

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, February 14, 1990.

The House met at 1:30 p.m.

## PRAYERS

### ROUTINE PROCEEDINGS

#### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**Mr. Helmut Pankratz (Chairman of Committees):** Mr. Speaker, I want to present the report on Standing and Special Committees. I would like to present the Fourth Report from the Committee on Law Amendments.

**Mr. Clerk (William Remnant):** Your Standing Committee on Law Amendments presents the following as their Fourth Report.

Your committee met on Thursday, February 1, 1990, at 10 a.m. in Room 255 and Tuesday, February 13, 1990, at 10 a.m. in Room 254 of the Legislative Building to consider Bills referred.

Your committee heard representations on Bill No. 83, The Ozone Depleting Substances Act; Loi sur les substances appauvrissant la couche d'ozone, as follows:

Mr. Bob Shaw, Ms. Jan Lowe, Mr. John Bigelow, and Mr. Bill Taylor, The Refrigeration and Air Conditioning Contractors Association  
Mr. Chris Kaufmann, City of Winnipeg, Task Force on CFCs

Mr. Manson I. Coles, Private Citizen  
Mr. David Brant, Environmental Growth Chambers  
Mr. Charles E. Lamont, Enconaire Systems Ltd.

Your committee has considered:

Bill No. 83 - The Ozone Depleting Substances Act; Loi sur les substances appauvrissant la couche d'ozone, and has agreed to report the same with the following amendments:

#### MOTION:

THAT the definition of "make or use" in section 2 be amended by adding "sell," after "sale,".

#### MOTION:

THAT section 3 be amended by adding the following subsection:

##### Non-application of prohibition

3(3) Subsection (1) does not apply in respect of a thing or product that contains, or for its use or operation requires, an ozone depleting substance where the thing or product, or a class of things or products to which class the thing or product belongs, is by regulation exempt from application of the subsection.

#### MOTION:

THAT section 4 be amended by adding the following subsection:

##### Non-application of section 4

4(4) Subsection (1), (2) or (3) does not apply in respect of a thing or product that contains, or for its use or operation requires, an ozone depleting substance where the thing or product, or a class of things or products to which class the thing or product belongs, is by regulation exempt from application of the subsection.

#### MOTION:

THAT the English version of clause 5(2)(b) be amended by striking out "enforcement" and substituting "environment."

#### MOTION:

THAT subsection 8(1) be amended by striking out the words ahead of clause (a) and substituting the following:

##### Offenses and penalties

8(1) Where a person, other than a corporation, is guilty of an offense under section 7, the person is liable,

#### MOTION:

THAT subsection 8(2) be amended by striking out the words ahead of clause (a) and substituting the following:

##### Offenses and penalties: corporations

8(2) Where a corporation is guilty of an offense under section 7, the corporation is liable.

#### MOTION:

THAT section 9 be amended:

(a) by striking out "and" at the end of clause (g);

(b) by adding the following clauses:

"(h) prescribing, for purposes of exemptions under subsection 3(3) or 4(4), classes of things or products that contain, or for their use or operation require, an ozone depleting substance;

(i) respecting the disposal of ozone depleting substances or of things or products that contain, or for their use or operation require, an ozone depleting substance;" and

(c) by renumbering clause (h) as clause (j).

All of which is respectfully submitted.

**Mr. Pankratz:** I move, seconded by the Honourable Member for Minnedosa (Mr. Gilleshammer), that the report on the committee be received.

**MOTION presented and carried.**

**INTRODUCTION OF BILLS**  
**BILL NO. 97—THE WORKERS**  
**COMPENSATION AMENDMENT ACT(3)**

**Mr. Steve Ashton (Thompson)** introduced, by leave, Bill No. 97, The Workers Compensation Amendment Act (3); Loi no 3 modifiant la Loi sur les accidents du travail.

**MOTION presented.**

**Mr. Ashton:** Mr. Speaker, I would like to explain the Bill, as our Rules permit. I would like to indicate that I hope this Bill, interestingly enough, does not have to go to second reading and have to pass, because I am hoping that the Government will see fit to bring in amendments on other Workers Compensation Bills—

**Mr. Speaker:** Order, please; order, please.

\* (1335)

**POINT OF ORDER**

**Mr. Speaker:** The Honourable Government House Leader, on a point of order.

**Hon. James McCrae (Government House Leader):** Mr. Speaker, the Honourable Member for Thompson (Mr. Ashton) is not explaining in one sentence, or perhaps two, the intent of the Bill.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please. On the point of order raised by the Honourable Government House Leader, he is quite correct. The Honourable Member is given the opportunity to explain the purport of the Bill. The Honourable Member for Thompson.

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**Mr. Ashton:** Well, I am explaining the purpose, Mr. Speaker, which is to convince the Government finally in this Legislature to be able to support the enactment of legislation that will protect our firefighters, that will bring into legislative form the regulations that have existed in this province for more than 20 years, which were struck down by Justice Lyon in a court decision recently.

The firefighters—it had initially been indicated to them by the Minister responsible for Workers Compensation that it would be included in other Bills dealing with Workers Compensation. That has not happened.

I would like to ask that Members look at this Bill which will bring into statute those regulations and ensure that there is recognition of the hazards faced by firefighters, whether it be in regard to heart conditions, whether it be in regard to cancer, that are directly responsible, directly resulting from their work environment.

Bill 97 as I said would do that. I am hoping though that the Government will see fit to bring in this in some

form, in form of amendments, to the other Workers Compensation Bill, Bill No. 56, which is before us.

**QUESTION put, MOTION carried.**

**INTRODUCTION OF GUESTS**

**Mr. Speaker:** Prior to Oral Questions, may I direct Honourable Members' attention to the gallery, where we have with us this afternoon 20 of the Princess Patricia Canadian Light Infantry, who will be leaving for peacekeeping duties in Cypress on March 6, 1990.

These members are located at the Canadian Forces Base Winnipeg South, and this is in the constituency of the Honourable First Minister (Mr. Filmon).

On behalf of all Honourable Members, we welcome you here this afternoon.

**ORAL QUESTION PERIOD**

**Sustainable Development Centre**  
**Announcement**

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, all too rarely do Prime Ministers travel their own nation, other than in the midst of federal election campaigns, but today we have one of those rare visits. The Prime Minister is indeed in Manitoba, and we are curious as to what announcements he may make—and a long list of necessary initiatives for our province. We have been expecting an announcement of the funding and construction of the Centre for Sustainable Development first announced in November of 1988, and reiterated in April of 1989.

Can the First Minister tell the House if February 14 is to be the day the province and the federal Governments finally announce concrete developmental plans for the centre?

**Mr. Speaker:** The Honourable First Minister.—(interjection)— Order, please; order, please. The Honourable First Minister.

\* (1340)

**Hon. Gary Filmon (Premier):** Mr. Speaker, I would like to take the opportunity to wish the Leader of the Opposition (Mrs. Carstairs) a happy Valentine's Day. I might say that I approve of the colour of dress that she is wearing today, and I hope that is an indication that we are going to get some more responsible approaches to Government in Question Period.

Mr. Speaker, I will say that the Members of our Government have been pursuing a number of these initiatives with respect to the federal Government and cost-shared programs. I know that the Minister of Environment (Mr. Cummings) has been pursuing very diligently the Centre for Sustainable Development. There have been some encouraging discussions at senior official levels in his department and as well between himself and the Honourable Lucien Bouchard, the Minister of the Environment. We believe we are starting to develop the process by which some more

substantive announcements will take place with regard to the Centre for Sustainable Development.

Both in my own visits with the Prime Minister some 10 days or two weeks ago and also in a recent visit that our caucus had with the federal Conservative Caucus from Manitoba, in discussion I believe we are working very much toward some of the same goals on issues that she refers to. I am optimistic that some of those announcements will be forthcoming.

**Mrs. Carstairs:** Let me return the best wishes for Valentine's Day. Unfortunately, Valentine's Day is often associated with bouquets, but we have many more beefs than bouquets.

### Drought Assistance Federal/Provincial Program

**Mrs. Sharon Carstairs (Leader of the Opposition):** Can the Minister of Agriculture, or the Agriculture Minister represented here today, tell us if the Prime Minister and the Province of Manitoba will today be signing a new drought relief program for the hard hit farmers of the Province of Manitoba?

**Hon. Gary Filmon (Premier):** Mr. Speaker, again the Leader of the Opposition should be aware that that is a matter that the Minister of Agriculture (Mr. Findlay) has had some very serious and extensive discussions with, among others, the Minister responsible for the Canadian Wheat Board, the Minister of oil seeds and grains, and also with, I believe, the federal Minister of Agriculture.

He has indicated that we are more than prepared to enter into some program that would be targeted to the needs of the farmers in Manitoba who in some areas suffered poorer crops in 1989 than they did in 1988.

### Transfer Payments Manitoba Totals

**Mrs. Sharon Carstairs (Leader of the Opposition):** So far we learn that there is no new news about the environmental centre, and there is no new news about agriculture.

Perhaps the Minister of Finance (Mr. Manness) can give us some good news. Can he tell the House today if we can look forward to a joint announcement between himself and the Prime Minister with regard to increased support for health and post-secondary education in that real growth for health has declined by 2.66 percent on average each and every year of federal Tory administration? In education that has declined by 4.37 percent.

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, it is not usual, as I understand the protocol of announcements, that the Prime Minister of the country joins with a Minister of a province to make an announcement on any issue.

Let me say with respect to transfer payments, Mr. Speaker, we sit with much concern as we look forward

and await the announcement of the federal budget coming down on February 20. By all accounts, of course, it appears that there is going to be some significant impact on transfers in spite of our less than gentle pleadings of the federal Minister of Finance that these transfers not be attacked.

### CFB Portage la Prairie Compensation

**Mrs. Sharon Carstairs (Leader of the Opposition):** Can the First Minister tell the House today if there will be any form of joint announcement or two separate announcements, if the Minister of Finance would rather see it that way, between the Prime Minister and the provincial Government with regard to compensatory funding for the community of Portage la Prairie in the loss of their base?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I again have to say that I am shocked that the Leader of the Opposition (Mrs. Carstairs) has the gall to ask a question about Portage la Prairie when she criticized me for raising the issue of Portage la Prairie when I met with the Prime Minister in August of this year. She said, why was I talking about economic development for Portage la Prairie. She said, why was I spending time with the Prime Minister trying to convince him to come up with some other alternative economic growth for Portage la Prairie. Mr. Speaker, she said I should have been spending my time on other issues.

Well, I know the issues that are important to Manitoba. They are economic development and economic growth. Certainly, Portage la Prairie has been first and foremost in many of the initiatives that we have developed. That is why Can Oats, the oats processing plant, has been put into Portage la Prairie during the past eight months. That is why Western Combine has been put into Portage la Prairie during the past eight months. That is why, as well, we have moved the tripartite stabilization plan offices into administration into Portage la Prairie as an initiative of this Government. That is why we are looking at Portage la Prairie and many other communities for our decentralization initiative, which she and the Liberal Party are opposed to, Mr. Speaker.

We know what can be done and we are committed to Portage la Prairie. We are not trying to grandstand like she is, Mr. Speaker.

**Mrs. Carstairs:** Obviously, the valentine messages have long left.

\* (1345)

### ERDA Negotiations Announcement

**Mrs. Sharon Carstairs (Leader of the Opposition):** Can the First Minister tell this House, since he has raised the subject of economic development, if there will be an announcement today with regard to newly signed ERDA agreements or Western Diversification funding during the Prime Minister's visit today, and that

this area alone has declined by 5.5 percent each and every year on average under federal Tory rule?

**Hon. Gary Filmon (Premier):** Mr. Speaker, I would also, on behalf of all Members of the Legislature, like to extend birthday greetings to you as you celebrate your important day today.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please.

**Mr. Filmon:** Mr. Speaker, the fact of the matter is that this Government has been working on all fronts to create a better climate in Manitoba. We have done so by reducing the deficit substantially in our two years in Government from deficit in the \$500 million a year range to a deficit last year that was at \$142 million, and this year - (interjection)-

**Mr. Speaker:** Order, please.

**Mr. Filmon:** —and this year again projected to be much less than it had been over the NDP years. We also did so in our budgets, Mr. Speaker, by reducing taxes, personal taxes, to individual Manitobans by 2 percent. Both of those measures designed to create a better climate for investment and growth were opposed by the Liberal Party who voted against those budgets.

Every time we attempt to do something to create a better climate for investment and job creation, the Liberal Party votes against it, the Liberal Party criticizes it, the Liberal Party attempts to drive up the deficit by \$700 million with their profligate promises, Mr. Speaker. That is the kind of co-operation we get when it comes to job creation and economic development initiatives in this province.

**Mrs. Carstairs:** I am delighted, in the midst of that bafflegab, that the Premier was able to give us one good piece of news, and that is the celebration of your birthday. We wish you many happy returns.

### Federal Funding Manitoba Totals

**Mrs. Sharon Carstairs (Leader of the Opposition):** Mr. Speaker, the final question is to the Finance Minister (Mr. Manness). In April of 1985 the Finance Minister stated in the Neepawa Press, and I quote: Manitoba is at a political crossroads, we crossed over on September 4 when this country elected the great Conservative Government of Brian Mulroney.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please.

**Mrs. Carstairs:** In that, Mr. Speaker, this federal Government which he thinks is so great has cut education support by 4.37 percent, job creation by 5.07 percent, economic development by 5.48 percent, health care by 2.66 percent, on average each and every year

and more, is he now prepared to stand by his statement that we have in our Government and we are being ruled by a great Conservative Government?

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please; order, please. The Honourable Minister of Finance.

**Hon. Clayton Manness (Minister of Finance):** I did not realize that Minister Schroeder in 1985 was so enthralled with the activity of the Mulroney Government at that time. As the Minister of Finance at that time, I did not recognize or did not realize that he saw some of the approaches.

Mr. Speaker, I am well aware that over the last two or three years that there have been problems with respect to spending in a whole host of areas. That is why I said when I brought down the first budget in this province that if this Government, given what we inherited after six years of prolific spending by the former Government, did not bring back the level of expenditure growth at a rate near the rate of inflation, indeed we were headed towards a billion dollar deficit each and every year.

Mr. Speaker, it should come as no surprise to the Leader of the Opposition (Mrs. Carstairs) that as one Member of Treasury Board, indeed supported by not only the Premier (Mr. Filmon), by other Members of the Treasury Bench, that all of our efforts have been in an attempt to try and reduce the rate of expenditure growth. That was the only approach that we could bring other than increasing taxes. What appears obvious to us, as we sit on this side of the House and the Liberals sit over there, that the Liberals have found fault with our approach and that they would favour a different way. The only other way that they would favour was expenditure growth at twice the rate of inflation and yet more taxes on the people of Manitoba. I say to you, Mr. Speaker, that will be rejected by Manitobans.

