.

Finally after a number of days we were able to resolve that issue. It was very difficult. There were many, many items that were discussed during the course of those discussions and it finally came down on Saturday past to two areas where there was some disagreement, one on retaining temporary employees; the union had requested that we retain all temporary employees until an agreement was signed, regardless of whether there was work for them or not. So if we had snowplow operators whose positions were no longer necessary simply because we are no longer having any snow - we are not quite into that situation yet - but if there were, they wanted those retained. If there was a secretary who had been away on maternity leave and somebody had replaced her for a specific period of time as laid down in the agreement under the Maternity Leave Clause, or as agreed with the supervisor of that particular secretary, and that secretary, even though she had completed her maternity leave on a predetermined time came back to the office, we had to keep the other secretary on, too, until the strike ended. Mr. Speaker, that is obviously not something that we could do with taxpayers' money.

The Auditor General, I am sure, would have something to say about the fact that we were going to retain people for a period of time, while we were negotiating an agreement, even though we had no work for them to do and their specific assignment was terminated. We agreed, of course, that all temporary employees who

were there in ongoing activities prior to the illegal walkout would be retained, certainly at least until a permanent settlement was reached, Mr. Speaker. It is not the intention of this government to dismiss any temporary employee because of his or her activity in this strike, or any employee. We have no intention of having recriminations such as that against any employee because he or she participated in this particular activity, and we had no hesitation in assuring that in the back-to-work agreement.

We were concerned, obviously, about a second issue that was brought up. Because we had been continually putting proposals on the table to this group of negotiators for a back-to-work agreement, the main things we were concerned about, Mr. Speaker, were the three items that had always been held out to us as being an impediment to returning to work. (a) Bill 59: 'That is the problem', they said, so we dealt with that. The Minister of Labour (Mr. Blanchard) agreed to sign an undertaking with the President of NAPE which provides a mechanism for reviewing and amending that legislation, a firm solid commitment by this government that we accept the concept of doing a thorough review, even though we have already shown that.

By 1985 the minister brought in amendments to Bill 59, or to the Public Service Collective Bargaining Act of which Bill 59 is a part. He had already brought in certain amendments which took nine departments of government away from ever designating essential employees, because we said there is never any case to be made in these departments for essential employees. So we removed those in

an act of good faith, and other amendments that were favourable to labour and at their request. So we had already shown that Bill 59 was a matter which we were prepared to discuss. Labour legislation, generally, as the minister has said on many occasions, he is prepared to discuss, and where there can be amendments that are mutually agreed upon, by all means he would introduce them in the House.

The second item, Mr. Speaker, were the suspensions that were imposed. For good and valid reasons we had employees who were doing two things, they were in violation of the collective agreement, which is still in force, as any collective agreement continues until a new collective agreement is put in place. They were in violation of that, and they were in violation of the Public Service Collective Bargaining Act, because they were involved in an illegal strike, and, of course, they were in violation of a direct court order. Government quite properly, I think, Mr. Speaker, advised them that they could expect some disciplinary action when they returned to the work place. That was put forward as an impediment. We said, 'Fine, we understand that, we will defer those suspensions for the time being and we will agree to one of two things, either to (a) negotiate them while we are negotiating a collective bargaining package in parallel with, not part of the collective bargaining package, because that is not part of a union agreement, but we will negotiate them in parallel, at the same time, and if we cannot negotiate something on those that is satisfactory to both sides, we will put it to an impartial

arbitrator for binding arbitration, we will let some third party decide what the duration of those suspensions should be.' I think, Mr. Speaker, that was reasonable and fair, particularly under the circumstances. So that was out of the way.

The third item, Mr. Speaker, in my opinion, and in the minds, I think, of most of our employees who are involved in that activity, was the major issue with those people, wage parity. So, what did we say? We said, Mr. Speaker, 'Obviously we cannot negotiate that with you here. We cannot negotiate with you while you are still involved in an illegal strike. We are prepared, when you return to the bargaining table, when you return to the work place, to put a package on the table that is improved from the offer that was on the table prior to the work stoppage and that addresses wage parity.'

MR. FENWICK:

Why was it not there before the strike?

MR. WINDSOR:

We did not get an opportunity, because we made our first offer and the union walked away from the table. That was the first time they walked away. They seem to have a propensity for walking away. The hon. gentleman who negotiates for them seems to have a great fetish for putting on his coat and walking out the door. So it is very difficult to negotiate with somebody as they go through a door.

So, Mr. Speaker, we agreed. We accept the principle of wage parity. We always have. It was simply a matter of how soon could

we obtain it. I point out, Mr. Speaker, that wage parity is not something that happened overnight, it is not something that was imposed by government on a moment's notice, it was something that took place over a number of years. We recognize that there is a difficulty there. We are concerned about our employees. We are concerned that they be treated fairly and equally. The policy of this government has always been equal pay for equal work. We have already indicated to them that we are prepared to work towards that as quickly as possible. So, Mr. Speaker, we now have a commitment that we will put on the table a better package, one that addresses wage parity.

So those were the three main items. Now, all of a sudden, over the weekend we are into other items, such as the temporary employee situation that I have already described, where they wanted all these temporary employees. And now they want parity of language, so that every item in any collective agreement they thought was favourable they would like to be able to pluck them out and have it brought into this one at their discretion.

Now, there were items in the agreement and we said, "Well, fine, there are items in your present agreement that are different than the other one, therefore, we will take those out." "No, no, we like those. We do not want to change those. There are some things in our agreement which are different from other ones that we want to keep, but we want to bring in the other ones that we do not have, that we would like to have." In other words, we want the best of all possible worlds. Now, Mr.

Speaker, I can understand those sentiments, but they are hardly realistic. Any collective bargaining package has to be looked at in its totality. But we agreed. We said, "We cannot accept that in total, but we agree with the principle of language parity wherever practical and feasible and reasonable to do so." We said, "When we return to the bargaining table, we will address that as much as possible and we will give you whatever items we can possibly give you, but we cannot agree to carte blanche, saying, we will give you anything you ask for."

So, Mr. Speaker, we did return to the bargaining table on Monday in the spirit of the back-to-work agreement that was signed on Sunday evening - God, how time goes when you are having fun - and in the spirit of that agreement we began to negotiate with the union. We went through many, many items. The first thing we did was, we said, "We have a wage package for you. Your major concern was parity, we have a wage package here we would like to present to you which addresses the question of parity." But, no, they did not want to talk about wage parity, let us talk about these other items. Okay, we will talk about them. So we did.

For a number of hours we went through many, many items. In every case where the union requested the language from another contract, in every single case, or they requested new language that they might have introduced at some point in the negotiations, where that language was reasonable, where it was not a major problem for us, we gave them the benefit of the doubt, we agreed to it.

I am not going to get into those items because, obviously, they are still matters that are being negotiated, but there were, I think, some nineteen items to which government has said, 'Fine, we will give you that. We will give you those items.' Now, there are not only matters of language, some of them are monetary items, some of them have a direct cost to government, such as severance pay and other items such as that, that we have agreed to, that they have wanted for some time, and in every case we looked at them and we said, 'Okay, fine. In the spirit of this concept of language parity, we agree with that. If they are in another agreement and if we can reasonably live with them in this agreement, we will give them to you.' We were more than fair, more than reasonable in our approach to those items.

Now, we do not have a response yet from the union. They did not respond to us either formally or informally as to whether they accepted those nineteen items, and many other items that were normal matters of negotiation. On those nineteen new items we do not have a response from them, either in writing or even verbally. When it came to the one item, Mr. Speaker, of promotions the union said, 'Well, here is what we want: We want the absolute right that all promotions will be based on seniority. Where two candidates have simply the minimum qualifications for a position and where one candidate has seniority over the other one, the one with seniority will get that position. Without regard to any other abilities, without regard to attitude, initiative, other educational training or experience or so forth, the one with seniority will get that

position.' And they not only wanted it for employees in the bargaining unit, they said, 'That it shall apply outside the bargaining unit, too. So if you are going to hire a manager, you do not go hire your manager, you come and say, 'Well, who has the most seniority in the bargaining unit? He or she should be promoted to that position.' We would never need a Public Service Commission again. Where would the Public Service Commission Act be? We would have to just totally erase it. It would have to be repealed, because we could never hire anybody based on their ability to do the job, and it would mean that a person who came in as a Clerk I, when he or she were very young, could sit back and say, 'Well, I am fine now. I am okay for the rest of my life, because I will automatically go up this ladder based on my number of years of experience, my number of years of seniority.'

