



PROVINCE OF NEWFOUNDLAND

**THIRTY-SIXTH GENERAL ASSEMBLY
OF
NEWFOUNDLAND**

Volume 3

3rd. Session

Number 67

VERBATIM REPORT

THURSDAY, MAY 9, 1974

SPEAKER: THE HONOURABLE JAMES M. RUSSELL

The House met at 3:00 P.M.

Mr. Speaker in the Chair.

MR. SPEAKER: Order please! It is a distinct pleasure for me to welcome to the Speaker's Gallery today Dr. John MacPherson who is the President of Theatre Canada. His group is having various performances at the Arts and Culture Centre here in St. John's this week. On behalf of all honourable members I sincerely extend to you a very cordial welcome and trust that your visit here is most interesting.

PETITIONS:

MR. SPEAKER:- The honourable member for Trinity North.

MR. BRETT: Mr. Speaker, I beg leave to present a petition on behalf of the residents of Random Island. The prayer of the petition is as follows: "Whereas the roads on Random Island are in a deplorable and dangerous condition, whereas there are 262 registered vehicles on Random Island and many other vehicles use the roads," (commercial vehicles I suppose we are talking about), "whereas there are 1,818 residents on Random Island and the population has increased by ten per cent in the past three years, whereas there are 415 children conveyed by bus to school over the island's roads, the residents of Random Island have to travel to Clarenville to receive medical attention and 121 residents of Random Island are employed outside the island and whereas Random Island has great potential as a tourist attraction, we the undersigned, being residents of Random Island in the District of Trinity North, respectfully petition the Government of Newfoundland and Labrador to improve our roads as follows: All main roads on the island to be upgraded and paved and adequate ditches and drainage to be constructed and the partly constructed road between Aspen Brook and Petley to be completed and paved. This work to be commenced as soon as possible and completed during 1974."

In supporting the petition, Sir, I would like to reiterate some of the

points in the prayer of the petition. The population of Random Island is increasing steadily. Five years ago, first when I went to live in the area, I had very little hope for the island and I thought probably it would end up as one of these wending communities but I think the change came when a new school was built there, a very large modern school in the centre of the island. The trend seemed to change and the younger residents of the island are staying on, building new homes. The fact that there are almost 2,000 people there with no pavement whatsoever, the roads are fairly straight but gravel, of course, but the fact that there are 2,000 people and most of them have to commute over the roads to work then certainly means that they are deserving of some almost immediate attention.

About 400 children I think, it is in the prayer of the petition, bus daily to school. I believe a lot of people maybe in this House know that Random Island is a very beautiful place. There is a small private park there. It is very attractive actually, the island is. You can see it as you drive along in towards Clarendville, very scenic, very beautiful and many people do go there each year and I think that with paved roads we will see more tourists going in.

Sir, I strongly support the petition and I hope that the government in its wisdom sees fit to start the upgrading this summer. I ask that the petition be tabled and referred to a department to which it relates.

MR. SPEAKER: The honourable member for White Bay South.

MR. WM. ROWE: For our part, Mr. Speaker, we strongly support the petition as well. The honourable member did not mention whether our esteemed playwright, Michael Cook, had signed the petition. The Speaker may look it over and see. I rise to support the petition but I also mention for the benefit of our special guest in the Speaker's Gallery this afternoon that Mr. Cook does reside on the island and undoubtedly derives much of his inspiration for his very well received works from the island. Now the only thing, there is a slight conflict of interest, Perhaps if the roads were upgraded and paved Mr. Cook may see fit to drive around more rather than staying at home and scribbling away and writing his -

AN HON. MEMBER: That will destroy his creative impulse.

MR. WM. ROWE: Yes, that is right. He might become a vagabond, driving around on the beautifully paved roads if the government accedes to the honourable member's request. But aside from that possible conflict of interest, Sir, on the part of most Newfoundlanders we have no hesitation at all in supporting the petition. I rose really to make mention of the fact that Mr. Cook does live there and perhaps our guest at some point might get an opportunity to drive out there, see the road first hand, and undoubtedly we will have his support as well, and perhaps visit Mr. Cook and have a chat with him. We support it wholeheartedly, Mr. Chairman.

MR. SPEAKER: The honourable member for Port au Port.

MR. F. STAGG: Mr. Speaker, I rise to present a petition from 311 adults in the two communities of Mainland and Three Rock Cove on the Port au Port Peninsula. These are two communities which have been rescued from a fate that they had been assigned some years ago. They were sending communities under the resettlement programme. They are now no longer sending communities and I think that they are going to survive.

The prayer of the petition is that the road leading from these two communities to the Community of Lourdes be upgraded so that the school bus and ordinary passenger traffic can traverse the road safely at all times during the year. There were a number of times this winter when that road was practically impassable, on a couple of occasions it was impassable, brought about by inadequate drainage, thawing conditions which gave rise to a build up of ice on the road when the weather turned cold.

This petition is a modest request. It is a request merely that the road be made passable at all times during the year. Sometime ago this matter was brought to the attention of the Minister of Highways and while I am under an obligation to present the petition, I do have a letter from him a couple of days ago indicating that these particularly dreadful conditions are going to be alleviated this year and I certainly hope that by the end of my tenure that road will not only be upgraded

but will be paved as well.

So it gives me great pleasure to support this petition and I ask that it be received and referred to the department to which it relates.

MR. SPEAKER: The honourable member for Labrador North.

MR. M. WOODWARD: Mr. Speaker, we on this side of the House do support the petition that was presented by the member for Port au Port on behalf of the residents of Mainland and Three Rock Cove, not asking very much, asking to have the road made passable, which is indeed a very small request, Mr. Speaker. Seeing that the honourable Minister of Transportation and Communications is in his seat, I trust that he will pay particular attention to the modest plea, I should think, of the member for Port au Port. He presented the petition very well and in a very modest fashion as the people of Mainland and Three Rock Cove had presented the prayer of their petition. They were only asking to have the road made passable.

So I suggest that the minister should maybe go a little bit further, Mr. Speaker, and see that the road is upgraded and paved as indeed all roads in the province should be. While he is considering this particular petition I trust that he will maybe take into consideration the petition from the residents of Northwest River to have the road paved and upgraded from Northwest River to Goose Bay.

MR. SPEAKER: The honourable member for St. George's.

MR. A. DUNPHY: Mr. Speaker, I too would like to support this petition from the people of Mainland and Three Rock Cove. It was only the day before yesterday I had the pleasure of going into the honourable member's district (I assure you I had other interests) and noticed the condition of the roads at that particular time. It reminded me of a series of volcanoes erupting. Very, very, very bad!

MR. STAGG: That was the good part.

MR. DUNPHY: That was the bad part of it. I am happy to report that the people of that area are all busily engaged in the lobster fishery, although the conditions are not that good there at this particular time however.

also in the area a lot of sawmills, children are attending school etc. Sir, they are not asking for very much and they are certainly making a contribution to the country as a whole and I think they deserve the upgrading of that road. It should not continue any longer so I support the petition so ably presented by my friend and colleague, the member from Port au Port.

ORAL QUESTIONS:

MR. SPEAKER: The honourable member for Fogo.

MR. E. WINSOR: Mr. Speaker, might I direct a question to the honourable Minister of Fisheries? Has he any plan to send anyone out to St. George's Area where seventy-five per cent of the lobster gear has been destroyed by storms? If so, will compensation be paid? If so, how soon?

MR. NEARY: A good question.

MR. SPEAKER: The honourable Minister of Fisheries.

HON. H. COLLINS, Minister of Fisheries: Mr. Speaker, it is only this past couple of days that the storm occurred and we have gotten word of this. It is being looked into by federal field workers and also by our own field workers in that area. Until the whole situation has been assessed, I cannot say what might and might not be done.

MR. SPEAKER: The honourable member for Bell Island.

MR. NEARY: Mr. Speaker, I wonder if the Minister of Municipal Affairs could tell the House what his government has against the city council down there that he will not grant them a meeting. They are out now publicly criticizing the government for not granting a meeting they requested.

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

HON. H.R.V. EARLE, Minister of Municipal Affairs and Housing: I might say, Mr. Speaker, that I have not refused the City Council of St. John's or any other city council permission for a meeting with me. As a matter of fact, during the past month I have met twice with the Mayor of St. John's and officials and it is only three days ago that we had a very productive meeting. I do not know where the newspapers got their information or how it came about but we have had several meetings.

MR. NEARY: Mr. Speaker, I wonder if the minister could tell the House if the city council has requested a meeting with the Premier and the Cabinet and has been panned off until the House closes?

MR. EARLE: I have no idea, Mr. Speaker. If they have requested such a meeting there was no indication of it when I spoke to Her Worship. They have not approached me to get in touch with the Premier on any occasion for such a meeting so I know nothing of it.

MR. SPEAKER: The honourable member for Labrador North.

MR. M. WOODWARD: Mr. Speaker, I would like to present a question to the Minister of Municipal Affairs and Housing, I wonder if the minister could inform the House what action his department has taken on the transfer of land, the military reserve land in Goose Bay, to the new municipality. We have a joint Community of Goose Bay - Happy Valley but the land in the Goose Bay Area has not been transferred from the military reserve to Crown lands or indeed to the province. I was wondering what action his department is taking in this respect because a number of persons have made application to build houses and to expand the community but they cannot do anything until the land is transferred?

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

MR. EARLE: As I understand it, Mr. Speaker, the process is now in motion for this transfer but I am not exactly sure of the exact status, where it is. I will check on that and get the answer for the honourable member.

MR. SPEAKER: The honourable member for Bell Island.

MR. NEARY: Mr. Speaker, I wonder if the Minister of Justice, the Deputy Premier, could inform the House if the oil refinery at Come By Chance is producing jet fuel at the present time?

MR. SPEAKER: That is a question that could very well be placed on the Order Paper.

MR. NEARY: Well, Mr. Speaker, I wonder if the minister could inform the House if there is a U.S. Armed Forces tanker at Come By Chance at the present time loading jet fuel to be exported out of Canada?

HON. T. A. HICKMAN, Minister of Justice: Mr. Speaker, all I know of that

is that I heard over the CBC last night that there was indeed a ship of the US Navy at the dock in Come By Chance. I have no idea what she is doing there and I would assume that the Newfoundland Refining Company Limited is certainly under no obligation to advise government of the coming and going of ships.

MR. NEARY: Mr. Speaker, is the minister aware that the oil refinery at Come By Chance is under an obligation to the Government of Canada to keep the jet fuel within the boundaries of Canada if possible? Is the minister aware of that?

MR. HICKMAN: I heard a statement by the honourable Donald MacDonald indicating that he had conversations with someone in that company during which he expressed the hope that as much jet fuel as possible would remain in Canada. I would assume that under existing federal regulations that if they do not want the jet fuel to be exported they simply refuse to grant a licence and if they do it cannot be exported.

MR. NEARY: Supplementary question, Sir, would the minister undertake to find out if the oil refinery at Come By Chance does actually have an export permit to send jet fuel outside of Canada? Could he get it before the day is over?

MR. HICKMAN: No, I will not.

MR. NEARY: All it takes is a phone call.

MR. HICKMAN: They may tell me to mind my own business.

MR. NEARY: What?

MR. HICKMAN: I would probably be told to mind my own business if I telephoned.

MR. SPEAKER: Order please! The honourable member for Labrador North.

MR. WOODWARD: Mr. Speaker, the Minister of Industrial Development and the Minister of Finance are away, out of the province, I would like to ask the Deputy Premier of the Province, the Minister of Justice, if he can tell the House if the Gypsum people have cancelled their chartered contracts with Labrador Linerboard for chartering the two bulk carriers to Goose Bay this year? I understand this morning there are

rumours that they have cancelled their charter for the two bulk carriers and now the Labrador Linerboard is without vessels to transport the wood from Goose Bay into Stephenville.

MR. HICKMAN: I am not in a position to answer that question. I have not heard it before -

MR. WOODWARD: Could he check and find out if it is true?

MR. HICKMAN: It was two days ago the honourable Minister of Finance indicated to this House that a firm charter party had been signed and that pursuant to the terms of that charter party the boats would be operating between Stephenville and Goose when navigation opened.

MR. WOODWARD: Supplementary, Mr. Speaker, I understand from reliable sources this morning that the case is that one ship has been withdrawn from that party and maybe both of the bulk carriers will be withdrawn from the charter party with the Gypsum people. Maybe the minister can look into it and see if there is indeed any evidence that that is true.

MR. HICKMAN: I will.

MR. NEARY: Mr. Speaker, the Minister of Transportation and Communications seems to be terribly concerned about a question I put to his colleague. Perhaps the minister has some information on this jet fuel at Come By Chance. Would the minister care to give the House the information?

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

HON. T. V. HICKEY: Well, Mr. Chairman, I indicated to the honourable member that as far as we are concerned and according to the information given us, Mr. Shaheen or his company is under no obligation to keep any jet fuel or any other product at this particular time in the province or in the country. He indicated to us that during the winter Mr. MacDonald did ask him to make available, within Canada, fuel supplies in terms of fuel oil and so on. If the honourable member be interested in the jet fuel problem at Gander, I can tell him that there have been a number of meetings held with various people involved, with TOPS, Shell Oil and Mr. Shaheen and his officials. There is another meeting being planned.

MR. WM. ROWE: Before Orders of the Day are called, Sir, I would like to

direct a question to the Minister of Justice, in view of the - if one can believe the news reports - in view of the public concern over the sentencing practices of Magistrate Oldford in Grand Falls there has been some complaint from the Chamber of Commerce and I believe there are some petitions being circulated that his sentencing is too lenient. In view of that public concern, Sir, would the Minister of Justice now tell us whether if he had his time back he would have reappointed Magistrate Oldford under those very suspicious circumstances under which he did so?

MR. W. N. ROWE: He is not going to answer it.

MR. SPEAKER: The question could be placed on the Order Paper.

Maybe the Chair could submit that that is not a proper question.

It could be placed on the Order Paper.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Speaker, my honourable colleague just reminded me of a question involving a magistrate. I know it is my colleague's jurisdiction but does the minister intend to do anything about the public outcry in the Placentia Area about the magistrate living on the American Base because the minister's department has not provided a magistrate with adequate housing, off the base for the magistrate? Does the minister intend to do anything about this?

MR. HICKMAN: Mr. Speaker, I find that a very repugnant question. The honourable gentleman from Bell Island is quite aware that there is no public outcry in the Placentia Area concerning the magistrate, who is a very excellent magistrate. The simple fact is that when the magistrate was transferred to Placentia, about one year and one-half ago, it was found that the old magistrate's house that had been built in Placentia (I was going to say when the French occupied it but shortly thereafter) was really in need of very substantial repairs and the decision was to build a new house. No accommodation could be found for the magistrate in the Town of Placentia during the construction of a new house. Through the very good offices of the American Consul General, accommodation was provided on the base.

MR. NEARY: When will the new house be ready?

MR. HICKMAN: The tenders were called approximately eighteen months ago and I understand that the house will be ready for occupancy about June. It is a very modest three-bedroom house. I am speaking from memory now. Tenders did have to be called on three occasions before anyone would bid.

Mr. Speaker, I want to reassure this House that we have a very excellent magistrate in the Placentia Area who has the respect of the people he serves.

MR. NEARY: Mr. Speaker, I want to set the record straight. This was not a criticism of the magistrate, it was a criticism of the minister's department for not providing housing for the magistrate. That was my criticism. He is a fine magistrate. I agree with the minister. I certainly hope it will not be misunderstood. My question was a pretty fair question.

MR. MARSHALL: Mr. Speaker, before we get to Orders of the Day, I move the House, when it rises today, stand adjourned until ten o'clock tomorrow morning, Friday, May 10.

MR. SPEAKER: It is moved and seconded that the House when it rises today adjourn until tomorrow Friday at ten o'clock. Those in favour "aye," contrary, "nay," carried.

On motion that the House go into Committee of Supply

Mr. Speaker left the Chair.

MR. CHAIRMAN (Mr. Stagg): For the information of honourable gentlemen, we now have sixteen hours and fifteen minutes remaining of the seventy-five hours allocated for the consideration of estimates. We are now dealing with Head V - Manpower and Industrial Relations, 501-01.

MR. J. ROUSSEAU (Minister of Manpower and Industrial Relations): Mr. Chairman, I do not have a long opening statement. A week ago today was my first anniversary, one year in that department, and I think people are pretty aware of the events in the province during the past year. In the hope of expediency, I have some facts and figures available if honourable gentlemen want them or my views on policy if they want them. I certainly do not intend to hold up the proceedings in the event that many of my honourable colleagues are clawing to get up and

have an opportunity to defend their estimates and I would not want to disappoint them. If honourable members across have any questions of a specific nature or of a policy nature, I certainly would be very pleased to reply to them. Certainly for any member of the committee, if they so wish, to offer any constructive advice on labour relations in the province, they would be more than welcome. Nobody is an expert in any field, Certainly the combined views of everybody in the province is solicited. Perhaps hopefully some day in the near future we will be able to come up with some sort of a formula that may result in less strikes, strikes when they are necessary, and I guess a strike occurs always for some reason. So that we can provide for better relations between labour and management I welcome the views of members of the committee and any constructive advice or criticism they have certainly would be welcome. I will leave it there and take it from there when I have some questions on it.

MR. NEARY: Mr. Chairman, I must say that I thought that the minister would go into a little more detail in his introductory remarks in view of the fact that last year we had one of the roughest years, I suppose, in Newfoundland's history in labour management, confrontation, strikes, both illegal and legal. There is every indication, Sir, that this year is going to be equally as bad a year as last year.

I might say, Sir, at the outset, that last year I felt sorry for the Minister of Manpower and Industrial Relations. The minister came into that job, as he indicated a few moments ago, just a little over a year ago. I must say, Sir, that I find the minister to be a very tenacious gentleman, not afraid to get in the middle of disputes. Whether the situation is a hopeless one or not, the minister, as far as I can see, has not hesitated to get himself involved, to get into the middle of these disputes. I do not know what degree of success the minister has had in resolving

some of these confrontations. I would say that his involvement, his personal involvement, the involvement of his office in one or two instances have managed to get the disputes straightened out and get the parties back to the bargaining table and resolve the disputes.

In that sense, Sir, I would say that the minister has done a fair job. As a matter of fact, Mr. Chairman, I would say probably that minister is one of the few honourable gentlemen on the government benches that we on this side of the House have any regard for whatsoever. The minister has not made too many new innovations in the Department of Manpower and Industrial Relations. He has managed to maintain the status quo. We laid a pretty fair foundation there. I was (Acting) Minister of Labour, as the committee probably knows, for about a year, I guess. While I was minister I did not get an opportunity to make too many reforms in that department. The minister has managed, to a large degree, I guess, to just maintain the status quo. With the machinery that the minister has at his disposal, as I indicated a few moments ago, I think he has done a fair job. We like the minister on this side of the committee, so we do not intend to give him a rough time on his estimates.

Mr. Chairman, as a matter of fact after my few remarks we probably can get into the item by item analysis (I do not know if any of my colleagues would care to say anything. They are quite free to do so) of the minister's department and maybe today we can get two or three or four departmental estimates approved. Then we can get on to some of the major departments.

I would not consider this to be one of the big spenders of government but it is an important department of government, Mr. Chairman. There are two or three things that I would like to draw to the minister's attention and it will only take me ten or fifteen minutes, so members can relax and enjoy themselves.

First of all, Sir, I want to bring up the matter of the chaos that was created a year ago on the government's own labour front and the advice that we gave the Hon. Premier at that time to dump the Minister of Finance in all matters dealing with personnel relations because, in our opinion, in last year's estimates the threatening tone of the Minister of Finance's remarks in the budget certainly set the stage, Sir, for difficulties, for resentment and chaos on the government's own labour front. I would submit, Mr. Chairman, that this was probably the main reason for all the difficulties that the government encountered last year in dealing with employees in the civil service. The only language that the Minister of Finance knew Sir, was that in the so-called negotiations, "This is our last offer." Do you remember, Mr. Chairman? I am sure all honourable members of the committee will recall the Minister of Finance stating time and time again, both inside and outside of this committee, that this is my last offer. Then it turned out not to be the last offer, Mr. Chairman. The minister completely lost his credibility every time he made this statement. The Hon. Premier stepped in and whipped the rug right out from under his feet.

In view of the fact that there are a number of contract negotiations coming up in the public service, Sir, in the next few months, I would suggest to the Hon. Premier (Unfortunately, the Premier is not in his seat today) that he forget all this foolish in-fighting between the various groups and the Minister of Finance and not allow the Minister of Finance to have anything more to do with negotiations of employees in the public service, Sir. He is a bad influence and he should not be allowed, he should be kept in the backroom, Sir, looking at his law books and his account books and not be out in front where he has to deal with people because that minister has no feeling whatsoever, no experience in labour management negotiations, no feeling at all for people, just cold-blooded. If he should be allowed to get back into these negotiations again, all he is going to do is rock the boat and cause an awful lot of headaches in this province.

A lot of the public service groups are now attempting to reopen their contracts. They want to be compensated for the cost of living, Sir. I think we have already made our position clear on that. We agree that the government should review all the agreements that have been signed and add a cost of living clause to the agreements. These employees, some 27,000 I think, at the moment are certainly entitled to ask to have their contracts renegotiated. There is already a precedent for that down in Labrador City, where the Iron, Ore Company of Canada, with the help of the honourable minister, I understand -

MR. MARSHALL: Point of order, Mr. Chairman. We have heard this particular argument over and over again. It is repetitious. It is irrelevant to this heading. There are only about sixteen hours left, less than an hour a department left. I am just trying to urge more relevancy on the part of the irrelevant opposition.

MR. NEARY: Mr. Chairman, that point of order is just a foolish notion again of the nasty Minister without Portfolio. It is not a serious point of order, Sir. It is lack of knowledge, Sir, of what we are talking about under this head. We are talking about the minister's salary, which gives us an opportunity, Sir, to have a wide-ranging debate on all matters pertaining to labour. Sir, I would say that I am in order.

MR. CHAIRMAN (Mr. Stagg): Order please!

Both honourable members are correct. The Minister without Portfolio is quite correct when he says that the Member for Bell Island cannot delve into the irrelevant. The Member for Bell Island is quite correct in saying that in discussing the minister's salary debate can be wide-ranging. Somewhere in between the Chairman must assume a position. At this point, I believe that the member may have been treading on the line as it were between relevance and irrelevance and he can be assured that the Chairman and undoubtedly honourable members to my left will be making sure that he does not go over that line.

5633

MR. MARSHALL: Mr. Chairman, -

MR. NEARY: Do not be delaying the committee.

MR. MARSHALL: All this does is prove the adage that not even God can help those who do not want to help themselves.

MR. W. N. ROWE: Point of order, Sir. I mean is Your Honour seriously (I am very serious. I notice that Your Honour and the House Leader share knowing grins from time to time) going to permit this "honourable gentlemen" to rise on any occasion when no debate is allowed, when no point of order is referred to and to talk about all kinds of things that he might have on his mind. On that point of order, Sir, I would like a ruling because he has done it about fifty times in the past week or so.

MR. CHAIRMAN (Mr. Stagg): Maybe honourable gentlemen want the Chairman to stay on his feet for the rest of the afternoon. However, any honourable member has the right at any time to rise on a point of order. After hearing it, the Chair will endeavour to give a ruling. The last time the House Leader rose it was for all of ten seconds which I do not consider to be a great waste of time. Whether the point on which he rose did escape the Chair; however, I am not sure it was a point of order or whatever or supplementary to a point of order. I would suggest to all honourable members that when they do rise, to preface their remarks with the point on which they are rising. I do not believe at that time the Hon. House Leader made his intentions known as to why he was rising. In that respect the Hon. Member for White Bay South is quite correct.

MR. NEARY: Thank you, Mr. Chairman. I hope that time will not be deducted from the time that we have left, Sir, that the Minister without Portfolio just wasted.

It would seem to me, Mr. Chairman, that we are going to have to give serious consideration in the future to implementing new ideas and new innovations in the Department of Manpower and Industrial Relations if we are going to cope with all the strikes that are taking place in this province. As the months and years go by, each year the general

public, Mr. Chairman, seem to be threatened by more and more serious confrontations, on the one hand between stubborn management and on the other hand between unyielding groups in the trade union movement.

Mr. Chairman, what concerns me about these strikes is that so many of these strikes are wildcat strikes, not only here in Newfoundland but you find the same thing happening right across Canada on the national scene. Most of these strikes, Mr. Chairman, in my opinion, are unnecessary and are caused mainly by trivial misunderstanding and lack of communications between management and workers. I am sure that the minister, when he rises to make a few comments on my remarks, will tell us . I know I have had some experience in the trade union movement myself and I was (Acting) Minister of Labour for a year and I am sure the minister will agree with me that when one is in that department, one never ceases to be amazed at the trivial things, the little things that will set off a chain reaction that will cause a union to go out on strike. We have to find a way, Sir, in my opinion, to cope with this.