\* (1350)

### Core Area Agreement Reallocation

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, on Valentine's Day, we in the New Democratic Party happen to believe that the Trudeau Liberals and the Mulroney Tories have been shafting western Canada, and the numbers bear that out.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please. Order. The Honourable Member for Concordia.

**Mr. Doer:** Mr. Speaker, the adult day care centre.

I have a very serious question for the Minister - (interjection)-

**Mr. Speaker:** Order, please. The Honourable Member for Concordia.

**Mr. Doer:** Thank you, Mr. Speaker, you mention Trudeau and they go crazy. My question is to the Minister of Urban Affairs (Mr. Ducharme).

**Some Honourable Members:** Oh, oh!

**Mr. Doer:** My apologies, Mr. Speaker. We have just received information from a Core Area Initiative office or an inner city group, urban futures group dealing in the inner city, an advocacy organization, that they have received internally leaked memos from the Core Area Initiative office indicating a \$2.3 million reallocation exercise in the Core Area Agreement. They fear that programs such as inner city housing, inner city neighbourhoods and facility programs such as playgrounds and community services in the inner city will be affected and potentially will be cut.

My question to the Minister of Urban Affairs is, what is the status of this reallocation in terms of the inner city and the priorities under the Core Area Agreement?

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, as the Member mentioned when he got up, he mentioned certain names; in '88 the mention of Howard Pawley was a disaster also.

However, to the Member for Concordia, as he knows, if he is referring to a change from one PA to the other, it would have the approval of City Council. I am not aware of the information he has brought forward. I will check into it for the Member and bring back that information to the House.

**Mr. Doer:** Mr. Speaker, I guess we have a plague on all our Houses now.

**An Honourable Member:** Is Howard Pawley a plague? Wait until Howard hears that.

**Mr. Doer:** The most honest politician that ever walked. No, no. Mr. Speaker, I have a very serious question.

The memo that is released from the inner city advocacy groups indicates that these reallocations were ordered by the policy committee of the Winnipeg Core Area Agreement, and that of course is the Minister of Urban Affairs. So therefore, I would ask the Minister, what is the status of these reallocations? Are the fears of the inner city groups that inner city neighbourhoods and facility programs and playgrounds and community services projects will be cut as they fear, because the Core Area Agreement is essential for inner city neighbourhoods and inner city people to bridge into opportunity in our community?

**Mr. Ducharme:** Mr. Speaker, first of all, we are again a third partner in this agreement. The Member knows quite well that as the way the Core Area Agreement is set up, and he was part of that original agreement or the second core, he signed the agreement, that there is a basis for re-establishing funds in and out of the Core Agreement. If there are some programs that they felt were necessary along the way, that is up to the policyholders to determine that. As I told the Member, I will get him the exact information that he has

requested, and I will get back to the Member on what process had taken place.

**Mr. Doer:** Mr. Speaker, yes, I did sign the agreement, and I did know that it was a major battle to fight the other levels of Government to get community projects in the inner city. We do not want to see the money for the inner city go out through the back door.

### Corydon Avenue Project

**Mr. Gary Doer (Leader of the Second Opposition):** My question to the Minister is, why is the Core Area Agreement looking at overcommitments for the Corydon Avenue Project and therefore looking at reallocating money in the inner city areas? Are we seeing money being reallocated from the inner city area to the south end of Winnipeg under the Core Area Agreement under his direction?

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, the Member himself knows that from one Core Agreement to the other, there were changes in regard to responsibilities of those monies. Is the Member mentioning now that Corydon Avenue, is he against a basis of Corydon Avenue getting funding like other particular avenues did under Core? I do not see Corydon Avenue being any south portion of the city. If they came forward with their agreement, and he knows that the advisory groups that bring forward those messages advise that the management board brings back their information and make the recommendation to policy.

\* (1355)

There is that flexibility within the Core Agreement that he signed and that is the reason why you have those flexibilities. He knows that in his course as Minister, they made fluctuations within the core. So there has been nothing done otherwise than what he would have probably done at the time.

### Reallocation

**Mr. Gary Doer (Leader of the Second Opposition):** Mr. Speaker, while I beg to differ with the Minister, but we fought and believe in fighting for the inner city area where the housing problems are the greatest, where the education problems are the greatest, where the community-based programs are the most necessary. It is not that the Corydon Avenue project does not need money, but it is a question of priorities.

My question to the Minister is this: is he going to be moving money out of the inner city, for inner city residents, for the needed programs and projects under the Core Area Agreement to fund other programs that should be lower down on the priority list?

**Hon. Gerald Ducharme (Minister of Urban Affairs):** Mr. Speaker, as the Member realizes that you have the fluctuation of moving monies around, maybe we are differing on what he considers core area. This particular Government has stressed the core area redevelopment.

We have stayed in line with that redevelopment. The same core area decided to make sure under rehab of existing buildings, when the federal Government took out the rehab program, that we made sure those projects were maintained by the core area. So for him to get up in this room to say and suggest that the present core shareholders are ignoring the core area is a irresponsible statement.

### Manitoba Hydro Rate Increase Justification

**Mr. John Angus (St. Norbert):** Mr. Speaker, my question is for the Minister responsible for Hydro (Mr. Neufeld). Hydro is going to be appearing before the Public Utilities Board asking for rate increases that are far and above the cost of living increases in the neighbourhood of 6 percent. One of the reasons appears to be the carrying costs of Limestone which appear to have come on stage too soon, prematurely. Will this Minister of Hydro acknowledge that the Limestone project came on stream prematurely and added a significant burden to the ratepayers, and will he tell us what that extra burden is or will be? Can he tell us?

**Hon. Harold Neufeld (Minister responsible for The Manitoba Hydro Act):** Mr. Speaker, there is no question that the Limestone project will come on stream several years ahead, or at least a year and a half, ahead of the time that we start selling power to the United States. However, that is not the issue. The issue is that the rate increases are being taken to the Public Utilities Board, and the Public Utilities Board is there to make certain that the consumers of hydro are dealt with fairly.

### Water Rental Charges

**Mr. John Angus (St. Norbert):** I appreciate that, Mr. Speaker. Governments, regardless of the political politics, the Party in power at the time, have a responsibility and there have been allegations today that the water rental rates that are being charged are being collected illegally. Will the Minister advise as to whether or not the licences remain suspended to actually collect the water rates that have been levied which are adding significantly to the increases passed on to Manitobans?

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I am well aware of the news release today coming from a society of seniors on this matter. Let me indicate that this Government senses that as other cousin Governments to the west of us charge royalties on energy forums, we in the Province of Manitoba also have the right as Government to impose a charge on the production of energy. So, Mr. Speaker, water rental rights is a process by which we derive revenue in support of education and health care services, no different than royalties imposed by other provinces on their energy forms.

With respect to guaranteeing rates of borrowings, Manitoba Hydro today has a \$4 billion debt. The Province of Manitoba guarantees that debt. If it did

not, the cost of borrowing to Manitoba Hydro, because it probably then would be a BB rated institution, for that \$4 billion of debt would be of course millions and millions of dollars more. That is the reason we have in place these charges. We feel that we have the authority to have them in place also.

**Mr. Speaker:** The Honourable Member for St. Norbert, with his final supplementary question.

\* (1400)

**Mr. Angus:** There is some serious question as to whether or not the licence to apply this tax remains suspended. Certainly the Government has the power to implement this tax and pass it on to the consumers if they want, but is it a legally sanctioned function? Are they doing it within the regulations that allow them to do that?

**Mr. Manness:** Mr. Speaker, we have inherited a process that has been in place for literally decades. I say to the Member opposite if there is a counterargument as to the legality of the process in place, then let whoever is claiming that it is not in place properly make the case and consequently go to court. From the point of view of the Government, we indeed are following a practice that has been in place literally for decades.

### Drinking and Driving Sentence Lengths

**Hon. James McCrae (Minister of Justice and Attorney General):** Mr. Speaker, I rise to respond to a question put yesterday by the Honourable Member for St. James (Mr. Edwards). I am sorry to say that the Honourable Member cannot hear my voice just now, but having been responsible for spreading some pretty serious misinformation across Manitoba yesterday, I would be asking the Honourable Member for St. James to assist me in making sure that Manitobans understand the seriousness of the offence of impaired driving in this province.

Yesterday, the Honourable Member raised the allegation that a person convicted a second time within two years of impaired driving, who faces a mandatory 14-day sentence, will serve four days of that 14-day sentence. Mr. Speaker, that is incorrect. The Honourable Member saw to it that message was spread out through the airwaves across this province, and now I ask him for his help in getting that matter straightened out.

The fact is that under the federal Prisons and Reformatories Act, there are certain rules that apply to sentences. On a 14-day sentence, two-thirds of that sentence is served before release. There can be a release after seven days under certain circumstances, but two-thirds is the general term. That is nine to 10 days. Since this Government brought in the new anti-impaired driving initiative, our Corrections people have taken the initiative to instruct that our Corrections Division view this particular offence seriously and to keep people in custody for the high end. That means nine to 10 days of a 14-day sentence, not four as suggested by the Honourable Member. If the Honourable Member knows of any case where a person has served only four days, I would like to know about it.

### Faculty of Medicine Emergency Care Program

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, my question is for the Minister of Health (Mr. Orchard). The emergency physicians are in short supply in Manitoba and this situation will further deteriorate due to the compulsory two-year internship program required before practising medicine in Manitoba. A practical and responsible solution to save the emergency care is to establish a new program by the Royal College. Can the Minister of Health tell us how he is going to establish this much needed program when there are already programs under the microscope by the Royal College?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my honourable friend made reference to a two-year internship program which has taken effect with the current medical student class. That is an initiative that is a national initiative; in other words, all faculties of medicine with few exceptions across Canada have established the two-year residency program. I hope my honourable friend is not suggesting that we somehow get out of step with that and thereby have a training program which would not allow mobility to and from the Province of Manitoba, because that is a national initiative that has been put in place by the colleges of medicine across this country.

### Health Care Emergency Services

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, for the Minister's clarification, I will repeat the question again. I said that due to the two-year internship program, as of '90-'91, we will have a shortage of EMOs.

Mr. Speaker, it has been recommended that the EMO program should be established by the Royal College. My question is, will the Minister of Health establish this program, and can he tell us how they are going to establish a new program when we have eight programs already under a microscope by the Royal College?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, yesterday when the issue of the Faculty of Medicine came up, I suggested to my honourable friend's Leader that she phone the Dean of Medicine. I suspect she did not do that; but when I said that, I fully believed that my honourable friend, the Liberal Health Critic would at least phone the Dean of Medicine.

Mr. Speaker, the Faculty of Medicine will make that decision as to what training programs are added to the 43 programs that are currently in place. The Faculty of Medicine will do that, (a) if the need is there, (b) if they have the clinical competence to deliver the program, and (c) if they have the additional resources necessary to do that.

Mr. Speaker, I would suggest my honourable friend phone the Dean of Medicine to find out where it is on the priority list of the Faculty of Medicine.

### Faculty of Medicine Accreditation Downgrading

**Mr. Gulzar Cheema (Kildonan):** Mr. Speaker, yesterday the Minister of Health said in this House that the program was under a microscope because of not underfunding. Can he tell us today what is the cause, why this program had been given a provisional licence, not a permanent one?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, I genuinely believe that at least my honourable friend, the Liberal Health Critic and a physician, would have taken the time to phone the Dean of Medicine. He would understand that there are certain management corrections that are required according to the inspection of the Royal College of Physicians and Surgeons in their accreditation of the 43 programs of instruction at the Faculty of Medicine.

Mr. Speaker, the Dean of Medicine has indicated that he has every confidence that the faculty will make those management adjustments and will indeed secure the necessary approval from the Royal College of Physicians. I happen to have confidence in the Dean's words that he will do that.

### Crow Benefit Impact Port of Churchill

**Mr. John Plohman (Dauphin):** Mr. Speaker, over the last couple of weeks we have pointed out in this House a number of negative impacts of the Mazankowski proposal to pay the producer for the Crow benefit, loss of rail lines, increased truck costs, loss of processing plants, and loss to grain producers of some \$75 million.

In looking further at the report, we also find that the Mississippi in New Orleans was used as an optional comparative point for export of Manitoba and Canadian grain by this Government's report by Deloitte Haskins, even though in the study it was shown that it was totally unfeasible under any option that they considered.

I ask the First Minister why his Government feels that an option for New Orleans was so important that extensive studies would be done on that and not for the Port of Churchill which is our only port here in Manitoba? Is this part of the Government's support for the Free Trade Agreement—

**Mr. Speaker:** Order, please. The question has been put. The Honourable Minister of Finance.

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, the Member should be well aware—having asked questions of this nature of the Minister of Agriculture (Mr. Findlay) before—that the Government has very much an open mind on this whole approach.

That is why specifically we set up Deloitte in the fashion we did and we gave them a very open mandate. We brought forward agriculture leaders from the community to help guide the direction of that consulting work and indeed its results, because it has been so unbiased, because it has not swung one way or the

other on the argument, is being lauded for being very, very objective. Mr. Speaker, I say there was no bias presented as far as the terms of reference with respect to what that committee looked into.

### Impact Parkland Region

**Mr. John Plohman (Dauphin):** Mr. Speaker, the Minister did not answer the question, and he certainly did not deal with the issue of Churchill. I asked, in view of the fact that on page 58 of the third report of Deloitte Haskins it is shown that the Parkland area communities of Dauphin, Roblin and Swan River would have to pay the highest costs under the New Orleans option, nearly \$60 to \$65 per ton, prohibitive, totally unrealistic, why did this Government not consider the Churchill option for at least the Parkland area of the province which would be much more feasible and much less costly than a New Orleans option that was considered in this report? Why was Churchill ignored? Is this evidence of the Government's lack—

\* (1410)

**Mr. Speaker:** Order, please; order, please. The question has been put. The Honourable Minister of Finance.

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I find it abhorrent that the Member would try and conjure up the spectre that this Government directed in any sense the development of the reports by Deloitte Haskins and Sells on this very, very critical, important issue to the well-being of the farm community, indeed, the economy of the Province of Manitoba.