So where does initiative go? Where does the right or the ability of a person coming out of a trades college or a university or doing any other kind of training go? Where does he or she see an opportunity to advance in the public service? They would have no opportunity any more. It would clearly only be on seniority. Obviously, Mr. Speaker, that kind of a system cannot work in the public service and government could not accept that kind of an item. So we said, 'We are sorry, on that one item, even though we have agreed to these other nineteen, even though we have a wage package here that we want to put forward that addresses parity, as we committed that we would in the spirit of the agreement we signed on Sunday night, we cannot agree to that one

item.' So, once again, on with the jackets and out the door they went. So, Mr. Speaker, that is where we are.

This morning I had a letter hand delivered to NAPE headquarters outlining our position, putting in writing those things that we had agreed to verbally at the bargaining table on Monday, pointing out these are not just items that we are talking about at a bargaining table, here they are, formally presented, and we would ask you to respond to them. We assume you will accept them, because these are items, basically, that you have requested. We cannot accept the principle of promotions based only on seniority.

Now, on another related matter, we talked about temporary assignments, temporary promotions during seasons, such as when the Minister of Transportation has to designate certain employees as snowplow operators. They might be truck drivers in the Summertime, they might be labourers, they may be grader operators, they may operate front end loaders, or backhoes, lawnmowers or whatever, but in the Wintertime we need additional people, obviously, to operate snowplows and people are promoted to a higher salary level and to a higher classification for the Winter months. These are seasonal promotions. Those were always done based on qualifications, on the judgment of the foremen in the field and so forth, that the person with the greatest qualifications and ability receive that promotion. The union said, 'No, no, that should be done on seniority' and, Mr. Speaker, we have agreed on that. We said, 'Fine, for these seasonal promotions we will agree

that that should be done on seniority where, obviously, the person has the basic qualifications and ability. Even though this junior member may be an older person but maybe not employed with the department for so many years, but based on the number of years of working with government, if he has seniority that person will get the job.

So, Mr. Speaker, I think we have shown that not only are we willing to negotiate a collective agreement, not only do we recognize the principle of wage parity, not only do we recognize the principle of parity language, but in every case in the labour legislation the hon. minister has agreed to look at, we have accepted the basic principles, still maintaining the basic principles that government has been espousing for the last five or six weeks, we have shown the maximum degree of flexibility, a tremendous amount of tolerance in light of the activities and the actions of the executive of the union over the past five weeks, all aimed at finding a collective agreement so that the employees of this Province can get back to the work place - they are back to the work place now - that they can remain there, that they will get a collective agreement and a wage package that provides them a decent and a reasonable standard of living, that gives them parity with other public service sectors and ensures that this type of an issue will not take place again in the future. It provides them with the language and the working conditions, as much as is reasonably possible, with all other collective bargaining units, and ensures that once we get a collective agreement, Mr. Speaker, that we should, indeed, have peace

in the public service for many, many years.

Thank you.

MR. LUSH:
Mr. Speaker.

MR. SPEAKER (Hickey):
The hon. the member for Bonavista North.

MR. LUSH:
Mr. Speaker, I want to say a few words on this rather important resolution, and I want to congratulate the member for Fogo for presenting such a timely resolution. But not only congratulate him on the timeliness of the resolution, but on the content, on the ideas, particularly the last parts of the resolution which, all hon. members will agree, was basically the principles of the memorandum of understanding that brought the two sides together.

We had been enunciating and articulating that four point formula as a method to resolve this labour dispute for days before we saw any movement by the government. Hon. members should be congratulating the member for Fogo for bringing in this resolution and for suggesting these ideas that at least gave us some ray of hope, and we hope that it is not over yet. We have not gotten the union's side as to why talks have broken off temporarily. We have gotten the government's side, we now await to hear what the union has to say.

Now, the minister, I must say, in presenting his case appeared very, very weak. He presented a very, very weak case. Now, I realize that the minister is in a difficult position. I do not

know, Mr. Speaker, whether it is going to hurt his political future or not, the position that he is placed in at the moment by being President of Treasury Board (Mr. Windsor). I do not know. There are those who believe that it is going to hurt his future. There are those who believe that it is going to certainly stymie his political advancement with respect to being Leader of the Tory Party because he has been identified as a potential leader, as a potential successor to the Premier. I am not sure whether it will hurt him or not. There are those who believe that he is even going to lose his seat because of his performance at this present point in time. I am not sure that that is the way I look at it.

I believe that the intelligent view is that the President of Treasury Board is not making these decisions himself. Naturally, he is doing what the Premier tells him. He is doing what the hon. the hon. House Leader (Mr. Marshall) tells him and what the Minister of Labour (Mr. Blanchard) tells him. He is doing all of those things so I think it is very unfair that the media really should be pushing this view that it is the President of Treasury Board that is the obstacle in the resolution of this labour dispute. Any intelligent opinion would know that the President of Treasury Board is just acting on behalf of the government, that he is doing what the Premier is telling him to do, he is doing what the Minister of Labour is telling him to do, and he is doing what the Minister responsible for the Petroleum Directorate, the House Leader (Mr. Marshall) is telling him to do. So the minister is not acting by himself.

The minister should be maybe for his own image appear to be a little more conciliatory. The President of Treasury Board does not appear to be very conciliatory and he should certainly have that appearance. He should look like he is a man who is concerned about labour and, I must say, he does not do that.

Now, just to deal with a couple of the points that the President of Treasury Board dealt with and I want to deal with them quickly in getting to the substance of the resolution. The President of Treasury Board said a salient point to remember here was the illegality, the NAPE workers were in an illegal strike position. He thought that was very, very important and that there was not enough being made of it, that the public of Newfoundland were not being informed enough about this or they were not taking it seriously enough that this was an illegal act.

Now, as all hon. members know, none of us can condone illegal acts but I believe that we must all acknowledge the results that have developed in the past with respect to fighting unfair and harsh laws. There have been many illegal demonstrations against harsh and unfair laws. Sometimes the only way to do it is by civil disobedience.

I am told the Premier himself was involved in an illegal strike. The Premier was engaged in a teacher strike that was illegal. So all hon. members know that we could not condone it, obviously, we cannot condone it but, we know that sometimes it is the only way to fight against a government that is insensitive is we have to do things that are dramatic, we have

to do things that will get the attention of the government to bring them to their senses.

Now, if the members were acting in some recalcitrant manner, if they were engaging in acts of delinquency and destroying things, I think the public would have taken a different view. But they were very, very civil people, very well behaved and just simply stood on a picket line to try and fight a harsh law, to try and fight -

MR. TULK:

Would you suggest that people obey the law in Poland?

MR. LUSH:

Exactly, to try and fight an oppressive law.

I think it was the hon. the House Leader (Mr. Marshall) who said, "There is a way provided in democracy to fight against harsh offensive and oppressive laws." There is a way, Mr. Speaker, but it is tantalizingly slow to have to wait three or four years to cast a vote.

Mr. Speaker, I think the salient question, though, is not that this was an illegal act. That is not the central question. The central question is, who is to blame for bringing NAPE workers to this situation? That is the crucial question. Who was to blame for the circumstances that brought these workers, that forced them to get on their knees, that force them to engage in this illegal strike? That is the salient question. Who was to blame, Mr. Speaker? Who was it? Sometimes it is not always black or white. Sometimes it is very complicated to try and to lay blame on one or the other.

There is only one of three possibilities to blame for this illegal strike. Was it the government? Was it the union? Or was it the workers? Did the workers defy their union and go out on strike? Did they defy the government? So there is only one of three. I suppose we could technically say there are two, government and union but there are the workers too. So, who was it? Who was to blame?

I think, Mr. Speaker, when one looks at the state of labour relations in this Province over the last three or four years, it is not difficult to lay the blame. It is not difficult to point a finger. Let us look at some of the circumstances, Mr. Speaker, that have existed over the past little while. For the past three or four years this government has not shown or demonstrated that it has been very sensitive to the needs of labour in this Province. As a matter of fact, the opposite is true. They demonstrated arrogance and intransigence. They have been inflexible when it comes to dealing with labour in this Province. That is the kind of situation that the hon. the Minister of Labour inherited when he became Minister of Labour, when labour at least held out some hope that things would change because of the track record that the Minister of Labour had or because of the perception - that is the word I am looking for - that was held throughout the land of the minister, that he was a great friend of labour and that he would be a great negotiator. But, Mr. Speaker, the hon. gentleman's performance in labour was not as lilly white as government officials tried to make the public believe.