Mr. Chairman, in England they have tried out or they have been functioning for a number of years, the Industrial Relations Courts. I doubt very much if this is the cure, if this is the answer to all our problems in Canada or in Newfoundland. At least, I think we should give it a try, Mr. Chairman, I think we should consider now, although I saw an item in the paper the other day where I think they are attempting to do away with the Industrial Relations Courts in Great Britain. There are powerful arguments for maintaining these Industrial Relations Courts, Sir. I do not think for one moment that they are going to do away with them in England. Too often, Mr. Chairman, in my opinion,

we get people involved in labour management disputes who are inexperienced in these matters and we still have management using the old technique of going down to the court and getting an injunction. Now I know the minister will get up and argue that the ex parte injunction was done away with last year but only for legal strikes, not for illegal strikes. The minister just nodded yes that is so, that management are still using the courts. Sir, they are going down at the drop of a hat sometimes, to get a court injunction ordering the workers back to work.

Mr. Chairman, it was my opinion that the administration was going to do away with court injunction altogether. But they only went halfway, Sir. They only took the infant step. They did not go all the way. They just did away with court injunctions in illegal strikes. I think the minister should consider doing away with court injunctions altogether. Because what is happening, Sir, you are getting judges and you are getting precedent-ridden lawyers involved in labour management disputes, using outmoded methods to try to settle these disputes. I think, Sir, that the setting up of an industrial relations court would do away with these troublesome injunctions by the civil courts and provide both labour and management a recourse to a more enlightened procedure whenever a matter goes beyond the scope of collective bargaining or where a grievance arises or when any other situation crops up where judgement, Mr. Chairman, common sense, sound judgement, is necessary rather than jurisprudence.

Sir, when I threw this suggestion out some time ago I started to think then, where would you get people to go on the bench if you could not use the precedent-ridden lawyers and the inexperienced people, the people who have no expertise in this field? I said to myself, where would you get a good man? Then, Sir, all of a sudden it dawned on me. The member for St. John's South I think would be an excellent man to sit on the bench of an industrial relations court in this province. The member has the experience, Sir. I think he would be pretty fair and impartial and I am sure the member will admit that he has gained a tremendous amount of

knowledge over the last few years because of his involvement with various organizations like the Police Brotherhood, his associations with I think the Nurses Association and a number of other organizations, Sir. I think the member is a pretty fair minded person and would be ideal in my opinion for the bench.

MR. WELLS: Inaudible.

MR. NEARY: No, Mr. Chairman, the point that I am trying to make here is that we do have men in this province, Sir, who are quite capable of being appointed to the bench, if that is what you call it, of an industrial relations court. I think it is badly needed in this province, Sir, and I think we need it not only on the provincial level but we need it on a national level.

Common sense is what is needed, Sir. Never mind going down in court and arguing on technicalities or precedents or getting people involved who have no experience, no exposure to the labour movement, never had to go out in the work-a-day world, Sir, and earn a living for themselves, trying to settle a dispute between management on the one hand and labour on the other. I would like for the minister to give that very serious consideration. Perhaps the minister has already done some research on it and he could tell us when he stands to comment on what I am saying here.

I was disappointed in the minister's earlier remarks that he did not make some reference to the unemployment in this province at the present time because Manpower Training and Industrial Relations would certainly indicate that the minister's department is heavily involved in training and retraining and in unemployment generally. We know, Sir, and we do not have to go over it again, we know that the unemployment figures in Newfoundland are up substantially over what they were a year ago. I believe unemployment figures are up around nineteen per cent. We do not have the figures for April yet but they should come out probably the early part of next week.

But this shows, Sir, in my opinion, the complete ineptness of the Moores Administration to provide employment for the people of this province.

In every other province of Canada, Mr. Chairman, we are told that the unemployment figure is better at the present time than for the same period last year. But here in Newfoundland, Sir, despite all the talk about job creation, about rural development, corporations and motivating welfare recipients that we have heard so much about, Sir, the jobs just do not exist. We are right down now at the bottom of the list, Sir, I think that their last figure was 27,000 Newfoundlanders unemployed. I would like to hear from the minister to find out what his department intends to do about that.

I think this should be the number one priority in this province at the present time, Sir, record unemployment and the cost of living. I would say, Sir, the best thing that this administration could do is to roll up their sleeves and get down to business and see if they cannot junk their planning and priorities committees and all the other pass-the-buck excuses that they have and either come to grips with this problem of unemployment or go down to the Lieutenant-Governor and pass in their resignation. It is just as simple as that, Sir.

I wish the Premier were here in the House today, I had a few choice remarks in this connection, Sir, but the minister should outline what his administration intend to do about the high unemployment in this province. If the administration cannot cope, Sir, then the minister should admit the administration's inability to cope. This should be done pretty soon, Sir, because we are just getting in now to the season when Newfoundlanders are looking forward to going to work on construction and as far as I can see, Mr. Chairman, there is nothing on the drawing board. There are no big projects. The second oil refinery is not getting off the ground. It does not look like there is going to be any work worth while on the Lower Churchill this year. There is nothing on the drawing board. There is nothing for Newfoundlanders to look forward to. At least when Joey was here, Sir, the people of Newfoundland always had something to look forward to, always. There was always a project on the go.

So perhaps the minister has alternative plans for the unemployed. I do not know. They are not going to find work in the construction industry

this year, at least not in heavy construction. I heard the other day that housing starts are going to be up this year, maybe a handful of people will find jobs in this kind of construction, Sir, light construction, but our people are looking forward, Mr. Chairman, to going to work on construction projects like the Upper Churchill, the development of the Lower Churchill, the oil refinery and projects like the Linerboard Mill and this sort of thing, but it is just not there. So I do not know if our people have given up in despair or not, Sir, but I would like to hear the minister anyway give us some indication of what plans the administration have for coping with the unemployment problem.

The minister did not tell us about the international conference that the Premier announced I think it was about a year and a half ago, almost two years ago. The Premier was out around, took to the airways, radio and television, telling the people of Newfoundland we were going to have a great international conference on labour here in this province, No sign of that yet, Sir. It seems to have died a natural death like all the other announcements that we have heard coming from the lips of the honourable the Premier. Perhaps the minister could tell us if that is still on the rails or not or has it been scrapped? Did they call it off? Was it a foolish idea? You know the Premier was going to bring in all these experts from all over the world and we were going to solve all the labour management problems right here in this little province, and nothing has happened since, Sir, and the minister should tell us about that.

I would be the last one in this world, Sir, to say that all these problems between management and labour can be solved because I do not think they can. I think it is virtually impossible. A number of ideas have been thrown out in various parts of the world and in various parts of North America, right here in our own province, of how you can solve the problems that crop up between labour and management. I have heard Mr. Stanfield, the Leader of the National Tory Party say, "Well what we need in this province is wage and price controls," I would like to hear the minister's views on that. Does he agree with Mr. Stanfield? I certainly do not, Sir, I do not think wage control is the answer. It did not work

anywhere else. They tried it over in Great Britain. It did not work. They had voluntary wage and price controls I think down in the United States. That did not work. They almost had to bring the militia in to try to enforce it.

But, Sir, in my opinion wage controls are not the answer. I would like to hear the minister's views on that. I would like to know if this administration support Mr. Stanfield in that regard. I cannot see how it could work, Mr. Chairman. I do not know if Your Honour is more of an expert in this field than I am but I cannot see how it could work. You are going to ask people in the low income brackets not to look for any increases, not to expect any increases for the next say six months, next year. Keep them down! They cannot cope now. So what do you do? You bring in a law barring them from looking for increases in wages, barring the government from upping the minimum wage in this province which incidentally I think should be about \$2.50 at the present time. I believe the minimum wage went up. On April 1, was it?

AN HON. MEMBER: It will be \$2.00 July 1.

MR. NEARY: July 1 it will go up to \$2.00, I think the minister should rescind that order and step it up to \$2.50 July 1. I do not think there was any serious backlash across the province when the minister announced that it was going up to \$1.80 and \$2.00 as of July 1. There was a time in this province, Mr. Chairman, there was a time if you did that, then you forced a lot of small businesses to close up, the fish plants especially would go belly up but not anymore. The fish plant workers in this province, Sir, are the highest paid in Newfoundland today and they are no longer depending upon the government's minimum wage for a living to support their families, no longer dependent on it.

As a matter of fact, Sir, it might surprise this honourable House to learn that sometime ago I was talking to a fish plant manager right here on the east coast who informed me that some of his workers last year earned \$12,000 and \$15,000 and \$17,000, the good fish plant workers, the cutters and the splitters, the good worker. Now there is a lot of overtime involved in that I know, but fish plant workers, did anybody in

this House ever think they would live long enough to hear that a fish plant worker earned more than a member of the House of Assembly? Well this is so, Sir, this happened last year. It is probably happening again this year, although I understand that earnings are down slightly this year. So wage and price controls, Sir, is not the answer, not in my opinion. If Mr. Stanfield go around the country advocating that, Sir, he is ready to get shot down in flames.

AN HON. MEMBER: Stop politicing.

MR. NEARY: I am not politicing. He is going to run up against a stone wall on that one, Sir. I do not think it is a good election issue at all. Then we heard about - I have been advocating this for a good many years myself, profit-sharing. What does the minister think about profit sharing? This may be one technique that could be used, Sir, to cut down on the number of disputes between labour and management. It has worked in certain industries down in the United States. I think the people who believe in profit sharing, who advocated profit-sharing Sir, have not done a good job on getting their message across. People do not understand it. They are afraid of it. But it strikes me as being an excellent way in which to solve some of the difficulties and some of the problems and some of the headaches between an employer and his employees.

I do not know, maybe the trade union movement is afraid of this, afraid of their members becoming a part of management. Maybe that is the reason; I do not know. But it strikes me as being a pretty good idea because if you have employees who are part of the business and they are going to share in the profits, I would think they would take a greater interest in that particular business. Productivity would probably improve and the employees would think twice before they would do anything to damage the possibility of that business making a profit if profit sharing is the technique that they use. It strikes me as being a very sound formula, Sir, and I think it is probably something that we are going to hear more about in the future. Maybe those who believe in it might in the next few years do a better job of public relations and get their message across to employers and employees in North America.

I am glad, Sir, that the minister decided to scrap the Neary Report on illegal work stoppages in this province. No, the minister nods his head, he has not scrapped it yet. But I hope, Sir, it will never see the light of day again although it was done by a cousin of mine, a gentleman who did not have any experience in this particular field. I hope it will never rear its ugly head again. It should be scrapped. It is impractical, nonsensical. It was just a waste of time and a waste of money as far as I am concerned.

What about the Dyer Report? That has not been tabled yet in this honourable House, Sir.

AN HON. MEMBER: Inaudible.

MR. NEARY: He does not have the final report. Well what about the first phase? That has not been tabled. We have not seen the Dyer Report, Sir. Mr. Dyer, as I understand it, was commissioned to go out to conduct an industrial enquiry in Buchans during the dispute last year but Mr. Dyer, instead of doing what he was supposed to do, being inexperienced in this field—the only experience he had was when he was a part of management at one time and tried to get the Tory nomination over on Bell Island and got defeated for the nomination. That was the only thing he had to recommend him, Sir, for heading up this industrial enquiry.

But he went out to Buchans and instead of doing the job that he was sent there to do, decided to conciliate the dispute. Experienced conciliation officers and a conciliation board had already failed to conciliate the dispute and Mr. Dyer decided he would try his hand at that which was not his business at all. It was not a part of the terms of reference. He got shot down, Sir, and I would say as a result of his action the strike in Buchans was prolonged. Instead of helping out I think he made the situation much worse than it was.

Sir, talking about these commissions of enquiry, conciliation boards, boards of arbitration, arbitrators that are appointed by the minister's department, Sir, I have a complaint that I want to make to the minister and I think the minister will agree with me on this, Sir, that in most cases, Sir, and we heard some fantastic figures announced

here recently about a gentleman we had come in from outside of this province to mediate a dispute with the lab technicians, Sir, it must be awfully discouraging for conciliation officers, with the small pay that they get, and the travelling they have to do and the amount of time they have to spend away from home, to hear about these fantastic amounts of money that are being lashed out to Mr. Dyer, to Mr. Neary, to Mr. this one, Mr. that one. It must be awfully discouraging, Sir.

These gentlemen work hard. They have to be away from home, travelling most of the year and in my opinion, Sir, they are underpaid and that branch of the minister's department is understaffed. Understaffed, Sir, it is. It was understaffed when I was there, I do not know if the minister has beefed it up since I left but they are underpaid, Sir, believe me they are. They travel, I suppose most of these gentlemen are away from home most of the time. Their families hardly know them.

They get very little compensation. If they go out and have a meal with somebody, they cannot reciprocate, they cannot invite people out for a meal. If they go out in the evening for a bottle of beer, they cannot buy a bottle of beer back or they cannot buy a drink because they are not allowed to claim it in their expenses and they are supposed to be public relations, representatives of the minister's department and of the government. They should be given a little more freedom, a little more leeway, they should be given a little more pay. In my opinion there should be more of them.

I would say at this present time, Sir, at the moment, that every conciliation officer in the minister's department is on a case. That is right. The minister says, "yes, that is right." If the minister had a dozen more conciliation officers there, they would be all on the road, they would all have a case, at least one. I imagine the requests have backed up in the minister's department for conciliation services. These gentlemen should be given a little more consideration in my opinion in the way of pay and in the way of travelling expenses. It is embarrassing, Sir. I know when I was there I talked with these gentlemen and I know from my own experience that it is embarrassing for these gentlemen to go and to be taken out by, say the executive of the union and by the negotiating committee of the union or by the negotiating committee of management and to be wined and dined and not be able to buy their round in return, Sir. It puts the conciliation officer in a bit of an embarrassing position. The conciliation officer is trying to keep himself above this and well he should. He does not want to be accused of accepting favours from anybody. I would like for the minister to consider that item.

Sir, if the minister did have more conciliation officers in that branch of his department, I think they would be able to do more preventive work. That is right. The minister is nodding again. I think we are on the same frequency today, Sir. They have a list of all the agreements down in the department. They know when the agreements

are going to expire and all the minister has to do is to assign a number of his conciliation officers to go out and to try to bring the union and the employer together even before the contract expires. I think this would be an excellent idea and one way, maybe, to reduce the number of confrontations that take place in this province every year. Have them go out and say, "Now look, your contract is going to expire two months from now, how about having some preliminary discussions now? Let us see if we can get some of the items out of the way now." The minister does not have the staff to do it. I think it would be money well invested, Sir, to take on a half a dozen experienced men, to beef up that department and do a little preventive work instead of waiting for the confrontation to take place, waiting for the fire to start. Then the poor, old conciliation officers are going all over the province like roosters with their heads cut off, trying to put out a bush fire here, a bush fire there and not really doing justice to any of them. I think the minister will probably agree with me on that.

Sir, we heard quite a bit about the labour code. Two years ago, when the Minister of Forestry and Agriculture was Minister of Labour, he told us that his administration was going to bring in a labour code, something that the trade union movement had been asking for for years. I must say, Sir, that I was really disappointed a couple of weeks ago when I heard the present minister tell us that the labour code would not be ready for this sitting of the House, that we would have to wait until the fall session. Well I would like to hear the minister comment on that. Is it because they do not have the legal staff down in the justice department to draft the labour code? Is that the reason for the hang-up? Is it because the administration cannot agree what should go in the labour code? Is the minister working along with the Newfoundland Federation of Labour on this matter? The minister says, yes. Well, I would like to hear him get up and tell

us just what is happening in that regard. It is a promise that was made by this administration, Sir, and another promise that has not been kept?

Now, Mr. Chairman, I think that that is all I have to say at the moment. Perhaps when the minister makes his reply then there may be a few other questions that I want to put to him. I do sincerely want to say, Sir, that during the year that the minister has been in charge of that department that he had a bout of illness there a few months ago, the minister was ill, and I want to say, Sir, on behalf of my colleagues that we were very, very pleased and very glad indeed to learn that he has gotten over his illness and was able to resume the full-time responsibilities for that department. The minister is not only responsible for the Department of Manpower and Industrial Relations but is also, I believe, responsible for the Department of Public Works and Services. We do hope, Sir, that the minister will continue in good health and carry on the good work that he has been attempting to do in the last year or so. He is one of the few ministers on that side of the House who we have any regard for, Sir, and I think the minister has finally found his slot. First, I thought that particular member was destined to be Minister of Education. I think that would be a shame, Sir. I think the minister is doing a half-decent job. With the facilities and with the equipment and with the help that he has in that department, he is doing a fair job.

One other thing before I sit down, Mr. Chairman: It was the intention of the previous administration to transfer all the training programmes. As a matter of fact the name, "Department of Manpower and Industrial Relations," originated with the previous administration. We had already put a bill through the committee, I believe, (I do not think it was proclaimed) to change the name of that department to Manpower and Industrial Relations. We intended, Sir, to take all the vocational training schools, the College of Trades and Technology, the College of Fisheries, everything that had to do with

training, would go under the Department of Manpower and Industrial Relations. I think that that is where it should be, Mr. Chairman. I do not think it should be under the Department of Education. I think if it be left under the Department of Education, there is a tendency for too many academics to get involved. The Department of Education has a tendency to be out of touch with the needs of industry in this province. I think the minister has the facilities and I would like for the minister to tell us whether this is the intention of the administration to transfer all the training programmes over to his department in the near future.

Mr. Chairman, that is all I have to say and I would be interested to hear what the minister has to say and then perhaps we can get on to the item by item analysis of his estimates.

MR. ROUSSEAU: I have written down a few points. I will try to talk on these and any others he might have.

First of all we have a couple of quotes here, "all the strikes in this province." I have the figures. Would the honourable member like to have the figures?

MR. NEARY: The honourable gentleman can send me over a copy.

MR. ROUSSEAU: I will send the honourable gentleman over a copy.

We had, last year, seventy-four strikes in the province. The year before that, 1972, we had forty-six. Last year we had seventy-four of which fifty-five were illegal and nineteen were legal. The apparent number of man-days lost (There is a little red book with the economic outlook of the province by the way which we have a few mistakes in, according to our records) according to our records for legal work stoppages was 160,000 last year. For the fifty-five illegal strikes, there were approximately 100,000 man days lost.

We have an interesting situation this year in that thus far this year we have had for the first quarter, January, February and March, as I suggested before, eighteen strikes, of which sixteen were illegal. During the month of April we have had seventeen illegal strikes.

There is one interesting thing, Mr. Chairman, and that is that although the total employees involved and so on were not the same number in this quarter, this year, the first four months, January, February, March and April, there were only 7,500 employees involved in strikes whereas last year there were 12,100. There are a few less people involved. Accordingly, of course, the total man-days lost according to our records are down. For January to April, there were 94,800 lost last year and this year, January to April, there were 41,919 lost. The total number of man-days lost, the total number of people involved, are substantially less than they were last year.

I have these figures if the honourable gentleman should wish to have them. I have certainly made a copy for him.

I have said publicly on a number of occasions that if one should take up the newspaper in any province, across this country there are strikes. I do not think Newfoundland has a corner on the strike situation. Maybe because it is a small province and the communication system is pretty well two major systems in radio and television, a third one in radio, that things get around fast. Generally speaking, right now we have been pretty quiet during this past week or so. We had a few strikes during April. I do not think this province is as bad from a strike point of view as people would lead us to believe. Maybe I am wrong but that is my own personal opinion.

I spent a few days in Nova Scotia last year and I have spent a considerable amount of time in Toronto in January or February and the situation up there is similar. I was reading the paper this morning, coming back in town from Halifax. They have a problem up there worrying about skilled labour in Nova Scotia, whether they are going to have enough this year. The same problems I think occur in every province. All of a sudden people are signing long-term contracts for a year or so and all of a sudden they look at what they thought they signed for and now the dollar is not worth what they thought it was going to be worth and that certainly creates a problem.

The honourable member mentioned about a reason for a strike, even an illegal strike. There is always a reason for a strike. I do not think that anybody is going to lose a dollar or a day's pay nor a week's pay unless there is a good reason for it. There has to be some reason. While management may not agree, while government may not agree, while the public may not agree, to the man who goes on strike he is going on strike for a reason and to him it is a real reason; nobody else may agree with him.

I will say that during the month of April, in my opinion, there were a number of strikes which should not have occurred a number of illegal strikes which should not have occurred. As we mentioned the term preventive, when I nodded, I went on about the CUPE meeting in Gander sometime ago and I suggested to them and I have said it in the committee as well, that when there are disputes that could result in a work stoppage, we have asked labour or management to contact us. I certainly have no hesitation in directing officials of my department and saying; "Look, do we have a problem from the union point of view? If so, contact the company and say; 'Look, can we sit down and talk about this before the strike occurs?'" If the company has a problem, we do the same thing. I would like to see that occur. We have had it happen, by the way, a few times this month. It happened quietly, of course.

The unfortunate thing about a strike situation is what when there is a strike, of course, it is blown all over the news, but nobody reads too much about the little item on the bottom of page two or three about the strike that was averted, there was no strike because a settlement was reached either between the management or the union at the negotiating table or with the assistance of a conciliation officer. This happens many more times than there are strikes, people sit across a table. But, of course, there are problems. There are good and bad unions and good and bad management. When things build up over two or three years between labour and management and then they sit across a table to try to negotiate a contract in good faith, one cannot become

firm believers in good faith in a couple of days across a table. The union may feel that it has been treated badly or the company may feel that it has been treated badly over two or three years. One just does not sit down and then rectify it and say; "We are going to bargain in good faith." All these things are vivid in the memory, I guess, of both parties. They do have problems. In some instances I could name them, but I will not. I think people generally know them. There are some companies in this province who have magnificent labour relations with their union employees.

I have had people come in to see me and say; "Look, can we have a conciliation officer? We do not need a board. We will settle it. We would just like to have somebody there in the middle. We have no problem with management." Of course, there are other ones who do have problems between the company and the union. That is going to develop at times into wildcat strikes.

I would like to say that I was very pleased (as a matter of fact the only two places in the province which have it right are Labrador City and Wabush but they are available to anybody else) with the concept of the tripartite labour management committee. Since I got elected in my district in March, 1972, we had a strike on the day I got elected, actually, and we have had quite a few ever since. My involvement up there is in my capacity as a M.H.A. with any strikes and both sides apparently use my services. Quite apart from that we set up a labour management committee in Wabush last April and there has not been a strike in Wabush since that time. I do not say that everything is perfect but at least there is the ability for the union or the management, both have an equal right, to list agenda items, where they can sit down and the things that build up inside a man, when he is at work, when he goes home and especially in a company town where the knob may be off the door and his wife is after him about putting a knob on the door, everything gets kind of piled up on him and the next thing there is a wildcat.

I think last week we set up the same sort of thing at the Iron,Ore Company of Canada. I attended the first meeting a week and one-half or so ago. I am optimistic about the situation in both towns. I would hope that these committees would do much to solve any labour situation. The fact is that now labour and management can now sit down at designated times and talk about the problems.

One important thing we should remember here is that these are set up for noncollective agreement items. In other words, we have no intention of replacing the collective agreement. It is not meant to replace this. It is meant to be a tripartite group which discusses noncollective agreement items except by mutual consent. If both labour and management do want to talk about an item in the contract, then they have to mutually consent to it. It is not an attempt to replace the contract or the collective agreement.

Government, union and management share the cost of the chairman in three ways. I have no involvement nor the department with the chairman. He is an independent man. He conducts the meeting from hereon in with IOC and the ones at Wabush are done on his own whenever the company or union requests it. I think it has been quite successful. I remember he came into my office and showed me three pages of items on the Wabush agenda and then came in about two weeks later and there were six items left. They get down. Of course, items come down to six and they go up to three pages, back and forth. At least there is an opportunity, I think, for dialogue between management and labour. I think the fact that for one year there has not been a strike in Wabush where there were many shows some indication of the - Baie Verte, maybe, ERCO, Come-by-Chance, these bigger companies who want to have this sort of thing. I think it

a good thing. I think it goes far in sitting down and discussing those little problems that irritate people on the job and so on and so forth. I am quite optimistic about the success of it so far. I will certainly talk with any company and union in the province who would be interested in setting up a similar type of situation.

MR. W. N. ROWE: Mr. Chairman, I am interested in some of the statistics that the honourable gentleman was giving on strikes, legal and illegal. I wonder if the honourable gentleman could yield now for a moment for me to ask him one or two brief questions.