This Government underwrote the cost. It asked everybody to come forward from the agriculture industry in this province, representatives of Manitoba Pool, representatives of Keystone Agricultural Producers, representatives of all the major players and asked them to put into place the guidelines for the development of the report. This Government has taken a very open-minded, hands-off approach to the development of the information that has come forward.

### Impact Port of Churchill

**Mr. John Plohman (Dauphin):** Mr. Speaker, from the meetings is it not a fact that the whole premise for the transportation rates estimated by the Deloitte Haskins Report, which did not include the NFU on the steering committee, did not include senior technical people from transportation and agriculture? Is it not a fact that it is based on truck competition keeping the rates down, and that is not available for Churchill, and that under the pay-the-producer proposal Churchill is doomed as a port? Is that not a fact, and is that not why it was not even considered under this study by Deloitte Haskins and by this Government, because Churchill is doomed to certain death as a port under the pay-the-producer method?

**Hon. Clayton Manness (Minister of Finance):** I will not allow the Member to make the allegation that he has, that first of all this Government is against the Port

of Churchill, and furthermore that the Government directed any of the terms of reference away from the Port of Churchill.

Indeed the Government called forward Manitoba's foremost agricultural leaders and asked them to put into place the terms of reference. Furthermore, Mr. Speaker, the fact that the NFU was asked not to be part of it tells me specifically that they have a very closed mind on this whole issue and indeed just want to continue to live in the past.

### Health Promotion Nutrition Education Programs

**Ms. Avis Gray (Ellice):** Mr. Speaker, the Minister of Health (Mr. Orchard) suggests that health promotion and disease prevention are high priorities with his Government. Recent studies would indicate that infant mortality is still very high in Canada and that comprehensive nutrition programs are crucial to curb high mortality rates. My question to the Minister of Health is: what initiatives has this Minister taken to ensure that nutrition education programs are reaching Manitobans?

**Hon. Donald Orchard (Minister of Health):** Mr. Speaker, my honourable friend might recall that during the 49 hours of debate of the Department of Health Estimates spending, during that period of time, I provided my honourable friend with a very complete, and probably the most complete in Canada, nutritional manual, provided as a result of work by this department which provides nutritional advice to a wide range of Manitobans.

Now, Mr. Speaker, I thought my honourable friend had been given a copy of that during the Estimates process, but I will certainly assure that she has a copy of it tomorrow so she can be aware of the very progressive and very substantial information available to Manitobans on nutritional issues.

**Ms. Gray:** Mr. Speaker, with a supplementary question to the same Minister: that program, two of them, Towards Healthier Eating and Partners for Health, zero amount of that work is being done in one-third of the City of Winnipeg because this Government has reduced staff. Can the Minister explain to this House why on one hand he says they are doing all these nutrition education programs, and on the other hand there is no staff to do the work, and zero work is being carried out in one-third of this city?

**Mr. Orchard:** Mr. Speaker, again my honourable friend did participate in part in the Health Estimates debate, and my honourable friend would then be fully aware that within regional services in the City of Winnipeg, that the staffing complement has remained constant, and that the staffing complement is the same as it was last year. I do not believe there were any increases, but I certainly indicate there were no increases. We even refilled her position when she became an MLA.

**Mr. Speaker:** Order, please. The Honourable Member for Ellice.



**Ms. Gray:** Thank you, Mr. Speaker. With a final supplementary question to the Minister of Health: can the Minister of Health tell us why he does not know that there were 1.7 positions in Winnipeg South region for home economics, and his department has reduced that to .7 of a position? Can he indicate to the House how less than one person can even begin to deal with the nutrition education program, specifically infant nutrition programs, for over one-third of the population of Winnipeg?

**Mr. Orchard:** Mr. Speaker, I have certainly not been informed that there is an inability to provide nutritional counselling either directly from departmental staff or from a number of funded agencies within the Department of Health, the Department of Family Services, who provide that kind of information to expectant mothers, new mothers in the Province of Manitoba and including the City of Winnipeg, to make sure that full nutritional information is available to them so that they can raise well and healthy babies.

**Mr. Speaker:** Time for Oral Questions has expired.

**Mr. Jerry Storie (Flin Flon):** The Member for St. James (Mr. Edwards) has asked leave to apologize to the House for the continuous errors he makes in questions, and I think we should be giving him leave.

**Mr. Speaker:** Order, please. Did the Honourable Member ask for leave?

**An Honourable Member:** Just to apologize.

**Mr. Speaker:** Order, please. There is no leave. Order, please.

## ORDERS OF THE DAY HOUSE BUSINESS

**Mr. Speaker:** We are into Orders of the Day. The Honourable Government House Leader.

**Hon. James McCrae (Government House Leader):** Mr. Speaker—

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please. The Honourable Government House Leader. Order, please. Honourable Government House Leader, what are your intentions, sir?

**Mr. McCrae:** I would like to take the opportunity personally to wish you many happy returns today, Mr. Speaker.

Mr. Speaker, the Standing Committee on Privileges and Elections will meet Tuesday next at 10 a.m. to consider the matter referred to it by this House respecting the events of May 1 and 2 of last year in the Standing Committee as it then was of Economic Development.

Mr. Speaker, would you be so kind today as to call the Bills in the following order: 31, 49, 50, 51, 52, 57, 35, 19, 84, 70, 47, 48, 59 and 60.

**Mr. Steve Ashton (Second Opposition House Leader):** On House business, Mr. Speaker.

First of all, I would like to extend my wishes to you for having a birthday. I have one suggestion. You may wish to take the day off on your next birthday, I think probably the best present that you could ever have.

But I do have a number of questions on House business relating to calling of committees. The Government House Leader (Mr. McCrae) had initiated discussion with Opposition House Leaders in terms of calling of committees on a number of Bills. We had indicated our willingness and our hope that a number of Bills will be called before committee. Two are still before committee, 63 and 64. I first of all would like to ask the Government House Leader when he will be calling the committee again to deal with Bills No. 63 and 64 and the approximately 20 public presentations that are before that committee?

I would also like to ask what the Government House Leader's plans in terms of committee are for the other Bills that we passed through to second reading prior to Christmas, in particular Bill No. 42, which we certainly feel is fairly urgent in terms of passage. It is an important Bill on residential tenancies.

I would like to ask then, once again, what the plans of the Government House Leader are on 63 and 64 and Bill No. 42? In fact, I would indicate that we in the New Democratic Party would be more than happy to deal with those Bills at committee on Thursday night. I know the Government House Leader had suggested we deal with other Bills, but we are prepared to deal with those Bills Thursday night if necessary. If that is not possible for the Government, Tuesday next week at the latest. I would appreciate the Government House Leader's plans on those committees.

\* (1420)

**Mr. McCrae:** Mr. Speaker, the Honourable Member for Thompson has decided that the best way for us to order the business of the House is to do it by way of discussion in the Chamber. I will be happy to discuss these matters and other matters with the Honourable Member privately.

The Bills we are attempting to order into committee; we are applying ourselves to that task. We would appreciate it very much if Bill No. 31 could be passed on to committee. We would be very pleased to get that to committee very quickly after passage.

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**An Honourable Member:** Mr. Speaker, on a point of order.

**Mr. Speaker:** The Honourable Member for Thompson (Mr. Ashton), on a point of order.

**Mr. Ashton:** I had indicated to the Government House Leader (Mr. McCrae) our willingness to deal with those three Bills, Bills 42, 63 and 64, which have nothing to do with Bill 31.

I would like to ask the Government House Leader if he would indicate why he did not respond. I just, in

Question Period, asked him on those Bills. The only reason I am asking—

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**Mr. Speaker:** Order, please; order, please. The Honourable Member for Thompson kindly take his chair, please.

On the point of order raised by the Honourable Member for Thompson, you have made your request known to the Honourable Government House Leader, and as he has indicated he will respond to you in a private nature.

## DEBATE ON SECOND READINGS

### BILL NO. 31—THE LABOUR RELATIONS AMENDMENT ACT

**Mr. Speaker:** On the proposed motion of the Honourable Minister of Labour (Mrs. Hammond), Bill No. 31, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, and the motion of the Honourable Member for Churchill (Mr. Cowan) that Bill No. 31, The Labour Relations Amendment Act; Loi modifiant la Loi sur les relations du travail, be not now read a second time but be read this day six months hence, standing in the name of the Honourable Member for The Pas (Mr. Harapiak).

Is there leave this this matter remain standing in the name of the Honourable Member for The Pas, who has seven minutes remaining? Is there leave? No, there is no leave.

## POINT OF ORDER

**Mr. Speaker:** The Honourable Member for Flin Flon, on a point of order.

**Mr. Jerry Storie (Flin Flon):** Mr. Speaker, on a point of order. The Orders of the Day, the procedures of the day, indicate that Members on the Government side have Bills standing in their name or granted leave to have Bills standing in their name. I can assure the Honourable Government House Leader (Mr. McCrae) there is no intention on our part not to have the Member for The Pas (Mr. Harapiak) speaking. He is attending with Members of the Government in The Pas today. We will have speakers to speak to this amendment.

We ask the House to extend the courtesy of leaving the Bill standing in the Member for The Pas' name so that his rights will not be taken away. That is all we are asking. Is the Government prepared to give leave for that simple request?

**Mr. Speaker:** Order, please. Is there leave? The Honourable Government House Leader.

**Hon. James McCrae (Government House Leader):** The Honourable Member's explanation is helpful. We would allow the matter to stand in the name of the Honourable Member for The Pas (Mr. Harapiak) because we know the reasons for that. All we ask is that we remain on Bill 31 until the matter is passed.

**Mr. Speaker:** Is there leave that this matter remain standing in the name of the Honourable Member for The Pas (Mr. Harapiak)? Agreed.

**Mr. Speaker:** The Honourable Member for Flin Flon.

**Mr. Storie:** Thank you very much, Mr. Speaker, and I want to thank the Government House Leader (Mr. McCrae) for overriding the Member for Morris (Mr. Manness) and injecting a note of common sense into this debate.

This debate is an important one. We have always been ready to debate the merits of final offer selection. We have never shied away from it. The decision the other day, for some capricious reason, for the Members opposite to deny leave to my colleague, the Member for Rupertsland (Mr. Harper), was not understandable then and it is not understandable now.

This is an important debate, and I believe that what we have seen over the last few days is a clear demonstration of the fact that the New Democratic Party is arguing this Bill on its merits. We are arguing against the repeal of final offer selection because final offer selection is working. To say that it is astounding, to say that it is incomprehensible, that no Member on the side of the Government or on behalf of the Liberal Party has stood up to explain their position on this Bill, to explain their position in debate, to put their views of final offer selection on record so that they can be debated, is lamentable. It shows a lack of conviction, it shows a lack of courage, it shows a lack of principle, and those kinds of shortcomings are the kinds of shortcomings that Manitobans are starting to discern as we talk to them about final offer selection and what we are attempting to achieve in the defeat of this Bill to repeal final offer selection.

Mr. Speaker, I want to spend the first couple of minutes of my allotted 40 minutes in discussing and reviewing and, I hope, refuting the feeble arguments that have been made, particularly by the Liberal Party, but also by the Government Members—the feeble attempt to discredit final offer selection.

(Mr. Neil Gaudry, Acting Speaker, in the Chair)

First of all, Mr. Acting Speaker, I want to make it clear, and I did the other day when I first spoke on this, that the press release that was issued by the Minister of Labour (Mrs. Hammond) last summer, which said that the reason the Government was repealing final offer selection was because it was designed to shorten work stoppages and that did not happen, that is a fallacious argument. That was not the intention to begin with. It is erecting a straw man so that the—

**An Honourable Member:** Straw person.

**Mr. Storie:** —a straw person so that the opponents of this piece of legislation will have some form of focus. If the premise for the argument is fallacious, if the premise for the argument is wrong, then all of the arguments that flow from that premise are also wrong.

The principle behind final offer selection was not to shorten strikes but to prevent them, not to create bad-faith bargaining but to create good-faith bargaining,

not to increase the number of work stoppages in the province but to shorten the number of work stoppages and the number of days lost due to strike. Mr. Acting Speaker, that has been done.

I find it unbelievable that Members of the Government side and the Liberals, and I will quote the Leader of the Opposition (Mrs. Carstairs), the Member for St. James (Mr. Edwards), the two Liberals who have had the audacity to speak against final offer selection. I will leave out the Member for Radisson (Mr. Patterson) who was lukewarm in favour of it. But I cannot believe the audacity of those two groups in suggesting that final offer selection somehow prolongs strikes. Do you know why I find it quite audacious? Because the Member for St. James and the Leader of the Opposition and the Minister of Labour (Mrs. Hammond) have never in their life been on strike. They do not know what it is like to walk the picket line. They do not know what it is like to live on strike pay. They are not speaking from experience.

\* (1430)

The fact of the matter is, Mr. Acting Speaker, that no worker in their right mind wants to engage in a long, prolonged strike—no one in their right mind. No one in Manitoba wants that to happen, no business person wants that to happen, and certainly for anyone to suggest that final offer selection prolongs strike and somehow workers like that and that is why they want final offer selection, there are no winners in a strike. That is a given. The fact of the matter is that when strikes are prolonged, when they go beyond a week or two weeks, when they start to get into a month or two months, there is no way that average working people are going to ever recoup their loss of two month's wages by being involved in a strike for 25 cents or 50 cents or \$1 an hour. It simply is not going to happen.

For the Member for St. James (Mr. Edwards) or the Leader of the official Opposition (Mrs. Carstairs) or the Minister of Labour (Mrs. Hammond) and any colleagues to suggest that final offer selection is appreciated by the unions because it prolongs strikes is absolutely ludicrous for people to even suggest that.

The fact is final offer selection is supported by unions throughout the province because it does what we said it would do when we introduced it some two and a half years ago. It creates good faith bargaining. It brings the two parties involved in collective bargaining together. It focuses negotiations in a way that few other tools in a negotiator's handbag can do, because in the final analysis if negotiations are not concluded at the bargaining table a selector chooses the most reasonable alternative. No one, not the union collective bargaining agent, not the unions, not management, neither of those parties wants to be put in a position where a selector chooses the alternative, the opposition package, because it represents the most reasonable.

What you inevitably find when final offer selection is used is a narrowing of the gap between what is perceived to be necessary on the part of the workers and what is possible on the part of management. Mr.

Acting Speaker, that happens all the time. We have quoted statistic after statistic that we received from the Manitoba Labour Board that show that final offer selection is working. Two-thirds of the cases where final offer selection has been sought, two-thirds of the cases have been resolved long before a selector made his or her decision, two-thirds.