There is no question that labour realized that the present Minister of Labour was the father of Bill 59, that he wrote up many part of that Bill, naturally, being the Deputy Minister of Labour. I believe once that was seen, then people got a little suspicious about the Minister of Labour, that maybe he was not such a friend after all, that he was around when we had all of this arrogance and when we had this Bill 59 done.

Maybe the other thing might be that the government does not give the Minister of Labour the kind of flexibility that he should have. Maybe that is it.

MR. TULK:

He could be hamstrung.

MR. LUSH:

That is right, maybe he could be hamstrung, maybe they will not give him the flexibility to solve this labour dispute.

Whatever the situation is, Mr. Speaker, over the past few years this government has not had any great success in terms of labour negotiations and in terms of promoting good labour relations within this Province.

Mr. Chairman, nobody gets upset when there are the normal labour problems within a jurisdiction. The collective bargaining process is, by its very nature, adversarial and confrontationalist. That kind of thing is accepted, particularly when we realize that the disputes have to do with economics, have to do with an increase in salaries and wages and that kind of thing.

But this particular situation that we are addressing today had a different perspective. It was not

your normal collective bargaining disagreement, it was not your normal labour dispute, it was not dealing with an increase in salary, it was not dealing with economics, but it was dealing with unfair and unjust legislation. That is what we were dealing with. Bill 59, a bill that severely restricted the rights of many union workers within NAPE, many workers within the public service, that restricted their right to strike, a right that has been protected, a right that has been cherished by all of us actually. I was going to way everybody in the labour movement but by all of us, cherished down through the ages. The fight and the struggle that our forefathers and pioneer labour workers had to initiate and carry on to earn us that right to strike. Of course, they wanted to protect that right and here it was removed from them.

Mr. Speaker, we had a new perspective. This particular strike was brought on, not only because of economics, not only because of parity, but it was also brought around because of unfair and unjust legislation. So, that was a difference.

Again, I say to the President of Treasury Board (Mr. Windsor), let us not also get self-righteous or holier than thou about this illegal bit. Let us remember what happened in the past in labour movements and in other movements in history trying to improve the welfare of people and trying to improve the socio-economic circumstances of people throughout the Western world.

Mr. Speaker, it has been shown too that this government has not had any kind of effective communications with labour in the

Province over the last three or four years and that is proven. I want all hon. members to listen. This government has lacked any kind of efficient communications with labour in this Province over the past three or four years and that is proven by the large number of strikes that we have had in this Province.

We have had more days lost through strikes than any other jurisdiction in Canada since 1980. Over the past five or six years, we have had more days lost through strikes than any other jurisdiction in Canada. As a matter of fact, we have just about doubled the national average. We have doubled the national average in terms of lost days in strikes. Now does that not tell us something. Who is to blame? Does this not tell us something about the lack of communications in this Province that this government has with labour? Non-existent, Mr. Speaker, communications are non-existent with the labour movement in this Province.

I just wanted to quote here from The Financial Post, talking about the labour situation in Newfoundland, talking about strikes, it says, "In fact, they lose more time to strikes than union members in other provinces." It says it is more than double the national average. Mr. Speaker, this is just not something coming from the top of my head. This is something quoted from The Financial Post saying that we have lost more days through strikes than any other province or any other jurisdiction in Canada.

MR. TULK:

Is someone trying to do me out of a question or what?

MR. LUSH:

We will leave that.

So, Mr. Speaker, there has been a lack of communications. Even during the strike, Mr. Speaker, we saw the government engaged in provocative activities, doing nothing to improve the lines of communication, the channels of communication, falsely advertising about jobs that they have created, and then into a propoganda campaign during the strike, spending hundreds of thousands of dollars of the monies of the taxpayers of this Province at a time when they were telling the union members they could not afford to give them parity. Yet, here they were, spending hundreds of thousands of dollars on false advertising and in propogandizing their own position. How many hundreds of thousands of dollars was spent? No wonder, Mr. Speaker, that their communications with Labour was severely strained when they were engaged in these provocative activities.

Mr. Speaker, as if these activities were not enough, as if these reasons were not enough to suggest why labour relations have been poor in the last few years, the fact of the offensive laws; the fact of poor communications with labour; we have massive unemployment in the Province.

Mr. Speaker, I advance to you, Sir, I suggest to you that there can never be labour peace in this Province as long as we have massive levels of unemployment. How can the labour movement in this Province be content as long as we have thousands of people out there unemployed. They are also a concern of the labour movement of this Province, these large numbers of unemployed people. How can

they sit idly by when they see a government that is not lifting a finger, a government that is not doing a thing, a government that has no initiative, a government that has no job strategy programme to increase the levels of unemployment in this Province. As long, Mr. Speaker, as the levels of unemployment stay hovering around the 20 per cent levels, how can we have good labour relations within this Province? The people of this Province would have condemn labour if they sat idly by and watched this travesty of unemployment infest the land, this cancerous disease of unemployment.

So, Mr. Speaker, I think I have indicated pretty well as to where a lot of the blame lies with respect to labour disputes in this Province. I indicated that we have labour relations in this Province that have been very, very poor and deteriorating. Probably we can be safe in saying they are the worst in Canada, the labour relations in this Province. I have demonstrated that by indicating the fact that we lose the highest number of days through strikes than any other province of Canada, double the national average. I demonstrated the fact that we have very poor communications with labour. As a matter of fact, that is why we are in the problem we are in with respect to Bill 59, which was passed in 1983.

When that infamous bill was passed, when they brought in the bill and accepted the principle of the bill, the President of Treasury Board suggested that NAPE did not accept the designation of essential workers. That is an inaccuracy, Mr. Speaker, that is not accurate because the labour movement at that time in 1983

accepted the principle of Bill 59, but its details were a different matter. In working out the details, the government promised at that time that they were going to meet with the labour movement. In ironing out the details of that bill, they promised that they were going to meet with the labour movement of this Province, and they did not, Mr. Speaker. They went about and made up Bill 59 and brought in all its rules and regulations without consulting with the labour movement in this Province. Again, poor communications with the labour movement in this Province. Nobody, Mr. Speaker, likes to lay the blame on one, particularly in collective bargaining. It takes two to tango, but I think I have demonstrated today that this government have been negligent. They have not been very efficient.

MR. SPEAKER (Greening):
Order, please!

The hon. member's time is up.

MR. LUSH:
If I may finish, Mr. Speaker.

I have demonstrated that they have not been very effective and not very efficient in dealing with the labour movement in this Province and, for the reasons that I have indicated, I believe that they must accept a large part of the responsibility for the mess that we find the Province in today with respect to the labour movement.

Mr. Speaker, I would suggest that hon. members take seriously the remarks that I have made. I am just hoping that members opposite will take heed of the words that I have been saying and that they will endeavour to mend their fences and to repair their bridges

with the labour movement in this Province and see if we cannot put this Province back on an even keel.

SOME HON. MEMBERS:

Hear, hear!

MR. DINN:

Mr. Speaker.

MR. SPEAKER:

Order, please!

The hon. the Minister of Mines and Housing.

MR. DINN:

Mr. Speaker, I listened to all the hon. members during this debate and some of them have some very interesting things to say. I would like to, because I think the theme of the hon. member for Bonavista North (Mr. Lush) was basically centered around the legislation, Bill 59, go through some of the history of Bill 59, in my short amount of time that I have here, just to address how Bill 59 came about and how we got into the situation that we are into today.

I do not believe, to be quite honest, that anybody, including this government, wanted Bill 59 but I will give you an example of what the history is and then hon. members can judge for themselves whether Bill 59 was indeed what the hon. member for Bonavista North phrased it as, as terrible legislation.

Prior to 1973, Mr. Speaker, the public service of this Province had no collective bargaining rights whatsoever. It was a PC administration in 1972 who came in and said "that is unfair. They should have collective bargaining rights" and decided to go about bringing about putting that

process in place. In 1973, therefore, an act was passed called The Public Service Collective Bargaining Act, which gave the right to strike, the right to collective bargaining and, included in that act in 1973, the designation of essential employees. I think that is very important for hon. members to understand. In that collective bargaining act of 1973 there was a provision in that act, three clauses in the act, that gave provision for essential employees.