It is easy enough to define a legal or to define the duration, the length of time, of a legal strike. I would like to hear some comment as to how the duration of a wildcat or an illegal strike is come up with - i.e., if somebody walks about for an afternoon and they go back the next morning and then they are out again in the afternoon, a general malaise of discontent and this sort of thing, is this counted as two, three or four strikes? The reason I asked the question is because, although I know there are more wildcats than legal strikes, yet the average duration of legal strikes is far greater than the average duration of wildcat. The man hours lost have been significantly greater on the average. How is the duration of a wildcat strike defined? Is it every walk out, no matter if they are back for a morning or an afternoon or a day in between?

Secondly, Sir, I would like to ask the minister again before he gets too far into policy and philosophy: How does Newfoundland compare statistically with other provinces of Canada along the following lines, i.e., in legal strikes, if one compares days lost with the number of man days worked per labour force or per capita, whichever way one wants to look at it? How do we compare with Ontario or the other industrialized places or other rural places like New Brunswick, Nova Scotia, Prince Edward Island? Does the honourable gentleman have any figures on that? Because our labour organization is, I believe, in

quantitative terms relatively weaker than most other provinces of Canada, in terms of the number of our labour force or the percentage of our labour force actually engaged in labour organizations or involved in labour organizations, I feel we have a fairly low percentage. Would he also give us some figures if he has them, considering only those people who are in unions? How does the lost man-days position for legal and illegal strikes compare with other provinces of Canada? Am I making myself clear to the honourable minister? He may not have this kind of statistics but it is the kind of information, the kind of numbers which puts the whole thing in perspective.

If for example we have far more proportionately man-days lost on illegal walk outs than New Brunswick then somebody can reasonably say that something is wrong in Newfoundland, something has gone wrong. If on the other hand we are about the same as New Brunswick or Nova Scotia or Saskatchewan for that matter, as far as man-days lost among those who were involved in labour organizations, then we may not be so fearful. I mean we might just say although we should look for solutions at least we are on a par or less than other provinces of Canada and we have nothing to worry about. What we are dealing with really is a question of psychology and some of the things that the honourable minister has already talked about, probably tripartite types of organizations and better grievance procedures, things that get rid of psychological problems, difficulties, thorns in the side and all this sort of thing. Does the minister have any information on that?

MR. ROUSSEAU: First of all the duration of an illegal strike: Normally if there is an illegal strike, the men go back to work for an hour and come off again, normally if it is the same dispute and it is within a short period of time and there are no definite hard and fast rules for it. We know for example we have one in the province now that has been going and coming and going and coming. That will be -

MR. WM. ROWE: Is that the one strike?

MR. ROUSSEAU: Yes.

MR. WM. ROWE: Is it considered to be one strike.

MR. ROUSSEAU: That would be considered to be one because the same problem is developing all the time, the same question. But normally it is a judgement decision that if the items causing the dispute are still the same as the one after they go back to work for a day or so, it is the same strike. But if it were the same union going out again now the next day for completely different reasons then you would -

MR. WM. ROWE: Right.

MR. ROUSSEAU: But normally when at any time there is a strike in the province, whether it is legal or illegal, the officials of the department will check with the union and with the company and in that way they will get an accurate time. In other words if the strike occur, what time did they walk out? The unions will give us the information or the company. So we have an accurate time when the strike commenced and when it ends officially, from either or both parties if may be, but we contact at any time there is a strike just to find out what the problem is.

With regard to the other statistics, I do not have the actual hard statistics but going over the figures I again would like to say to put it in perspective, which is a good idea, the honourable member for White Bay South, also to put it into perspective our total population as well, certainly is another question. It is very difficult. As Disraeli once said, "There are lies, damn lies and statistics and you can make statistics work for you whichever way you want."

But another problem involved here would be the construction industry where you have a lot of people working on a big project. We had for example last year's figures; I was just looking at them here. For example in the mining industry, ninety-seven or say one hundred of the one hundred and sixty thousand were in the mining industry. That was because of Buchans mostly. Figures can be in a given year, in the construction industry 78,000. That was mostly Come By Chance so if we get a couple of major strikes of a lot of people for a long duration of time, it is going to put the figures out of perspective as well.

But I would say that by and large Newfoundland's comparison with other provinces with respect to legal and illegal strikes is not, I do not think it is one that there is a big gap between them there - relatively speaking. It is I guess the same sort of percentages you would find anywhere across Canada. With regard to the union versus non-union, I guess in most instances in Newfoundland I would say that the wildcat strikes I would say ninety-five, ninety-seven per cent of the strikes are union strikes of unions, not of non-union individuals and I say that ninety-five, ninety-seven, maybe ninety, but it is a high percentage of course, are unionized in various unions.

The Newfoundland Federation I think has a membership of 24,000 or something but there are a lot more workers in the province of course and involved in other unions that are not members of the federations.

So in most instances unionized people in the province, well over ninety per cent of them are the ones of course who go on strike. If other persons go on strike of course they lose their job, they are not rehired.

But the actual hard figures I do not have them. Should the honourable member want them I could certainly undertake to -

MR. WM. ROWE: I will give the minister a shout on the telephone.

MR. ROUSSEAU: Okay! Now the injunction, yes I thought it was loud and clear last year because I was asked and the statement was made I am fairly certain that the ex-parte injunction was done away with with respect to illegal strikes. It was done in the House and I was surprised because as a matter of fact when the Iron Ore Company of Canada, Local 5795, came down from Labrador City they were surprised that the ex-parte injunction did apply to illegal strikes. The ex-parte injunction in the House was taken away only in legal strikes, I certainly think it is a fact that the union has the opportunity to present itself in a legal situation and talk about its reason on a strike situation but I am more concerned with the courts now, I think the courts are not going to stand for contempt of injunctions and I hope that sometime this summer, if something does not happen - we had a situation last year of course where the courts acted and I am sure that the courts will undertake the

responsibility. I would hope that a situation would not occur which would put the court in a situation where it would have to take certain actions I think would be injurious to either management or labour.

I think the term "common sense", I will buy that. Who could have told two or three years ago when I was a school principal that I would be Minister of Labour in this province now. Of course all of us are the same when we are thrust into a portfolio. Some people get more involved than others. I am a doer and I have to get involved. I get rapped on the knuckles by various people, "You should not get involved. You should not get involved." You cannot sit back and watch people on strike. That is my philosophy. If people are on strike and they cannot come to a conclusion of some kind or other then somebody has to do something. Perhaps I get involved too much I do not know but a lot of times it is of course not my involvement, it is departmental involvement. Where we can assist the parties normally the policy is that in an illegal strike situation I have asked in the last couple of weeks in two instances that people go back to work before we talk to them. We will undertake to assist them if it is a technical thing or anything we can do we certainly will but it certainly would be our wish that they go back to work and then we would undertake to use our best efforts to assist them in any way possible to bring about a resolution of the dispute.

So I think it is a matter of principle in a wildcat situation where they want our help as a matter of principle. Each individual situation is different. I refer to myself as a pragmatic situationalist. Each situation varies and you have to have all the facts. Unfortunately as honourable members around the House know invariably, the news media do not always have all the facts. There are a lot of other things that are never mentioned and so on and so forth. I think it is a use of common sense. Labour management relations is something of course that if both sides used and everybody else involved I think it would certainly go far in solving many of the problems.

5658

You know, let us face a fact of life, management is going to win. All management has to say is no and that is it but if management are going to do that well there are only going to be problems. You are dealing with human beings. You are not dealing with machines. I think once the management of a company understands that they are dealing with human beings and the human beings feel part of the organization then I think the human beings are going to function and function at a level that will increase the productivity. You do not always need an expansion to increase productivity, you treat people fairly and squarely. That does not mean saying yes to everything; that means square and fair when you say no, this cannot be done because of this valid reason, I think people are prepared to accept it in most instances, not all but in most instances.

Talking about the unemployment figures, of course the other ones will be out shortly. We are not happy with the unemployment figures. We would be crazy to say so. Of course there is not much I can do with regard to capital works and the total expenditure of \$1,100,000 for the department but again of course the Department of Manpower is responsible for the figures and of course responsible to get these people to work as best they can.

Now as you know in the restructuring last year we had an emphasis put on manpower in the department and where the Department of Labour was essentially an industrial relations department it is now the Department of Manpower and Industrial Relations.

We have set up recently and we are going at yesterday's announcement about manpower training and certification board which increases much the scope of the old apprenticeship board. We have a number of sub-committees which are working there on what we have formed now, the federal-provincial manpower needs committee. We have a federal and a provincial co-chairman. The deputy minister is the co-chairman, the provincial co-chairman. Then there is a gentleman from Halifax who is the federal co-chairman and we also have two co-secretaries working there, a federal and a provincial co-secretary. We are attempting now to

discover what we are going to need in the years to come for jobs, what people we should train. Do we need electricians or do we need welders or do we need plumbers or do we need carpenters or do we need beauty cultural - what do you call it?

AN HON. MEMBER: Beauty culturalists.

MR. ROUSSEAU: Beauty culturalists or hairdressers or what have you, We would get some indication of what our future manpower need would be. We had a meeting the other day with the forestry subcommittee. We also have a technical subcommittee, a subcommittee on unemployment opportunities for disadvantaged adults, an industrial training subcommittee, a forestry industry subcommittee, fishing industry subcommittee, construction subcommittee and various ad hoc committees. There are lots of committees on training, purchases, supervisory training and so on, these are committees. But we have to identify what our future needs are and hopefully then the Manpower Division of the department then should take the lead and converse with the people in Education who are doing the training and ourselves and try and train those people that we are going to need for the jobs in the future.

As I suggested this morning, in flying in I read "The Halifax Herald" and Nova Scotia is worried about its trained personnel. I am worried in this province about it but I think yesterday we suggested that time served should not be the only criteria for a certificate. We have got to look at other aspects and so on and so forth and we have good people in this province who never went the long route of apprentices. Again it is something that we have to recognize that apprentices are on-the-job trainees and the spirit of it is there. Some of the companies do not use it. We had one instance you know where a company has one to one, let us say 100 and 100, 100 journeymen and 100 tradesmen. They were preparing the tradesmen, they were preparing the apprenticeship, An apprentice is not going to learn anything from another apprentice. So the companies have to enter into the spirit of it. I am quite pleased of course with that programme in Labrador City and Wabush, The Iron Ore Company of Canada and Wabush Mines have over

5658

300 apprentices on the rolls down there increasing constantly. I am quite pleased with that.

The job situation certainly, you know construction jobs are not permanent jobs. You have situations at Come By Chance, when the thing is finished now you may get a few jobs. At the Upper Churchill 250 permanent jobs, highly technical. But the one thing about it we must remember it is not going to happen over-night. I would love to see jobs, it is politically fantastic for us to create jobs. It is not that we are trying to stamp on it; to try and find them but it is going to be a long process. There will be a lot of people working in the construction industry and then they will be laid off and permanent jobs coming up which will be few. But all these small steps, some day please God we will have enough permanent jobs to make the figures look at least adequate. Of course we are going to have the same problem of the booming labour force in the province. The labour force is growing very quickly. Now whether or not we can stay ahead of that I do not know but certainly we have to look at it from a point of view of what we are going to need in the future, and we are certainly trying to do that.

We feel that the Department of Manpower and Industrial Relations - and Manpower was put first on that name and that should not escape as being a significant fact, that we are attempting there to provide a thrust in the Manpower Division. It is going to take a while to build it, it is going to take a while to get involvement that we should get, close involvement with the federal people. We like to make sure now that we know what is going on manpowerwise and have a better liaison with the Federal Department of Manpower. So that the thrust will be there. It is going to take time, as quick as the people can do it. We have a good man there in W. J. May, the Assistant Deputy Minister, I think who knows manpower well in the province. There are not a lot of people who are as conversant with it as he is. He is doing a good job and the other people involved there and we hope that that division of the department will become very viable in reality, to forecast what we are going to need in two, five, ten years time in the various trades and then get together

with the people who are doing the training and hopefully these people will be ready and trained, either at the apprenticeship level on the job or in the schools or what have you.

The Conference on Labour started out last year and actually what happened there, and I will be quite frank, everybody jumped on an international conference. I am sure if anybody can understand it, the member for Bell Island, who was the Acting Minister of Labour should know that you do not step on toes and use the wrong protocol. You know the Canadian Federation of Labour (CFL) is the official spokesman for labour in the country and you should go to them to invite people who would come from outside of the country.

MR. NEARY: Inaudible.

MR. ROUSSEAU: In other words it would be inappropriate for the government or myself to issue an invitation to somebody outside the country. It should be done through the proper channels and by the proper protocol. They are the spokesman for labour in the country. So hopefully we had hoped for spring, and then there was a decision on whether we would call 100 or 200 or 300 or call a few people in and then come up with some type of agenda and say, "Here is what we are going to discuss." So certainly it has not been shelved but things happen and it is still -

MR. NEARY: Slow getting off the ground.

MR. ROUSSEAU: It is slow getting off the ground. The minimum wage of course it is a problem again. I say one thing, I was surprised when the rumour got out on how high we might raise it. There were a lot of people who suggested a lot of businesses would go under because of the increase. I am talking about small businesses and so on, but I have not heard of any. Now that does not mean there has not been any. I do not think there have been the outcry. \$1.80 certainly is not very much but in two years this government has raised the minimum wage from .90¢ and \$1.10 to \$1.80. Now we are going to \$2.00 on July 1 and we are going to \$2.20 on January 1, 1975 with an automatic, as I suggested when we made the announcement, an automatic reassessment of the situation immediately on January 1 as to where we should go.

5669

Now we had more on it and we sat down and the actual report of the Minimum Wage Board had another step and we decided we did not want to project ourselves too far in the future because by that time the money that we agreed on to become the minimum wage might not be appropriate. So we talked to the Minimum Wage Board and they agreed and we left it at three of them and changed their dates a little so that in January if that is not an appropriate amount we will not be tied in too long in the future to the amount. Certainly there will be an automatic reassessment of the situation again in January.

I think one thing that should be pointed out is the fact that we now have no discrimination with regard to age. Sixteen years old and over earn the minimum wage. I think that what happened there was there were certain businesses in the province who were hiring people at sixteen for \$1.25, whereas they were paying \$1.40 to the over eighteen, and hiring them at \$1.25 at sixteen and when they became eighteen they were suddenly fired, somebody else at sixteen was hired. So that was something we had to get around. So a man is a man. If a sixteen year old can do a man's work then he should be paid a man's pay for it. So we decided to do away with that. I was quite pleased that that was done. Right now we are looking at the trawler industry, the taxi people, the domestics and one other, I forget what it is. There are four of them anyway, oh agricultural workers.

So we are looking at this now and it is an ongoing thing, the Labour Standards Board, and of course we will mention that probably when we get to that. Profit sharing - where I have heard it work for example, I think of some of the big chain stores and that it certainly helps, it makes a person a part of an organization. Now how do you make a person a part of an organization? You can make it by profit sharing, you can make it by making a person feel he is part of an organization. I was in a place one time in the province, a large industry, before I became involved in politics, and the manager came down, I knew him quite well you see and he walked by me and said, "Hi." I looked at him and I said, "Do you ever smile? You know I have been visiting you and I know you on

the job, I have never seen you smile. Do you ever smile at anybody and say, 'Good morning?' I know it used to be hard in the morning as a school principal when I used to get up and watch my teachers and students come in through the door. You know if you are there with a long face on, you you are going to ruin the day for everybody so you try and smile and make other people happy."

These are things that make people part of the - Now profit sharing is one. Good human relations is another. Cost of living is becoming now very prevalent, and the fact that you cannot project yourselves into three year contracts and know what your money is going to be worth. Of course the answer is to curb inflation. But if we cannot do that and certainly the cost of living, they have it in some areas, in Labrador City, Wabush every quarter it is done, every quarter is based on the past quarter and there is a one cent raise for every half cent rise in CPI, Consumer Price Index. That is another way of doing it but I think the essential thing that the member was saying, that you wanted to make somebody feel part of the organization and I could not agree more. This is certainly one way to make somebody feel part of it. For our own part, if we do not feel part of the organization then certainly our effort decreases.

The Neary Commission, we had a brief from the federation who were the ones who said, you know. We take that and we would like to have management's views as well as we did with other ones. Right now

make a decision ourselves. Of course, they both have given us their points. Labour and management have seen each others point and there is a committee set up with one or both of the Deputy and Assistant Deputy of Industrial Relations who are always in attendance. They have a departmental view there and they can get a reading on it.

Mr. Cyril Greene has been given to us full time by the Premier to do the drafting of this. It cannot be done during the time when the other people have other things to do. He is full time on this one job. It is a mammoth job. We want to make certain that we -

The Dyer Report, we had the first one. There is no reason why if the honourable member should want a copy of it. At the time the House was not open but there was so much activity nobody thought about it. If the honourable member would like to have it, at his suggestion, he would be more than welcome to have it. There is no problem there at all.

I have a copy here, if I may, of the Order-in-Council. What the Order-in-Council said was this: "The commission to deal with the said labour dispute in two phases." The first one which he did, "The commission shall endeavour to bring about a settlement of the present dispute and an early resumption in mining operations." In other words, he was trying to come up with a formula that might be listened to by management and labour and come up with some financial package, the wage and fringe benefits and so on that it would bring about. The second phrase which he is doing now and which I understand he should have finished in a short time, within a week or two now I would hope to have, "The commission shall enquire into the economic prospects of the mine in the immediate and foreseeable future with particular reference to: (a) the life expectancy of the mining operation in its present form or any modifications thereof; and

the status of the Neary Commission is that of its being with the labour code. Now what happened here in the labour code, what we are doing is consolidating labour standard legislation. That is being done. It is a mammoth job. There are people to do it. It is a mammoth job. It takes time for draftsmen. We see legislation come into this committee and then bango, a month or two months or a year after something happens. We have in minimum wage, where we are talking about all the labour standard legislation in the province, we have to be very careful that we cover things and hopefully for as long as we can.

Regarding the labour code, we had the recommendations done. We divided it, as I showed before. There is a book here about it. We divided it into those things that labour and management agree with, our comments and those items on which labour and management disagree. Now may be wrongfully, I do not know, but labour and management did not know the views of each other until just recently. We had a committee set up to look at labour legislation. We have thirty-four items right now that are in disagreement between labour and management on the recommendations of the Cohen Commission which could or may not be included in the new labour code.

Now my own personal feeling, the departmental feeling and I would suspect government's feeling is that in the final analysis we want to hear both sides. If we cannot get them to agree, then, of course, we have to make a decision whether it should be put in or whether it should not be put in. We have to be the arbitrator in making the decision on what goes in. Of course, it would be much better! These laws govern labour and they govern management. They do not govern government. The government merely administer it. The more agreement one can have between the parties as to the legislation they would like to have to direct them, the better it is. We are going to make an effort to try that. If we cannot do it, we will have to

(b) whether a contingency plan has been prepared by the company with respect to any phasing down of its operations; (c) what plans, if any, does the company have covering the future company property in the event of a close down; (d) whether there is any serious inadequacy on the part of workmen or management with respect to matters of industrial safety and health; and (e) any other matters affecting the social and economic relationship between the company and its employees at Buchans. "

Now the member may ask, you know, Mr. Dyer may not be - Mr. Dyer has been given permission to use people, mining experts or engineers or sociologists or psychologists or what have you for any of the expert advice he needs. We expect to have it in a couple of weeks, as I have said. He did not conciliate the dispute. Actually he tried to give a formula which would bring about an end to the dispute.

With regard to conciliation officers: When one is involved with them as much as a minister is and the people in the department, one has to recognize that they are probably the most under-rated people in the government. They are out there to re-enforce what I suggested. There are many contracts that are negotiated without a strike. In many instances they are involved in them. They can go in there and they are pretty good people to sit down across a table. They have good experience. We have a great number of people. I would like to see the status of these people raised, there is no question about it. They are people who, like the honourable gentleman says, sit down between management and labour, on both sides of the table both are making much in excess of what they are making. It is certainly a difficult situation. I certainly would like to go on record as saying that I feel conciliation officers are men of high repute, men of high ability. We have added a couple more by the way. I think we have eight now in the office. We have two in Corner Brook.

5665

right now and the rest of them in St. John's. They are on the go all the time. They are in one area or out of another area. They will also go out where there is nothing contractual but where somebody wants somebody to get together. For example, in the recent Waterford situation we had a conciliation officer sit down with both sides and help out there.

So, transfer the training to to M.I.R. I have that down for Manpower and Industrial Relations. We buy the training and with the Department of Education we work together on it. I have some feelings on it. Certainly I think they were the people who handled the situation very well. Again it is a matter of education. So, whether or not we would - well, we have the apprenticeship programme under our jurisdiction which is another on-the-job training of the tradesmen in the province. We talked about that and we have a good liaison. So, all we have now is the liaison between the Department of Education and the Department of Manpower and Industrial Relations in respect to the training of school tradesmen.

I have got everything covered that I can see here. I do not know whether there is anything that I have left out or not or if anybody else would like to make a comment.

CAPT. WINSOR: Mr. Chairman, before the minister passes it, could the minister advise us? Is there any machinery legal or otherwise to deal with illegal strikes? Illegal strikes today are beginning to bother people who are management and the general public, where there does not appear to be a binding contract any more between labour and management. It has been known when a contract has been signed, in less than a year there is an illegal strike. Many productive hours have been lost through illegal strikes. I am sure it is having an adverse effect on companies who are looking to come to Newfoundland to start some kind of an industry.

It is beginning to be a very serious problem, so many illegal strikes. Is there anything that can be done to stall these strikes?

MR. ROUSSEAU: Certainly. Of course, one thing we have to recall now

is that the new Labour Code will have to have something in there. But that is off say in six months, five months, three months or whenever we sit for that. Certainly, that consideration has to be given.

Like I said, the Neary Commission Report is also in the hands of the gentlemen involved with the Royal Commission on Labour, the Cohen Commission. This is being done in conjunction with that. We are going to have to make some move on it.

Right now - what is there at the present moment? Of course, there are fines that the company can impose. Not big ones. They are very small. Whether or not a big one would inhibit or not, I do not know. It has been said by Mr. Neary in his Commission Report that one cannot legislate the men not to go on strike.

In other words, instead of \$100 or \$500 which we now have, if one had \$1,000 and \$10,000, it is doubtful to me - Mr. Neary says the same thing and doubtless many people but possibly I am wrong, that one could keep people from going on a wildcat strike. The amount of money is not often the deterrent. It is a matter of principle with them.

So, the company can bring these fines to bear under the law. Also, of course, in instances if a company should decide, a company in an illegal right works situation - now an illegal work stoppage according to Neary - I guess this is the best we can do. Where a collective agreement is in effect and where a work stoppage occurs, that strike is illegal. That is a general definition of an illegal strike.

Now, if a contract between a labour group and a management group is in effect and something is shut down, whatever the company may be, then the union is also liable for the lost production if a company decided they wanted to push it. Again, you know, as soon as one sits down at a table to try to get the people back to work, one of the items has to be that no litigation will take place and so on and so forth. So, it is in the company's hands. The laws are on the book if the company wanted to use them.

5667

Of course, the courts are becoming now I think in the province more aware of the situation. I think they are starting to cope with it and are demanding more from union and management. One can get an injunction which can limit the picketing or provide free access. Whether or not one can legislate by injunction to get somebody to go back to work or not, it is another thing. Whether it can be won in court or not is debatable. One cannot order men back to work. One can cease and assist with picketing and to provide free access for management and so on and so forth. But whether or not one could force them to go back to work by law would be a long drawn out thing. I do not think it would be best attempted.

When one gets an illegal work situation you see, the prime thinking of management and of labour, of course, is to get back as soon as possible. So, if they find that they are right around the door from a settlement, they are not going to let something inhibit getting back to production. Often times of course management will drop any of this and men go back to work.

MR. MARTIN: Mr. Chairman, I have a couple of comments I would like to make with regard to liaison. Before I get into that, I just have a few things to say on illegal strikes. I do not think that there is any way that it is possible to legislate against illegal strikes. An illegal strike occurs because of some grievance that is either not covered in the contract or which is being deliberately broken.

I remember as a union business agent going into a plant that had been struck illegally, talking to the foreman who had caused the whole thing and who said quite blatantly, "The contract that was signed last month was not worth the paper it was written on and I have no intention of following it." Now, one may be able to legislate against workers who are out on an illegal strike. In a case like that, I suggest that the legislation should be brought to bear against the company personnel. That is something that the minister might chew on when he is thinking about his new Labour Standards Code.

What I really want to talk about here very briefly is a matter of liaison between the province and with both the Federal

Manpower Department and people who are involved in personnel training or placement in industry. As far as I am concerned, the Federal Manpower Department is something similar to the old Labrador Affairs Department. It is not only not doing its job, it is a nuisance. I have known several occasions in the last two or three months when people have called up from my district asking me to intercede on their behalf to get a job in a certain area, notably in Labrador West.