I want you to put that in perspective. In the Province of Manitoba, there are literally thousands of collective agreements signed on an annual basis, thousands of collective agreements. Out of those thousands, some 79 remain in dispute to the point where the parties could not agree at the time on a package to finally settle, to conclude negotiations, some 74. Out of that 74, two-thirds negotiated agreement after they applied for final offer selection.

Mr. Acting Speaker, we have to face the fact that virtually all of the negotiations that were conducted in the province in 1989 were concluded without the assistance of a selector, an arbitrator. They were concluded on the basis of reasonable people getting together and bargaining in good faith, a very simple precept, something that has been practised in Manitoba for a long time.

The introduction of final offer selection simply gave both parties another tool. It gives management an opportunity to ask the very real question of the employees, is our offer so unreasonable that it cannot be accepted? It gives the workers the right to say, we believe that our final offer, our negotiating package, is the most reasonable and would be chosen if a selector were asked to make a decision. It brings the parties together and it is working.

Mr. Acting Speaker, out of the thousands of negotiating contracts that are signed on an annual basis, we had 74 that were in dispute, could not be resolved at the table initially. Out of those 74, we have approximately 50 that were resolved without a selector choosing. We have a number that are still in process. Of the five that went the full length under the final offer selection provision and a selector made a decision, three of those decisions were in favour of the union negotiating committee, and two decisions were in favour of the management side.

Mr. Acting Speaker, even when final offer selection was pushed to the limit, when a selector was actually made to choose, there was no lopsided decisions. The decisions represented a fair breakdown of the best offer on the table, the most reasonable, the most practical in the context. I believe that most parties in collective bargaining, when they get to the table, understand the context in which negotiations take place. Workers do, and I represent an area that is heavily unionized, some extremely powerful, strong unions with a long history in the Province of Manitoba and in Flin Flon.

I want to say for the record that in the years 1982 to 1986 those same workers understood the context of bargaining. They were bargaining with a company that was having financial difficulties. They were bargaining with a company that was faced with an extremely low international price for their commodity. The bargaining was reasonable, Mr. Acting Speaker.

The context of bargaining is always an important aspect of achieving a settlement. Final offer selection simply requires that both parties understand the context of negotiations extremely well, and that they make sure that the context is amply demonstrated in the proposals that they put before their other party because for any set of negotiations to work, there has to be reasonableness. The first test of whether final offer selection is doing its job is the question of reasonableness.

Mr. Acting Speaker, on another occasion I listed some of the parties that have used final offer selection or initially sought to use final offer selection. I want to indicate that since that time there have been a number of surveys done asking those who were involved in final offer selection for their views on the process. When I say people were surveyed, both management and unions were surveyed as to the usefulness of final offer selection, and it was also some questioning of whether the fears that Members opposite had about the use of final offer selection came to fruition.

\* (1440)

For example, the Liberals and the Conservatives have suggested in their speeches that final offer selection and the use of final offer selection can lead to animosity between the parties. Mr. Acting Speaker, when the parties who were actually involved in final offer selection were asked whether animosity was created by the use of final offer selection, the answer was no. The question was, do you think that final offer selection creates a more peaceful or less peaceful labour relations climate in your workplace—more peaceful. Even though final offer selection was used to reach a final agreement in your own situation, do you feel that you have participated in the contract—yes. Do you think that final offer selection creates unrest in the workplace—not aware of any. This is management's side; this is management's view of that question.

For the Liberals, for the Member for St. James (Mr. Edwards), for the Member for Kirkfield Park (Mrs. Hammond), who say that final offer selection creates animosity, I say nonsense. The people who were involved and used final offer selection say nonsense. It simply is not true, and it is not true because final offer selection means focused bargaining. It means that the parties have to know that the offer they put on the table is reasonable and stands a reasonable chance of being selected by a selector. So they are committed to the bargaining process; they are committed to the negotiating process.

In fact as we suggested when this Bill was introduced back in 1987, because there is that kind of focus on bargaining and neither party wants to be caught with their proverbial "pants down," there is every chance for a settlement as final offer selection comes closer to a reality. Before someone else decides the fate, the parties find a way to resolve the outstanding issues.

Mr. Acting Speaker, one of the management people was asked whether he felt that the collective agreement was a good agreement because final offer selection was and he said, well, of course. He said, you know

99 percent of it was resolved in negotiations. There was only one article that went to final offer selection. If that is not an indication that final offer selection works in the way that we say it does, I do not know what is. The list of responses to the questions that were asked about whether they felt that final offer selection was fair and a useful tool were almost unanimously positive. The fact is that most people who have had a chance to use it find it a very acceptable tool and a tool that is working and will work for them and for subsequent negotiations between the two parties involved.

Mr. Acting Speaker, I do not understand, I cannot understand, the rationale of the Member for St. James (Mr. Edwards), the Liberal Party, if in fact the Member for St. James and the Leader speak with one voice with respect to the views of the Liberals on my right, but I cannot believe that they, and when I say "they" I mean the other Liberal Members, believe the arguments that were put forward by the Labour Critic that the final offer selection represents unwarranted intrusion into labour relations environment, unwarranted intrusion.

Well, the fact of the matter is that there has been certainly no public, to my knowledge, no public calls for the repeal of final offer selection even when it has been used in the Province of Manitoba. To my knowledge, certainly in my experience, no one has called to ask me to support the repeal of final offer selection. There is no hue and cry from the public to repeal final offer selection. Final offer selection has a sunset clause that will see its demise unless a Legislature in the future decides to extend it or to reintroduce it. If there is no hue and cry for this, what is wrong with letting this very unique experiment continue? Because it was an experiment. It was an experiment that added a tool to the negotiating kit and that is what we said when we introduced it.

We understood that the Chamber of Commerce had some fears about what final offer selection would do to the atmosphere for collective bargaining in the province. We said, fine, let us set a period of time during which we can evaluate whether this legislation is successful. Some two years and a bit into it, we find the evidence overwhelming that it will work. The only arguments that we hear from Members opposite are rhetorical arguments, arguments that hold absolutely no water, Mr. Acting Speaker. We find that what happens is that one Member parrots from another the rationale or the excuses why final offer selection should not be allowed, why final offer selection does not work.

Mr. Acting Speaker, the Leader of the Liberal Party (Mrs. Carstairs) said, and I quote: "There has been no division. We opposed final offer selection." I do not believe that the Liberal Caucus can be united on this issue, because the Liberal Member for Radisson (Mr. Patterson), when he first spoke, said yes, they had used final offer selection, it seemed to work, it was all very nice, and then he went ahead and said, well, he had to oppose it because his Leader told the caucus that they were going to oppose it.

Mr. Acting Speaker, the Leader of the Liberal Party suggests that they were opposed to final offer selection because it is unfair to organized labour. The obvious

question to the Leader of the Opposition, the official Opposition is, who speaks for organized labour? Does the Liberal Leader think she now speaks for organized labour? Does the Member for St. James (Mr. Edwards) think he speaks for organized labour? There was a press conference yesterday. Where was the Liberal Party when the President of the Manitoba Federation of Labour, along with presidents of unions from across the province, said this was good legislation, it was working and leave it alone. That is what they said.

The Leader of the official Opposition, the Leader of the Liberal Party (Mrs. Carstairs) has the gall, the temerity, to suggest that somehow this Bill is unfair to organized labour. This Bill is not only fair, it is fair for both parties, and it is working to the benefit of both parties, because as I said in my opening remarks, no one wants a strike. Certainly, no one wants a prolonged strike. For the Member for Kirkfield Park—the Minister of Labour (Mrs. Hammond), or anyone else to suggest that final offer is not working because six strikes were longer than 50 days, is an absolutely ridiculous and uninformed opinion.— (interjection)—

The Member for Portage (Mr. Connery) continues to chirp from his seat because he knows this is indefensible. He knows that was not the intent of the legislation, and he also knows—I believe he knows—that there have been strikes of many, many months, even years, in this province and in other provinces. There was no final offer selection. The length of strikes has nothing to do with final offer selection. The length of strikes has everything to do with a host of other issues. If there are issues on the table which are issues of principle for management or labour, no bag of tricks, no negotiating tactic is going to create a settlement.

For the Minister of Labour to stand up and say, well, we are concerned because, even though last year we had the fewest days lost due to strikes in our—not in our history but in the last 17 years, since 1973, we have a highly unionized work force. We had some 2,000 and some days lost last year due to strikes, and for the Minister to suggest, because six of those strikes went longer than the Minister thought was necessary, that somehow that was due to final offer selection, shows a complete ignorance about the nature of collective bargaining. If parties cannot agree, if there are matters of principle which separate the two parties, if there is no room for agreement, final offer selection certainly is not going to add to that list of problems. A strike is going to occur and a strike will continue until the two parties come closer together or find a way to resolve the dispute of principle or money or whatever it is.

Final offer selection plays absolutely no role in extended strikes. Absolutely no role. The Minister of Labour (Mrs. Hammond) cannot point to one incident where final offer selection was the reason for the protracted strike. The Minister of Labour says, six. I defy the Minister of Labour to stand up and show this Legislature, show me as an individual Member, that final offer selection was the only reason for the extended strikes that she references, the six that happened in Manitoba.

The fact of the matter is, Mr. Acting Speaker, that strikes in this province have lasted many, many months.

Certainly there have been many strikes which have lasted longer than 50 days. It happens. It happens in an atmosphere of collective bargaining. The parties simply cannot agree. The Minister of Labour and the Liberals want to blame the fact that six strikes were prolonged on final offer selection. It is absolutely and totally misleading. It is a distortion of what really happens in collective bargaining and it is a distortion of the success of final offer selection. There is no doubt about that.

\* (1450)

Mr. Acting Speaker, I will also make another prediction. I will go back to the Leader of the Liberal Party's (Mrs. Carstairs) suggestion that this Bill is unfair to organized labour.— (interjection)— The Member for River Heights, the Leader of the Liberal Party, said this Bill is unfair to organized labour. Let me give another prediction for the Liberal Party and for the Members on the Government side. Let me go out on a limb and make another prediction. I predict that 99 percent of organized labour, 99 percent of the men and women who make up the unions in the Province of Manitoba, are going to come to committee and say that they want to give final offer selection a chance.

I know that the Member for St. James (Mr. Edwards) wants to hang his hat on the fact that a number of labour leaders questioned the merits of final offer selection in the first instance. I know some of them raised some legitimate question. That may have been part of the reason why the Minister of the Day decided to put a sunset clause in the legislation. The fact of the matter is, and the Member for St. James should know this as should the Member for Kirkfield Park (Mrs. Hammond), that organized labour has now decided that final offer selection can work to the benefit of working people and the Province of Manitoba. I will predict that no leader will come forward and say yes, repeal this because it is not working; yes, repeal this because there is a dark cloud over Manitoba.

I want to dwell on the dark cloud over Manitoba scenario which Members on that side, the Conservative Party Members in particular, tried to propagate back in 1987 when the Bill was first introduced, the dark cloud over Manitoba. Mr. Acting Speaker, you may have seen the article in the Free Press today talking about the economic climate, the business climate, in the Province of Manitoba. It was quite interesting, because in the first part of that article the reporter, the commentator, was trying to make the point that there was a perception that Manitoba had a disruptive labour-management environment. He said the feeling was that the labour laws were anti-business in the Province of Manitoba.

What was more interesting was the comment a little later on in the article which recognized the facts which we have been using in defence of final offer selection, that in fact we have the lowest number of days lost due to work stoppages than any province other than P.E.I.; that since the introduction of final offer selection the number of work stoppages has dropped from 54,000 to approximately 2,000.

The fact of the matter is, in terms of the rest of the continent, Manitoba's labour relations have been

particularly good and final offer selection has helped to improve the labour-relations climate. It has not been a detriment and no party that has been a part of final offer selection will be prepared to say that, yes, this is working to everyone's disadvantage.

Mr. Acting Speaker, the fact of the matter is that it is working. The Minister of Labour (Mrs. Hammond) and the Liberal Party are going to be extremely hard pressed when this Bill finally goes before committee to find someone who will stand up and say this is not working, other than I can predict a handful of people who are so rabidly anti-labour, who are so rabidly anti the advancement of working people, that they will be there to lend credence to the argument of the Minister of Labour. Mr. Sid Green will be there ranting and raving.- (interjection)- Sid Green will be there. I predict he will be there ranting and raving against this socialist meddling in the affairs of business.

Mr. Acting Speaker, the fact of the matter is that this legislation, notwithstanding Mr. Green or Mr. David Newman or the representatives of the Chamber of Commerce who do not want to deal with the facts on this issue, are going to come to committee and decry its implementation and shout hallelujah that the Government is proposing to repeal it.

The fact of the matter is that it is working, and the irony of all of that is that the losers in this battle, should final offer selection be repealed, are going to be the people of Manitoba. That is No. 1; No. 2, businesses are going to be the loser, because they too will have lost a tool, a tool which allows them to ask the membership of a union directly, are the terms of the contract that we are proposing reasonable or not? They will have lost a tool.

Last, but perhaps most important, the working people in the Province of Manitoba, the unionized work force, who do not want strikes, who do not want work stoppages, who do not want lockouts, who want an alternative, who want to keep their job and maintain a reasonable standard of living, will have lost. They will have lost because the Liberals and the Conservatives have ganged up in some kind of right-wing ideological tryst to defeat this legislation, the Gang of 45, Mr. Acting Speaker.

Mr. Acting Speaker, the tragedy is that this will have been done. The tragedy is first of all that this was attempted. I know that when the Member for Lakeside (Mr. Enns) spoke to this Bill he at one point suggested that he would be extremely proud when this legislation was repealed, that his Government had made a political commitment to repeal this legislation, and so we see the motivation for the introduction of Bill No. 31. The motivation was simply a political commitment, a political commitment that was made before there was any significant evidence on the pertinent germane question, a political commitment that was made on the backs of a Chamber of Commerce meeting, not a meeting with the people who this would affect more directly. The fact is that this was a political commitment that was made out of ignorance, and complete ignorance.

The tragedy is that now some two years later, two years approximately, after the election of this minority

Government, they have not learned a thing. They have not been willing to open their minds to the questions we have been raising about the utility of final offer selection. They are following their political agenda that was set two years ago, before we had any evidence that final offer selection would work.

That is a tragedy and the people of Manitoba I think have to question. They have to question the intelligence, the capability, the competence, of a Government who makes a commitment two years ago out of ignorance and continues to proceed in a way that shows they have not considered the important questions in that decision.

We have tried. Yes, we have tried to present the rational arguments to Members opposite, to the Liberals and the Conservatives. We have tried to convince them that there is no need to proceed on this course at this time. There is an alternative which allows them to save face.