Now, we went on from 1973 all the way through the bit and piece until we got to 1981. During all of those years, every union that the government negotiated with during that process provided, sometimes not even by agreement, just by gentleman's agreement between the employer and the employee, essential employees.

Now, in 1981, basically what happened was this: There was a dispute between the lab and X-ray technicians and the hospitals. I think that hon. members should listen to this because I started out by saying I do not believe this government or any government really wanted Bill 59, it was a matter of what do we do about a situation.

In 1981, during the lab and X-ray dispute, we went through every process available at the time to get a collective agreement between Treasury Board and the lab and X-ray technicians, or the hospital boards. In 1981, an impasse came at the bargaining table when the union provided not what Treasury Board or the hospital boards considered essential employees but what they termed emergency employees. They provided them up

to a point, until an impasse came at the table, and I will tell you where the impasse came. The whole process of collective bargaining went on, the strike started, and in an effort to get them back to the bargaining table, I, as Minister of Labour at that time, set up a mediation panel. The panel was made up of the Assistant Deputy Minister of Labour at the time, Mr. Howard Noseworthy, the President of the Federation of Labour, Mr. Bill Parsons, well recognized in the labour movement in this Province, and a person agreeable to both sides at the time, Mr. Bill Wells who is now with Fishery Products International. This was an attempt at mediation to get a resolution to the dispute. While that mediation process was going on, and the impasse was still there, all the items, and there were many items that were negotiated at that mediation panel, let me tell hon. members, many items of the items that were outstanding were negotiated, but there were one or two items left that were fairly sticky issues and when they could not be resolved through that mediation panel, the union at the time removed not just essential but emergency employees.

Now, many members who are in this House now were in the House at that point in time. The government was informed by the Hospital Association, representing all the boards in the hospitals, that they could not provide health services in this Province. There is really no choice when you get to that stage, there really is not, and at that point in time a bill was brought into this House, Bill 101, I believe. Somehow, these unfortunate circumstances always get a bill number that becomes unpopular. Because Bill

101, as hon. members will recall, was a very unpopular bill in Quebec. Bill 101 was the name of the bill and it was brought into this House and every member who sat in his place at that point in time, who were told the circumstances of what happened, agreed and voted for Bill 101 which basically said, 'Go back to work. At least provide these employees, because there is the possibility of people actually dying in the hospital.' The hon. member for Fogo (Mr. Tulk) is looking at me. He was in the House at that point in time.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

The hon. member for Fogo.

MR. TULK:

If the hon. gentleman is going to go on and bring information into this House, he should bring in correct information. The truth of the matter is, the member for Bonavista North (Mr. Lush), who was then the member for Terra Nova, was the labour spokesman for the Opposition. He was ready to take on the then labour minister, but he worked out a so-called deal with the unions in this Province and they called off the labour spokesman for this side. That is the truth, but he never lived up to the agreement that he worked out with them.

MR. SPEAKER:

To that point of order, there is no point of order.

The hon. Minister of Labour and Housing.

MR. DINN:

The hon. member has jumped ahead two years, to 1983. We are still

back in 1981 with this strike with the hospitals, where there was imminent danger. We brought it in and every hon. member in this House - the hon member is a little bit confused, as he often gets, but I will try to give it to him as slowly as I can so that even he can grasp it. In 1981, that bill was brought in and every hon. member, including the hon. member for Terra Nova and the hon. member for Fogo, were in this House at the time, and the hon. the member for Twillingate.

MR. W. CARTER:

No.

MR. DINN:

Oh, you were not in the House at the time. I am sorry. The hon. members I have mentioned were here and voted for that bill and that was the conclusion of that dispute.

So the situation there was that there was one particular union in the Province which said, 'We do not agree with essential employees, and if we get to a point in negotiations where we cannot conclude negotiations, we will pull emergency employees. Now, no government, I repeat, Mr. Speaker, no government which has any responsibility for the public can allow that to happen. Even though for eight years, from 1973 to 1981, provision was made for essential employees, that could not be enforced. It was tried but it could not be enforced. We left it there because there was always, Mr. Speaker, a gentleman's agreement between the employer and the employees that in the event that you could not reach agreement, certainly essential or emergency employees would be provided. But there came a time when they were not provided. No government, I say, Mr. Speaker,

can leave people in hospitals unattended, or not have the capability of providing essential employees. So government had a problem.

All of the unions - Mr. Speaker, they may not come out and admit it and I can understand why - CUPE, they did not want what happened to happen. They did not want anybody to remove emergency or essential employees from a hospital during a strike. They had always provided them. They did not want the government to have to legislate. As a matter of fact, there has never been a problem with the Canadian Union of Public Employees with respect to provision of essential or emergency employees during negotiations or during a strike, Mr. Speaker. There has never been, I repeat.

We had a strike here in 1979 with the Nurses' Union. When they could not reach an agreement at the table, the Nurses' Union went on strike. But there has never, Mr. Speaker, been a time when the Nurses' Union did not recognize the need to provide emergency or essential employees and always did it. Even though the legislation was incapable of working, the Nurses' Union always, Mr. Speaker, to their credit, provided for essential employees. That legislation that was put in place in 1972 would still be in place to this day but for one thing: In 1981, when emergency employees were actually removed from hospitals, then government had no alternative, none whatsoever, any government that is worth its salt, but to put something in place so that it could not happen again.

Now, Mr. Speaker, a year went by. Discussions, contrary to what the hon. member said, did go on with

respect to what should be put in place in order to ensure that emergency or essential employees be put in place. Mr. Speaker, I have said this here in the House and I will say it here today, and I defy any labour leader in this Province to say that what I am saying is not true because, Mr. Speaker, they know that it is true, when this House passed Bill 59, which has flaws, every piece of legislation does, there were some clauses which the union leaders really wanted to discuss. I went to a meeting to which they called me and they said, "Look, do not pass it like that, there are a couple of clauses we want to discuss." I said, "Okay. You have a problem with it and I might have some. I will tell you what I will do with you, labour movement, I will not allow that bill to be proclaimed and you have from now until September to come in and negotiate or talk to me about problems that you might have with any clause at all in Bill 59." Mr. Speaker, I called some of them myself, and I certainly had my Assistant Deputy Minister and Deputy Minister of the day call them, but not one labour leader, not one labour negotiator showed up at the Department of Labour to talk to me about Bill 59 and some of the problems they might have with Bill 59. They had May, June, July, and August to discuss with me, to come in and say, "We do not like this clause here, or we do not like that clause there, or we would like to make a recommendation about what you should have here, but not one came. Not one! We called some of them, Mr. Speaker, not one showed.

Now, one person did come in, not to meet with me at the time, but called up and did meet with a

person in the department and basically talked about Bill 59, but made no recommendations with respect to it, only saying they did not like Bill 59. Well, nobody likes Bill 59 because, Mr. Speaker, one would like to think - this government would like to think, we thought it for some eight years - that in the event that there is a strike in a hospital or anywhere else where there is a possibility of danger to the public, between gentlemen, one would think that you would be able to provide essential or emergency employees. And you can ignore legislation that does not work for as long as that gentlemen's agreement is in place, but once that is broken, Mr. Speaker - I know hon. members are not interested in this because this is the truth. What you are hearing today is the history of how Bill 59 came about. This is how it actually happened.

I think government has done everything in its power, not just myself, but the minister who followed me in the Ministry of Labour. The Minister of Intergovernmental Affairs set up a committee of three people, I believe, to have a look at Bill 59 and labour legislation in general to see what, if any, changes could be made. I understand that the representative for labour on that committee will not even come in and talk about it. Now hon. members have heard the history. The hon. the member for Fogo (Mr. Tulk) was in this House and he recognized the imminent danger that people in the hospitals were in, and he voted for that legislation.

MR. TULK:

Are you saying that Fraser March does not?.

MR. DINN:

The hon. member can speak for himself. The hon. member has trouble putting words in his own mouth that make sense, he certainly is not going to be able to do it to me.

Mr. Speaker, once in 1981 it happened. Throughout the years, from 1972 to 1981, there were no problems; there was a gentlemen's agreement and we did not have to bring in the hammer. But once it happened, where would a government be who lived through that 1981 crisis if they did not act responsibly and put a system in place whereby it could not happen again, whereby the hospitals could operate?