They have been in touch with the supervisors and foremen on the job. They have been informed that jobs are available but also told that they had to be placed by manpower. They have gone to the manpower office in Goose Bay and told that no such job existed. They have then come to my office to ask me to intercede. I would go back to the supervisor and confirm that there was a job. I would have to tell the manpower center to get on the ball and place this person. This has happened more times than enough. It is the rule rather than the exception. As far as I am concerned it is a question of whether or not that whole department is necessary.

I would like to know whether or not the minister is aware of this situation? If any steps are being taken by his department to deal with it, to circumvent this kind of thing, perhaps to ignore Canada Manpower altogether and to provide direct links between people who are out of work, looking for work, and companies which have work available? I would suggest perhaps that it is possible. I know it is possible because it is done in other areas where by computerization it is possible to make a complete current inventory of jobs available and labour available. This is updated on a daily basis. Then people are brought into jobs which ordinarily they would not know about.

More specifically with the Lower Churchill about to be started, I would like to know whether or not the minister is taking any steps to prevent the same thing happening as happened with the work on the Upper Churchill. I refer specifically to out-of-province and in many cases out-of-the country workers coming in and taking jobs that could have been and should have been filled by people from the region, people from the province, people from the immediate locality in some instances.

Now, I do not think it is written into any labour code but it is certainly an accepted practice that when jobs are available they are filled first of all if and when possible from the local area. Outside of that it is within the province and outside of that the neighboring provinces. This is an accepted standard of labour hiring practices.

What happened with the Upper Churchill was that supervisors and the foremen, principally from construction companies in Quebec, were filling jobs in their companies with people from Quebec, naturally enough with whom they had worked before and were sure of and could trust. They were writing home and saying, "Poy, there is a job here. Come on up and get it." They were replacing even some very menial labour jobs that should have been filled by people from this province.

I would like the minister to confirm what I have heard, that steps are being taken. I would like to know what steps are being taken and whether or not when a job does become available, the people in the outlying areas are going to know about these jobs and be able to get into them and whether we know at this point what kind of skilled labour is going to be needed and if any steps are being taken now to train people to step into them when these jobs become available.

MR. ROUSSEAU: There are a couple of good points there. First of all I will deal with the liaison with the federal government and industry. Of course, as you know, it has been one year since the manpower division has been set up. Then, one of the first items we did was to form the Federal/Provincial Manpower Needs Committee which is our liaison with the federal government.

There are two permanent persons in the Manpower Industrial Relations offices down on O'Leary Avenue, one provincial, one federal in which we have a constant liaison with the federal department. The co-chairman I think is a Mr. McCuish. I think he is a director of the Atlantic Region in Halifax. He is with my deputy, Ted Blanchard. The two of them are the co-chairmen. This is a liaison committee. We will be making a statement in a few days. I think we are in the midst now of suggesting again to the federal government that a federal department of manpower the manpower part of the

Manpower and Immigration Department, that we would like to know what is going on and we would like to have our finger in the pie so far as manpower in this province is concerned.

So, we have just had approval by government to sign an agreement with the "feds" so that there will be more involvement on our part to know what is going on with manpower. Of course, as one can understand, the simple conceptual name of Manpower and Industrial Relations, people do get mixed up with Manpower and Immigration.

Certainly we intend as I say - it was not just by chance that the term manpower was put before industrial relations. I think the people down there, the staff, as we go through the estimates, one will find that we have a building staff down there. We are going at the job and we want to see the manpower division strengthen and we want to see it do its job. When it becomes, not the equivalent of the federal Department of Manpower because of course it is a larger one, when it has the weight and the people and the experience that it is getting now daily and we have the proper liaison with the federal people, I think it will be certainly a great help in this province. I think that we should play a part in this province in the manpower field. It is a federal responsibility in some ways but we also have a big responsibility as a government here to the people in this province to provide work. Of course, this is one of the areas where we have to do it and we intend to make sure that our feelings are heard at all times.

So, this committee is constantly meeting. All the subcommittees, by the way, that I mentioned a little while ago, they are all federal-provincial subcommittees. So that we have, for example, in the forestry one now we have my colleague from St. Barbe South, his officials would be involved as well as the federal and provincial and other experts and so on and so forth. So that what we are trying to do in that particular industry now is to enhance the reputation of the logger. For example, at one time in this province, I think - I am not that old but I can

remember stories when I was young and lived in Deer Lake in the first ten or eleven years of my life - we had one of the finest logging industries in the county. All of the sudden, the people are not going in. The pay is not enough. The living conditions were not good. Gradually of course people left.

We here today - I heard a statement by Gonzo Gillingham, the business representative for the carpenters and joiners and the loggers that he is afraid that many people will not go in the woods this summer because of work on construction. In other words, if the logging industry were a creditable one and the money were good and the living conditions were good and so on and people were proud to be a part of it, we have the makings. Newfoundlanders are good loggers. We have the makings of it.

So, this particular subcommittee now will attempt to lure people, if you want to, into the logging industry. We will be doing it in other industries. We will be doing it in liaison with the department involved as well as the federal and provincial government from a manpower point of view.

So, as I said, we have to try and establish what our needs are in the various industries and then try and attract people into that industry and do as much as we can to place as many Newfoundlanders in the trade of their choice. That we can do. So, there is a liaison with the federal government. Not enough yet but I will be making a statement, I suppose in a couple of days in the House when I get a release on it about the recent one that we have

agreed to become involved in and the federal government have agreed. We have taken on certain responsibilities as well which we are prepared to take on but we will have a closer liaison with the Manpower Training and that statement will be made in a few days. I agree with you that there must be because when you talk about jobs you know I moved to Labrador in 1962. The situation of course in Labrador City and Wabush and at Churchill Falls, which I knew laterally, are ones that were of constant complaint to people in Labrador City, Wabush and in Churchill Falls.

As far as I am concerned, as far as government is concerned, we have made specific requests to anybody who comes into this province that we would like to see material supplied by this province where we have the materials. Indeed we are talking to people now of things that are coming in for large construction jobs that come in here as raw materials, shipped up-along and finished and sent back up here. Why can we not do it in the province? So where we can get the content, supply of materials in this province, I think that a company moving into this province has an obligation to the province to purchase the materials here, to leave the dollars here.

Number two, with regards to labour, where they are available in the province there is no question in my mind that if there is a job in this province and if a Newfoundlander is available or Labradorian Newfoundlander is available and he has the skills to do it then he should get the job, There is no question in my mind about that. The point that the honourable member is making, of course in my district now I would have a lot of skilled people but as far as the Lower Churchill is concerned for example jobs in labour where they are not skilled I think that certainly the Linerboard Mill at Stephenville and the Come By Chance they hired locally. I think that we have a right too, to place where we can our people in that area and certainly with the situation on coastal Labrador and where people are not skilled in the trades, as many as you would get down here, I think that we should at least have a first crack at the labour.

I have already talked to the unions about this and they see the

point and we have not fought the - when I am talking about "we" I am talking about Labrador now - we have not fought the Stephenville one nor the one at Come By Chance. We tried to get a few jobs for people. I tried as an M.H.A. and all of us have, but it is a local thing and we accept that. Now when it goes ahead in Labrador, we expect the same courtesy from other people.

So I would hope that where a Labradorian was available for a job in the construction of the Lower Churchill that certainly then he would be given good consideration and if not preference in many instances in where he came to the job. I think that one thing we can - the supervisors you mentioned, that is a point, from Quebec hiring of course their friends. These people go around to jobs all over the world and whenever they get there they phone their friends and their friends come in. So I think that the construction of the Upper Churchill and some other large projects of the province have given us a trained pool of administrative personnel which we did not have before. Churchill Falls was a very highly technical job and people in this province just were not capable at the beginning. So we have many Newfoundlanders up there now who are top flight executives in so far as the operation is concerned and I would think that the same situation should not occur at the Lower Churchill and I certainly would make every effort on my part for it.

I will tell you here and now that I intend to become, as the individual M.H.A. for Labrador and as a member of the government, I intend to keep a close watch on the Lower Churchill insofar as jobs are concerned and in so far as labour and content are concerned. Because you get so mixed up you know. We have figures come in last year about Newfoundlanders and non-Newfoundlanders and so on, the figures coming out with Newfoundlanders and non-Newfoundlanders always looked pretty good, sixty, seventy, eighty per cent.

What they were doing was that the figures that were being released were for non-skilled or non-supervisory personnel, so you had sixty, seventy, maybe up to eighty per cent.

MR. NEARY: Inaudible.

5674

MR. ROUSSEAU: I know that but if you took the whole total work force in, now that is another question. It never reached seventy or eighty per cent. They were the figures of the supervisory personnel who were not Newfoundlanders and then the figures went down into the fifties and sixties. There were never enough. Of course now the living up there was not the best either and I think the Newfoundland Telephone situation of course, with the cost of a man up there with his family on the island, the cost of a telephone call, the cost of the travel and everything else certainly inhibited them from travelling back and forth. It is not easy for a man to spend a long time away from his family. We have many people, of course, the nucleus who will again go up at the beginning and leave at the end, but I have got to tell you that I have got respect for these people. They are pioneers. They go up there and you know they always talk about the large rates of pay and so on and so forth but people work long hours. You know in Wabush and Labrador City and on to Churchill and any other construction job guys work fifteen or sixteen hours. The pay was not that high. You know everybody thinks in Labrador West everybody is a millionaire. Millionaires baloney! What they do is they work their hours and they work long hours and working long hours they made money for it. They get four hours sleep and they would be back on the truck. That is where the big dollars came from.

So the figures are very difficult but I can assure the honourable member from Labrador South that I feel that the Lower Churchill is a project that has to be done in Labrador and I certainly think that the Labrador input into it should be great, especially where we have the people to fill those jobs and local labour certainly should be given the preference and where we do not have the skilled people. At least in the areas where we do have them, certainly I would like to see them there. So I will be watching that with very active and acute interest and I intend to become involved in that operation so far as Labrador comes. To me the issue of local labour, I am talking about provincial now, labour from the province, supplies from the province where possible, is a matter of principle with me and to say that statement means a lot. I say

that where the supply of materials can be gotten from the island and where the labour can be gotten from the island or from Labrador then that is where it should come. We do not want a permit system as they have in Quebec but a wise man once said, and I will rephrase it in this way, not necessarily a work permit but a work permit if necessary.

I do not want to see it come in because I would think that the borders of our provinces should be open to everybody the same as their borders are open to us. But when I have a situation in my district where sixteen miles away a man cannot get a job in Mount Wright because of the Quebec permit system, I think somebody has to realize that you have to co-operate and if somebody is not prepared to co-operate then I am prepared to do what I have to do as the member for my district to ensure that it does not happen. So I am not. Hopefully, you know this province will not have to turn to the permit but I would certainly for my own part recommend it without hesitation if I thought it were necessary. So I say that a work permit if necessary but not necessarily a work permit. In other words I would hope that one would not be needed.

MR. MARTIN: Two final points on that: There is a problem with regard to the Labourers' Union, I mention these specifically. There may be problems with other unions but I have been involved with the Labourers' Union situation where there is a union security clause where if there are jobs available, the first call goes to union membership who are out of work. At the Manpower Office in Wabush we had local people already in Wabush looking for jobs, from coastal areas, who went to Manpower and were told that they had to go through the union office. The labour union involved did not have an office in Wabush, their office was in St. John's. Manpower refused to hire them or refused to recommend them unless they had a union card. It was impossible for them to get a union card because there was no union office there. I would like to see that situation corrected.

While I agreed with the honourable minister's policy regarding the hiring of local labour, it is one thing to say that we will hire local labour if it is available, it is another thing to make sure that the available local labour knows that there are jobs going. This has been the problem on the coast, that the jobs in Labrador West have been open and there is no way of the people on the coast knowing about it. This is what I mean,

no way of the people on the coast knowing about it. This is what I mean by local liaison and circumventing the Canada Manpower situation where they are not doing their job. They should be informing people on the coast but they are not doing it. I would like to know whether or not the minister's department has a way of letting people know that there are jobs available.

MR. ROUSSEAU: I would like to say just in closing with these remarks that I talked with the presidents of various of the unions. Let me put it this way and hope that I will not have to explain further, they understand the situation, they appreciate our situation and I think they are prepared to do everything they can to ensure that we have our share of workers on the project, especially where we are confined, especially in the area, the honourable member from Labrador South's area of mostly non-skilled labour in terms of electricians or mechanics or auto body people or whatever have you. The labour force would have to be of course the biggest one because most of the people would be labourers.

I have already talked to the union, as I said, about that. They were sympathetic and they understand the situation and I hope that they show their appreciation in tangible ways.

On motion Head 501-01 through Head 502-02-08, carried.

MR. NEARY: 502-04 Mr. Chairman, I would like to know who is getting the rake off of this \$14,000 for Silver Anniversary Celebrations.

MR. ROUSSEAU: We are one of the pool, we could not make up our mind in Manpower, we were too busy as to what we would do so we donated \$14,000 to the department I guess into a pool and we are going to be doing certain projects that are provincial, erecting locals or what have you. It is our share of the Confederation and it has not been - whatever jobs that are done in the province throughout the year we will be participating with other departments in some of the jobs up to a total of \$14,000.

MR. NEARY: Mr. Chairman, it is kind of a slush fund, Sir, so I move that this amount be reduced to \$1.00 and the savings to be used to buy free milk to distribute around to the school children in the province.

MR. MARSHALL: That is out of order, Mr. Chairman, that is out of order.

MR. CHAIRMAN (MR. STAGG): The motion is that Head 502-04 be reduced to \$1.00, those in favour "aye," those against "nay." I declare that the "nays" have it, just barely.

On motion 502-04 and 503-06-01, carried.

MR. NEARY: 503-06-02 Could the minister give us now the names of the Labour Relations Board and tell us why this vote is up?

MR. ROUSSEAU: Mr. J. J. O'Neil is the Chairman, Geoffrey L. Steele is the Vice-Chairman, the members are the employer representatives, F. W. Russell, he expires at the end of 1975 and A.G. Ayre is the second employer representative, he expires at the end of the existing year 1974. The alternate member is A.E. Crosbie, employer representative, his term expires at the end of 1974.

AN HON. MEMBER: He has already expired.

MR. ROUSSEAU: Who? Oh, the alternate member for the employees is S. Dyer, his term expires at the end of 1974. The members of the union are Mr. M. Pinsent, Grand Falls, his term expires at the end of 1975 and Mr. G. Gillingham, employee representative, his term expires at the end of 1974. The chief executive officer is Mr. J. M. Noel, the Director of Industrial Relations, and the increased cost is due to the increase in the per diem fees to be paid to the board as well as a large number of trips by a conciliation officer for investigating purposes. They use our conciliation officer to investigate various things so there were a lot of requests for investigations by conciliations officers last year and these people are there. The conciliation officer is seconded to the Labour Relations Board for various investigation purposes, so there was a large number.

MR. NEARY: Inaudible.

MR. ROUSSEAU: For the chairman now a normal working day, a normal working day for the board \$150 and \$105 for members.

MR. NEARY: He is doing all right for himself, is he not?

MR. ROUSSEAU: That is for conciliation boards. Now what was happening was that unions or companies would have to pay the man more than the government was paying and it was biting into some people. They would not have conciliation boards because they could not afford it or any other board, arbitration and so on. So \$150 for a Chairman and \$105 for a member now for a full working day.

On motion, 0602-0603 carried.

MR. NEARY: Mr. Chairman, I wonder if the minister could tell us how much Mr. Dyer is after getting out of this \$7,500.00 that was payed out last year? How much of that was paid out to Mr. Dyer so far?

MR. ROUSSEAU: He has been reimbursed so far, \$1,316 for travel expenses, \$1,316.07. He has been paid \$3,000.00 so far, already.

MR. NEARY: What is the balance?

MR. ROUSSEAU: We expect the travelling expenses and the rest of the fees for the duration to be approximately \$1,000.00. So we would expect that he will be \$3,000.00 plus another \$1,000.00 which will be \$4,000.00 and the travelling expenses, maybe a couple of hundred, I do not know, \$1,316.00 so far.

MR. NEARY: It is not a bad side line. I wonder would he take me on his staff?

MR. ROUSSEAU: I would love to.

MR. NEARY: Pardon?

On motion, 0604 carried.

MR. CHAIRMAN: The honourable member for Labrador South.

MR. M. MARTIN: Mr. Chairman, if the honourable minister could just explain what input we are making into the labour college, whether it is just a simple block sum of \$1,000.00 or if we are getting any real input in the way of material for their courses?

MR. ROUSSEAU: As the honourable member knows, the Labour College of Canada is jointly operated by the Canadian Labour Congress and by the McGill

University and Universite de Montreal, bilingual, bicultural institution opened to workers in Canada and those of foreign countries. It offers courses of instruction on various topics; economics, history, sociology, political science and trade unionism.

Now eight other provinces and the Federal Government contribute. The minimum contribution is \$1,000.00, minimum \$1,000.00 for our Province and Prince Edward Island and New Brunswick. The maximum is \$10,000.00 by Quebec. Every year there are certain members of the trade union movement in Newfoundland who do go to attend this college. They are chosen by the Federation of Labour. Of course, who can tell? It is like graduating from grade eleven. You cannot tell till five or ten years ahead what they have learned as a result of this schooling. I would hope that they would be learning something. I would think they go there, the people who are picked are done so in such a way that the benefits will accrue to the union movement in the Province. I have no reason to believe that it is not be used properly and that people are not getting something out of it.

On motion, 0605 carried.

MR. NEARY: The one coming up; is there enough education here to drive that up to \$10,000.00?

MR. ROUSSEAU: What happened now is that we had \$10,000.00. We are trying to get together with the Federation and so on and so forth to come up with some process. It is simple for somebody to say that we should have a labour education programme but what do you have? We have gone right across the country and have been unable to find enough data film on labour education. So what we have done is we have taken the actual expenditure last year, if you notice as \$4,000.00 and that \$4,000.00 is being used by Memorial University extension right now in conjunction with the government and the Federation of Labour and the management groups that we normally deal with, the Board of Trade and the Chamber of Commerce and that, in an attempt to come up with a suitable script for a movie which we hope will be made and which will become available to anybody in the Province who wants to use it.

Now this script of course is going to be acceptable to everyone. It is going to be checked on. Who is going to do it or not. The Memorial University extension over there put in a suggestion and we looked at it and the Federation are quite keen on it and people are meeting constantly on it. As soon as we get the script in we will take a look at it and hope that we can find the rest of the resources out of the department somewhere to prepare -

MR. NEARY: George MacLean is not going to get his hands on any of this money, is he? Is there anything in the minister's department at all for the rip-off artist from Toronto?

MR. ROUSSEAU: No.

MR. NEARY: No, nothing at all. I am glad to hear it. It is about the only department. We will find out when we come to Justice.

MR. M. MARTIN: No doubt it is going to be well spent but I would suggest to the minister that one way of curbing this wildcat strike situation, illegal walkouts and whatever, would be possibly to boast that amount five or ten times next year and to introduce a programme of compulsory courses for both shop stewards and foremen. If these people were versed in labour management relations, I think you would see the incident of illegal walkouts reduced dramatically.

MR. ROUSSEAU: This project we anticipate may cost up to \$30,000.00 totally for the script and film and everything. So right now we would like to do that as a first step and we certainly think that the shop steward and the union man, and the rank and file union men too, through their executives and through their business depots and so on, a lot of information could be passed but I think this movie right now would be the one with which we could get the widest coverage and the widest distribution across the Province and

be directed towards management as well.

On motion head 06-06 carried.

MR. MARTIN: What is the procedure?

MR. ROUSSEAU: "Rousseau's Dream" - that is the tri-party labour management committee that government agrees with and supports and magnanimously donated \$10,000 for, the government share of any committees that are so set up, for the chairman and the joint tri-party, Labrador City and Wabush and any place else, by the way, that would like to have it. We feel indeed this money will be used as government's share. For example, to pay one third of the cost of the chairman of the committee, the tri-party.

MR. MARTIN: What is their function? Are they strictly advisory or liaison or do they have any powers?

MR. ROUSSEAU: No. This is merely one in which - remember I talked about it a little while ago, about the noncollective agreement items that developed some animosity between labour and management over the term of the contract, the A.D. Butt one in Wabush and the A.D. Butt one in Labrador City and any others that may be set up and any other large industrial complex in the province. That is our share. We pay one third of the cost. The union pays one third and the company pays one third.

The government has agreed that it is a good idea. The Minister of Finance has magnanimously allowed me to keep \$10,000 for it.

On motion head 06-07 carried.

MR. GILLETTE: Mr. Chairman, I wonder if the minister would be good enough to tell the committee what kind of advice or what this advisory board on the fishing industry actually will be doing and who constitutes that board.

MR. ROUSSEAU: Yes, I think the idea was suggested.

This board was constituted by the Labour Relations Act and the Fishing Industry Collective Bargaining Act of 1971. Now, I sat here last year and somebody talked about it. I think it might have been the honourable member for Labrador South or so. I did not

know what he was talking about at the time and now I do. We made an attempt to start the board about eight months to a year ago. We appointed three people to the board, a Mr. Anderson and Mr. Antle and a professor at the university, Gar Pynn.

I wanted to know what was going on here. First of all, we found out all of the sudden that the board has no jurisdiction to go in and look at the books of a company. So, really it is a paper tiger. So, they are supposed to pass information to the minister which the minister will distribute to govern the firsthand sale of fish, as to whether a company can afford to pay more for their fish and so on and so forth.

So, their advice is not -

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: Yes, it is. Well, it is advisory in the sense that it advises the minister who distributes the information. It is in Manpower and Industrial Relations. I do not know whether it might be better in fisheries but it is in this department now.

So, this board started off and some of the problems immediately arose. The board first of all established its own procedure. They got together - Mr. Anderson resigned shortly after when he found - he thought it was a part time job - he found that the work would be too great and it would take too much of his time. He was a retired man and he wanted to enjoy his retirement and rightfully so. So, he passed in his resignation to me. I held the resignation and asked him not to resign because they had had several meetings, that they would sit down and discuss amongst the three of them what the problems were and how best we could cope with it in order to establish a good board.

Then we wrote Justice and we found out that the board really is a paper tiger. It had no power. It could not go in and look at the books of the companies nor it could not then say that these prices should be done. We did not mind the second one but the first one - in order for a board to go in and give me advice as a minister as to what should govern the first-hand sale of fish, they have got to

have the books of the company open to them. Even then they probably may be wrong because some of the books may not be in the province and there may be another problem as well.

So, anyway we wrote Justice and we have discussed it at cabinet level and we are now looking at an amendment to the act to cover this situation. There are some fears expressed that the Fishing Industry Advisory Board could have some bearing on the collective bargaining which is now going fast in the fishing industry. We have to look at it from that aspect.

About six or eight months ago I asked the operators, the fisheries operators across the province, their association and the Newfoundland Fishermen Food and Allied Workers to both submit a list of names that would be acceptable to them, as chairman of this board, or better still if they could both sit down and come up with one name and jointly recommend it. I have not as yet heard back from them. Right now, like I say, we are discussing the amendment as to just whether it is advisable to give the power to the board to go in and open the books of the company, whether it could be done at ministerial discretion. In other words, in a special situation, that each time they did it the minister would give his individual decision. Of course, then the question of a chairman of the board.

Now, the reason there is so much money there is because I would hope that there has to be one full-time man. Now, whether that would be a chairman or a part-time board with a full-time executive secretary and steno help, those salaries are intended to cover the three members of the board plus a stenographer and office space and so on and so forth.

MR. GILLETTE: Well, then this board would in effect advise the Department of Manpower and Industrial Relations, inform them of the actual cost production and what not of the fishing industry as to whether or not they can pay the employees more wages.

AN HONOURABLE MEMBER: Yes, the fishermen.

MR. GILLETTE: Fishermen as well.

MR. ROUSSEAU: The fishermen. More money for their fish, you know,

the first-hand sale of fish.

MR. GILLETTE: Should that not be in under the Department of Fisheries really?

MR. ROUSSEAU: I would wish it were. I should think so. Because there is an element of collective bargaining in it -

MR. GILLETTE: In other words, the Department of Manpower includes the fishermen as well, the self-employed fishermen as well?

MR. ROUSSEAU: Yes.

MR. GILLETTE: Good! Thank you!

CAPT. WINSOP: Mr. Chairman, I was quite surprised to see this vote here under manpower. I would have thought that it would be better under fisheries. Now we all recall the Speech from the Throne in 1972, the first Speech from the Throne laid great emphasis on this Fishery Industrial Advisory Board. It was repeated again in the Speech from the Throne in 1972 and again in the last Speech from the Throne, great emphasis was placed on the Fishery Industrial Advisory Board.

The purpose of the board, as far as I could understand, was to try and ascertain or to get a better price for fishermen for their catch. In other words, to see that fishermen got a just price for their catch. However, a board has been set up and a chairman appointed. That chairman did not stay in that position very long before he retired and since then there has been absolutely nothing done. The fishermen of this province today, the inshore fishermen are disillusioned. In my opinion, the government has not got the nerve to appoint another chairman to get that board functioning again. This is the problem. The government has not got the nerve to get that board to function.