I put out the challenge. I say to Members of the Legislature, I say to the Liberals and the Conservatives, if you truly believe that the weight of evidence will be against final offer selection, then why do we not wait and see? We have a sunset clause. We have a fixed time for the demise of this legislation. Why cannot—we have the lowest number of days lost due to work stoppage in the last 17 years. There is certainly no evidence on the horizon that extremely good labour relations climate is going to disappear.

Why do we not wait and then do a joint evaluation of final offer selection at the end of the five-year period? We have two and a half, three years to wait. There is no crisis. There is no public outcry to have final offer selection removed. It is part of the political agenda of the Liberals and the Conservatives to pacify a few corporate donors and that is it.

To pacify a few corporate donors, is that justification? Is there any morality to that? Is that justification for abandoning a piece of legislation, which the vast majority of working people believe can work for the province, which we believe, as the New Democratic Party, can work if it was left alone? Is that justification enough for repealing this legislation, to pacify a few corporate donors?

\* (1500)

I do not believe in my tenure in this Legislature I have seen a more callous, a more reprehensible, motivation coming from two political Parties in my time here, absolutely reprehensible. There has been no thinking on this Bill. There has been no input to this debate. I see Members of the Liberal Party and Members of the Conservative Party glued to their seat, because they cannot get to their feet to defend this reprehensible piece of legislation. They cannot defend it. The weakest argument, the only argument that we have seen, and it is one of the weakest that I have heard, comes from the Minister of Labour (Mrs. Hammond) who says, well, when this Bill was introduced it was supposed to shorten work stoppages, and that was not the intent. It completely missed the premise of the Bill.

Mr. Acting Speaker, the fact of the matter is that we are going to continue this battle. We are going to continue this battle in the Legislature. We are going to continue to search for ways to convince Members opposite that what they are doing is folly, that it is unnecessary, that it is working against the interests of Manitoba as a province, because if we want to maintain our good record when it comes to labour relations climate, if we want to maintain one of the lowest, if not the lowest, number of days of work stoppages in the country, we have to continue to be innovative. We have to continue exploring new alternatives. We cannot roll back the clock to the 1960s. We cannot roll back the clock to a time when there were few alternatives to strike. If people could not come to agreement, the picket line was the way to resolve it or a lockout was the way to resolve it.

Over that period of time, and I have to say and it bothers me to say this, that virtually every piece of progressive legislation, labour legislation that has been introduced go back to the introduction of The Labour Relations Act in 1971 or '72. It was opposed by Liberals; it was opposed by Conservatives. Every single piece of legislation we introduced, The Payment of Wages Act, the new improved the expedited mediation under The Labour Relations Act, every piece of legislation that has been introduced, if it was viewed at all positively by working people, has been opposed by the Liberals and the Conservatives.

Mr. Acting Speaker, it is fortunate, it is fortunate that this Legislature offers a unique opportunity to the people of Manitoba to present their views to the Legislature. We are one of the few Legislatures that, of necessity, sends its Bills after second reading to committees that are public committees. We are unique, somewhat unique, in the way our committee structure works, because the public has the right to come before a legislative committee and discuss the merits of a piece of legislation. I have seen it work and it makes me feel good to be a part of the democratic process when we get to the legislative committee, because you see average, ordinary Manitobans who are not legislators or lawyers or involved in the legislative process come forward and in plain English, using common sense, say this is good or this is bad or this will work or this will not work.

Mr. Acting Speaker, I want all Members on the Conservative benches and the Liberal benches to be at that committee. I want them to be at that committee, because there are going to be two kinds of people at that committee. There are going to be people who come with a bias so wide they will hardly be able to get in the committee door. There are going to be the David Newmans and the Sid Greens who will attack any legislation if it is perceived to be positive in terms of working people's interests. They will be there. So we will have the doom sayers and the gloom sayers. We will have those people in committee. - (interjection)- He was right.

Mr. Acting Speaker, I think that I should for the record say that the Minister of Consumer and Corporate Affairs tells me that Sid Green said that Jerry Storie was an awfully nice fellow. I did have to say that I agreed with

him. That is one of the few things that I agree with Sid Green about as it turns out.

Mr. Acting Speaker, that will also be true, that we will find the people who want to tell the committee that this final offer selection and the labour relations amendments that were introduced by the NDP Government have been bad for our labour climate, the labour relations climate, in the Province of Manitoba.

They are going to use the rhetoric of the Chamber of Commerce about a dark cloud over Manitoba. What they will have conveniently ignored is the record of Manitoba labour relations. What they will conveniently ignored is the record of the number of days lost because of final offer selection, but I want the Liberals and the Conservatives to be in the committee to listen to the real working people who support final offer selection.

**Mr. Bill Uruski (Interlake):** Mr. Acting Speaker, I am pleased to participate in this debate once again and to this Bill because I think that the Liberal Opposition and the Government are in a real quandary on this one. - (interjection)- I hear from the Minister of Consumer Affairs (Mr. Connery), the former Minister of Labour, who presented this Bill.

It was interesting that yesterday for an hour we were able to have a lot of debate and a lot of discussion from the Conservatives in this House on dirty licence plates, but we are not able to hear any of the back bench, any of the Ministers, or very few of the Ministers, talk about peace and harmony in the workplace in this province. We can talk about and have them lambaste the nonsensical Bill of the Liberal Member for Assiniboia (Mr. Mandrake) on dirty licence plates, but we do not hear a thing from Government Members on peace and harmony in labour relations.

\* (15:10)

On the other hand, Mr. Acting Speaker, we today have heard from the Leader of the Liberal Party (Mrs. Carstairs) to say, we are firm on getting rid of this controversial piece of legislation. For whom is it controversial? Is it for the politicians who get their contributions from large corporations? Is it controversial because the heat is on from the corporate boardrooms to say, let us get rid of this legislation, or is it controversial because it has worked? I have not seen it controversial in the workplace. The statistics do not bear it out. We will keep repeating those statistics, because the Minister of Labour (Mrs. Hammond) of this province has gone on record to say that somehow this Bill has caused this province's work record to deteriorate, that there is an increasing amount of lost days per work stoppage and this Bill is the root cause of it. Mr. Acting Speaker, that is bunk, that is pure rubbish. The Minister knows it, the statisticians know it. The statisticians are not NDP hacks. They are not CLC workforce bureaucrats. They belong to the Conservative Government of Canada, the Labour Data Branch of Labour Canada, so they—

**An Honourable Member:** As though we appointed them.

**Mr. Uruski:** Well, Mr. Acting Speaker, the Tories have been in there six years already. I hear the Minister of

Natural Resources (Mr. Enns) saying, as if we have appointed them. I would assume that they would want to have an unbiased Civil Service. Obviously, they should be considering the Civil Service unbiased today, six years later.

The Minister of Natural Resources tends to have some paranoia when it comes to the unbiasedness of the Civil Service and the statistics that they have provided insofar as, where does Manitoba stand on its labour relations climate? Mr. Acting Speaker, let us look at the provinces. This goes last year, 1989, FOS in legislation here in Manitoba; Newfoundland, person days lost, 1,249.5 lost per 1,000 paid workers. They rank tenth, the lowest in this country. I will go from the lowest to the best. Next follows British Columbia, 150,000 days lost; per 1,000 paid workers 118.6. These are 1989 preliminary statistics. Next in line is the Province of Quebec, 293,000 lost days with 107.8 days lost per 1,000 paid workers.

Mr. Acting Speaker, seventh position in this country is Ontario with 82 lost days per 1,000 paid workers; 365,500 lost person days in Ontario, the highest number in any province, but in terms of statistics, because of the number of workers in that province, it has dropped to seventh place. That is seventh from the worst.

Then we go to sixth, New Brunswick. New Brunswick lost only 14,000 person days but in terms of lost days per 1,000 workers, 57.8. We go to sort of the half-way mark; the half-way mark in the middle is Alberta. They lost 40,000 person days, but on the basis of per 1,000 workers, 38.3. They have moved substantially from the Ontarios and the Quebecs in this province, and the B.C.s. Newfoundland, it was just a horrendous record.

Then we go below the halfway mark; we go to our neighbouring province of Saskatchewan, 10,850 lost person days, for an average per 1,000 paid workers of 31.6. They are just a little bit better than Alberta, in the low thirties. Then we move to the third best province, and that is Nova Scotia; 8,000 lost person days for a days lost per 1,000 workers of 24.9. They are the third best. Mr. Acting Speaker, now we move to the second best, our own province, the second best. Here is the real difference, 1.6 days lost per 1,000 workers. The next best goes to almost 25, they have 25 times the losses, the days lost per 1,000 workers—25 times. Now we will even go to the best, Prince Edward Island. They had no days lost. They are No. 1.

When you look at where we stand in days lost at 1.6 versus the next closest of 25—now I said 25 times. I will go back to roughly 13 times—it is more than 13, 15 times, so I am slightly out.

When you look at this Minister of Labour who does not know a green onion from a potato—who was the former Minister of Labour—I venture to say that his knowledge in labour relations -(interjection)- and I am going to deal with some of his comments about the Bill here a little later on. I will be back to his comments yet.

When you look at our position and the statistics one has to question the sincerity, the motivations, the political agenda of both the Conservatives and the

Liberal Leader (Mrs. Carstairs) and her Labour Critic (Mr. Edwards). I am not sure where the others stand, because I think they have a lot of workers in their constituencies. We will see how long they will stand together.

This whole area of saying that somehow this Bill has increased the number of work stoppages, the number of strikes in this province, is pure unadulterated bunk. It is pure unadulterated bunk. That Minister of Labour, and the former one, Mr. Acting Speaker, should be getting up and apologizing to all Manitobans for the misleading information that she has provided to this Assembly.

**Some Honourable Members:** Oh, oh!

**The Acting Speaker (Mr. Gaudry):** Order, please.

**Mr. Uruski:** Yesterday, well actually today, but yesterday the Leader of the Liberal Party (Mrs. Carstairs) of this province said that there is no division in her caucus. We are all solidified, we are all on stream. Whatever I say goes, even though she may contradict one of her Members from time to time, but she also says that it is unfair to organized labour.

**An Honourable Member:** Who said that?

**Mr. Uruski:** The Leader of the Liberal Party. I do not know who she has spoken to. I really do not know who she has spoken to in the Labour Party, Mr. Acting Speaker. Certainly it was not the present president of The Manitoba Federation of Labour. It is obvious that this Liberal Leader is speaking for herself and maybe for some Members of her Party, but she certainly is not speaking for Liberals, for working people in this province, and I am certain for all Liberals.

She certainly did not echo the words of the Member for Radisson (Mr. Patterson). He said that this was a noble experiment, that this Bill was a noble experiment. He knows as a university professor or former university professor that in labour relations you use whatever tools can be at your disposal to bring about harmony in the labour relations field.

Then, Mr. Acting Speaker, the Conservatives—and it was just interesting to read some of the comments and the questions that were raised when final offer selection was being presented to the House in 1987 when we had the Labour Critic of the Conservatives, the now Attorney General. They went around this province and they were continually going around saying Manitoba's economy is down, we have the worst labour record in this province, and this Government cannot deal with labour, it does not consult, it does not deal with anyone.

\* (1520)

When the Bill was brought in, what was the argument? What for do we need this Bill? We have the best labour record anywhere in the country. They were using the statistics similar to those that I have quoted today. You do not need this Bill, because you have the best labour record. All we were trying to do was to improve on that record, and there has been some improvement.



Mr. Acting Speaker, the then critic chastised the Minister of Labour of the day saying that he brought this Bill in and did not consult with the Labour Management Review Committee. I want to ask the Government, did they sit down with the Labour Management Review Committee? Did they consult with them? I venture to say not, because if they have any integrity they would not put philosophical questions and policy questions unless they did not know which way to turn. On this one, the Minister of Natural Resources (Mr. Enns) was very clear in his address. He said why is this legislation here? It is here because we said we were going to do it.

Mr. Acting Speaker, I want to tell the Minister of Natural Resources that he is right, but let him at least be honest as to why it is a good enough reason, because the legislation has worked. It has worked for the benefit of workers. It has worked for the benefit of management. I used those statistics the last time I spoke. It has worked for all of them, just about half-half in a split. Management put a proposal forward and it was accepted by the arbitrator. I think it was two cases, and in three cases the labour proposal was accepted. Almost half-half, Mr. Acting Speaker.

The rest of the cases were resolved without the need to go to final offer selection. They were in the process of having an arbitrator appointed when settlement was reached. To suggest that somehow this legislation has been an impediment to harmony and peace, a bad piece of legislation that prevents harmony and peace in labour relations in this province, is fallacious to say the least.

Mr. Acting Speaker, all Members of the Assembly I believe were presented, maybe not all, but some Members were presented with a copy of a resolution that was placed on the Manitoba Women's Agenda. Women's Agenda is made up of 36 women's organizations from across this province. Here is what that resolution read: Whereas many women work in the service sector and need alternatives to solving disputes with their employers; and whereas first contract legislation has helped women unionize without forcing strike action; and whereas most of the service sector employers would hire strikebreakers to replace striking employees, allowing those employers to continue business operations without incentive to bargain fairly and settle a dispute; and whereas final offer selection has proven to facilitate settlements as a bargaining tool by allowing employers and unions to reach an agreement that causes least strain on both parties and the public, therefore be it resolved that the Government of Manitoba live up to its commitment in the Preamble of The Labour Relations Act to encourage collective bargaining between employers and unions as freely designated representatives of employees and withdraw the Bill repealing final offer selection.

Mr. Acting Speaker, I said the last time I spoke that this Bill is really an attack on the women's movement in this province. I said that. I want to repeat that for Members of the Government and the Liberal side. Most of the workers represented by unions that have used final offer selection have come from the service sector industries. Most of those have little or very difficult time

of bargaining. They have virtually no strength in the workplace. Yet, final offer selection has been able to provide an option for both the employers and the workers to reach agreements without the necessity of a work stoppage, without the necessity of the employer going to hiring scabs or replacement workers, without basically saying, I am getting rid of all of you who work for me and I am hiring a new batch of workers. That has happened in many labour disputes across the world, in this province.

Certainly, there are many, many workers who have lost their jobs as a result of a strike that they could not win, that the pressure and the ability of—not the ability, but the move by employers to hire replacement workers succeeded.