Now, Mr. Speaker, what does Bill 59 do? Everybody is crying about 49 per cent. There is no such thing. There is no way a Minister of Labour in this government would ever bring in a piece of legislation that gave an employer the upper hand. What does it do? Here is what it does, Mr. Speaker: It says, employer, union, sit down, talk about it and negotiate the number of emergency or essential employees that are required. If you do not agree, we will put it to a board that you all respect. There is not a union leader or an employer in this Province who does not have the highest respect for the Labour Relations Board in this Province. At this point in time, I have never heard a union leader or an employer say there was anything wrong with the Labour Relations Board adjudicating any sort of labour problem. So that is what was put in place, Mr. Speaker. The employer can designate, they can say what they want, that is their right. The union can say that you are not going to have -

that is their right. If they cannot agree, somebody else has to decide. Who did we pick to decide? Did we say that the government should bring in the big hammer and decide? No, it would be the Labour Relations Board. Every person in this House who was in the House, Mr. Speaker, when that bill was proposed, agreed with that bill. So what are people saying? What was the hon. member's contention? He said it was bad legislation. It was bad legislation and he passed it, he agreed to it here in this House, he voted for it. He voted for Bill 59, the hon. member for Bonavista North (Mr. Lush). The hon. member for Fogo (Mr. Tulk) was in the House, the hon. the Leader of the Opposition (Mr. Barry) was in the House and voted for that bill.

MR. BARRY:

On a point of order, Mr. Speaker.

MR. CHAIRMAN (Greening):

A point of order, the hon. the Leader of the Opposition.

MR. BARRY:

Mr. Speaker, I clearly recall that at that point in time the labour movement had been expressing concern. On that day, there were a group of labour leaders in the House and the minister indicated to the Opposition, and to the backbenches of his own party, where I was at that time, that there was an agreement with the labour leaders of the Province. He looked up to the gallery and the labour leaders nodded their heads. That agreement involved the minister, in implementing Bill 59, thoroughly consulting with the union leadership and implementing the essential employees provision through the union leadership. Would the minister confirm that

that was in fact the deal and that, in fact, the minister reneged on that agreement?

MR. SPEAKER:

To that point of order, the hon. the Minister of Mines and Housing.

MR. DINN:

Mr. Speaker, the hon. Leader of the Opposition was in the House at the time and that is exactly what I said. I said, 'The bill will not be proclaimed because there are some problems that the labour movement, at the time, have with the bill and', I said, 'they have between the passage of the bill and September 1 to come in and discuss the bill.'

MR. BARRY:

Between now and when?

MR. DINN:

Between the time the bill passed, which was around May.

AN HON. MEMBER:

It was the end of June.

MR. DINN:

Okay. It was the end of June, the hon. member corrects me. But that is what was agreed and that is what they agreed to, that they would come in between then and September 1, but they did not.

MR. BARRY:

(Inaudible).

MR. DINN:

Now, the hon. member is interrupting. I listened to his impassioned speech about how he was a member of a union. I was a member of a union, okay? That does not make you a big hero or anything like that.

MR. BARRY:

Are you still in it?

MR. DINN:

Oh, well, I am a member of a kind of a union, yes, an association we will call it. But, Mr. Speaker, I made a promise at that time, that promise was put out and there was only one person who came in, one who came in.

AN HON. MEMBER:

Who was that, Andy?

MR. DINN:

I do not like getting into names, I really do not. I can name the hon. gentleman, he would not mind being named, but it is not important.

MR. SPEAKER:

Order, please! The hon. minister's time is up.

MR. DINN:

Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Menihek.

MR. FUREY:

He has already spoken.

MR. FENWICK:

Me? No. You can check with the Clerk, if you want to.

MR. BARRY:

How many times do I have to listen to this?

MR. FENWICK:

Well, probably only until the next election, when you will retire from politics.

It is hard to know how to approach this. Last Sunday, at seven o'clock, the President of Treasury Board (Mr. Windsor), the Minister of Labour (Mr. Blanchard), and the President of the Newfoundland Association of Public Employees and two of his negotiators signed

an agreement, and among the number of provisions there were some legislative provisions and there were some essentially collective bargaining provisions, and one provision was that there would be language parity between the MOS and General Service agreements and other public service collective agreements. Well, what does that mean? What did it mean in that particular circumstance? Did it mean, for example, if hospital workers end up getting a uniform allowance so that nursing assistants can buy an extra pair of nurses' shoes and a white uniform that that should be provided for clerks. No, of course it did not, it meant things that were applicable.

In the last fifteen years, a relationship has existed between Treasury Board and the union, and there have been a number of highly contentious issues. A number of these contentious issues were settled in the hospital support staff agreements, so that they had better language than the General Service and MOS agreements. In that agreement that was signed on Sunday night, it meant that the important ones that could be applied, and were benefits, would be applied to the MOS and General Service agreements.

One of the most important issues, by far, in collective bargaining, is the role of seniority and it has a number of roles. Seniority, for example, is used for lay-offs and we do not disagree with that. If people have to be laid off, it is easier to lay a person off with one or two years service than someone with twenty-five or thirty years service, because that person will have an easier time getting a job elsewhere.

Seniority is also used for vacation, for example. If you have been in a place of employment for many years, twenty or thirty years, instead of getting two or three weeks vacation, you might get three or four or five weeks vacation, annually. It is also used in some agreements for promotion. The clause in the Hospital Support Staff Agreement reads - I am not reading it for you, I will give it to you in terms of a paraphrase - essentially, the longer people work for an employer the more opportunities they should have in their work place, and that both parties recognize that principle and, therefore, when a promotion occurs within the bargaining unit, then individuals who have the higher number of years of service be given preference for the job, if they have the qualifications to do the job. Now, that is a paraphrase, but I think it is not too far off, because it has been argued again and again. That essentially is the major article that was implied when both parties agreed to the idea that there would be contract language parity. That means the President of Treasury Board knew full-well that that was what he was agreeing to on Sunday night, at seven o'clock, when he signed the back-to-work agreement. He knew that that clause, seniority on promotion, was the one that the union and he both knew was going to be included in the General Service and MOS Agreements as a result of it.

Now, he has gone into a lot of arguments about, obviously, why he does not want to see it in the agreement. I am not going to enter into that part of the debate because, quite frankly, that is collective bargaining. The fact

is, he should have shut up himself today, and so should the Premier have shut up this morning, rather than enter into opening the negotiations to the general public, because the problem with doing that is you badly distort one side of it and the other side cannot be heard. That is what is happening and that, I think, is the worst part of it.

I can give you arguments for and against the principle of seniority on promotion, and there are arguments on both sides. Obviously it is working in the Hospital Support Staff Agreement, because it is there. Obviously it can work in some areas of the MOS, because they have already agreed to it. The argument the union is putting forward is it should work in some areas of the General Service Agreement and, in limited areas, it may work. I do not know, I have not seen the counterproposal from the government, nor do I want to, because I am not involved in the collective bargaining process and I do not want to be.

What I can say is that the public pronouncement by the Premier this morning is an example of extremely bad-faith bargaining. What he has done is he has taken the negotiations which, to this point, were held in camera, were held out of the way of the glare of newspapers and the media and so on, and has broken open the issues and started to argue his particular side of it, yet, at the same time, has said that they will not live up to the undertaking they took on Sunday night, at 7:00 o'clock, whether it was a good or bad one. The undertaking, very clearly, was that that wording was going in, because that was one of the most important issues and the

question was that these important parity issues would be included.

And, by the way, I thought, quite innocently, that the President of Treasury Board, who only has been in the job for a year, maybe had not read the collective agreement his is administering, maybe did not know what was in the Hospital Service Agreement, maybe he did not know what was there. So I asked him. The first time he alluded the question by going back into the verbiage that he has been using, but the second time he said, 'Yes, not only do I know that that particular article is in the Hospital Support Staff Agreement, I know when it went in, in 1975. I know it has been there, and I know that the union has been arguing for it', clearly saying to us that he knew that that was an important Hospital Support Staff article that was going into the General Service and MOS Agreements, if he lived up to his commitment on Sunday night.

What it means, because he obviously reneged on it less than three days later, is that he had no intention whatsoever on Sunday night of putting that in. It is quite clear that he signed that agreement in bad faith and, as a result of that, we do not know what the results will be in terms of collective bargaining, and in terms of what will happen in the public sector here.