Today the fishermen are suffering because they are now getting eleven cents per pound for fish and they should be getting at least a minimum of twenty-five cents a pound. The government has taken a cold attitude towards this. They are afraid to sit down with the merchants. They are afraid to sit down because they know that there are going to be bad friends between the government and the merchants.

So, Mr. Chairman, this is a very disturbing factor among the fishermen. They are disillusioned because the government had set up this advisory board. It was promised in the Speech from the Throne, in three Speeches from the Throne. What has happened? Absolutely nothing. So, I would suggest to the minister to get this board active again, to see that our fishermen are getting a fair price for their fish which they are not getting today.

MR. MARTIN: I would like to add my two cents worth to what the honourable member from Fogo has said. I had some small part to play in the preliminary drafting of that particular thing. I was involved at that time quite heavily with the fishermen's union. We did have some input into the department as to how their original draft should go. I was surprised to hear the minister say that there was some difficulty with the board since it would have some effect upon the collective bargaining now going on in the industry. Of course it would because it is a part of the Fishing Industry Collective Bargaining Act. The very reason it was put in there was to enable everybody concerned with collective bargaining in the industry to have some basis upon which to begin bargaining.

Now, I am sure the honourable member from Fogo knows - for the benefit of the rest of the people listening, especially other honourable members, let me give my theory as to why we are not going to see a Fishing Industry Advisory Board. This is the thing of which good politics are made. It is great to be able to say to the masses of fishermen that they are going to have a champion in government to plead their case. That makes great things to go to the electorate with.

On the other hand, if an advisory board were brought in to go into the fish plants, into the offices of the operators, checking into their books and seeing the figures and perhaps making sure that they paid their fishermen a decent, honest price for a change, that they would find that come the next election time the Tory Party would not be able to go to these operators for campaign funds. That, Mr. Chairman, is precisely why we are seeing the delay in appointing somebody to the advisory board, making that board functional. I

submit that it is the reason that we are not going to see a functional advisory board. With all apologies to the honourable minister who I am sure has the right motives but, Sir, I think this is far beyond the honourable minister's jurisdiction. I think this is a matter with which the Tory Party want to deal as a party.

MR. ROUSSEAU: If I could say something here. Sometimes I am amazed at what goes over my head in politics. It may be going on. I do not know. It is not going on as far as this government is concerned. We appointed a Fishing Industry Advisory Board. What can one say but the truth?

I had a call from the gentleman who wrote an editorial on it and I told him the facts. Of course, he did not choose to believe them. I will tell them the facts. Mr. Anderson wanted to retire and enjoy his retirement. He did not want to spend full time. Now, to come up with another chairman - I am talked to other people but it is very difficult to come up with a chairman that is agreeable. I have asked both parties to come up with a chairman. Now, they have not done that.

In the meantime, there is a draft now to amend the section that does not give them the power to look at books because in effect then, as the board said to me, without that the board is not a functional board, unless they can determine what the companies financial position is. If what the members say is true, then I have no knowledge of it. Government does not have any knowledge of it. I am not told - I stand here and know - by the Premier or by anybody in government that I should not appoint an advisory board, that I should not give them any powers because of contributions. I say that and I say that standing here and I say that looking the honourable member for Labrador South in the eyes. I have not been told that. That is not the intention, to my knowledge. If I thought it were, I would be a very upset man. It is not as far as I am concerned, as far as government is concerned. I have never been led to believe otherwise.

Again, like I say, the honourable member had something to do with the drafting of this. He knows what I mean. It was done quickly. It is almost the identical thing to the Labour Relations

Act. Then all of the sudden ready to go ahead with the board and the board finds out that it does not have any power. Now, that has to be amended in order to give them some power because otherwise it is a paper tiger that can serve no useful purpose. I know the delay in it. It is a difficult thing. I have to stand up here and accept responsibility for it. I say to them; the fishing industry, operators and the union could come in with one person that they would agree on to serve as chairman and the board would be back again.

It has been on my mind because, as a matter of fact, it is now in the pipe-line on the way to government with respect to the amendments. If these two people cannot decide on one or do not want to do it, well I will have to undertake myself to find a chairman. I have already talked to one gentleman on it.

MR. MARTIN: Am I to understand that the appointment of the chairman of the advisory board has to be agreed upon by all three parties? Is this the case?

MR. ROUSSEAU: No.

MR. MARTIN: It is strictly up to the minister then?

MR. ROUSSEAU: Yes but I would like to have their concurrence on the member.

MR. MARTIN: It is up to the cabinet?

MR. ROUSSEAU: Yes, it is up to cabinet to approve my recommendation. My recommendation will be approved by cabinet.

The point I make is this, that if I appoint a chairman who is agreeable to both parties because of the nature of the board I think it would make for much better relations rather than to force somebody on them. The one big problem is then everybody says; "Well, why cannot such and such a person?" The person who is on the board unfortunately cannot have any association whatsoever with the fishing industry in the province. That is one of the regulations for members. So, they must be completely outside of the fishing industry. He cannot be an operator or a fisherman or have any direct contact with the industry.

MR. MARTIN: Does the minister honestly believe that he is ever going to find an individual to fill the position of chairman who is acceptable to

the fishing industry?

MR. ROUSSEAU: Well, like I say, if they are not prepared to give me recommendations, as I requested. I wrote them again a short time ago and said, "Look, I have written you" I will make the appointment. I am not afraid to do that. The fishing industry does not bother me to the extent that I would rear off. We have to look at it and if I come up with somebody who I think would do a good job. Now we have Professor Gar Pynn at the university because he has an accountant background, commercial and so on and so forth. Mr. Antle of course because of the fact that we need somebody with some knowledge of the fishing industry. Now, what we need is a chairman to tie these together and to go ahead.

I have asked, as I say, both parties. They have not done so. If they do not, then I will take the initiative and do it myself. I would rather have them do it because I think that would make for a better relationship between the operator and the fisherman.

On motion heads 06-08, 5-04-01, 02-01, 02, 03, 04, 05, 5-04-03, 5-05-01, 02-01, 02, 03, 04, 05, 5-06-01, 02-01, 02-02, 03, 04, 5-07-01, 02-01, and 02 carried.

MR. NEARY: I wonder if the minister could tell us why the refunds from the mining company are only \$50,000 and not \$55,000 which would be half of the cost of operating this special fund. Is it because the provinces are paying out certain amounts themselves and paying the full shot? Would that be the reason for it? If so, what kind of cases would there be?

MR. ROUSSEAU: I had it here. Now, I have to find it first.

As they now, by the way, it is only recently, only within the past month that this was transferred to the Department of Manpower and Industrial Relations. I had a sheet on it here. If that amount is there, I would suspect that that is the amount that they contribute.

AN HONOURABLE MEMBER: Inaudible.

MR. ROUSSEAU: I will undertake to check that for the member if he should want to. If he want to hold it up, I shall go out and check with some officials I have there. I have a sheet here on it somewhere or

other, information all over the place and cannot find it. Wait now. I have it. Sorry to hold up the committee, Mr. Chairman, but it is here somewhere. I know it is. I cannot come up with it right now but I will get the information for him. Like I say, it has only been over in my - my colleague the honourable Minister of Justice promised me if I got in a bind he would answer any question on it but -

On motion heads 05-08-01 and 02 carried.

On motion head 5, Manpower and Industrial Relations with amendments carried.

Head VIII, Social Services, 8-01-01, page 45.'

MR. CHAIRMAN (Stagg): The honourable Minister of Social Services.

MR. G. OTTENHEIMER: Mr. Chairman, as honourable members know the Minister of this department has been ill and is recuperating from illness. I understand that he should be back in full swing in the fairly near future. During the past couple of weeks I have been asked to act on his behalf. Although I do it without the experience and knowledge of the department which the honourable member for St. John's Centre brought to it, nevertheless I am certainly pleased to do it.

As honourable members know a new social assistance programme was announced in December and became operative in January. I would not think it is necessary to go through the actual programme because I presume honourable members are familiar with it. If it were wished later on obviously, depending on what people might ask, I certainly am willing to do so. It is pretty obvious, I imagine it is I would think impossible if not highly unlikely but I would go so far as to say impossible to formulate a social assistance programme which would please everyone. I think that is probably true.

The policy of this government, by design, bears a relationship with the minimum wage. The income for recipients of social assistance under the new programme is related to the minimum wage or the working part of the population. It is obvious that society, obviously we all agree on that, that society has an obligation to assist those who are not remuneratively employed either because they cannot find jobs or because of various disabilities they cannot be employed.

I think that it is equally true that there should be, while obviously maintaining and emphasizing the social responsibility of the state or society to look after those who are unable to look after themselves. I think it is also true that there should be an incentive for work. That essentially is the reason for the relationship between social assistance programmes and the minimum wage.

An interesting statement was made at a meeting of the federal provincial review on social security. This was in a working paper on

social security, 1973. It emphasizes the same point. "A fair and just relationship," this review says, "must be maintained between the incomes of people who are working at or near the minimum wage, the guaranteed incomes assured to people who cannot work and the allowances paid to those who can work but who are unemployed."

Mr. Chairman, under the programme which became operative in January the old distinction between long-term and short-term and different rates of assistance for both was abolished. From the point of view of the amount of assistance a person receives there is no longer any distinction between those two categories. Payment is now made on the basis of need and not category. Before there were different rates for those two categories of long-term recipients and short-term recipients. It is the government's belief that it is not category but need which should be the determining feature. The actual entitlements of people with various numbers of dependents is of course available, I imagine honourable gentlemen are aware of it. They certainly have access to it. I obviously have a copy of it here if anybody should wish me to go over it. That of course is the cash entitlement.

There are other entitlements as well of which the most obvious are free drugs for social assistance recipients, prescription drugs, transportation to medical services, home repairs. I only learned actually a couple of days ago that the total amount spent on home repairs in this Province exceeds that in any other province, not on a per capita basis but in total. For the last year it came to approximately \$1 million. The amount on home repairs exceeds the amount for home repairs spent for social welfare recipients in any other province. One obvious reason of course comes to mind and that is because there is a large percentage of home owners in this Province. It is an interesting fact or a fact worth noting at least.

Apart from the actual entitlements in terms of monthly checks, for those who do not own their own homes there is as well a rental which is paid by the department. So these and burials and assistance,

well, not assistance, text books actually for children of welfare recipients and board and lodging where necessary and that in most cases would be where people are coming or going somewhere for medical service. So apart from the actual checks which are received based upon the amount of entitlement these various factors are not included. They are additional and that is text books, board and lodging, rent where applicable, repairs to homes where applicable, transportation to medical services and free drugs.

Mr. Chairman, there has been some comment and criticism made because family allowances have been taken into account in determining welfare recipients total income. There has been some criticism of that and people have suggested that this should not be done. I would suggest that under the new family allowance scheme and schedule which became operative January 1, it would certainly appear that it is the intention that family allowances be regarded within a person's total income. Up until then of course for the taxpaying population family allowances were not counted as one's taxable income whereas they are now. I would suggest that in terms of a person's total entitlement, if he is on social assistance that that very important factor of family allowances should also be included.

As honourable members know, there is a continuing federal provincial review on social security matters going on in Canada and in April, 1973, just about a year ago a paper was distributed at such a review by the honourable Mark Lalonde. The point he makes is essentially the same one that I have made. He says, "It is only reasonable and fair to the working poor who are not receiving social assistance that family allowances should be taken into account by provinces in setting social allowance schedules for families with children. Family allowance payments will therefore be recognized as forming a part of the total amount of assistance available to a family in the development of social allowance schedules in the future. This will insure a more equitable relationship between families on assistance and families of the working poor who are not on assistance."

Mr. Chairman, the Department of Social Assistance has also during the past year placed a great deal of emphasis on locating and identifying employment opportunities and referring welfare recipients who are able to work, who are on assistance because they have not been able to find employment, not obviously who are on social assistance because they are unable to work through some disability. I am speaking about recipients of social assistance who are in that category because they have been unable to find employment. There has been a very great emphasis placed by the department and by the government on that aspect of social policy and that is assisting social welfare recipients who are on social assistance because they cannot find jobs to in fact find them.

This has happened, in a number of instances closer liaison with Canada Manpower. Also in a large number of communities the Department of Social Assistance worked with people encouraging them to apply for various LIP grants in this way. Honourable members might know as well that recently there were advertised posts for five project officers, I believe that was the title of those and one for each of the five regions.

For all practical purposes, duties will be to (1) to help identify employment opportunities for recipients of social assistance who are able to work, to help identify it; (2) to help people get back into the labour force, to get back to remunerative employment.

There has been, as I ^{uh} imagine most honourable members know, a fairly marked decrease in the number of social welfare recipients during, let us say, take the period for which I have the figures here, from 1971, in what used to be called both long-term and short-term, in those categories or if one uses the nomenclature, those who are on social assistance because they are unable to work or those who are on because they are not able to find work. There are some obviously who are permanently off the labour market and others who cannot find jobs or may be off temporarily for a month or a few months due to some illness or some misfortune.

The general distinction I wish to draw is between those who are

on social assistance because they are unable to work and those who are on social assistance because they are unable to find work.

I would like to draw the committee's attention - just take some at random, but they are consistent, to show the significance of those decreases on what used to be called long-term and short-term. The reasons for the decreases; I cannot honestly say that I know with certainty what they are. I do not think the honourable gentleman opposite knows either what they are. I doubt if either of us know. I have asked the officials of the department; there is an office there of research. I am going to suggest to the honourable gentleman what I think some of the reasons are and he will probably suggest what he thinks some of the reasons are. Unemployment insurance is obviously one. As a matter of fact I have a list here and the first one is UIC. So great minds think alike.

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: Certainly, certainly. Nobody is arguing against that. That is a very important factor. I think that is the single most important factor. Certainly, I mean we welcome that. We all welcome that. The honourable gentleman welcomes it. We on this side welcome it.

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: Anybody has an exclusive right to it.

MR. CHAIRMAN (Dunphy): It now being six o'clock I do now leave the Chair until eight o'clock this evening.

The Committee resumed at 8:00 P.M.

Mr. Chairman in the Chair.

MR. CHAIRMAN: Order, please!

Head 801-01 - Social Services.

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

HON. G. R. OTTENHEIMER (ACTING MINISTER OF SOCIAL SERVICES): However, for Mr. Chairman, the lucidity and natural progression, as my thoughts were interrupted at 6:00 P.M., I shall endeavour to carry on from whence I left off and actually not at great length, the honourable gentlemen will be pleased to know.

I believe I referred to the fact that the Department of Social Assistance puts increasing emphasis on the job-finding aspect of its work to endeavour to identify job opportunities and to familiarize, to inform able-bodied recipients of social assistance of these job opportunities. Recently there was a recruitment for five project officers whose work will be exclusively in this area and they will be in the five regions: the St. John's Region, Harbour Grace, Grand Falls, Corner Brook and Happy Valley. It is anticipated that their appointment and work and participation will allow this emphasis to continue to increase and that the important work which has been done recently in this area of identifying job and of directing able-bodied recipients of social assistance to gainful employment will be greatly enhanced.

Another point that I should refer to as well, an integral part of the new social assistance programme is the government's commitment to an annual review of the amounts of entitlement, bearing in mind the changes in the cost of living index. That of course is quite essential.

Now one point that I did want to refer to and to suggest some tentative reasons and no doubt the honourable gentlemen opposite would suggest some tentative reasons as well. They may well coincide. I want to examine briefly, because I think it is of interest to honourable members, the decreases in able-bodied - here I shall use the terms, short-term and long-term even though and I want to emphasize this, from the point of view of payments, from the point of view of entitlement, these categories are not operative. That is, if a person with two dependents,

three dependents or whatever it happens to be, whether they are on social assistance because they cannot find a job or whether they are on social assistance because they are unable to work, what they get depends upon need and the number of dependents not upon that category. But I use that category for shorthand in making these comparisons. What I want to do is point out over the past three years the decreases in the number of cases in both these categories, short-term and able-bodied quite dramatic decrease evident over the past three years and in long-term, nowhere as dramatic but still a quite significant decrease.

I have taken the figures, first of all in able-bodied. I have taken them for the past three years for the month of September, it would not make much difference what month you took as long as you were consistent with the months because obviously there is a cycle going up and down increasing and decreasing. As long as you are preparing the same month in each year, you are validly comparing, the comparison is valid. So I want to assure that I have taken September because it was necessary to take some month but it is the same month for each of the years.

First of all, in able-bodied, in September 1971 the number of cases, 7,337, September 1971, 7,337; September 1972, 5,688, a decrease of 1,649, between 1972 and 1971, a decrease in able-bodied of 1,649; in September of 1973, the number was 4,122, that is a decrease from the previous year of 1,566 and a total decrease between September 1973, last September, and September 1971, a total decrease of 3,215; now a very significant decrease in the numbers of able-bodied recipients of social assistance over the past three years, using the same month.

Now taking long term, and here the decreases are much less dramatic but they are still consistent, they are still there. September 1971, we are now speaking of long term, 15,942 cases for September 1971. In September 1972, 15,865 cases, a decrease of 77; September 1973, 15,171, a decrease between 1973 and 1972 of 694 cases and a total decrease in long-term between September 1973 and September 1971 of 771, much less dramatic than the decrease in numbers of able-bodied recipients which was a total decrease there, 3,215, much less dramatic but significant,

not something which is so minimal that it is not valid to draw attention to it.

AN HON. MEMBER: Inaudible.

MR. OTTENHEIMER: Right.

MR. NEARY: Does the minister have the total number of people on social assistance as of this particular moment?

MR. OTTENHEIMER: As of right now or as of I suppose, the last month presumably we would have here would be April.

MR. NEARY: Yes, the total number as of the end of April.

MR. OTTENHEIMER: I am not sure if I have it here but I will certainly get it.

MR. NEARY: Get it for me now, you know.

MR. OTTENHEIMER: I can get it briefly. I imagine an official out there is probably listening. I do not think I have it but let me just check. For April 1974 - right? No the only figure I have here, I do not have able-bodied. The only figure I have, I only have one figure but that does not mean -

AN HON. MEMBER: Inaudible.

MR. OTTENHEIMER: We probably have it, right. So I will not read it off the top of my head until I get a chance because these statistics are so complicated.

MR. NEARY: I figured the deputy must have the figures.

MR. OTTENHEIMER: Yes, that is right. That is the total for long-term assistance. The short term is not in for April That is the same figure I have here.

MR. NEARY: Well what is the total for long term?

MR. OTTENHEIMER: Well we do not have a total amount because the short term is not in; all we have is long-term assistance for April,

MR. NEARY: Well then what is the total?

MR. OTTENHEIMER: \$14,305.

MR. NEARY: What is the short-term?

MR. OTTENHEIMER: It is not in yet. We do not, that is like I said, we do not have, presumably it has not been compiled for April yet, the total number of short-term recipients. All we have is the number of

long-term recipients.

MR. NEARY: Can we have it for the previous month? What is it for the previous month?

MR. OTTENHEIMER: Right. Yes, I can give him that. The previous month would be March.

MR. NEARY: That is right.

MR. OTTENHEIMER: What he wants is the total? The total, right. As he knows the total was significant. Obviously there is an overlap. The overlap here is about \$1,900, right? The total number for last March is \$20,938.

MR. NEARY: \$20,938?

AN HON. MEMBER: Inaudible.

MR. OTTENHEIMER: Yes that is the total. That is the total for last March.

MR. NEARY: Now what is the difference between that and the figures that he is quoting there now to try and mislead the Committee?

MR. OTTENHEIMER: I am not trying to mislead the Committee, the honourable gentleman must know that.

MR. NEARY: That \$20, 938.

MR. OTTENHEIMER: I am certainly not trying to mislead the Committee. Mr. Chairman, obviously enough these are totally accurate figures. I mean they are government statistics, I did not make them up. They are available. They come out in annual reports. They are totally accurate. The honourable gentleman asked me for the total S.A., the total number of cases for social assistance for last March. That is, \$20,938.

MR. NEARY: That is March of 1974?

MR. OTTENHEIMER: That is correct. Two months ago.

MR. NEARY: What was the total for March the year before that?

MR. OTTENHEIMER: That is what I am going to get now for the last two Marchs, March 1973 the total is \$22,738.

MR. NEARY: Now that is a different story, is it not?

AN HON. MEMBER: It is down by \$2,000.

MR. NEARY: That is right.

MR. OTTENHEIMER: It is down by \$2,000.

MR. NEARY: That is not what he said before.

MR. OTTENHEIMER: It is down.

AN HON. MEMBER: Inaudible.

MR. OTTENHEIMER: Let us go through the Marchs, since I gave the figures for September and what I gave were in two categories, able-bodied and long-term. You can take, you know, any month, in any column, so let us take Marchs, March is the feast of St. Patrick and that may be why the honourable gentleman with the Irish name he has is interested in March. So we will take the three Marchs and this is for total social assistance recipients bearing in mind that for all of these totals, as the honourable gentleman knows, there is something of an overlap but that overlap is a consistent factor it would not change from one March to another in any significant way.

So March 1972 - I will give the three years that I have here. March 1972 total is \$24,595. Now perhaps one of the honourable members on this side might do the mathematics, if we are going to do the subtractions for these although it is not necessary. So in March 1972, the total number is \$24,595; for March 1973, the total number is \$22,738; for March 1974, two months ago, which is the last month for which we have the total figures, it is \$20,938. So taking that column as well, there is a significant decrease.

MR. NEARY: Would the minister ask his deputy if there has been any change in the procedure for determining the total number of cases from 1972, 1973, 1974? Any difference -

MR. OTTENHEIMER: No, the same procedure. In other words -

AN HON. MEMBER: Inaudible.

MR. NEARY: Oh, no they are not. There are a number now who are not included in the totals as I understand it. Perhaps his deputy could straighten him out on that.

MR. OTTENHEIMER: The totals are exactly the same way. The figures computerized and before I quoted these figures I asked specifically and more than once, am I comparing exactly, you know, the same kind of data and the same procedure, the same input? In other words, it is certainly

not my intention to endeavour to compare apples and oranges, I can assure the honourable gentleman -

MR. CHAIRMAN: Order, please!

I detect the hum of interference throughout the Chamber. The honourable members seem somewhat inclined to engage in the debate even though they do not have the floor. So I suggest that we hear the honourable minister in silence and other honourable members who may wish to interject can do so because we still have a few hours left yet.

MR. OTTHENEIMER: Thank you, Mr. Chairman. No I wish to assure all honourable members that specifically when these figures came I specifically wished to assure myself before obviously attempting to assure anybody else that the statistical data was totally comparable, the total could be probably compared, that the same data is involved and the same process. I was given that assurance and I passed that assurance on to honourable members.

So we have seen the comparisons in terms of two that I selected, (1) able-bodied, for September 1971, September 1972, September 1973 showing a total reduction of \$3,215. We have seen a comparison in terms of long-term assistance for a month that I selected, it did not make much difference what month it was, September 1971, September 1972, September 1973, we have seen a reduction of \$771.00. We then made a comparison of the total number of cases, not on a month that I selected on a month that the honourable gentleman opposite selected. I am glad he did. We again saw a decrease in that total. I did not work out the mathematics of it.

Now there is just one other mathematical computation I made, which I will pass along as well. That is, over the three years I wish to have an average for, you know, whatever benefits averages have, obviously they indicate somethings and they do not others but I did not want to take any one particular formula or one particular method. So averages for twelve month periods, because they are computerized as such. They are twelve month fiscal periods. It does not make that much difference as

long as they are all the same periods. So one, the fiscal year 1971-1972, that would be from the 1st. of April to the end of March, 1971-1972. The next one the fiscal year 1972-1973, the next the fiscal year 1973-1974 and here averaged all of the twelve months. Right, a big fluctuation but averaged out to see what that would indicate. The average for 1971-1972, and these are total averages. Right, these are averages of totals, able-bodied and long-term, the total average for 1971-1972, 26,000; for 1972-1973, 23,788, a decline of 2,212, and for 1973-1974, the average 21,759, a decline between that and the previous year of 2,029 and a decline on averages, no rather on totals average between 1971-1972 and 1973-1974 a decline of 4,241 cases.

Mr. Chairman, I bring this information to honourable members because I think it is extremely significant. I think it is extremely important. I do not pretend to know all of the reasons why these dramatic decreases but I think these are extremely important data. Allow me to say that we have now examined this tendency from four categories: over a three year period, the same three years, (1) averaging the totals, we have seen a significant decrease. I picked that, you know, I thought that would be indicative. I picked that comparison.