This piece of legislation has been in place to try not to bring about the collective bargaining process to go to that nth degree, where there is either a lockout or in fact a strike. The Government, I said to them last time and I asked them again, rethink your position. The Bill has a five-year clause, sunset clause. I know Tories believe in sunset clauses—

**An Honourable Member:** You bet.

**Mr. Uruski:** They do. Their sun is setting on them as well. They believe in sunset clauses.- (interjection)- We have had our sunset, now we are going up into sunrise. Our sun has set in '88. We are now rising again. It happens to all of us. Conservatives should heed my remarks. They know that they are prepared to look at sunset clauses in legislation.

The Bill has a five-year clause there. So why not allow it? It is working, it is working rather well to the surprise, I am sure, of many. They are probably scratching their heads and saying, oh God, why are we continuing with this debate, spending all this time in this House when this thing is working, and the same thing with the Liberals. Mind you the Liberals, only two of them spoke, and the Tories are saying why will these guys not give up?

We will not give up for working people in this province. I will not, because I am a worker, and you are a worker. You would say that anything that can -(interjection)- we all want to work. I do believe in the right to work, but the kind of right to work that Conservatives think about is the right to take jobs from someone else. That is the kind of Conservative policy that many right-wing Conservatives believe in. That is exactly the kind of right to work that many Conservatives believe in; that we have the right to take somebody else's job. That is Conservative ideology and philosophy when they throw out the point about, do you believe in the right to work.

The dignity of man is served by having a decent job to work at, so that his family can survive with a decent income. That is bringing about the dignity of man that he has the right to work. He has the right to work in fairness, in fairness with his fellow workers, in fairness and in an environment that he works and not to have his job taken away, or stumbling blocks put in the place where someone can do away and cause labour strife to be in place.

\* (1530)

We all, as legislators, have an onus on all of us that the dignity of man in the workplace, the dignity of man to have work, is a fundamental principle, that we all as legislators must espouse and must lead to. Anything that can in fact enhance and stabilize the work force for workers should be put into place. Our job as legislators is to stand with the working people. It should not stand with capital. It should not stand with those who have the levers of capital and can move it like Varta Batteries, close their shop in Manitoba, and we start finding out that it is cheaper to haul batteries from Winnipeg to St. Thomas than it is from St. Thomas here, and that the real reasons for closure of that plant in Manitoba were head office in Toronto, had nothing to do with these plants.

We have a Minister of Industry, Trade and Commerce who knew what was happening but was not prepared to ask questions about this work closure. So who do Conservatives stand with? Certainly not with the workers of this province and I questioned the Liberal Party as to whom they stand with. They purport to say that they stand with workers, Mr. Acting Speaker, but they are not standing with workers in this province.

I said I was going to get back to comments made by the former Minister of Labour, the one who brought this Bill in. He made comments in his remarks that repealing final offer selection was the best way to restore fairness to the collective bargaining process. What has been unfair about final offer selection? What has been unfair? Two selections were made on behalf of management, three on behalf of labour. What has been unfair about that?

The Minister of Labour already assumed, even before he brought in the Bill, that it was unfair, that it was unbalanced in favour of labour. Those assumptions are really, really clear in terms of the former Minister of Labour about how unfair this piece of legislation has been. He also said it was intrusive, imbalanced method for settling contract disputes.

I want to say to the Minister of Labour, I believe that he thinks that workers do not vote on whether or not they go to final offer selection, whether they go to strike. He believes that someone cracks the whip at a union meeting, in a particular workplace, and says, this is the way we go. Obviously they do not understand the democratic process of labour unions, that there is no strike, there is no walkout by workers unless there is solidarity, unless the vast majority of workers are prepared to go, because every worker knows that if they decide to call the strike, their job is on the line.

The record is full of workplaces where there have been strikes. In fact, the employer has brought in replacement workers, scabs, as it is known in union language, workers who have come in and taken their jobs. The ultimate impact of that has been no job, so that workers put their jobs on the line every time that they think about, that they discuss anything about saying we are going to have a work stoppage. Final offer selection gives both groups the option of having that work stoppage moved to the sidelines and a fresh approach to labour peace and harmony be put into place.

Mr. Acting Speaker, the former Minister of Labour as well said final offer selection is an all-or-nothing proposition that creates a winner or loser. Some of my colleagues spoke with both management and labour in this whole area, and the view certainly is not as the Minister has put it. Maybe for some it is, but clearly the facts do not substantiate that it is an all-or-nothing proposition. It does not create a winner or loser. Every time a strike occurs, everybody loses. The workers lose in terms of wages, productivity. The employer loses. Factories close down and do not meet commitments to customers. An economic loss is there for both sides. For Members, for the former Minister of Labour to say that it is an all-or-nothing proposition, it is a proposition and it is a proven fact that it is a win-win proposition. Both groups win. The company continues to operate, workers continue their job and a settlement is reached in an innovative way.

Mr. Acting Speaker, the Minister of Labour I am sure did not do very good research into his assertions that it is an all-or-nothing proposition and creates a winner and loser. When there is not a work stoppage, everybody wins. I do not know where the Minister of Labour gets his thinking from that if a strike is prevented it is somehow a win-or-lose situation. Where does he get that comprehension? Where does he get such thinking? When a company is operating, workers have a settlement, orders continue to flow, it is a win-win situation.

\* (1540)

Mr. Acting Speaker, he also said this can lead to animosity between the parties. Well, I know of no situation under this legislation that has led to animosity between the two groups. In fact, I will give you some comments from some of the workers or employers who settled under final offer selection. We asked the question, has the final offer selection decision resulted in ongoing animosity between management and labour, or are the parties working together to make the contract work? The answer was no—this is from an employer—there was no animosity. Another one, has the final offer selection resulted in ongoing animosity? No. Here is another one. This was two management views that I gave you. Now I will give you the union view. Has final offer selection decision resulted in ongoing animosity? No. Here is the other union view. Has final offer selection resulted . . . No, they said, we are working well together.

So, Mr. Acting Speaker, the Minister of Labour again does not know what he is speaking of because we went and asked those questions, both to employers and unions who were involved in settlements under final offer selection. The Minister of Labour, as well, said that certainly it will lessen the commitment of one side to the contract. Has there been any lessening of commitment on one side of the contract to the other? Here are some of the questions that we asked. Do you believe that the union is less accountable, responsible to its membership because final offer selection was used to reach an agreement? One of the employers said the union has the lever of the decision. The other management view was, yes, they thought it was less accountable, did not have a chance to present it to the rank and file. I believe that—and here is the union view. No, in both cases, that they felt that they did not.

I guess there is an inherent view on behalf of some Members in this House, especially on the Conservative and Liberal side, that somehow there is no democracy in the labour movement, and I really question, maybe they should sit down and take a labour relations course, maybe sit down with some of the unions and say, how do you go through the process of reaching a decision, of saying, will we go this route or will we go another route? What is the process that you do? I mean, do you honestly believe that the organizer, or the field rep of the union, who has his full-time job and does assist in negotiations, in fact comes to a workplace and says: this is what you do, this is the way you run it. His/her job is not on the line. It is the workers in that workplace whose job is on the line. They have to make that decision.

Now, obviously there will be a discussion, there will be influences, there will be debates one way or another as to what chances there may be if the union decides to take strike action. What will the end result be? But ultimately that decision rests with the workers.

Mr. Acting Speaker, I see the light flashing here. I had a number of other comments I wanted to make about the Minister of Labour and his comments to this legislation. I will leave it for another time. But I ask the Minister of Labour—I mean, my files are just beginning here if they want me to go on. But I believe that we could move on in this House. I say to the Government, I think you should reconsider your position vis-a-vis this legislation. Let that sunset clause work, and labour, peace and harmony will occur in this province. Thank you.

**Hon. Clayton Manness (Minister of Finance):** I do not want to get too excited. I just want to fully understand. There was an agreement made, a verbal agreement made, by the New Democratic Party that as a condition of leaving this Bill standing in the name of the Member for The Pas (Mr. Harapiak) who had seven minutes remaining, that they would continue to debate Bill 31 for the remainder of this afternoon. I am asking them at this point in time to put up a speaker on this Bill. That was the condition.

**Mr. Steve Ashton (Second Opposition House Leader):** Mr. Acting Speaker, I must say I am amazed and I am speaking on the point of order. I am not sure if the Government really knows what it is doing or particularly the Government House Leader knows what it is doing, because I remember there was some confusion on the part of the Conservatives where they would even grant leave for seven minutes for the Member for The Pas.

Now the Acting Government House Leader is suggesting that it was a conditional leave, which is something that I have never particularly heard of. Now I heard what the Government House Leader said when he rose. He said if the debate on Bill 31 continues, which it has been. We have had two speakers today. Mr. Acting Speaker, they are trying to force us to debate on this Bill when we have three Bills on the Order Paper, Bill 35, Bill 19 and Bill 84 which we have indicated since December 4 that we are willing to pass through to committee.

Our preference today would be to move on to those Bills. We can do that by leave, change the order, Bill

35, Bill 19 and Bill 84. Whether we speak on Bill 31 or not is not going to unduly delay the debate on this Bill. We have a number of speakers remaining who will be speaking tomorrow. I must say that I am rather confused with what the Government House Leader was trying to do.

I would like to ask you, Mr. Acting Speaker, whether in fact there was leave or whether there is something that the Conservatives are trying to invent on this debate on Bill 31 called conditional leave which I think is highly unheard of and highly improper. Now if the Government cannot run its order of business, that is not our difficulty, but I would appreciate your ruling on whether there was leave or whether there can be such an item as conditional leave before we can perhaps see about resolving their concerns.

**Mr. Manness:** Mr. Acting Speaker, we are quickly coming to a point of a major confrontation. The Government House Leader stated very clearly that we were prepared to let the Bill stand in the name of the Member for The Pas (Mr. Harapiak), and that we would continue on Bill 31 until its passage at which time we would then go into other Bills.

Mr. Acting Speaker, that is clearly a matter of the record. If there is any way that can be substantiated by the tape, that was the condition in which we provided leave to the Member for The Pas (Mr. Harapiak). For the Member for Thompson (Mr. Ashton) to stand in his place and pretend in feigned indignation that there was any other conclusion left on the record than that which I have just recited, is unfair to his character if he wishes to maintain a character of an Honourable Member in this House.

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**Mr. Uruski:** Mr. Acting Speaker, just in listening to the Minister of Finance (Mr. Manness), as House Leader, I want to indicate to him that I was in the Chamber when his House Leader (Mr. McCrae) indicated that we would grant leave to the Member for The Pas (Mr. Harapiak), for his seven minutes on Bill 31 today, but he made no comment about any condition - (interjection)- just hear me out, any condition of passage, that debate continue on Bill 31, but no condition of passage. If there is some intent that the Minister of Finance (Mr. Manness) is saying that passage was conditional, is that the basis on which leave was granted?

\* (1550)

**Mr. Manness:** Mr. Acting Speaker, for five days now we have called Bill 31 and allowed the calling of no other business. It is obvious to every Member in this House that we expect Bill 31 to be debated entirely.

I might also indicate that when my House Leader talked about passage, he in essence said that if the Legislature decided to deal with the hoist motion and passage was granted to it one way or the other, or at least if it was determined, the decision was made around that motion that after that time we would consider the Bills in the following order given to you.

It is well known by every Member in this House that the Government has called no other Bills other than Bill 31, and we expect all Members in this House that want to debate the hoist motion at this time, do so. We fully also recognize that when we granted leave to the Member for The Pas—

**The Acting Speaker (Mr. Gaudry):** Order, please; order, please. I thank all Honourable Members for their comments, but I think the question to the House was asking that we grant leave to the Honourable Member for The Pas (Mr. Harapiak), which was agreed to. I think we will continue with the Orders of the Day, going to the next Bill. The Honourable Minister of Finance.

**Mr. Manness:** Mr. Acting Speaker, I would ask that the tape be reviewed. Certainly, my House Leader, in the presence of all Members of this House, indicated that Bill 31 would be conducted for the rest of this day unless all Members of this House decided that they wanted to vote and that they wanted to have a determination. If you wish to have a short recess on this matter to review the tape, under which leave was given, that will be apparent to you.— (interjection)— It certainly was conditional and you—

**Mr. Ashton:** My understanding is the fact that you made a ruling, Mr. Acting Speaker, that says that leave was given. I would suggest that if the Acting Government House Leader wishes to challenge the ruling that is the appropriate thing to do. I would just hope, though, that the Acting Government House Leader would talk to his Government House Leader (Mr. McCrae), who since last Tuesday—by the way, Mr. Acting Speaker, on Tuesday when we started into this whole strategy of the Government of denying leave, refusing to allow matters stand, that was done on a day in which no notice was given to the House—

**The Acting Speaker (Mr. Gaudry):** Order, please; order, please. We will take a 15 minute recess, and we will come back.

## RECESS

\* (1610)

**Mr. Speaker:** Order, please. On a point of order raised, I have to advise Honourable Members that—but before I do get into this, I would like to remind the Honourable Member for Thompson (Mr. Ashton), and I have done it on several occasions, where I have said discussions between House Leaders should not take place on this floor. This is a prime example of what does occur when we do such a thing. This is why I have asked House Leaders to carry on the discussions on the side. It appears there is some discussion as to what was said.

I had originally called Bill No. 31 as per instructions from the Government House Leader (Mr. McCrae) as to what he wanted to proceed with today under Orders of the Day. Leave was denied for the Honourable Member for The Pas (Mr. Harapiak), then I had recognized the Honourable Member for Flin Flon (Mr. Storie) who made a plea to the Government House

Leader, and I will quote, The Orders of the Day, the Procedures of the Day, indicate that Members of the Government side have Bills standing in their name, or granted leave to have Bills standing in their name. I can assure the Honourable Government House Leader (Mr. McCrae) there is no intention on our part not to have the Member for The Pas (Mr. Harapiak) speaking. He is attending with Members of the Government in The Pas today. We will have speakers to speak to this amendment.

We ask the House to extend the courtesy of leaving the Bill standing in the Member for The Pas' name so his right will not be taken away. That is all we are asking this Government. Is the Government prepared to give leave for that simple request?

Then I had asked leave again, then leave was granted and the Government House Leader at that time responded, the Honourable Member's explanation is helpful. We would allow the matter to stand in the name of the Honourable Member for The Pas (Mr. Harapiak) because we know the reasons for that. All we asked is that we remain on Bill 31 until the matter is passed.

**Some Honourable Members:** Oh, oh!

**Mr. Speaker:** Order, please. Order. Then the question was put. The question before the House was very simple, is there leave that this matter remain standing in the name of the Honourable Member for The Pas (Mr. Harapiak)? Leave was granted for that reason.— (interjection)— Order, please.