That is what the great tragedy is. We can go back over Bill 59. Quite frankly, the previous speaker, the previous Minister of Labour, in my opinion, is probably the major reason we have this mess on our hands, because he, obviously, did no consultation before bringing it in. And despite his avowed interest in

bringing people back from vacation to talk about it, he did not do any consultation afterwards so we ended up with an unworkable piece of legislation. It is pointless to go over that.

Quite frankly, there is a procedure worked out between the Minister of Labour and the union to look at the bill and to change it and to make it workable - that is an important point - so that we can have some sort of regularized collective bargaining process that will work in the Public Service and be fair to both parties. Because it is very clear that the Bill 59 provisions were weighted heavily on the side of government and made it very difficult for the union to be in any kind of a reasonable position to exert any pressure whatsoever.

Quite frankly, I am very disappointed to hear what went on this morning in the press conference, and to hear what the President of Treasury Board said this afternoon, because it indicates to me a tremendous lack of good faith on their part, and it also indicates that the government now is willing to clobber the union if it at all can, and is not now seriously, genuinely interested in getting an end to this dispute and getting a collective agreement that both it and the union can live with.

Even if it did not agree, even if it was going to be duplicitious, even if the President of Treasury Board was going to imply one thing on Sunday night and not live up to it, there was no need to go public as loudly as they have today. The only obvious reason for it is that they intend to go back to the trenches and they intend to fight it out.

I do not know what the union is going to do and, quite frankly, I am quite frightened at this point that they may not even be able to control their own membership in terms of what their own membership may or may not want to do. I do not know. But I can say to you that if we end up with a recurrence of what we have seen over the last couple of years, 5,000 employees out on strike, on a strike that is not sanctioned by any legislation, if we end up with that again, it will be the fault of the Premier and the fault of the President of Treasury Board who, very clearly, have shown extremely bad faith in their negotiations, and the response by the employees and the union is, at this point, extremely unpredictable. I do not know what it will be, I obviously do not speak for them, but the fact of the matter is, we do not know what will happen.

Mr. Speaker, I do not want to go into any of the substance of the particular resolution. All I can say is labour relations are a matter of trust and good faith between the parties. If that good faith and that trust is there, you can usually accomplish a reasonable amount of negotiations and a collective agreement that both sides are pleased with and happy with and can work with. But the fact of the matter is, we have demonstrably seen absolutely no good faith on the part of the Premier, or the President of Treasury Board and, as a result, we may go back to a situation that all of us were very reluctant to see happen, and very much regretted seeing it have to go to that extent. Thank you very much, Mr. Speaker.

MR. BLANCHARD:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, I would like to avail of the opportunity to say a few words about this resolution which has been called 'timely' by some members opposite this afternoon, and which has now been shown to be most untimely, hollow and unnecessary. I will not waste time by looking at the preamble to the resolution, Mr. Speaker, but it states: "WHEREAS the Province's Minister of Labour has declined an active role of conciliation and mediation during the life of the current dispute."

Mr. Speaker, not just me as Minister of Labour but my colleague, the President of Treasury Board, joined me and embarked upon a mission that has been unprecedented in the history of labour negotiations in this Province, where we went in a very conciliatory manner and tried to work out, over a number of days, a method by which the people could get back to work from an illegal strike. Now, if that is a declination of a role of mediation, I am a little bit puzzled to understand it.

Now, Mr. Speaker, I have had a fear, over some time, that members opposite may be trying to keep this thing going. I think they are afraid this dispute might get settled and they will have nothing to talk about over there; there will be nothing for them to ask questions on. I really and truly think they would like to keep the pot boiling, they would like to see a continuation of illegal actions.

Now, Mr. Speaker, the member for Menihek just referred to bad faith on the part of government. Mr. Speaker, I think the most disappointing part of the whole involvement that I have had in this attempt to get the workers back on the job was last Sunday night when the agreements were signed. We had an understanding that the picket lines would be taken down, the people would return to the job and we would have a go at collective bargaining with no time limits. Mr. March had mentioned ninety-six hours, double the time that the Premier just expressed the hope that we could make an agreement in, and before the ink was dried on the back-to-work agreement that we signed and the agreement to amend the legislation along the lines that they were looking to have it amended, the President of NAPE, Mr. Speaker, said that this strike is not over. Now, if that is not an act of bad faith to sign an agreement to go back to work and begin serious negotiations to settle the dispute and then, to say when it is signed, to the media, "no, Sir, the strike is not over." In other words it is an uneasy truce. We do not really intend to negotiate.

MR. TULK:

He did not say that.

MR. BLANCHARD:

He did say it. You were not there. I was.

MR. BARRY:

A point of order, Mr. Speaker.

MR. SPEAKER (McNicholas):

A point of order, the hon. the Leader of the Opposition.

MR. BARRY:

These intemperate remarks are

highly irregular for a Minister of Labour, who was supposed to be a conciliator and a mediator, when there are honest attempts being made to settle the strike. What is the Minister of Labour trying to do? Is he trying to inflame the labour movement, trying to find some justification for making the labour movement the scapegoat so he does not have to live up to the Premier's commitment to have this settled within forty-eight hours? This is outrageous!

MR. MARSHALL:

To that point of order, Mr. Speaker.

MR. SPEAKER:

To that point of order, the hon. the President of the Council.

MR. MARSHALL:

That is obviously no point of order. I do not think the Minister of Labour nor any person on this side of the House is going to take directions from the Leader of the Opposition (Mr. Barry) as to what words he speaks and what he says. The Minister of Labour is one of the more experienced labour personnel in Newfoundland. What he has to say is a matter of great interest. I have not heard him speak with such passion for a long period of time. He should be able to continue his speech up to 4:40 p.m., which is the time he has got, without being interrupted.

MR. SPEAKER (McNicholas):

To that point of order, there is no point of order.

The hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, the resolution says, "BE IT FURTHER RESOLVED that Government immediately indicate a willingness to return to the

bargaining table with a proposal offering parity." Now, the Premier has announced that, Mr. Speaker, today, and the President of Treasury Board (Mr. Windsor). I do not intend to repeat what has already been stated.

It goes on to say - and here is where I am very much involved - "that government immediately return to the bargaining table with a proposal to eliminate the provisions of Bill 59, which improperly take away the right to strike." Now, Mr. Speaker, I tabled this in the House yesterday and, obviously, the members opposite are not interested in anything that goes a long way towards settling the dispute, goes a long way towards removing all of the distasteful, if you will, aspects of what NAPE has felt towards the bill. This is a memorandum of understanding, Mr. Speaker, which states that all workers shall have equal collective bargaining rights enshrined in legislation.

Now, Mr. Speaker, in point number two it states that all workers have the fundamental right to free collective bargaining, including the right to strike. We have agreed to that. We have agreed that these principals will be announced and addressed in amending the legislation. This is an important part of it because it is the very first time we have had an agreement in writing from NAPE to accept any level of essential services. In item number 3, "Notwithstanding the principles enunciated in 1 and 2 above, it is recognized that certain services essential to health, safety and security of the public must be maintained." That is the very first time that we have had that.

It is important to note, Mr. Speaker, that this is virtually the same proposal that we agreed to, with some word changes for clarification, or this embodies the virtual proposal that NAPE passed across the table to me to consider.

MR. BARRY:

Were they our recommendations?

MR. BLANCHARD:

I doubt if you have ever had any recommendations that would benefit anything. You were here when the bill was passed.

Mr. Speaker, in point number 4 here it states: "Where the effectiveness of the right to strike is reduced by essential services, appropriate and effective measures shall be available to maintain the labour-management balance." Now, we have agreed to that. We are taking into consideration what the ILO Committee said about this, that there was not consultation. Perhaps that was the worse thing they said about the bill. We are saying now where there are essential services that we agree to the principle that appropriate and effective measures shall be available to maintain the labour-management balance.

Sir, to carry on, it says: "It is agreed that meaningful consultation will take place between the unions representing public service employees and government with a view to development of labour legislation which would be introduced in the House of Assembly giving effect to these basic principles enunciated above." We have said that we will bring in in the next session of the House, Mr. Speaker, amendments to this legislation, to Bill 59,

to the Public Service Collective Bargaining Act, which will give effect to these principles.