Then for the same three years I picked a month, I picked September and applied it to able-bodied. We saw a significant decrease. I also then took long-term assistance for September, for the last three years, and I picked that month and we saw a decrease, quite marked, from 1971 to 1973, \$771. Then I am indeed pleased that the honourable gentleman picked a month, indeed I should have probably asked him to do so but he did it and that was for March- the total for March, the last three Marchs, and the last three Marchs 1972, 1973, 1974 in totals also shows a decrease. I suggest, Mr. Chairman, that these are extremely important data. I have requested, instructed, told if you wish, the senior people of the department that, in my opinion, it is very important in terms of the development and evaluation and re-evaluation of policy that we determine with as much accuracy as possible the reasons why

they are and the relative importance to be attributed to them. I have been assured that that work will be done because that obviously can be done. There are scientific ways of sampling and of interviewing people and endeavouring to get at the precise reasons.

I am going to suggest tentatively, obviously awaiting with interest the results of such a study, some of the reasons, first in the short term or able-bodied, a very major one. The major one, I think, is the increased payments, Unemployment Insurance Commission, UIC.

MR. NEARY: No. He does not say.

MR. OTTENHEIMER: Now the honourable gentleman is disagreeing with me. He does not attribute much importance to that. The honourable gentleman thought that I was going to say that unemployment insurance was not a major factor because it comes from Ottawa.

MR. NEARY: Really.

MR. OTTENHEIMER: But, Mr. Chairman, I am a Canadian as much as a Newfoundlander, I have as much right to boast about or to be proud of or to comment on enlightened and appropriate action and

measures by the government in Ottawa, as I do by the government in St. John's. I pay taxes to Ottawa and as we all do and we have a right to expect enlightened action and if we are going to be fair at all we are going to recognize it as such and give praise where praise is due. There is no probable reason why we should not do that. The unemployment insurance, the increased benefit there is in my opinion the leading contributor to the decrease in able-bodied assistance. I think as well the LIP programmes have made a major contribution there.

Now the honourable gentleman again thought that because it was done in Ottawa or because it was a Liberal Government that we were going to write it off and say, no LIP, the UIC that is not important but, Mr. Chairman, I would neither insult my intelligence or any other gentleman's intelligence by not being quite willingly -

MR. NEARY: I thought it was that crowd over there -

MR. OTTENHEIMER: We are coming to it, there are a number of factors.

MR. NEARY: The Minister of Rural Development -

MR. OTTENHEIMER: I think as well a very important reason is the increased emphasis which has been put within the department on job-finding, on identifying jobs.

MR. NEARY: Inaudible.

MR. OTTENHEIMER: Now the honourable gentleman does not really think that, because he thinks all of the credit should go to Ottawa, but I do think he had to be fair. I think we have to give Ottawa credit where it is due, and where it is due after all why should we begrudge giving credit within Newfoundland for Newfoundland initiatives -

MR. NEARY: ... education, my son.

MR. OTTENHEIMER: Why should we begrudge giving -

MR. CHAIRMAN (STAGG): Order, please!

I detect three or four conversations going on in the committee. While there is no prohibition against conversations, those participating in them should be guided by the general rule that they should not interfere with the person speaking. I detect a conversation

going on behind me that has not ceased since I began to speak myself. However, I suggest to all honourable members that the member speaking has the right to be heard in silence. The member who has been most abusing the privilege has since left the Chamber. I suggest that if he be within earshot that when he returns he will conduct himself in the manner to which, not that we have become accustomed but the manner which is proper behaviour.

MR. MARSHALL: I doubt, Mr. Chairman, if the honourable Member for Bell Island could stand it.

MR. OTTENHEIMER: So unemployment insurance is an extremely important factor, LIP programmes during the winter are an extremely important factor. I believe as well, the work being done in Newfoundland, by the Newfoundland Department, in indentifying jobs and in channeling people to those jobs, able-bodied people who are on social assistance. I think that that work is as well an extremely important factor. I believe that the overall government policy is obviously a factor as well. There I include the activity emanating from the Department of Rural Development. I think that as well is an important factor.

These I think can be identified as factors for this dramatic decrease in short-term or able-bodied assistance. I think honourable members will agree though that it is important and indeed essential that they be defined with accuracy and with relative weight because that is extremely important data.

Now the decrease in long-term is in many ways much more difficult to define the reasons for, much more difficult because the concept of course, in long term, is not the people using that category. It is not the people who are on social assistance because for the moment they cannot find work or because they are incapacitated for a month or two because something happened but really applies to those who cannot work. However, the decrease there over a two year period of whatever it was, 771, is a significant decrease and this as well, I have asked that this be please investigated as well. Here the the honourable gentleman for Bell Island is going to get a surprise too. I think a major factor there is the maturity, the development of the

Canada Pension Plan. More people are getting more payments through the Canada Pension Plan, which brings up their incomes. There are more people as well benefiting from private pension schemes. There are better working conditions, especially in the woods industry. It would appear that a lot of at least what was called the bad back, (I am told it developed from working in the woods, people strained or sprained and perhaps working at an early age, not under right working conditions and working too long and over-fatigue and poor nourishment etc. all these things years ago, maybe twenty years ago, maybe longer, twenty or fifteen or whatever it is.) obviously there is a change there through the natural development of the province, through the development of health services and health facilities. There are a whole complex of reasons. It is important to know them but I think the really significant data is the fact that there have been these decreases and one cannot but very pleased that that has happened.

MR. MARTIN: Inaudible.

MR. OTTENHEIMER: Yes.

MR. MARTIN: Mr. Chairman, I wonder if his department has determined whether or not higher wages have had any influence on the incidents of bad back?

MR. OTTENHEIMER: The honourable gentleman asked whether increased wages had an affect perhaps upon the decrease of bad back?

AN HON. MEMBER: Inaudible.

MR. OTTENHEIMER: I would answer it this way that I think that there must continue to be, and I said this before six o'clock, there must be always the incentive to work. There is an obvious social responsibility and I do not suppose any man in his right mind in Canada would deny it, there might be some lunatics, I do not know. It is an obvious social responsibility that society or the state has to see that a man who is not employed, he and his family live at an acceptable level. But I think as well that there must be that incentive for work and that is why I think the new policy in January which by design purposely related incomes

from social assistance to minimum wages. There was an increase, obviously, in minimum wages. Why that is such an important factor, I think that there must be, there should be and there is now and there should continue to be that incentive because I would think it must be very demoralizing for a person who is working but say a working poor, who is working at a minimum wage or not much above it and who is less well off than somebody then who is not working, who is on social assistance, that is not to say that the person on social assistance does not have a right to and society does not have an obligation to maintain him and his family. But I think there has to be that incentive. I do believe and this is not something capable of proof, maybe it is but I certainly do not claim to state it as proof but I believe that for a while there is a great demoralizing, a demoralization among many of our people one could call the working corp, who are working at the minimum wage or not far above, because there did not seem to be that incentive. I think it is important that there be that incentive.

Now, Mr. Chairman, I think I have concluded my remarks under this heading because it is only my intention to give an over-view of what I consider to be the most important matters for consideration in philosophy of social services. Having done that there is just one matter which I will mention before sitting down and this I will come across it in going through the estimates but it will be noted going through the estimates that there is an amount there of \$14,000 for Confederation Celebrations. Here I pay full tribute to the minister, to the Hon. Member for St. John's Centre, because of all the Confederation Celebrations or all the projects which various departments have suggested for this Twenty-Fifth Anniversary, I do not know of any, any finer than that suggested by the minister and that is \$14,000 for fourteen scholarships for foster children who will complete Grade XI this coming June. That is fourteen scholarships at \$1,000 each for foster children. I say that, I make reference to that and in so doing commend and extend our appreciation to the minister for the kind of insight and sensitivity he has shown in designating that as the project for this department.

AN HON. MEMBER: \$15,000.

5707

MR. OTTENHEIMER: I am sorry, \$15,000 is the amount and it is fifteen scholarships which will be made available to foster children to complete their education during this present year.

MR. NEARY: On what basis?

MR. OTTENHEIMER: Well there will be a selection committee, on the basis of recommendations from their schools and their marks and on personal interview and the overall.

AN HON. MEMBER: Inaudible.

MR. OTTENHEIMER: Yes.

MR. NEARY: Mr. Chairman, I was really amused, Sir, at the way the Acting Minister of Social Services played around with the figures attempting to indicate a substantial reduction in the unemployment roles in this province and sort of in a backhanded way -

MR. OTTENHEIMER: Social assistance roles.

MR. NEARY: Unemployment. That is the same thing, unemployed, unemployables. What does he call that? Is that unemployment?

MR. OTTENHEIMER: We are not on unemployment.

MR. NEARY: Oh, I see. I see. Okay!

MR. OTTENHEIMER: They are not the same thing.

MR. NEARY: But in a backhanded sort of a way. Sir, trying to credit the administration with this reduction in able-bodied relief, and what used to be called able-bodied relief, now called unemployed unemployables. If I were that minister, Sir, I would stick to education. I would not dare venture into the field of social services if that is the way he is going to carry on.

No wonder that minister's popularity is declining in this province, Sir, make no wonder. His popularity is on the decline. After word gets out tonight, the word gets out tonight the way he bandied these figures around, he will not survive, Sir, I do not think the federal election not alone the next provincial election.

Now the minister, Sir, the minister was parroting what his leader has already said, was going around this last year or so in the province ranting and raving about all the money they saved on short-term social

assistance and about the reduction in the number of cases of short-term social assistance.

The Minister of Social Assistance, unfortunately is not in his seat tonight, who is ill and I do hope, Sir, he will be back with us reasonably soon and in good health again. The minister has been going around boasting about the fact that short-term social assistance is down. But this is the first time, Sir, this is the first indication tonight that we have had and this is the new technique they are using now. Now they are admitting that the credit, one hundred per cent of the credit must go to Ottawa, one hundred per cent, Sir. The Acting Minister of Social Assistance has now gone off on a different tangent and he is using a new technique. He thinks by confessing, by admitting, by laying your cards on the table that this is going to some how or other get a little credit for the administration. Confess and avoid, this is what the minister is doing when in actual fact, Mr. Chairman, one hundred per cent of the credit for the decrease in short-term social assistance in this province must go to the Government of Canada.

AN HON. MEMBER: Hear! Hear!

MR. NEARY: The huge amount of money poured into Newfoundland and Labrador by the federal government, Sir, is responsible for the people of this province being able to maintain the highest material standard of living that they have even known in their history, Sir, while at the same time, Mr. Chairman, we lead the whole of Canada in unemployment.

The Minister of Social Services -

AN HON. MEMBER: Inaudible.

MR. NEARY: So, Mr. Chairman, the administration's boast that it is partly due to their efforts that the social assistance rolls are down in this province, Sir, is phony. Anybody who looks at the amount of money that the Government of Canada has poured into this province over the last year or two, Sir, could not help but being impressed and not only impressed as far as the amount of money is concerned, Sir, but impressed with the fact that the Government of Canada have tolerated so much abuse and so much criticism from that honourable crowd over the

last year or two in this province.

The Minister of Finance can hardly open his yap.

AN HON. MEMBER: That is unparliamentary.

MR. NEARY: Can hardly open his gob then. That is a good Newfoundland saying. The Minister of Finance can hardly open his gob without criticizing Ottawa and the Premier everytime he opens his lips he has got to say something rude or something nasty about Ottawa and the Minister of Mines and Energy. One after the other, they got up and criticized Ottawa.

So could you not help, Mr. Chairman, being impressed by the amount of money that Ottawa is pouring in here despite the lack of co-operation that they are getting from this administration. I am surprised, Sir, that they have tolerated it as long as they have.

AN HON. MEMBER: David Lewis ...

MR. NEARY: David Lewis should come down here and learn something about politics.

You know, Mr. Chairman, I really did not intend to get riled up on this subject tonight, I intended to just hear what the minister had to say and then take a few minutes in rebuttal and then we could go through the item by item analysis of the estimates of that department. I could not help but getting riled up, Sir, and I must say I am finding it very hard to get up today, Sir, because the life seems to have gone out of this Committee in the last two or three days. I do not know if it is because my old sparing partners on the other side are gone off to Ottawa, the Premier and the Minister of Finance and the Minister of Mines and Energy and the Minister of Industrial Development. But, Sir, I would say the sooner that this session of the House comes to a close the better because we are not accomplishing a single thing here in this House right now, Sir. There is not a gig left in her.

AN HON. MEMBER: Sit down and be quiet.

MR. NEARY: She is gone to her last gasp.

AN HON. MEMBER: Call an election.

MR. EVANS: Inaudible.

MR. NEARY: I think, Sir,

MR. CHAIRMAN (STAGG): Order, please!

MR. NEARY: Be relevant.

AN HON. MEMBER: Sit down!

MR. CHAIRMAN: (STAGG): There are a couple of points that I want to bring to honourable members attention. whose attention seems to have a rather short span. One is that the member speaking has the right to be heard in silence and the other to the member speaking, that he has the duty when he has the floor to be relevant to the points which are suppose to be under discussion. I suggest that honourable members keep both of these points in mind and maybe we can do what we are suppose to do.

MR. NEARY: Well I was just pointing out, Mr. Chairman, that I am finding it kind of hard to get psychologically geared up to this debate tonight but I will do the best I can, Sir, because the minister has really motivated me. If there is a subject in this province that I know about, Sir, it is social assistance.

HON. MEMBERS: Inaudible.

MR. NEARY: Yes and I can talk about social assistance on Bell Island and Mundy Pond and the Blackhead Road and Harbour Main, if the minister should want me to and in any other part of this province.

So this claim, Sir, by the administration, now the Minister of Education is trying to do it honestly. It was dishonest before. Now the minister is trying to claim credit honestly I suppose, thinking that people will fall for that gimmick but, Sir, it is perfectly ridiculous and a blatant attempt, in my opinion, at fraud for that administration to try and claim credit for the reduction in the number of cases on short-term social assistance in this province.

There are just no jobs, Mr. Chairman, no jobs -

MR. CHAIRMAN (STAGG): Order, please!

Just so the honourable member is not going to develop this particular theme of fraud to any great extent, I suggest to the honourable member that the Chair should have intervened immediately as he uttered the word. It has to be taken into the context in which it is said, of course,

but I would suggest to the honourable member that he is dangerously close to unparliamentary language and impugning the motives of honourable members or the minister and so on. So I suggest that he might use more appropriate words.

MR. NEARY: Your Honour is right on the ball tonight. "Dangerously close." But all Your Honour is doing is just turning on the red light. Well, Sir, I have no intention of going any further on that claim or that suggestion that I made that it would be a blatant attempt at fraud if this administration tried to claim credit for reducing the number of cases on social assistance. I think that is parliamentary, Mr. Chairman.

Mr. Chairman, there are just no jobs for the average unemployed welfare recipient.

AN HON. MEMBER: Inaudible.

MR. NEARY: No, Sir, there are not. There are no jobs for people who are on unemployment insurance and there are no jobs for people who were working last year in the construction industry, who worked down in Churchill Falls last year or who worked out at the Linerboard Mill in Stephenville or who worked down at Come By Chance on the oil refinery. There are just no jobs, period, Sir. We have the highest rate of unemployment in this province that we have ever had in our history.

The minister gets up and tries to brazen his way out of it by telling us that the able-bodied relief is down. Well I have got news for the minister, this time next year the able-bodied relief will be up.

AN HON. MEMBER: Inaudible.

AN HON. MEMBER: We will wait and see.

MR. NEARY: We will wait and see. I will forecast that right now.

AN HON. MEMBER: What are the reasons?

MR. NEARY: There are a number of reasons, Sir, why the social assistance rolls are down and

the minister did not give all the reasons. The minister says that it was because of the high amount of unemployment insurance that is being paid out right now. That is not the reason at all, Sir.

AN HON. MEMBER: They all died.

MR. NEARY: They did not all die but a lot of them went on old age pensions. The minister did not mention that. Sir, the Unemployment Insurance Commission in 1972-1973 in this province contributed \$34,232,000 in keeping unemployed Newfoundlanders off the welfare rolls. This year, Mr. Chairman, it is anticipated (I only had the partial returns when I got these figures.) that in 1973-1974, based on more generous benefits and based on the fact that one does not need as many contributions to qualify for unemployment insurance that it was reduced down to eight weeks. If honourable members will remember Bryce MacKasey when he was Minister of Labour in the Government of Canada, brought in more generous unemployment insurance benefits and cut the entitlement period down to eight weeks. In other words if one had eight weeks' stamps, one could qualify for unemployment insurance. These two moves alone, Sir, will see the Unemployment Insurance Commission's payments in this province this year doubled. Doubled, Mr. Chairman. Just imagine! It is almost \$70 million. The true reason behind Newfoundland's social assistance cases being down, Sir, is the amount of money that is being paid out via the unemployment insurance programme and the entitlement for benefits being reduced down to eight weeks.

Mr. Chairman, the Government of Canada also provided Newfoundlanders with the opportunity to get these eight weeks. They did it through LIP projects, opportunity for youth programmes, on the job training, retraining, etc. DREE poured a substantial amount of money in here.

AN HON. MEMBER: (Inaudible).

MR. CHAIRMAN (Mr. Stagg): Order please!

While honourable members may have a great deal with which to contribute to the debate, until they have the floor, in the customary manner, such contributions are completely out of order.

I suggest that honourable members may more appropriately wait the proper time and their comments will be far more effective. They certainly will not necessitate the interruption by the Chair, both of the person attempting to speak and the person who is legitimately speaking.

MR. NEARY: Thank you for your protection, Mr. Chairman. I need it from that honourable crowd over there, Sir.

Mr. Chairman, these are the real reasons why the short-term social assistance is down in this province. But, Mr. Chairman, what the minister did not tell us is what we can expect in the future. The minister made no predictions, Sir, for the next year or so. Mr. Chairman, LIP grants in Newfoundland this winter have been down substantially. The Government of Canada is cutting back on its training and retraining programmes, especially in the adult upgrading centres. There is going to be nothing to pick up the slack. Next year I guarantee them that the Minister of Social Services will not waltz into this committee and boast about the social assistance figures being down substantially, unless the Government of Canada comes to their rescue. There is nothing on the drawing board in Newfoundland right now, Sir, to create employment. There is not a policy outlined by the ministers that have presented their estimates so far that would indicate that there is anything on the drawing boards that is going to create jobs. There is no government plan to create work.

AN HON. MEMBER: The Lower Churchill.

MR. NEARY: The Lower Churchill my eyeball, Sir!

Sir, I made this statement in the committee before and I will make it again. The Lower Churchill will be built by the same administration that built the Upper Churchill.

SOME HON. MEMBERS: Hear! Hear!

MR. NEARY: I will tell you, Mr. Chairman, they are playing a very dangerous game over there of wanting to play big businessmen. They are going to get their fingers burnt. We see an example of that now with the ministers gone off to Ottawa.

MR. CHAIRMAN: Order please!

While the honourable member may have points in this tenor that can be made and probably should be made in debate, this is not the time to make them. This is Head 801-01, Social Services. Even stretching the rule of leniency whereby honourable members may use somewhat farfetched comparisons, I think the honourable member has gone beyond that.

MR. NEARY: Mr. Chairman, the equalization grants were up in this province last year. The Government of Canada pumped in an extra \$24 million to create employment. All the thanks the Minister of Finance gave Ottawa was the back of the Provincial Minister of Finance's hand. Manpower training was up. Retraining programmes, Sir, practically doubled to what they were a year ago. LIP projects were carried on all over the place. DREE money was coming into the province. How many millions last year? I think it was \$24 million.

Mr. Chairman, in addition to all these things, remember that when we got kicked out there were three if not four vocational schools ready to open their doors, to take in some of the unemployed off the streets and take them off welfare. The Government of Canada paid for that.

AN HON. MEMBER: John Diefenbaker started it off.

MR. NEARY: What can you say, Mr. Chairman? What can you say? What can you say except? Stop beating your gums.

AN HON. MEMBER: Literally.

MR. NEARY: I really mean that literally too.

Surely, Mr. Chairman, anyone with a grain of common sense would give full marks, full credit, to the Government of

Canada for reducing the number of cases of social assistance in this province.

Sir, we heard quite a bit in two provincial general elections about the brave new world of welfare that the Progressive Conservative Administration was going to introduce if they got elected in this province. After about almost two years, Sir, of planning, after almost two years of labouring down on the third floor, two ministers and God only knows how much hired help, how many consultants they had under staff, planning and priorities secretariate, they finally, Sir, -

AN HON. MEMBER: (Inaudible).

MR. NEARY: I am coming to that. I will give the minister a good flick over there if he should want to get at the old land speculator from Conception Bay. Go up and look after the septic tanks and the land up there.

MR. CHAIRMAN (Mr. Stagg): Order please!

There is one rule which is very seldom enforced in the committee and this is the rule that silence must be observed in the galleries. I suggest to anybody in the galleries who no matter how constrained they may feel to participate that it is certainly against this rule of silence. I ask the persons to restrain themselves even though it may be difficult at times.

MR. NEARY: They finally produced a programme, Sir, that was supposed to be the Saviour of persons who were unemployed and disabled in this province. Well, Sir, if it were, I never saw a programme in this province that got off to such a creaky beginning than that programme. It was a complete flop, Sir. It was doomed right from the start. Instead of the administration coming up with a programme that would stand on its own feet, a programme that was completely disassociated with any federal programme, they had to link it to the increase in the family allowance. They used the family allowance, Sir, to reduce social assistance in a good many cases

in this province and it is the first time to my knowledge that a formula was ever used that the larger families would get the lesser amounts of assistance. It is the first time that I have ever seen it used. Unemployment Insurance, one gets it according to the number of dependents one has. Canada Pension Plan, one gets it according to the number of dependents one has. Exemptions under the Income Tax Act, one gets it according to the number of dependents one has. What about this brave new world of welfare, Sir, this new programme?

AN HON. MEMBER: (Inaudible).

MR. NEARY: It was not based on the number of dependents one had, Mr. Chairman. Mr. Chairman, I have to draw to your attention, Sir, that the Member for Harbour Main is lipping off, the land speculator, and he is not in his own seat. I do not mind him interrupting, Sir, but he should observe the rules of the committee and just move up in the front benches where he is supposed to be.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Chairman, would you mind enforcing the rules of this committee?

Mr. Chairman, they brought in a programme based on a formula that has been unheard of anywhere in the free world. It did not make any difference the number of dependents one had in the family, we were told by this administration. One was cut off at \$320 a month. It was immaterial of the number of children in the family. The excuse they gave for that was, "Oh, you are going to get twenty dollars a month family allowance!" So what! What bearing does that have on it? Every time the Minister of Social Services and the Premier appeared on television, they always held up a set of figures or threw out figures. They usually had a chart behind them showing the amount that we were going to get from social assistance, the provincial social assistance programme and then, immediately opposite, the amount we were going to get from Ottawa, the total income. It was a deliberate attempt, in my opinion, Mr. Chairman, to deceive the public.

Combine the income and the poor, old taxpayer would say, "My God, look what he is getting, \$500 a month!" In actual fact the province's share of it was probably about \$150 a month or \$200 a month. The Government of Canada pay fifty per cent of the cost of social assistance in this province as well as pay out twenty dollars a child for family allowance. Every since that programme has been implemented, Mr. Chairman, our office over here on this side of the committee, every one of my colleagues have been flooded, Sir, with documented complaints from people who feel that they have been done an injustice. I am sure members on that side of the committee get these complaints too and if they do not, it is only because their constituents have given up and said, "it is pointless, there is no use in getting after my member." They have dispaired, they have thrown up their arms in defeat. We get it over here, Sir, day in and day out.

AN HON. MEMBER: (Inaudible).

MR. NEARY: We what?

AN HON. MEMBER: (Inaudible).

MR. NEARY: Mr. Chairman, here is a letter I got today, May 3, from down in Branch.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Pardon?

AN HON. MEMBER: (Inaudible).

MR. NEARY: Sure I will table it. It says: "Dear Sir, I am a fisherman living in Branch but at present I am unemployed. My unemployment is over and right now I am on welfare. Mr. Neary, the reason I am writing to you is to ask you if you would be able to help me. I am living in a rented house, one child and a wife of my own.

"My problem is that I do not have any money to purchase material for this house."

AN HON. MEMBER: (Inaudible).

MR. NEARY: What is so funny about that. Wait until I come to the dramatic part of it.

"The house I am living in at the present time is not fit for a dog to live in." Is that funny? Does the old land speculator think that that is funny, the real estate professional from the South Shore of Conception Bay?

The gentleman says, "The roof is leaky." This is a fisherman, Sir, who happens to be unemployed. "The windows are leaky, the door is broken off and you can see in and out through it. Many times this winter I got up in the morning and went above my ankles in snow as it beat in through the windows and doors." Is that funny?

AN HON. MEMBER: (Inaudible).

MR. NEARY: "This house is not heated. There is no water in it. I was in contact with Mr. Barnes of the Department of Welfare. He visited the house I am now living in and he knows the condition of this house. Mr. Neary, I am asking you if there is anything you can do to help me. I do not want to have to spend another winter living in this house because of the hardship I went through this past winter.