## BILL NO. 49—THE DOWER AMENDMENT ACT

**Mr. Speaker:** The next business before the House, Bill No. 49.

On the proposed motion of the Honourable Member—

**Some Honourable Members:** Oh, oh!

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**Mr. Speaker:** Order, please. The Honourable Acting Government House Leader.

**Hon. Clayton Manness (Minister of Finance):** Mr. Speaker, I beg your indulgence on two points. Firstly, there was also another statement made by the Government House Leader (Mr. McCrae) I believe, which you have not read.

Secondly, I would ask whether or not you would take the interpretation from the remarks put forward on the record by a spokesman for the Government saying that they would speak to the Bill and recognize that the House Leader also indicated: until the matter was passed.

To me that means that we would stay on Bill 31 until the vote was called. That was the condition on which we granted leave, Mr. Speaker. That is my interpretation of the events. Because "passed" means of course until it has been called on to be voted upon.

**Mr. Speaker:** On the same point of order, the Honourable Member for Thompson.

**Mr. Steve Ashton (Thompson):** On a point of order, first of all, I think it is quite clear from the comments for the Member for Flin Flon (Mr. Storie) that we had indicated we would be putting up speakers which we did.

The reason we had not put up an additional speaker is because we would like to have seen Bills 35, 19 and 84 passed through today -(interjection)- if I just might finish, Mr. Speaker, I think it may be of assistance in resolving this. Really what we have is a dispute over interpretation. I believe your ruling is that leave was given, but I will put it to the Government House Leader (Mr. McCrae). We are still going to deal with 35, 19 and 84 today, but if it will be of any assistance to this House in dealing with the situation, even though we do have this ruling on the point of order which indicates there was leave given, we are quite willing to put up a speaker if that will be of assistance in getting this matter resolved, but I would like to stress again we are willing to pass through other legislation, 35, 19 and 84. I would just ask if the Acting Government House Leader could perhaps respond to that, and I do apologize for raising these matters in the House, but on numerous occasions I have raised these matters privately with the House Leader of the Government and got nowhere.

So we are willing to be reasonable, to get out of this impasse, and I would just like to ask whether the Acting Government House Leader would like us to debate 31, if that is what they really want, or wants to deal with 35, 19 and 84, which is the option that we have been offering since December 4, 1989.

**Mr. Speaker:** All right. Order, please; order, please. The Honourable Acting Government House Leader.

**Mr. Manness:** Mr. Speaker, I do not want you to admonish me for debating these business matters in the House, although I recognize we are at an impasse. Again, a commitment was made from the Government's viewpoint to allow somebody to continue to complete their contribution on this under the condition that Bill No. 31 was discussed until it was passed. That is fully a matter of the record. It could be called conditional leave, which I know is not even a Rule under our House, but nevertheless, Mr. Speaker, if honourable people make commitments I would expect that Honourable Members will maintain and fulfill those commitments.

Now if the Member is saying that they will speak to Bill No. 31, I think Members of the House would like to hear representatives from the NDP continue to address that Bill and other Members too, because certainly all Members are welcome to address Bill No. 31 and therefore I would recommend that we would move on to Bill No. 31 for the rest of this afternoon.

**Mr. Speaker:** The Honourable Member for Thompson, on the same point.

**Mr. Ashton:** I just want to stress again that the words of the Member for Flin Flon (Mr. Storie) were read into

the record and I do believe some of this discussion was probably out of order because it was a dispute over the facts, but the problem I think arose out of the interpretation of the Government House Leader's comments because the Member for Flin Flon had indicated we would put up other speakers, which we did. I once again will urge that we deal with other business at various different times, but if the Government insists on having a speaker on 31, to get us out of the situation we will be accommodating. We just hope that they will attempt to be as accommodating in the future, Mr. Speaker, since they have been refusing consistently to—

**Mr. Speaker:** Order, please; order, please. I would like to thank all Honourable Members for their advice. As was stated previously, there is a dispute over the facts, but still nonetheless the question before the House was not a conditional leave. The question was very simple, was there leave that this matter remain standing? Leave was given.

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**Mr. Speaker:** I understand now the Honourable Member for Dauphin (Mr. Plohman), on Bill No. 31. The Honourable Member for Dauphin.

**Mr. John Plohman (Dauphin):** Thank you, Mr. Speaker. I am glad it is clear I am on Bill No. 31. I was going to speak on Bill No. 35 right away, The Wildlife Act. I know the Minister of Natural Resources (Mr. Enns) would like to have some debate on his important Bill that he has before this House. I know that he also would have liked a speech and reaction from the Opposition on The Ground Water Well Act, No. 19, which is also his Bill. But since the Government is of the strong belief in this House that the only issue of enough importance to be discussed in this House is the FOS Bill, then we will obviously want to accommodate that in the interests of co-operation, in a co-operative atmosphere in this Legislature.

\* (1620)

However, I would reiterate what my colleague the House Leader for our Party has indicated to this House, that we very much would like to see a number of pieces of the legislation, as we have indicated since before Christmas, before we adjourned for the Christmas break, a number of important issues dealt with in this House, a number of Bills that we feel are very important, a number of Bills as a matter of fact that we actually introduced and developed during the time that we were in Government, The Wildlife Act being one of them. As Minister of Natural Resources I had the opportunity to bring that Bill to the point where it was ready for introduction in the House.

Insofar as the issues surrounding Bill 31, I had the opportunity, as all of my colleagues did—and contrary to the Liberals and the Conservatives in this House, they had the opportunity but did not choose to take it—I had the opportunity and chose to take it to speak on this Bill previously during the original motion. At that time I raised, along with my colleagues, a number

of points on the issue surrounding final offer selection, a point in our mind, collectively I think without exception, to the fact that final offer selection legislation in this province has been working well over the last two years. It has actually exceeded all expectations.

It has in fact been so successful that I am sure any impartial evaluation of the first two years would come to the conclusion that it should be allowed to continue for the remaining three years before a final decision is made as to whether in fact it should be continued beyond that point perhaps as a firm foundation of our labour legislation in this province. That decision is not going to be made or allowed to be made by this Government if in fact they and the Liberal Opposition insist on terminating a bold experiment that has worked well over the last two years, has been attested to by so many organizations and individuals in this province.

Now I asked my colleagues whether they had come across strong support from management in this province. Has any management come forward and said, we really feel this is an excellent method and that it has worked well for us?

**An Honourable Member:** What did they say?

**Mr. Plozman:** We found that there were not a lot of examples of people coming forward and speaking to that fact. I think there are a number of reasons for that, but I did speak to some in my own constituency and in some other areas. This is an important point for Members opposite who think that they are doing management a favour. They are doing big business a favour in this province. The Liberals are obviously being motivated by, that they are doing a favour to big business and to management by repealing this legislation, removing this so-called yoke from around management's neck so that they will no longer have to be subject to this method of settlement between labour and management in the province.

I found that the Dauphin Consumers Co-op has used final offer selection. They advised me that they were very pleased indeed. They did it through their negotiations. They agreed to it, not applying for it under the Act. They agreed that final offer selection would be their method of settlement.

Four consumer co-ops in this province have used it, I am advised. In all cases they were very pleased with the results. As a matter of fact, I am told in the Dauphin situation, my own constituency, that the settlement was in favour of the management proposal. The people at the Dauphin Consumers Co-op were very satisfied that there was a fair analysis of the two proposals that were put on the table. The proposal that they put forward, after a great deal of thought and a great deal of negotiations, the final proposal that they came forward with was one that they perhaps would not have put forward had they not been placed in a situation of having this avenue available to them.

It induced them to be reasonable, to put forward their best position. It prompted them to do that, because they wanted to appear as reasonable as possible to the selector and obviously they were successful. In fact,

the selector chose the management proposal on four occasions in the co-op movement in this province. That indicates to me that it is not only women's groups in this province and the coalition of labour groups in this province, but many others, I think if the Winnipeg Chamber of Commerce would be true unto itself, would admit the facts, they would have to admit that they believe it is a reasonable way of arriving at settlements.

In a brief they presented to the federal Government they said that they would like to see the final offer selection process apply to the grain handling industry in this country, final offer arbitration, as it is called, under the new National Transportation Act. They implored the federal Government to put in place this reasonable process, obviously if they wanted it to be put in place they must feel it is reasonable, as quickly as possible to avert strikes in the future in the grain handlers' trade, and also prevent lockouts by the grain industry to reduce the incidents of time lost by strikes.

Obviously they would point to the ammunition that has been presented in this House, potent ammunition in support of FOS. It indicates we had the lowest time lost to strikes last year of any year in many, that final offer selection was probably one of the reasons why time lost to strikes was down in this province, was the lowest in the country. That is a fact that cannot be refuted, if the Conservative Government in this House and the Liberal Opposition were to truly consider what they are doing, truly consider the issue, instead of maintaining their ideological blinders in persevering and attempting to pass something that they think will please their big business friends, and prompt them to cough up the funds that they usually provide to those two Parties.

I went on ad nauseam, I am sure, for many of the Members of the Government side in my speech earlier about the motivation behind the Conservative Government in bringing forward the Bill that would end final offer selection as an option in this province, and identified what I felt was the real reason, and that is the money, the dollars were prompting this Government to bring forward this legislation and because they had made a promise that they thought sounded good to business during the 1988 election.

The Liberals also made that promise and they felt they had to carry through or look like they were wishy-washy and flip-flopping on an issue that seemed to be fairly fundamental to big business in this province during the '88 election which is now just about two years past.

During that time however, during that intervening two-year period, as I said earlier, there has been an opportunity for labour and management to experience final offer selection and because they had that opportunity to experience final offer selection in, I believe, 72 cases in Manitoba where the final offer selection was actually applied for, it did not go to the selector in all of those cases. As a matter of fact it went to the selector in only five or six cases, but five cases is the information I had. The fact is that the process was invoked and the experience has been so good and so positive that if business was to, as I said earlier, be true unto itself and admit the truth, they would probably say this really is not that important any more. We think it is working well.

As a matter of fact, I would have to ask if that is not the case why are they asking the federal Government to invoke these provisions under the National Transportation Act? Why, why is it good for the grain handlers and the grain business, the grain industry, why is it good for them, but why is it not good enough for the members of the Winnipeg Chamber of Commerce? Why is it unfair for them, but good for the grain industry and the grain workers in this country? That is what I find extremely puzzling by the Winnipeg Chamber of Commerce, that they take one position for themselves and another one for business that is at arms length, those being the grain industry, and some of them being members of the Winnipeg Chamber of Commerce. Why would they have two positions on this issue?

\* (1630)

The only conclusion I can come to is that their position they took on final offer selection in 1988 and '87 was a preconceived position based on what they thought it was going to do insofar as the fairness of the bargaining system in this province. Once they have seen the experience they have changed their mind, but they have not told the Government yet or else they want the Government to hang tough on this to show that they are going to be—as a symbolic move to show that they are going to be tough on labour because somehow this seems to be the same, synonymous with being tough on labour. They make this move to demonstrate that and Liberals feel that is important as well.

Really what they are forgetting is the fact that any move, any provision that is put in place in this province that reduces the incidence of strikes and lockouts, reduces strife between labour and management and facilitates harmony, facilitates coming together in a negotiated settlement. Anything that does that has to be positive. It reduces the time lost to strikes and lockouts.

Strikes and lockouts are harmful; everyone loses. In many cases, employers never recover; employees never recover what they have lost during that time; and the public loses as well, directly as a result of the inconvenience of the services lost during that particular time in many instances, sometimes more than inconvenience. That is why I support the retention of FOS, even coming from a rural constituency, even representing a constituency which is not predominantly made up of organized labour, far from it.

I believe the people of the Dauphin constituency and the people of the Parkland generally and particularly the farmers feel that any measure that reduces time lost to strikes and the disruptions lost to strikes and lockouts is a good measure and should be continued. That is the way I would explain that to my constituents at any opportunity I would have.

I would feel not a bit ill at ease at doing that, because I think that is a rational explanation, a sound argument to defend the continuance of FOS, not forever, but for a three-year period, at which time an evaluation could be done, an independent and unbiased evaluation to

determine the true impact of this measure on the Manitoba management-labour scene, and then a recommendation made.

It does not even have to be the full five-year period. Perhaps it could be four years. It says five, but it could be a four-year period, so that would only be another two years.

The Government and the Liberals should maybe reflect as to whether that is not a possible solution to this, as opposed to digging in their heels that it has to be rescinded completely at this particular time with no evaluation done.

Why not an evaluation after the third year and maintain it until the fourth year, and then a decision made by Government at that particular time as to whether it should be retained? That is a reasonable position to take on something like this. It is a reasonable position. Why would the Minister of Labour (Mrs. Hammond) not support that kind of a position? Has she thought about that? Has she thought about a possible four-year limit to this and an independent evaluation after the third year? That seems like something that should be considered by reasonable people.

The Government could find if they were to endorse that, they would have a good chance of getting support for that among the Parties in this House. At the same time they would be able to go to the Winnipeg Chamber of Commerce, who has incidentally said they endorse final offer selection for the grain handlers, for the grain business.

They could go to them and say, well, look, we are in a minority Government position here. We have been pretty tough on this issue and we have made our point. Come on you guys, you can still give us the funds for our election. I mean we are on your side, you know that. I mean we really pushed hard on this and have to compromise. We got it down to four years from five. Is that not enough? What more do you guys want in the Winnipeg Chamber of Commerce? Maybe you could go to Great-West Life and a few other big businesses around and just talk, sit down with them and say, now is that not a reasonable position? —(interjection)— Come on you guys, do not push this so hard. I mean, Wilson is coming out with that terrible budget. It is going to hurt us. You know we are having a hard time trying to distance ourselves from Mulroney, especially when Jim McCrae—oops—the Member for Brandon West (Mr. McCrae) is going to Brandon to be with the Prime Minister, his right-hand man, sitting next to him and saying, yea, Brian, I endorse everything you say, and nodding his head.

You know, it is going to be very difficult, Mr. Speaker, for them to distance themselves. So they might be well advised to look at some compromises on final offer selection, this Bill that would rescind it now immediately. They might look for something that would save them their position and also get support from across Manitoba, from all walks of life. I say to them that they should look seriously at this, because they are going to have a difficult time distancing themselves from the Wilson budget.

We have the Minister of Finance (Mr. Manness) who is making excuses for the federal Government at every opportunity, saying they are broke, they are out of control. He says that because he is trying to soften up public opinion in this province for the GST concept, which he secretly supports—well, not so secretly any more—for other tough measures, as they might be put, on the average people in this province, that the Mulroney Government is going to be taking, other tough actions that are going to hurt in terms of services in this province. The Government is going to have a pretty tough time of it after February 20, and they might well be advised now to consider a way to end the impasse, to come to some other solution than the one they have on their agenda now, which is to ram it through come heck or high water.