We go on in the last one to say, "Notwithstanding any of the foregoing principles, either of the parties, including any other public service unions which represent employees in collective bargaining, shall have the right to raise other issues or points of principle and to make recommendations thereon to the legislative review committee to be established." We are protecting the rights, Mr. Speaker, of other unions besides NAPE, like CUPE or any other public service union which represents employees for collective bargaining.

I would suggest to you, Mr. Speaker, and to hon. members opposite that this precisely makes this Private Member's Motion hollow, meaningless and worthless. We have complied with everything that is there already.

AN HON. MEMBER:

You do not believe that.

MR. SPEAKER (McNicholas):

Order, please!

SOME HON. MEMBERS:

Oh, oh!

MR. BLANCHARD:

Of course I agree with it. Not alone, Mr. Speaker, do I agree and strongly support what we have said in this agreement on legislation but, the very first time I rose in this House to speak last May I introduced a bill which made very important changes to the Public Service Collective Bargaining Act, which eliminated the need for essential services in nine separate bargaining units in the public sector.

Mr. Speaker, that was nothing that we could not have already done.

MR. TULK:

A point of order, Mr. Speaker.

MR. SPEAKER:

Order, please!

A point of order, the hon. the member for Fogo.

MR. TULK:

Did I understand the hon. minister to say that he agrees with the resolution even though he considers it hollow, that he agrees with all that is in the resolution because the government has already said that that is their position?

MR. BLANCHARD:

Mr. Speaker, my understanding is that this is not a time for questions. I am making some comments on the resolution.

MR. SPEAKER:

There is not point of order.

The hon. the Minister of Labour.

MR. BLANCHARD:

Mr. Speaker, when we passed the bill amending the Public Service Collective Bargaining Act last year, I gave a statement in this House of good faith that we intended to pursue meaningful consultation with the public service unions of this Province to find out what else we ought to do with the act.

Mr. Speaker, we really never had the opportunity to do that but, in furtherance of what was promised, Mr. Speaker, we have signed this as a demonstration of good faith. This could have been done, Mr. Speaker, without the necessity of a strike. Hon. members opposite

this afternoon have been saying that the real reason for the strike was Bill 59. Mr. Speaker, there is nothing in this agreement that could not have been done over the past several months and in the months to come.

MR. FLIGHT:

Why was it not done?

MR. BLANCHARD:

Because we could not get any cooperation; because nobody came to consult on it or to talk about it; because the committee which we established when my predecessor, the hon. the Minister of Intergovernmental Affairs (Mr. Ottenheimer) and I, as deputy minister, got together and thought that we ought to do some things about this. One of the things we did was set up a committee and that committee, Mr. Speaker, never, ever had the opportunity to function. It was prevented from functioning because they wanted conflict over it. There was no need of conflict. This could have been brought about in times of peace and quiet, Mr. Speaker, without illegal actions.

MR. FLIGHT:

There is no contract between (inaudible).

MR. SPEAKER (McNicholas):

Order, please! Order, please!

MR. BLANCHARD:

Mr. Speaker, I do not want the hon. the member for Fogo (Mr. Tulk) to get any wrong impressions or to go trying to put words in my mouth that I am agreeing to the resolution, Mr. Speaker. I am simply saying that the resolution is totally unnecessary. Everything that has been stated in it has been done. Mr. Speaker, I repeat what I said earlier. If

there has been any bad faith in this, it is not on the part of government. We have sat down and our people, our representatives, my deputy minister, in the midst of negotiations, is convinced that the spirit of the back to work agreement has been followed in the negotiations.

Thank you, very much, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. TULK:

Mr. Speaker.

MR. SPEAKER:

I call on the hon. the member for Fogo to conclude the debate.

MR. TULK:

I think the President of Treasury Board (Mr. Windsor) made the statement that he was quite emotional or something to that affect. He was giving an emotional speech.

MR. BARRY:

Impassioned.

MR. TULK:

Impassioned speech. I suppose that has to require some deal of emotion on the part of the Minister of Labour.

Mr. Speaker, he got upset on a number of occasions when the Leader of the Opposition (Mr. Barry) wanted something clarified and I wanted something clarified. He got kind of nasty. It shows, first of all, his inexperience in the House. Now, of course, we understand that but I think it shows something else, that the Minister of Labour is a very frustrated man, that he is caught in the middle of a war between the Premier and the President of

Treasury Board. When the President of Treasury Board says one thing and the Premier says another, he does not know what to say, he does not know who to agree with, he does not know what is going to happen from one day to the next. He is a very frustrated individual. He has to be and he showed it in his speech. That is what he showed us this afternoon and last week. He is caught.

MR. FUREY:

He is a referee.

MR. TULK:

He is not even a referee anymore. He is not even the Deputy Minister of Labour anymore. He cannot write the bills and have the member for Pleasantville (Mr. Dinn) present them as the Minister of Labour, as he did with Bill 59. He might still be listened to if he was still the Deputy Minister of Labour.

Mr. Speaker, he says the resolution is hollow and unnecessary. Let me deal with the word 'unnecessary.' "It is unnecessary," he says, "because we agree with everything that is in it.

MR. BLANCHARD:

I never said we agree with everything that is in it.

MR. TULK:

"It contains everything," you said, "that we have done. We have done everything that is in it."

MR. BLANCHARD:

We have already done!

MR. TULK:

"We have already done everything that is in it." Therefore, you must agree.

Do you agree now then that all suspensions should be lifted? Is that what you are saying that all suspensions will be lifted, that there will be no more thirty day suspensions, that that will not be part of the arbitration process or the collective bargaining process? Great to hear that the hon. gentleman agrees with that, Mr. Speaker. Perhaps that is a little bit more of the inconsistency that has gone on between the President of Treasury Board, the Premier and the Minister of Labour. Perhaps that is saying one thing and meaning another.

Mr. Speaker, let me tell the Minister of Labour what I think the Premier is about or what he is up to. Let me tell him I have been in this House since 1979 and I have perhaps observed the Premier as a politician far more than he has. Let me state it to you quite simply. I think the Premier of this Province has set up in the last week and a half to do nothing else only just nail one individual, namely, Fraser March. That is the object of the game. That is what the Premier is all about. He has already nailed the President of Treasury Board politically but more than that now, he is out to nail a labour leader in this Province, a labour leader who dared take him on.

MR. FLIGHT:

He has made a fool of the Minister of Justice (Ms Verge) with his injunction.

MR. TULK:

That is what the Premier is about. The Minister of Labour (Mr. Blanchard) should not get caught in the cross fire of that.

When did the Premier suddenly come

to realize that there was a labour problem in the Province? Last Wednesday night. He spent two weeks in this House, when he did not close her down and get out, telling the Leader of the Opposition (Mr. Barry) and the rest of us on this side of the House that what we were talking about was nonsense. As a matter of fact, the people who stood when this private member's resolution was introduced stood up and said "what you have got down there is nonsense." Now we find him agreeing. Anyway, there he comes.

Last Wednesday he suddenly appeared on earth. He must have come from Mars. He suddenly realized that as he said there was unparity, disparity is more like it. There was disparity in this Province. Newfoundlanders want equality. He agreed with that and now he was going to work it out in this present collective bargaining act.

MR. FLIGHT:

After two year trying to get an agreement and after a two year wage freeze.

MR. SPEAKER (McNicholas):

Order, please!

MR. TULK:

He agreed that Bill 59 had to be changed. He suddenly realized that, that Bill 59 had to be changed. I heard him I think it was last Thursday or Friday on an open line show, basically what he said. The Premier is noted for his confessions. He was basically saying that unless people agree, unless there is trust, unless people believe you, then you can have all the laws you like and they will not be obeyed. That is what he said. Now what an admission!

But the Premier smarts in politics. He knows that a person and a group of union people who believe they should fight against injustice laid one on him. They laid one on him. They gave him a little bit of his own scrubbing that he likes to give people and now the game is not to get a collective agreement in place, that is not the Premier's prime role today, it is to get one Fraser March and make an example of him.

We have seen them get up this afternoon, people who are responsible for negotiating that collective agreement and the people who should be trying to run this Province. We saw the President of Treasury Board, he has become used to it, standing up and going after Mr. March, "Oh, he is terrible! He is a terrible man. He has broken the law. He does not believe in the law." That is basically what he said to us. And we saw that Minister of Labour (Mr. Blanchard), the man who is supposed to be the great conciliator and the great mediator for this Province. What did he do? What did he do? He stood in his place and who did he accuse of bad faith? Oh my, I wonder would it be Fraser March?