"Sir, I hope that there is something you can do. I know if you can do anything you will. I hope I will hear from you in the future regarding this matter. I also want to thank you for helping me get my welfare last week."

AN HON. MEMBER: (Inaudible).

MR. NEARY: May 3, 1974, Sir.

Mr. Chairman, we are swamped, my colleagues and I are swamped with telephone calls, with letters, telegrams from people who feel that they are being unjustly dealt with by the Department of Social Services. This much boasted about motivating people to work, Sir, turns out not to be a motivating factor at all. It is just a big stick. People are going to the welfare officers and they are saying, well go and find a job, when they know it full well in their hearts that there are just no jobs for these people to get.

Sir, it seems to me that somebody was badly lacking in principles on that opposite side of the committee. There are some

honourable gentlemen over there who I have some respect for and some regard for. They were lacking in principles, Mr. Chairman, when they used the family allowance, the increases in the family allowance from the Government of Canada to sell a second-rate social assistance programme in this province. That is what they did, Sir. They tried to put one over on the poor, old welfare recipients. I can tell them right now that they are coming out on a losing end. Anybody who tries to fool the welfare recipients of this province will find out sooner or later that it does not pay off when they get an opportunity to go to the polls again.

AN HON. MEMBER: The honourable gentleman found that out.

MR. NEARY: I have never been defeated, Sir. Never have I been defeated.

AN HON. MEMBER: (Inaudible).

MR. NEARY: Well that may be one of the reasons. Maybe we did not look after the welfare recipients enough. Mr. Chairman, prior to this new programmes coming into effect, a person, head of a house, on what we call long-term social assistance, a disabled person was allowed to have income of ninety dollars a month. Now, Sir, that same family has to earn \$180 a month before they can get the entitlement of ninety dollars a month. People on short-term assistance or people who were considered to be employable were allowed sixty dollars a month, free gratis and for nothing. Now they lose fifty cents for every dollar they earn. That is some incentive to work, something to motivate people. They took away a benefit that the people on social assistance already had. They tried to copy from the guaranteed annual income principle but they did not quite do it, Sir. All they did was impose another hardship upon the welfare recipients. They will pay dearly for that, Sir. They will pay dearly for it.

Mr. Chairman, their programme has turned out to be a complete flop. What worries me about the whole set up, Sir, is not many of the things the minister mentioned tonight but it is the way that

they are getting their little darts into the welfare recipient, Sir, the way they are sticking their needles into them. It is the little things. The welfare recipient is caught in the squeeze. They are on an economy kick. Who is paying the price? The little, old welfare recipient who is struggling now and who cannot make ends meet, who is sending his children to school half hungry and half naked. Do you know the kick they go on then when somebody on this side, especially if

I happen to say, "Oh, welfare recipients should be better cared for than they are", you know what they would go on out then and say? "What do the taxpayers think of this?" And try to cause a confrontation between the welfare recipients and the taxpayers. That will not work, Sir. That is not going to work either. People are not going to fall for that.

Maybe a year-and-a-half, two years ago when Mr. Nixon ran for re-election down in the United States, the work ethic was the big issue. In the last federal election here in Canada, the issues in the United States spilled over into Canada and the work ethic was the big thing here. The people up in Ontario, in Toronto said, "Why should we send our money down to the Atlantic Provinces to look after the bums, the lazy bums down there who will not work, who refuse to go to work?"

So you remember, Mr. Chairman, a year-and-a-half, two years ago we heard about all the jobs that were going begging in the fish plants and all the jobs that were going begging in the lumber woods out in Your Honour's, I think, own district. I heard rumblings of jobs there and people would not take the jobs. The taxpayers were almost up in arms. They were ready to rebel. People were on the open line programmes. Every time they would hear a welfare recipient complain that he could not live, could not send his children to school, all they would say was, "Do not bother about them. They are too lazy to go to work."

Not today, Sir, the trend is swinging around again. She is swinging around. We have the highest rate of unemployment we have ever had in our history. These 28,000 people have nothing to look forward to. They know full well, Mr. Chairman, that they may some day end up on welfare in the very near future. The majority of them may end up on welfare. Even people who are employed -

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: What is nonsense?

Most of these people, Sir, who are unemployed and most of the people who are in the adult upgrading centers at the present time and people working on the LIP projects and people drawing

unemployment insurance will end up on welfare unless we get a change of government in this province, Sir, so that we can get Newfoundland back on the rails, so that we can carry on with the economic development programme in this province that we have had for the last twenty-three years.

Mr. Chairman, the thing that worries me is the little things that this administration is doing, that this department is doing. They are cutting out a drug card here, refusing a bit of building material here, cutting out transportation here, doing something else there, recovering overpayments by the hundreds. It was bad enough when I was there, Sir, but recently they turned the computers loose. All of the sudden there is a rash of overpayments, far beyond seven years too. I heard the Minister of Justice when he was on this side of the House as a Liberal reform say it was illegal according to all English law to collect debts after seven years. What is a federal government?

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Well, Sir, if it be illegal, how can the federal government insist on it? Well, Sir, perhaps the Minister of Justice could give us a ruling on that. When the minister was on this side of the House he told us it was illegal. I do not care if the federal auditors or the federal chartered accountants say there is an overpayment - if it is over seven years, Your Honour, you are a lawyer - can they collect it? What do they call that? The statute of limitations.

MR. W. ROWE: After six years.

MR. NEARY: After six years, Sir, they cannot collect these debts, so I am told. Yet, Mr. Chairman, here lately in the last six -

MR. W. ROWE: That is the case of common law. I mean that could be changed by statute. Maybe there is a statute that can change that.

MR. NEARY: Well, maybe. The Minister of Justice apparently was sure of his facts when he was - I wish I could get a glass of milk instead of a glass of water.

Mr. Chairman, I do not know what has happened. I cannot understand it. I cannot get an explanation for it. The computers

apparently within the last six months have turned up hundreds and hundreds of overpayments that have been just lying dormant for years. Now, the department is out collecting the overpayments. That is creating quite a hardship on a large number of people, Sir.

One of the chief complaints that we get in our office practically every day - I am sure members on that side of the House get these complaints too - the other day, Sir, I had a call from a lady who told me that her allowance had been reduced even though she and her daughter who also was married and had a family - they were sharing a house - her allowance was reduced because she did not have her own door in that house, because she did not have her own entrance. Her allowance was slashed by about fifty per cent. They are nit picking, Sir. They are looking for the little things. They are zeroing in on the welfare recipients.

We all know why, because we saw an advertisement in the newspaper a few weeks ago where they wanted special investigators to go out and investigate. "You had to be an expert in fraud", so the advertisement said. Now, there are the experts in fraud over there.

AN HONOURABLE MEMBER: Watch the language boy.

MR. NEARY: I am talking about discovering fraud.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: That is right, Sir. That is right. Your Honour obviously knows what I am talking about because Your Honour is smiling.

They had to be experts, Sir, in fraud. They had to be an expert at peeping through keyholes. The next thing they will be beating down the doors and getting into the bedrooms. Storm troopers, Sir! They took on a half a dozen or so of these to go around checking upon and harassing the poor old welfare recipient. They tried that over in England a few years ago, Sir. They were trying to determine whether in actual fact when people went down to the court, the family court, and got legal separations, that they were not going to go back home and sneak in after dark. They hired these storm troopers but they did not last long. A

couple of them got bounced out, flung out on their ear. A couple of them got shiners. They were not long calling that off. They realized how foolish it was.

This honourable crowd over here will discover much to their dismay, Sir, that this is a very foolish move. Why? Sir, what they are doing over there is laying the emphasis on the fact that welfare recipients are a bunch of lazy, no good chiselers. That is what they are doing, Sir.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: It has not been proven, Sir. I asked the Minister of Social Services before he got ill on two or three occasions how many cases had been taken to court for chiseling on the welfare. The minister told me before he got sick about five or six weeks ago, none, zero. Perhaps the minister can tell us tonight how many cases. I doubt if the minister can count them on one hand. Is that not true? Sure it is correct.

This is a myth. It is tilting at windmills. It is an impression that this honourable crowd are trying to build up, that the welfare recipients are a bunch of chiselers. Cause a confrontation between them and the taxpayers. They are trying to justify what they have done, Sir, the dastardly deed that they have performed. They are trying to justify it by leaving the impression that welfare recipients are just a no good bunch of lazy bums and chiselers.

Sir, this has been proven beyond any doubt, any shadow of doubt that it is not true. It is just not true. Every person, Sir, is a potential welfare recipient. They may be up today but they are down tomorrow. When I was minister down in that department, Sir, I had many a good man that never thought in his wildest imagination that he would ever have to come and look for social assistance, sit across the desk brokenhearted, unemployed through no fault of his own, had a heart attack, had a brain hemorrhage, never provided for tomorrow, never thought he would ever have to come to the department. Sir, it could happen to anybody. It

is all right when one is earning his \$10,000 or \$12,000 or \$15,000 a year.

We get these people who make \$12,000 and \$15,000 a year who never thought they would ever earn that much in their lives. That is the ultimate in life as far as they are concerned. They have finally gotten there when they start to earn that. They may have had nothing. They are the original beggars on horseback. Now, they have to pay out a few dollars in taxes. What do they do? They turn on their buddies. They turn on the welfare recipients and say, "Why should I pay all these taxes out to look after these lazy good for nothings?" That is what the minister said they were. The minister did say it and the minister was only confirming what the taxpayers had already thought.

That situation is changing, Sir. I guarantee them in this election the work ethic or the welfare bums - maybe the corporate bums but not the welfare bums will be the issue in this election, Sir.

MR. EVANS: Inaudible.

MR. NEAPY: That is what the honourable "Burp from Burgeo" thinks.

Sir, these are the things that get me, the little things.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: He need not worry. When the Mifflin Report comes down, they will find out who ran that department. Mr. Chairman, I could not help but get the impression from the minister tonight that everything now is being done by computers. The minister was putting out the information as if it were supplied to him by computer.

No feeling at all, Sir, there is no feeling left in that department since I left. Go around this province, Sir. Take a trip around the province. Have a talk to some of the people who have to come on their hands and knees now to the department in order to get assistance.

We started paying them by checks. We tried to put a little dignity back into it, remove the stigma from the department. Now, Sir, they have destroyed everything that we did. They have destroyed it.

They have the storm troopers going around now. The poor old welfare recipient today, Sir, is the lowest form of life in the eyes of that honourable crowd. They have not got a chance. Every opportunity they get to stick the knife into them, Sir, it is going in. They were fooled. They fell for it. They fell for the gimmicks. They fell for the election promises and they were fooled, Sir. There are still a fair number of them on welfare and their will be more on this time next year. There are 20,000 cases, the minister told us tonight, 20,000 cases with an average of say four-and-a-half, an average of four in the family, 85,000, almost one-fifth of our population.

MR. EVANS: The honourable member is talking about back in his days not in ours.

MR. NEARY: Almost one-fifth of the population, there is a lot of voting strength in that, Sir. There is a lot of voting power there, a lot of ballots. I doubt, Mr. Chairman, today if there were an election called - I wish there were - that that honourable crowd would not get one vote from a welfare recipient in this province for knifing them in the back like they did, for coming out talking about grandiose terms like motivating people to work when in actual fact they are talking about a big stick. They are giving them all welts.

The elected representatives of this province - I have said this so often before, Sir, because I had a little bit of experience in that department and I know all about the bureaucracy and the red tape of that department. We will find out one of these days, the only thing I did when I was minister of that department was cut the red tape. What they do not know in that department, Sir, is that they are there to serve the needs of the unfortunate people of this province.

It is not just a job. It is not just a place to go and retire. Mr. Chairman, we heard the minister boasting about the special project - special project workers I think they have set up. They have five. The minister referred to them tonight, special

project workers. I am willing to bet dollars to doughnuts, Sir, that these five special project workers - I started one of them on his way, Mr. Harvey. I was the one who gave him the recommendation when he got the grant from the Government of Canada, started him on his way. He was working then I think with the federal government. Now he is working for the minister's department and probably doing a good job. I only met the gentleman once in my life. I will bet dollars to doughnuts, Sir, that these five gentlemen will be so hamstrung and so bogged down in bureaucratic red tape that they will not be able to achieve one thing.

You know what happens in that department, Mr. Chairman? I will show them what happens. Talk about a frustrating experience. The first few months I was there after coming from private industry into the heading up of a government department, they get a complaint, Sir, from a welfare officer or they get a request from a welfare officer. He has to send it to the senior welfare officer in his office. There may be three or four welfare officers in that office. The welfare officer has to send a memorandum to the senior welfare officer. The senior welfare officer has to send a memorandum to the supervisor. The supervisor has to send a memorandum to the regional administrator. The regional administrator has to send a memorandum to the assistant director of social assistance and the assistant director of social assistance has to send a memorandum to the director of social assistance. The director has to send it to the assistant deputy minister and the assistant deputy minister has to send it to the deputy minister. That is an absolute fact, Sir. That is not bologna. That is true.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: Mr. Chairman, it is not decentralized. A regional administrator only has limited authority. The member knows that.

AN HONOURABLE MEMBER: Inaudible.

MR. NEARY: I appointed him.

AN HONOURABLE MEMBER: Has unlimited authority.

MR. NEARY: No, Sir, he does not have unlimited, he has restricted.

He is restricted in his authority.

AN HONOURABLE MEMBER: Does a person have to send the application to headquarters to be approved?

MR. NEARY: That has no bearing on it, Mr. Chairman.

Mr. Chairman, the member is not following me at all.

Let us say my colleague here has a complaint from one of his constituents. What does he do with it? He sends it down to the Minister of Social Services. Where does it go from there?

MR. HICKEY: The deputy minister sends it right on to the regional administrator.

MR. NEARY: He sends it right on to the director of enquiries.

MR. HICKEY: No.

MR. NEARY: Yes, Sir. I should know I am after having enough of them in the last six months.

MR. HICKEY: Either one or the two. Either the director of enquiries or the administrator. Either one of those persons deals with it immediately. The deputy minister will confirm that.

MR. NEARY: Mr. Chairman, look I want to say this. There has been no change. Most of the staff of that department today are living in deadly fear of their officials. They are afraid to move. They are afraid to make a move, Sir.

They have been told, Sir, in no uncertain terms to put the boots to the welfare recipients and they are afraid to make a move. I know, I have talked to them. I have spoken to them, Sir. I still have a good many friends left in that department despite the fact that some of the honourable members on that side have tried to crucify me, tried to drive the wedge, I have a good many friends, Sir, and I can tell you the welfare officers today are trembling in their shoes. They have been on the carpet a good many of them and they have been disciplined for not putting the boots to the welfare recipients, for not taking away their drug cards, for not giving them their building materials.

The minister was boasting this afternoon about spending \$1 million. "This province" he said, "heads all of the other provinces of Canada in providing building materials for welfare recipients. We spent \$1 million." Well out of that \$1 million, \$500,000 was paid by the Government of Canada. Fifty per cent of it was recoverable. But it is still not enough, Sir, because the minister knows full well in this province that we have the worst rundown homes, I suppose, than in a good many other provinces in Canada. They are not heated. They are cold and damp. They are not insulated. They are old homes. They need to be rehabilitated. Just like this gentleman here from Branch, St. Mary's Bay, a lot of people living in shacks and substandard homes. Not everybody is living in the type of homes that we have in St. John's or Corner Brook or Gander or Grand Falls, Sir. Even in St. John's, you can go downtown in St. John's here and find a hell hole, Sir, in any part of this City, if you want to go out and look for it but you can find the same thing all over this province, old homes that need to be rehabilitated.

They come to the minister's department, and what do they get? They get the door slammed in their faces. They said; "No, we will make your home windtight and waterproof." Waterproof and windtight. I could never figure that one out myself.

AN HON. MEMBER: Inaudible.

MR. NEARY: Sir, when I was there I undertook a programme to improve homes here in the City of St. John's, over on Shea Heights as a matter

of fact. I can tell this honourable Committee that as a result of that programme and in Mundy Pond I approved another one, but as a result of these two programmes that more money was spent per capita on repairing these homes than in any other community in Newfoundland including Bell Island, with all their chaw about Bell Island, and that is an absolute fact. The Member for St. John's North is agreeing this year.

They got a LIP grant from the Government of Canada and my department gave them the materials. They went out and repaired the homes. They built on to the homes, enlarged them whenever necessary.

AN HON. MEMBER: Inaudible.

MR. NEARY: No over on Shea Heights and up in Mundy Pond. If the member is listening to the statement that I am going to make that more money was spent per capita repairing these homes than in any other community in Newfoundland, why have an investigation on Bell Island? Why not investigate Shea Heights?

AN HON. MEMBER: Inaudible.

MR. NEARY: Could he not? I lashed out a fair amount of money for repairing houses in Bonavista South when I was there.

AN HON. MEMBER: Inaudible.

MR. NEARY: But you cannot get it today, Sir. Cannot get it but the need is there. You know, Mr. Chairman, I had to laugh, I nearly laughed out when I heard the minister saying social assistance today is based on need. Was that not always the way it was? What other yardstick would we use for social assistance if it were not need? The minister said the only criterion today is need. To my recollection, Sir, that is the way it has always been and that is what the Government of Canada insisted on.

Need was always, Sir, the number one reason for granting social assistance. Mr. Chairman, the minister may think that \$1 million spent on home repairs is a lot of money but, I think, Sir, it is probably about average. It is about average. I think when I was there that was all that was spent, about \$1 million a year. It is not enough. It is not enough, Sir, and what will happen in this province eventually is that the homes will

become so rundown that the minister's department will have to build new homes or buy new homes for these people. They are being penny wise and pound foolish. They would rather have our people living in damp, cold homes than to give them a bit of material to fix them up. They do not have to pay for the labour, the people will fix them up themselves.

Make no wonder my colleague said last night that the T.B. rate is so high in this province. How many people have arthritis and rheumatism and bronchitis and asthma from living in these damp, cold homes? The minister would begrudge them a bit of material to help fix up their poor old shanty.

Another reason, Mr. Chairman, I think that the social assistance is down in this province that we do not have as many fishermen now who have to apply for social assistance. The price of fish in this province is very good, the best it has ever been, at the present time. It do not take very much for fishermen to qualify for unemployment insurance. All they need is half as much, Sir, for their fish as they got before and they qualify for unemployment insurance. Another benefit from the government of Canada, that great Liberal Government up in Ottawa.

AN HON. MEMBER: PROTEM.

MR. NEARY: PROTEM, we will find out about that.

Mr. Chairman, as I started to say there in the beginning, this new so-called programme of social assistance discriminating against the larger families, Sir, in my opinion is a principle that should have never been implemented by this administration. This discrimination, Mr. Chairman, is actually causing a hardship to parents in this province in their struggle to cope with the rising cost of living and is robbing the children of larger families, Sir, in this province of equal opportunities and equal preparation for their roles as adults in our society and in our Newfoundland economy.

I can tell the administration tonight, Sir, I can give the administration fair warning that when we have an opportunity to form the government of this province, Sir, that we will draw up a programme of social assistance benefits completely independent of the federal

family allowance plan and based on our traditional long-time humane principle of providing benefits, Mr. Chairman, proportioned directly to the size of the family.

MR. OTTENHEIMER: Mr. Chairman, I would like to comment briefly upon the remarks of the honourable gentleman opposite. I believe the honourable gentleman was surprised that I quite voluntarily, without hesitation at all was quite willing to give credit to the enlightened -

AN HON. MEMBER: We only have twelve members in the Assembly. Ring the bell.

MR. CHAIRMAN (DUNPHY): Would the Clerk count the House, please? We have a quorum.

MR. OTTENHEIMER: Thank you, Mr. Chairman. Very assuring news.

To comment briefly upon some of the points of the honourable gentleman, certainly we on this side, the government have no reluctance whatsoever in stating that certain progressive policies of the federal government have been of great assistance, of major assistance in the decline, in a declining number of able-bodied recipients of social assistance. We have absolutely no reason not to state that. I was surprised that it came as a surprise to the honourable gentleman. After all, we are Canadians. We all of us pay taxes, much of which, a large amount of which goes to Canada, a certain amount of which is returned to the province and we are very pleased to acknowledge enlightened policies of the Federal Government of Canada. The fact that this administration might have differences with Ottawa on matters such as offshore jurisdiction, of continental shelf, petroleum offshore jurisdiction and other areas, that is fair enough. We do not obviously have to agree with all their policies. That does not mean that we disagree with all their policies.

So there is nothing particularly, I would think, startling there. I think that the increases in unemployment insurance payments, I think the LIP activity have been very major factors. I do not put it all there. I certainly do not by any means hesitate to give credit to Ottawa where it is due nor however do I hesitate to give credit to Newfoundland where it is due. I think certain credit is due to Newfoundland as well. I think

that the job identification work and informing able-bodied recipients of job opportunities, I think this is a very worthwhile avenue. I think that the assignment of five project officers in various parts of the province will develop that programme. I think it is a very valuable programme.

Certainly we acknowledge the enlightened policies of the federal government and the assistance that has been, but we also mention with equal pride work done in Newfoundland, by Newfoundlanders, in this respect. Certainly I think that under the Canada Assistance Plan is one of the most enlightened pieces of social legislation in the world. I have never met Hon. Mr. Lalonde but what I have heard of him and there is a certain amount of reading and study etc. I have had to do, not have to do as an unpleasant task but which I have done in the past few weeks. As I say I have not met him but I have great respect for him. I think it is generally recognized that Canada has one of the not perfect, still a long way to go I suppose but not perfect, but still quite enlightened social services legislation under the Canada Assistance Plan.

The honourable gentleman was critical of government policy for taking into account family allowances in determining the total amount of entitlement. I can only refer there to remarks of that same honourable gentleman, Hon. Marc Lalonde, responsible for very worthwhile progress, in a paper signed by him and distributed at the Federal/Provincial Review Committee on Social Security, in April 1973, in which he said; "It is only reasonable and fair to the working corp who are not receiving social assistance that family allowances should be taken into account by provinces in setting social allowance schedules for families with children. Family allowance payments will therefore be recognized as forming a part of the total amount of assistance available to a family in the development of social allowance schedules in future. This will ensure more equitable relationship between families on assistance and families of the working corp who are not on assistance."

So I merely repeat that. Obviously there are two different points of view there. Certainly the honourable gentleman is entitled to and much right as I do to maintain his point.

The honourable gentleman also said that or inferred, I am not sure whether these are verbatim words, that we were economizing or cutting back or putting the financial squeeze in the area of social assistance. Well the vote last year for social assistance was \$37.6 million, the vote this year \$44.6 million, a \$7 million increase. So I do not think that one can say with justification that there is a financial squeeze there.

But briefly to comment upon his remark with respect to bureaucracy in the department: I suppose every department has its bureaucracy and no doubt every minister of any party and in any department has had occasional frustrations therewith. That is a fact of life. Yes, and government everywhere. But for a number of years now the five regional administrators, in five areas of the province, St. John's, Harbour Grace, Corner Brook, Grand Falls, Happy Valley, these men have total responsibility for case decisions in their area, not for the formulation of provincewide policy but they have full authority for case decisions in their area.

The honourable gentleman stated that he thought that next year there will be huge increases in the rolls of social welfare. I certainly am not gifted with prophesy. I would certainly hope not. I do not think the reasons alluded to by the honourable member are convincing but obviously none of us will know that until we do the estimates next year.

He referred as well to overpayment and the process of recuperating overpayments. Now I am sure he is aware the province and each province, is obliged, under the Canada Assistance Plan, the joint Federal/Provincial Statutory framework for social services programmes, the provinces all of them are obliged to recapture overpayments. If that obligation were not there, then one could give serious thought to whether it is worthwhile because there is a great deal of work and a certain amount of expense and

a great deal of work involved therein but as it is, the provinces are obliged to do so. It is done in Newfoundland at ten per cent, an overpayment of a certain amount is done, a pay-back rate of ten per cent per month. But as I say, if that were not required by the Canada Assistance Plan then obviously it could be looked at from any number of possibilities, but right now that is not an option open to us.

Just one final remarks and that is with the figures in March that the honourable gentleman asked for. He was suggesting that he thought the whole department had become, you know, computerized and there was no human involvement or this or that. I think that he was probably being factitious there, as a matter of fact I am sure he was. The figures no doubt come from a computer or come from an adding machine. They come from somewhere, not from my head, the official figures and they are no doubt totally accurate. But when I gave

the figures for March. I did not have the mathematical wizardry to make the subtractions enroute but I have done it since and these, as honourable gentlemen may recall, were the totals for the last three Marchs because March, 1974, is the last month for which we have total figures. We do not have them yet for April. They asked for March, 1974, and I went back and got 1972 and 1973 as well. The same trend is there. In March, 1972, the total number was \$24,595. In March, 1973, it was \$22,738 for a difference of \$1,857. In March, 1974, the last month for which these total figures are available, the total was \$20,938, a difference of \$1,800 from the previous year. Our total difference between March, 1972, and March, 1974, was \$3,657. The figures do maintain a consistency.