Now, I believe that even some of the Conservatives can be reasonable people from time to time, and they may consider what I have had to say at some point. I wish they would, because I find it rather interesting that the Winnipeg Chamber of Commerce is advocating final offer arbitration, as they call it, the same process as final offer selection, for the grain handlers. This is how they describe it: the final offer arbitration—this is the Winnipeg Chamber of Commerce who has said, for these people in the Liberal Party and the Conservatives they are trying to please with this position that they are bringing forward on FOS. They are trying to entice them to free up their wallets, to provide as much support for the next election.

\* (1640)

They are both struggling for those same dollars. Who is going to get more? So the Liberals are saying, we are in favour of that, too. We want to move FOS out of there. The Tories, of course, are saying: no, no, we are the best Tories here. We are the ones that really stick up for you big guys, for big business, and you should provide us with the money.—(interjection)— Well, so they are fighting over this.

Now I am telling you that the Winnipeg Chamber of Commerce does not even feel strongly that this should be removed because they are advocating it. They are advocating it for the grain handling business. Why are they advocating it for them but not for business here in Manitoba? Does it mean it is okay for them over there but not for us here?

I bet you there are many grain companies that are members of the Winnipeg Chamber of Commerce. Well, their voice is drowned out here I guess, because they are saying this is a good system there. I cannot believe that the Winnipeg Chamber of Commerce would still be taking two positions on this except to say that they have now seen the light on final offer selection. They think it is fair. They see that it is reducing strikes. When it reduces strikes, it reduces cost to business. When you reduce the time lost on strikes and lockouts, you reduce the cost to business. It is as simple as that.

So why would they be against final offer selection? They are not against it. Look, they say they are in favour of it. Final offer arbitration is designed to deal with disputes between a shipper and a carrier in matters

of private rather than public interest. Disputes considered for final offer arbitration could include the rate charged to a shipper or a term and/or condition of carriage attached to a specific traffic to which the rate applies. The arbitration process is more formal than mediation with the decision of the arbitrator being both final and binding. The parties therefore are encouraged to engage in serious negotiation prior to submitting their final offers.

That is an important point because that is what is happening. Prior to their final offers, in the 72 cases here in the Province of Manitoba, some 58 settled prior to the final offers going to a selector. They never went there because they were in fact encouraged to engage in serious bargaining prior to that point. The parties therefore are encouraged to engage in serious negotiation prior to submitting their final offers. The process, however, may be terminated prior to the rendering of the arbitrator's decision should the parties reach agreement.

You see, what we have then is a situation where they recognize that final offer selection and the pressures applied to both sides, because they know they are going to have to submit final offer—encourages rather than discourages negotiation. That is why it has had the results it has, which are undisputed in this province. The Members opposite and the Members of the Liberal Party know that, but they refuse to do so because of the fact that it would not support their position in this House.

Even though others would say there are other reasons, and I would agree that there are other factors involved in the low number of days lost to disputes—there are many different reasons for that, but we cannot say FOS is causing strikes. That is the argument that the Liberals and the Conservatives are using in this House. We refute it by saying it is actually reducing the incidents lost to strikes. Now, even if it is a saw-off, even if it is even, even if it did not encourage strikes and did not discourage strikes and lockouts, then where is the rationale for removing it at this point before an independent evaluation of the way it has worked after a four- or five-year period in this province, where is the rationale? It certainly has not resulted in a deterioration of the labour-management climate in this province, has it?

The Minister of Industry, Trade and Tourism (Mr. Ernst) does not think so. He puts out ads. In the Western Commerce and Industry, he puts out ads. He says, a reliable and productive work force, plus consistently good labour management relations have given Manitoba one of North America's best labour reputations. Why would the Minister of Industry, Trade and Tourism say that? In these ads, why would he endorse that if he did not believe it and if it is not a fact? Why then does this Government and this Liberal Opposition insist on disrupting that balance, that delicate balance that exists at the present time, that harmonious relationship that exists between labour and management? Why do they persist in disrupting that system that is in place at the present time, that delicate balance? Why do they want to do that? Why do they want to destroy it if it is not because they want to get dollars? Dollars are dictating



their decision-making, dollars from big business, dollars for an election. That is the reason they want to do it, and that is the only reason why. That is the most ill-conceived reason for taking the action on the part of Government that I could ever comprehend. I think that is terrible.

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**Mr. Speaker:** Order, please. The Honourable Minister of Natural Resources, on a point of order.

**Hon. Harry Enns (Minister of Natural Resources):** It is against the Rules of our House to impute motives. The Honourable Member has now made the point forcibly that I as one Member am taking certain action with respect to a piece of legislation because I am motivated by dollars.

I wish to put it firmly and clearly on the record, and I think I can do so on behalf of all of our Members, that the motivation for doing what we are doing on this Bill is keeping an election promise which I happen to think is very important. Quite frankly, if more politicians did it then perhaps there would be a better understanding of the political process in this country.

There was a promise made and a promise is being kept. That promise is being made by the Conservative Party—

**Mr. Speaker:** Order, please. The Honourable Minister does not have a point of order. It is a dispute over the facts.

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**Mr. Speaker:** The Honourable Member for Dauphin.

**Mr. Plohan:** Mr. Speaker, you know the two are synonymous. I am happy the Minister of Natural Resources (Mr. Enns) stood up and clarified that it is simply to keep a promise that was made two years ago that they did not keep last year and that is irrelevant to keep in terms of the support that they need from the Winnipeg Chamber of Commerce and other businesses at this time.

It may have sounded good in 1987. It may have sounded good in 1988, that promise, but it is unnecessary now because they have even endorsed this process since that time. That is where this Government has their head in the sand. That is where this Liberal Party have got their—they do not have to keep this promise. If a promise is ill-conceived in the first place, they simply admit that they were wrong, and they do not implement that particular promise whether it is good or bad for Manitoba.

If the Minister of Natural Resources (Mr. Enns) insists that this Government has to keep a promise however ill-conceived and harmful it is to Manitoba, then I think that Government is in a straitjacket. They have got serious problems and they are dangerous for the people of Manitoba. I heard candidates make a lot of promises, not being from the New Democratic Party, but from

the Conservatives and the Liberals in the last election, and I think Manitoba would be in pretty bad shape if all of those were implemented.

The Minister of Natural Resources (Mr. Enns) has quite forgotten that the tax that he was going to rescind completely—it was earning some \$200 million in revenue. Recall the payroll tax, the health and education levy. That was going to be rescinded. The Liberal- (interjection)- No, they did not. The fact is only about 90 percent did not pay before that. That is what they have not said. Just a very small proportion of employers paid that tax in the first place because of the exemptions that we had put in place. The Minister of Finance (Mr. Manness) neglected to put that in place because big business was paying it, and that is what we wanted. We wanted that.- (interjection)- Yes, that is right. We wanted them to pay their share because the federal Government was not making them pay their share because of Liberal loopholes and Tory loopholes in this country. That is why the corporations pay less than 10 percent of the funds for Government spending. Less than 10 percent comes from corporations, and it used to be around 35 percent and 40 percent 30 years ago. That means that the corporations are not paying their share. That is why they were taxed under this particular measure, and it was a fair tax that ensured that big businesses paid their share.

\* (1650)

They have not removed that, even though they made that promise because they know they cannot afford to remove it. If they could not remove it last year, they will not be able to remove it at all because the fiscal situation in this province, and the economic situation, will get worse in the next number of years, and they will not have the leeway to do it.

They will not keep that promise. That is guaranteed, they will not be able to keep that promise. They will not be able to keep that promise and neither will the Liberals if they were to form Government. That payroll tax will not be going, because they cannot afford to get rid of it, and because it is a fairer tax than the alternatives that they have at their disposal.

So I say, Mr. Speaker, that I will be bringing forward my position on Bill No. 31 as forcefully as I can time and time again—

**Mr. Speaker:** Order, please.

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**Mr. Speaker:** The Honourable Member for St. Norbert (Mr. Angus), on a point of order.

**Mr. John Angus (St. Norbert):** I have been listening carefully to what the Member is talking about, but I am having difficulty understanding which Bill he is addressing and which subject he is talking about. Mr. Speaker, could you refresh me, please?

**Mr. Speaker:** Order, please. On the point of order raised, the Honourable Member for Dauphin has been recognized to speak on Bill No. 31, The Labour Relations Amendment Act.

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**Mr. Plohman:** The Member for St. Norbert (Mr. Angus) has a tendency in this House to get up and chastise Members for what they say. I believe that it comes from believing that it is not the Member for St. James (Mr. Edwards) who should be asking: mirror, mirror on the wall, who is the finest of them all? In fact it is the Member for St. Norbert, and there is that constant fight.

I think that he believes that somehow he is the only one who knows what relevance is. I can tell you, Mr. Speaker, that when I am speaking about Bill 31, and I have an interruption from a Member, a Minister of Natural Resources (Mr. Enns), who says that he believes in keeping his promises, and I point out where he did not keep his promise, that is pretty relevant to the issue.

Let me tell you that insofar as final offer selection is concerned in this province, the overwhelming evidence is that it has been working, that it does not cause strife, that it has not increased time lost to strikes and lockouts, therefore, it has been successful. It has not been harmful in any way to the process and, therefore, should be given a chance to operate, and there are more and more people who believe that is the case and want to give it a chance, want to give it a chance, in this province. They would like to see it continue for another two years, or three years, in this province to give it an opportunity, more and more people.

As I mentioned, the Dauphin Co-op is one that has had a good experience with final offer selection. I believe that it worked well in their particular case, and three other co-operatives in Manitoba were also involved in a similar process and found that it worked, so it is not just labour.

As we mentioned to you, to the Members of this House, the labour groups have now taken a very strong unanimous position that final offer selection actually increases the opportunity for settlement in this province. They believe that it is a viable option that they should be allowed to continue to have available at their disposal.

It is reasonable that people who are in the workplace should be able to vote as to whether they want this particular measure put in place or not, and even though the Opposition, the Liberals and the Tory Government believe that, because the management side is not able to veto the process, that does not mean it is an unfair process, because it does not tell the employer that a certain settlement must be arrived at. It simply says that this method shall be employed to arrive at that settlement. In previous times, of course all the power was vested in history, over the years it was vested on the employer's side in the workplace.

Many years ago employees had to work 16 hours a day. There was no age restrictions. Child labour was invoked. Many young children had to work long hours in order to earn a living. They were provided very little for working at their workplace and many times in very unhealthy situations. So over the years things have

improved. Working conditions have improved. That has happened because people have banded together for greater power. The previous power that was vested only in the employer's side, in management, was no longer the only power, was no longer automatic. There was a balancing that took place and that was because people who worked came together in a common cause and they formed organizations that are called unions.

As time has gone by there has been a greater and greater willingness, I believe, to include employees in the management of companies. As a matter of fact in some social democratic countries it has led to greater productivity as employers have realized the merits and the benefits of including their employees on the management team, because they realized that if the employees were happy and were a part of the decision-making process that they would be more productive. The company would earn greater profits and in many cases they shared those profits with employees as well through a profit-sharing arrangement as part of their negotiations. Those measures have tended to be leading measures in many of those countries and we find ourselves in this country far behind many of those social democratic countries in Europe in terms of involvement of the employees in decision-making and in the management of companies.

What we are seeing here with this measure was not a pioneering measure in the world. It was something that our New Democratic Government had brought forward in 1987 as another option to the collective bargaining process and the arbitration process, the conciliation process that was there. I find it rather curious now, that when we have something that is not disrupting the workplace in this province, it is probably acting as a calming influence on the labour management system in this province, that we have a Government coming forward and endeavouring to discontinue it, supported by the Liberals. We even have the MMA, the Manitoba Medical Association, asking for final offer selection because they think that it will allow for greater harmony. It will not lead to the ultimate action, the strike that would be necessary. I am not taking the doctor's side, I am taking the patient's side.

The Minister of Labour (Mrs. Hammond) and the Minister of Family Services (Mrs. Oleson) know very well that if there is a labour dispute or a dispute with doctors that it can have devastating impacts on the people of this province. They do not want to see that. I do not want to see that happen. I do not believe the doctors want to see that happen. Certainly the patients do not want to see that happen, so they are searching for other options, for other avenues. One of those is the final offer selection process.

They are saying to the Government, they want to see that available for them. So it is the doctors that want it. It is the Winnipeg Chamber of Commerce for the grain handling industry who want it. It is the Manitoba Federation of Labour, United Food and Commercial Workers Union, Retail Wholesale and Department Stores Employees Union, Manitoba Action Committee on the Status of Women, Carpenter's Union Local 343, the International Union of Operating Engineers, the Canadian Federation of Labour, the Manitoba Winnipeg

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Building and Construction Trade Council, Manitoba Food and Commercial Workers Union, Canadian Brotherhood of Railway Transport and General Workers, all those people.

They live in all of the Members' constituencies, particularly in the City of Winnipeg. The Manitoba Government Employees Association, Canadian Union of Postal Workers, the Amalgamated Transit Union, Canadian Automobile Workers. They all believe that this is a reasonable way to settle potential disputes between labour and management. They think that it has a place. They would like to give it a chance. For another two or three years, they would like to give it a chance. That is all they are asking for.

I say on behalf of my constituents, Mr. Speaker, that I believe they do not want strikes and lockouts. They want labour management peace and harmony. That is what I speak for. I implore Members of the Liberal and Conservative Party to speak and stand for that as well and not rescind FOS in this province.

**Mr. Speaker:** The Honourable Member's time has expired. Is it the will of the House to call it five o'clock? Agreed.

As previously agreed, this matter will remain standing in the name of the Honourable Member for The Pas (Mr. Harapiak).

\* (1700)

#### PRIVATE MEMBERS' BUSINESS

**Mr. Speaker:** The hour being 5 p.m., time for Private Members' Business.

#### ORDERS FOR RETURN, ADDRESSES FOR PAPERS REFERRED FOR DEBATE

**Mr. Speaker:** On the motion of the Honourable Member for Churchill (Mr. Cowan), standing in the name of the Honourable Minister of Housing (Mr. Ducharme). Stand.

Is there leave that this matter remain standing? Agreed.

Is it the will of the House to call it six o'clock? The hour being 6 p.m., this House is now adjourned and stands adjourned until 1:30 p.m. tomorrow (Thursday).