So I have a question to ask the Minister of Labour and that is this, is he part of the con game that is going on over there too? Is he part of the game that is going on over there too to make an example of a union leader in this Province? Is that what is going on? Is he part of that as well? Mr. Speaker, I would hope not.

We are glad since the Minister of Labour (Mr. Blanchard) stood in his place and said "this resolution is unnecessary because

we have already put those things in place." We are saying to him this evening, stand up, if that is the case, and let us have a show of good faith to the people of Newfoundland and let us have a show of good faith to the union. Stand up when the time comes at six o'clock and vote for this resolution as a show of good faith. I say to the Premier, instead of getting On Camera and trying to get an Academy Award - I think the Actra awards that were on the same night - an Academy Award for a political performance, I would say to him, get your people to vote for what the Minister of Labour says he agrees with.

MR. FLIGHT:

Forty-eight hours for the strike and ninety days for Come by Chance.

MR. TULK:

We know about the Premier's timing.

Mr. Speaker, the Minister of Labour complains about the fact that the resolution says he has been silent. Well, if a person had the credentials of that Minister of Labour, surely he should have been talking long before he did. He only started to talk when the Premier told him.

Mr. Speaker, the Premier has a terrible problem in Newfoundland, one that I believe is haunting him, and that is his believability, what I will call believability. He said the laws in this Province are no good because the people do not trust him. He said that. I say to him this evening that there are very few people in this Province who believe him. They do not see the young Premier that they saw in 1979. They see a person who wants to hold on to power, who wants to

push himself with his power at any cost because I say to the Premier that there is no excuse for him, there is no way out for him from changing his mind, no way out for that. He was determined, when this strike was called, that he was going to put it down. Parity did not matter to him then, the unparity did not matter to him. Bill 59 did not matter to him because this has been ongoing for a number of years.

He stands in his place, along with the President of Treasury Board and the Minister of Labour and says, "No, we are not going to negotiate while those people are breaking the law, the strike is illegal." Well, Mr. Speaker, we are talking about the justice system and I ask the Premier to explain to this House and to the people of Newfoundland who was it who misused the justice system when they started arresting people and then all at once broke off? Who was it then? Who was it that was abusing the laws of this Province then? Was that Fraser March? No, it was the government of this Province, led by the Premier. There is no doubt that the Premier got himself into a mess that he could not get out of.

Now, Mr. Speaker, I do not want to keep coming back to this but I have to. What we have seen happening in this Province in the past three weeks, a month, is a direct result of the attitude of the Premier and the attitude of his ministers. The Premier believed, and I say to him that this was his big mistake, he must have missed a poll somewhere, he believed that when he went after the strikers in this Province, he was going to have public opinion on his side.

MR. FLIGHT:

That is where he made a mistake. That is where he guessed wrong.

MR. SPEAKER:

Order, please!

MR. TULK:

That, of course, is how the Premier operates. He operates on what he believes will keep him in power, the polls and public opinion. He is not necessarily concerned about justice or what is good for his own people, but public opinion.

MR. FLIGHT:

And then he panics.

MR. TULK:

Yes, then he panics. He was dead wrong. In the matter of a couple of days, he was dead wrong and he panics. Then, of course, he said, "Now Neil, you take it." That had a side advantage to him too, of course, politically. "You are going to get up front, boy, and I am going to hide. Then I am going to come in like the white knight. I am going to ride into the CBC television station and suddenly be the good man."

MR. FLIGHT:

He will not give a press release because his words will be manipulated. He would not call a press conference.

MR. TULK:

Mr. Speaker, I could go on and on about this thing because as I said so often in this House, and I believe it to be correct, what we are seeing is not really a problem with Bill 59. If the right stance were taken, that could be worked out.

MR. J. CARTER:

All you want to do is make

trouble.

MR. TULK:

Mr. Speaker, the intelligence levels have gone down again, he is in the House.

Mr. Speaker, the arrogance of this government is plain. That gentleman who has been instructed by this House to have a committee meet concerning the privileges of the member for Bonavista South (Mr. Morgan) should be quiet. He has delayed having that committee meet because he is afraid of the consequences, I tell him this evening.

MR. FLIGHT:

He is probably afraid of the member.

MR. TULK:

Yes, he is probably afraid of the member.

Mr. Speaker, I say to the Premier, let us not have again the kind of stuff that you had today, the kind of thing that we saw the Premier do again today. At 12:00 o'clock he was on saying, on the one hand, come back to the bargaining table and, on the other hand, he is accusing people of bargaining in bad faith. Mr. Speaker, I do not believe for a minute, and I do not believe that the Premier believes that the NAPE people want to be on strike.

The Premier finds the member for St. John's North (Mr. J. Carter) funny, and in some way, I suppose, he has to have some comic relieve from something. The member for St. John's North can certainly provide that.

MR. FLIGHT:

A good scapegoat for him too.

MR. TULK:

Mr. Speaker, I would have liked to see the Minister of Justice (Ms Verge) speak in this debate. She did not speak.

I say to the Premier, if he is going to be allowed to manipulate the law to suit him, then surely the kind of trust that he talked about on the VOCM Open Line show the other morning that it is necessary for the law to be maintained in this country is not going to be there for him. This strike stinks of the most anti-democratic thing that I have ever seen happening in this Province, this strike actually stinks of being anti-democratic and a misuse of justice, and the Minister of Justice, of course, had to be a part of it.

MR. FLIGHT:

That is right. She has not defended herself in this debate either, by the way.

MR. TULK:

How can you defend the indefensible? You cannot do it.

Mr. Speaker, I am going to clue up my few remarks. I would say to the Premier have his people, if he believes his Minister of Labour (Mr. Blanchard), who says this motion is unnecessary because, he says, "we have already put all those things in place," I say to him, as Premier of this Province, have his people stand and throw away the politics because on Friday we might see ourselves in the situation where people are on strike again for what they believe to be right. I say to the Premier, it is time to cut out the play acting. It is time for him to take some real concrete action, to show some good faith publicly to the people of this Province and

to the people of NAPE so that the right atmosphere can be set for, perhaps, the Minister of Labour to bargain, rather than having the confrontationalist attitude of the member for Mount Pearl always coming forward in this strike.

I would ask them, Mr. Speaker, to stand and vote for this resolution. Thank you.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

Order, please!

Is the House ready for the question?

All those in favour, 'aye'.

SOME HON. MEMBERS:

Aye.

MR. SPEAKER:

All those against, 'nay'.

SOME HON. MEMBERS:

Nay.

MR. SPEAKER (McNicholas):

The 'Nays' have it.

MR. TULK:

Division.

MR. SPEAKER (McNicholas):

Call in the members.

Division

MR. SPEAKER:

Is the House ready for the question?

All those in favour, please rise:

The hon. the Leader of the Opposition (Mr. Barry); Mr.

Hiscock; Mr. Flight; Mr. Tulk; Mr. Lush; Mr. W. Carter; Mr. K. Aylward; Mr. Baker; Mr. Furey; Mr. Kelland; Mr. Decker; Mr. Fenwick.

All those against, please rise:

The hon. the Premier (Mr. Peckford); the hon. the Minister of Justice (Ms. Verge); the hon. the Minister of Health (Dr. Twomey); the hon. the Minister of Fisheries (Mr. Rideout); the hon. the Minister of Mines and Energy (Mr. Dinn); the hon. the Minister of Consumer Affairs and Communications (Mr. Russell); the hon. the President of the Council (Mr. Marshall); the hon. the Minister of Intergovernmental Affairs (Mr. Ottenheimer); the hon. the Minister of Public Works and Services (Mr. Young); the hon. the Minister of Transportation (Mr. Dawe); the hon. the Minister of Education (Mr. Hearn); the hon. the Minister of Labour (Mr. Blanchard); Mr. Greening; Mr. Hickey; Mr. J. Carter; the hon. the Minister of Environment (Mr. Butt); Mr. Hodder; Mr. Morgan; Mr. Woodford.

MR. SPEAKER:

I declare the motion defeated.

SOME HON. MEMBERS:

Shame! Shame!

MR. HISCOCK:

What were the numbers? What was the count.

MR. SPEAKER:

Nineteen to twelve.

MR. HISCOCK:

Nineteen to twelve. How many were absent?

MR. SPEAKER:

Order, please!

MR. SPEAKER:

It now being six o'clock, I
declare the House adjourned.