Mr. Chairman, I think the major area (Well, there may be some) or one area which caused quite some time was the reasons for this decrease in the social assistance rolls which is particularly evident in able-bodied assistance. As I indicated at the very beginning, I do not claim to know all of the reasons and that is something which should be and will be defined with as much accuracy as possible. I think the reasons are obviously a combination of factors; increased unemployment insurance payments, LIP activity, the job identification activity in Newfoundland being done by the department and a certain amount of it, I think, is due to rural development activity and the increase, i.e. in sawmilling operations and the increased number of people involved there. No doubt there are a great complexity of reasons for that.

MR F. B. ROWE: We were talking about the possible duplication of the Rural Development Authority and the Community Consolidation Programme and the Canada Manpower Mobility Programme. Now in the opening statements by the (Acting) Minister of Social Services, he brought in yet another phrase or terminology or term and that was the term, "employment opportunities." Now I note that in the estimates there is a division, if one should wish to call it that,

of employment opportunities and the question that I want to put to the minister basically is this: Is there going to be any duplication or overlapping of the responsibilities in the functioning of (for the want of a better term) the Employment Opportunities Division and that of the Rural Development Authority and the Rural Development Associations and their activities and the Community Consolidation Programme which the Minister of Rural Development indicated was based on employment opportunities for purposes of moving from one community to another? It was indicated during a debate that this might have had some overlapping or duplication with the Canada Manpower Mobility Programme. The first question I would like to put to the minister is: Will there be any overlapping? Will there be any duplication of this Employment Opportunities Division in the functioning of that particular division?

Mr. Chairman, this is the fourth time that this kind of a phrase has cropped up during the consideration of the estimates and that is that of employment opportunities. Could the minister explain (He did make a point of mentioning it at the beginning of his remarks.) or could he indicate to the committee, Mr. Chairman, what exactly this division or what the policy or the scope of this Employment Opportunities Division is? I understand that there are five fieldworkers distributed around the province. What are these gentlemen going to be doing? Do they go into communities that have a high number of people on social assistance? Do they go into that type of a community, say a poor community, with people with a high level of social assistance, and do they advise them as to employment opportunities in their community or do they advise these people to move to some other communities where there is a higher opportunity for employment? Do they give these individuals assistance for the purposes of becoming employed in their particular communities? Do these people go around to all communities in the particular region under their jurisdiction and talk with people who are on social assistance to give them some guidelines as to how to get off social assistance?

Mr. Chairman, quite frankly, I can see this particular concept being a very good concept. However, when I do look at the vote here, there is a total vote, less the related revenue of \$26,300, and the total salary vote is \$35,300. In other words the total vote for this particular division appears to be going towards the salaries presumably of those five fieldworkers and obviously there is nothing in the vote for granting assistance to these individuals. I would like to give an example of a situation that occurred and ask the minister if this is where this Employment Opportunities Division comes in or any of the field workers come in.

I have an individual in one of the communities in my district who has been on social assistance for some five years for health reasons and now this person is fully recovered and wants to get back to the fisheries. However, the cod trap that he owned at one stage of the game is damaged and he requires something like \$1,000 for the purposes of repairing his cod trap. Now this individual can get assistance from the Department of Fisheries to the extent of fifty per cent in order to repair his cod trap but he cannot come up with the other \$500. Now is this one of the functions of this particular Employment Opportunities Division to advise this particular fisherman as to where he can get his assistance or does this division for the Department of Social Services provide this kind of an individual with assistance? Basically, Mr. Chairman, the question I am asking: (1) How does this particular division overlap or duplicate with the Rural Development Associations, with the Community Consolidation Programmes and with the Canada Manpower Mobility Programme? (2) Do these fieldworkers go into communities with a high social assistance level? What do they do once they get in there? Do they go into any community and consult with the individuals who are on social assistance who are capable of being employed, either in that particular community or in some other community?

MR. OTTENHEIMER: Mr. Chairman, the actual work in this category, although there was a heading 807, Employment Opportunities, a vote which comes under field services, the basic role of these officials will be individual counselling and helping basis, on an individual basis. In the five areas, these people will obviously have access to the information, the recipients of social assistance, and will also know which ones cannot rejoin the labour market because of some disability and which ones can. Of course, their main work will be with those who can, such as the case the honourable gentleman referred to where a person had been ill for a number of years and now can and indeed wishes to rejoin the labour market. There are some, of course, who are social assistance recipients and who have never been disabled but their problem is that they have not been able to find a job.

Mr. Chairman, I do not see any worry of duplication because these people will not be involved in any, i.e., relocation, community relocation. They will not be involved with rural development in terms of making grants or working with rural development associations. It is pretty much individual guidance, individual counselling, individual help, of informing people of what opportunities are available. It could be, i.e., that there could be some small entrepreneur who is starting up through a rural development grant or through anything else and who is looking for people. This person or field officer would direct a person wishing to rejoin the labour market into that area but he would not be responsible for economically starting businesses or starting activities. It is basically a question of personal guidance, counselling, information, informing people of employment opportunities and also assisting them. This was done with quite some success some months ago. When LIP Programmes came up, this was done with quite some success in areas with a pretty high percentage of able-bodied relief. An officer went there and met with people and explained

to them the LIP, explained to them the possibilities of applying, that they would be gainfully employed for a certain number of months and obviously after that employment they would be eligible for unemployment insurance, and it worked in quite a number of communities in helping. I suppose in the first place or in many cases, perhaps, in pointing out that possibility when necessary in putting together the LIP applications. It is that kind of personal contact guidance in that area.

Now situations such as the honourable gentleman referred to of a person re-entering the fishery and he could get a loan for half the amount but he still had to raise a certain amount, this officer would not himself be able to make any grants. He would not be able to. All he could do would be to inform him of what ever any other possible sources there would be to help him out. It is basically personal guidance, counselling. I do not think there would be any overlap because it is working essentially, individually with people. I do not see any overlap.

MR. F. B. ROWE: Sir, very briefly, I raised the matter because it was one of the very first things the minister mentioned in his opening remarks.

I have to agree, Mr. Chairman, that this is the kind of thing that is very badly needed, particularly in the rural areas of the province because I know for a fact that certain communities do suffer in qualifying for Winter Works Programmes, LIP Projects, Opportunities for Youth Programmes, simply because they are not capable of articulating through a written application form the needs of their particular community and the nature of their project. This is very badly needed. I sincerely hope that this is not just some mechanism whereby five individuals employed by the government are going around the province raising the expectations of people in these types of communities and sort of pep talking them up and then they will not see any results of this afterwards.

Mr. Chairman, if it were within my power or within the (One cannot increase a vote for a particular division. I understand one cannot do that in committee. One can reduce a vote) power of the committee, I would recommend that this vote be multiplied by a factor of ten at least in order to get more of these types of individuals or fieldworkers out into the communities of Newfoundland so that there could be proper co-ordination with the social services personnel and the rural development people so that these people could help and assist individuals in these types of communities to get proper LIP applications and Opportunities for Youth applications and these types of things through to the people.

Mr. Chairman, I think the concept is good but the only criticism I have of it is that I would prefer to see a greater number of these types of fieldworkers spread throughout the province because the same situation happens with respect to the Development Control Division of the Department of Municipal Affairs and Housing. There is need for control of building in this province. The big problem with the functioning of the Development Control Division is simply that the manpower is not adequate to take care of the situation in rural Newfoundland. I am afraid that this is the one weakness that we see here in this Employment Opportunities Division or aspect of social services. I am afraid that it may not meet the total expectations of the members of this committee or the people of Newfoundland simply because there is not enough manpower involved in that particular division.

MR. HICKEY: Before we carry this item, Mr. Chairman, I just wanted to avail myself of the opportunity for a couple of minutes to register my comment with regard to some of the statements made by my honourable friend from Bell Island. As a former worker and as a former co-worker of many of the people to whom he referred, I certainly feel obligated to come to their defence in connection with some of the statements.

I want to say first of all, very briefly, as a former minister of the department and as a former co-worker, having had the opportunity to see this problem at almost every level, I take strong exception to some of the remarks indicated by him with regard to certain points. I want to say that I support fully the programme of the investigative branch which is now government policy. I want to say in defence of the fieldworkers of this department that they are not out, as indicated by the honourable gentleman, to harass and to give people a hard time or a rough time but indeed to restore some kind of dignity to the field of social welfare and to remove the stigma which has been attached to people generally for so long.

Mr. Chairman, one of the reasons I strongly support the whole area of investigation and one of the reasons I advocated it and was fortunate enough in having something at least to do with the planning stages of it while I was minister, is the fact that I found out on so many occasions that innocent people are labelled to be deceiving the government, deceiving the department when in fact they are not. Many of our citizens throughout the province all too often label welfare recipients as being people who want to get something for nothing, Mr. Chairman. This is not true. There is a small percentage, Mr. Chairman, and this administration acknowledge that. Indeed the important thing to point out, Mr. Chairman, and in support of this kind of service is that even the smallest percentage must be sought out and that those people and the things they do must be brought under some kind of correction and control so that indeed the respect that is due to the persons who are in receipt of this kind of assistance through no fault of their own and who are deserving of it are not labelled as shysters and chisellers and all sorts of names which we have heard from time to time.

Mr. Chairman, the suggestion too was made by my honourable friend that fieldworkers are out to get the welfare recipient. This is possibly

a popular statement to make when one sits on that side of the committee, but, Mr. Chairman, I am sure the honourable gentleman, who is a former minister like myself, realizes that with a large staff, as this department has, there are always -

MR. NEARY: Mr. Chairman, if the minister would allow me, that is not the statement that I made, Sir. I did not say that the field staff were out to get the welfare recipients. On the contrary. As a matter of fact I have nothing but praise for the field staff. I think the minister misunderstood what I said. I am talking about the bureaucracy right here, down on the third floor of Confederation Building, not in the field. They do their work in the field. They do a good job. It is the bureaucracy here in the Confederation Building that retards them in their work.

MR. HICKEY: Mr. Chairman, I am delighted to hear that at least the honourable gentleman was not referring to the field staff. However, I cannot agree with him that the bureaucratic system within this building is out to get the welfare recipient because, Mr. Chairman, those people have been associated with, employed with this department for a great number of years. They, too, Mr. Chairman, share the desire and the wish of this administration in alleviating want and distress and poverty throughout this province. To suggest that those people, just for the sake of catching someone or harassing someone or making life miserable for someone is indeed, Mr. Chairman,

a very serious charge. I have no doubt that on occasion it may appear that way. Neither am I prepared to say that this department any more than any other reaches a state of perfection that from time to time errors are not made or poor judgements. Mr. Chairman, it is wrong to label the great majority for the sake of the few. So, Mr. Chairman, I just want to register my disagreement with the sentiments as expressed by the member for Bell Island because I think that this kind of statement can indeed make life very miserable for a group of persons, whether they be at headquarters or in the field who already have a most difficult task, a most trying task, yet a very worth-while task to perform.

Mr. Chairman, the members of the field staff indeed deserve a great deal of praise. I hope that the investigative branch continues. I compliment the member for St. Barbe North on supporting the efforts by this administration to assist in the obtaining of LIP grants and creating of jobs. It has been needed for so long. Now that we have it, I cannot help but agree with him that I hope we see the day, not too far into the future, when this programme is indeed increased.

On motion heads 8-01-01, 02, 8-02-01, 02-01,02, 08, 8-03-01, 02-01, 02, carried.

AN HONOURABLE MEMBER: Inaudible.

MR. OTTENHEIMER: Salaries here, yes. That is additional staff. That is for the welfare officers, Sir, 225 of them, the district supervisors and support staff.

On motion Head VIII, Social Services, without amendment carried.

Head VII, Justice, 7-01-01.

MR. HICKMAN: What I was going to suggest if it be all right with my learned friend opposite, instead of my reviewing the subheads now, if we waited until we came to each subhead. Are they going to question me on that?

MR. W. ROWE: Inaudible.

MR. HICKMAN: Well, two, Mr. Chairman. One in particular is the corrections programme that is being implemented. Honourable gentlemen

will recall that last year at the request of this government there was a federal - provincial committee on corrections set up with equal representation from the federal government and ourselves. It was chaired by Mr. Keith Kautz who is executive director of the John Howard Society of Ontario.

That committee brought in its report in November and it was released jointly by the solicitor general, the honourable Warren Allmand, and myself. One of the first recommendations of that committee and I consider one of the main recommendations was that we immediately appoint an intergovernmental committee to start work on the implementation of the corrections programme. This committee was appointed. It is under the chairmanship of Mr. Morris O. Bartlett who is a professor of psychology or sociology at Memorial and a former United Church clergyman. I suppose he still is a United Church clergyman. I do not think it would be former. One time he was executive director of the John Howard and then subsequently president thereof. Mr. Bartlett is working with the department on a part time basis now and there is again federal representation on that committee.

Maybe I can expand on some details when we come to that corrections subheading. The other new programme is a vote which we will ask under 7-11-09 for a medical examiner system. This system is designed to bring in not a replacement for the coroner's jury system because we have never had the coroner system in Newfoundland, but it is designed to bring in what is a modern concept of the coroner's jury system. The coroner's jury seems to be on the way out in Canada. This will enable us when the facilities are provided at the medical school - the vote this year will be used primarily for the provision of the necessary facilities - to provide to a point a doctor who is skilled in the forensic sciences so that any autopsies that are required can be performed not just by him but by examiners appointed under him.

If any person die today in Newfoundland, say without an attending physician, maybe of old age, there may be no suggestion of

any untoward action but if he or she do not have an attending physician, nobody will sign that death certificate, which means the body accompanied by the RCMP must be brought into the chief pathologist in St. John's and an autopsy done. The plan is that the chief medical examiner when appointed will then brief doctors strategically located throughout the province as to what to look for. If a doctor have any doubt at all, then he can phone the chief medical examiner. If there is still doubt, then the body is brought into St. John's and the usual examination is carried out. That is one feature of it.

Another is that even now we do have in Newfoundland one forensic physician who is - forensic pathologist is the word I am looking for - who has been from time to time furnishing professional advice to crown prosecutors. They find this to be of great help because a lot of the evidence given, say in a murder case, by the medical practitioners is pretty technical, very technical. Practicing lawyers need some help in interpreting that and getting the kind of evidence before the judge and jury that is comprehensible to laymen.

The other work of this medical examiner will be of course in the field of criminal law. The plan is that he will be attached to an employee of the Department of Justice which will give him total independence which is, as I see it, most essential. There can be no restriction on the right of a chief medical examiner to arrive at the kind of diagnosis that he feels is appropriate. This medical examiner system will give him pretty well total autonomy within the Department of Justice as opposed to the Department of Health.

This system is about to be implemented in the Province of Nova Scotia and as I say, it was implemented in Ontario following some rather unusual enquiries that were instigated by the NDP member of parliament up there, that rather famous doctor whose name is Morton Shulman. That is the man - "How to make a million" - but he also did, I think, a very good job a few years ago -

AN HONOURABLE MEMBER: Inaudible.

MR. HICKMAN: No. In bringing this to the attention of the authorities.

Now, there is one thing that I am rather proud of and that is

that in our vote this year for the first time - I realize it is voted under another department - there is a vote of \$203,000 under construction and alteration in capital for the police protection. The bulk of that fund is to be used to retain architects to plan new headquarters, new facilities for the Newfoundland Constabulary. To say that that is needed would be the understatement of the century. I do not know how long it has been sought but there is no one on the staff of my department today in a professional capacity who can remember a year when that request was not included in the draft estimates and taken out.

This year it is in. I regard it as a first step towards providing the kind of facilities that I would like our provincial police force, the Newfoundland Constabulary, to have.

Again under capital account there is a vote of \$120,000 for monies to be used to renovate and provide accommodations for the Court of Appeal which will be appointed hopefully in this province before the end of the year. At least the provincial legislation is before this honourable House at this time. We also have provision on capital account for a new fire station in the North West, the Kenmount Road Area of St. John's. That fire station will afford protection to the Baird Subdivision, to the St. Phillip's Area, to the Newtown, to the Donovan's Industrial Park. It has been urged upon me that that part of the city cannot be adequately protected at this time by the existing fire stations.

There are some other matters which I can deal with as we go along but the honourable gentleman from White Bay South asked me if I would draw to the attention of the committee the new programmes that we have. I will be very pleased to give the details as we come upon them.

On motion heads 7-01-01, 02, 7-02-01, 02-01, 02, and 03 carried.

MR. W. ROWE: Computer services, \$20,000 up from a total vote of \$100,000 last year. What does the Department of Justice use the computer for ordinarily? What type of work?

MR. HICKMAN: The Department of Justice so far has not used the computer service but we do now have an administrative officer in the department, Mr. Gerry Smith, who is a very competent fellow and he has been working with computer services. Apparently they have come to the conclusion that a lot of work in the department should be and can be computerized in the accounts.

We have also had the benefit of some advice from a gentleman whose name escapes me now but he is of Labrador South origin and who now is living in London England. I think the name is White. In any event, he has been here giving us some advice. The name is escaping me. In Ontario now and in some of the schools of law a lot of the recordings are computerized, some form of computerization so that if one wants to look up the old decisions and - this is what we are working on and this is a pure estimate. I cannot guarantee this committee that it will be forthcoming this year. At least we are going to give it a try.

MR. W. POWE: Mr. Chairman, this is perhaps not the head to go into this particular question on. Probably under library or courts down here further, but hence to mention it, it is intriguing. Most of the forward looking legal jurisdictions now are starting to get away from or trying to get away from this drudgery imposed upon practicing lawyers at considerable expense to their clients of having to look up almost in a haphazard trial and error fashion cases and decisions relating to a certain topic. Now, of course there are all kinds of indexing and everything available to lawyers. They know the broad, general topics they are looking for.

How many cases or how many head notes or how many briefs of cases have lawyers in this House read through and through and through trying to find the cases which might be applicable to the one they might have in court. I would say that a great amount of time spent by lawyers, a great amount of the cost to a client in a court case would be attributable to the research end of it.

I would like to see the Department of Justice here, perhaps in conjunction with the Government of Canada, I do not know. It should

be probably one of the shared things since we go far afield to get our law. I would like to see something like this implemented. We have the technology available to us to do it now. It is just a matter of spending the money and having the computer time available and reserved and microfilms and anything else that might be necessary.

Now, perhaps other members of the committee might have some ideas on this. I do not know if the member for Placentia East who has been involved in legal-aid and things has gotten into this side of it or not. Perhaps the member for St. John's South, and the minister himself might give the committee some indication as to whether this has gone past the preliminary thought stage at all or if any consulting work has been done on it or if there is any intention on the part of the Department of Justice to get into this field.

If my honourable colleague has any complaints about the high legal fees - I think he complains about the high legal fees that apply to property transactions - I would also tell him that legal fees are very high in matters of litigation as well, not because the lawyers are taking a rake-off I would submit, Sir, but that the time necessary, the time that must be spent, necessarily spent on researching cases and reading and looking around to make sure that ones client is not going to lose a case because some particular precedent is overlooked or was not pointed out to the judge or the appropriate legal arguments were not made based on the legal precedents.

I think that if we could cut down the time spent on that, we would effect considerable savings to people who have the misfortune to have to go to a lawyer on a matter of litigation.

MR. HICKMAN: We have had some discussions, as I say, with this gentleman, White, and also there is a new information service - I hate to use the word - promoted by the Minister of Justice in Ottawa, Mr. Lang. At the last conference of Attorneys General he undertook to make available to us their experience so far in the computer field, asked us if we would prepare and start keeping a lot of statistics for him, which we have done. It has been kind of burdensome but we now have asked the magistrates and the clerks

of the district and supreme courts to compile records which we submit, I think quarterly, to them. I think they are going to start feeding some of this through the system and then report back to us on it and see what we can implement. It has not gone much beyond the formative stage yet.

MR. CHAIRMAN: Shall 08 carry?

On motion 08 carried.

Shall 703-01 carry?

MR. F. AYLWARD: Mr. Chairman, I would just like to say I heard the minister state that there is legislation before this Committee with respect to an appeal court. I know his views and the views of his previous predecessor who is now the opposition critic on justice and I think it is the unanimous consent of certainly all lawyers in the province that an appeal court is necessary.

I hope that next year when we come to courts that by that time an appeal court will be constituted. I do not think there is any doubt, Mr. Chairman, that the Province of Newfoundland really should have had by now an appeal court. In fact, I think, we are the only province except Prince Edward Island that is today without an appeal court.

That I think is certainly something that is seriously lacking in the administration of justice in this province. We have just four trial judges in the Supreme Court. If there be an appeal from either one of these gentlemen, you have three of the judges in the trial division sitting to hear the appeal. That is certainly not a very, very good situation.

I sincerely trust that, it is long overdue, the provincial legislation will be brought in in this session. That when the new parliament is convened in Ottawa, that this legislation will certainly become effective, because what this will mean is that we will have an appeal court separate and distinct from the existing trial division and this will make the four judges who now compose the Supreme Court just available for trials only in civil and criminal matters.

I was a member of the Committee of Benches appointed some years ago to investigate the necessity and it was the unanimous decision of this committee who recommended it to the Law Society and the Law Society in turn recommended it to the Department of Justice. I know that the

present Attorney General and his predecessors have all agreed. I think it would certainly meet with the unanimous consent of all parties that this legislation be passed as promptly as possible and that that court be constituted. Because, Mr. Chairman, unless and until we get an appeal court in this province, I do not think we will have the Administration of Justice in the manner that really the Newfoundland people are entitled to expect.

Also, of course, the conditions in the Court House will certainly— I do not know what the plans are but really, Mr. Chairman, I think the time has come that we need a completely new courthouse in this province. The conditions existing at the Registry of the Supreme Court are the same now as they have been for the past twenty years with the workload of that court increasing, well I suppose about tenfold. In addition to the increase in just civil and criminal litigations you have had divorce added and that in itself has taken a considerable amount of time both of the judges and of the officials in the registry.

So I think it is beyond doubt that we need to have the four judges that are presently in our court just for trials alone and that we have the appeal court as promptly as possible and that further administrative staff be given to the court officials now particularly in the registry so that they can accommodate the workload.

AN HON. MEMBER: Inaudible.

MR. AYLWARD: Yes. He is taking one judge out of circulation. That is true. That is true.

AN HON. MEMBER: Inaudible.

MR. AYLWARD: The honourable gentleman makes a very good point that, you know, both the federal and provincial government at times see fit to invoke the services of judges to conduct the enquiries and duties outside of their normal cases. And of course, this as the honourable gentleman has suggested absorbed a great deal of time. I think, Mr. Justice Puddester, the previous judge who retired from the Supreme Court, sat on the Boundaries Commission and Mr. Justice Riggins sat on another Provincial Boundaries Commission.

AN HON. MEMBER: Inaudible.

MR. AYLWARD: Then apparently Mr. Justice Mifflin is still tied up, as the honourable gentleman suggests.

But these are very time-consuming tasks and I know they can only result in restricting the time that the judges have for their civil and criminal cases.

So really I think the appeal court, as I have said before, would go a long ways towards solving that and then of course we need accommodation. Really people who are connected and concerned with the administration of justice are ashamed of the conditions that prevail, even in St. John's, the condition of our Supreme Court and as I have said before, the working conditions in the Magistrate Court. My learned friend has indicated to me that he has a few remarks that he wants to make on that.

But all of these courts - they really need in this province a new Court House in St. John's. I sincerely trust that funds will be made available and that the Attorney General is successful in convincing his federal counterparts to make a contribution of a capital nature to the construction of a good court house so that when people have occasion to visit our courts that they will find the accommodations not what they are today but, you know, becoming to the Law Chambers.

So, Mr. Chairman, I do not want to delay the Committee but I do hope that when we come to this heading next year that we will have our appeal court.

MR. R. WELLS: Mr. Chairman, I certainly echo the remarks of the Member for Placentia East with regard to the appeal court and the physical accommodation of the courts particularly here in St. John's.

I do not want to delay the Committee unduly but I cannot let this head pass without making a few remarks by way of assistance to the minister I hope on the subject of the Magistrate Courts. I think that we should all understand that with the coming of Confederation a great deal more work was placed in the Magistrate Court that heretofore was in the Supreme Courts. The judicial process and the amendments to the Criminal Code in Canada, over the twenty-five years that we have been a province, have resulted in ever more work, criminal work being lodged in

the Magistrate Court. This culminated in the amendments of a year or so ago when cases like rape are being able to be tried by the magistrates, criminal negligence is also able to be tried by magistrates. So there is very little now that cannot be tried by a magistrate except perhaps what? Murder, treason or things that. I mean the Magistrate Courts are now dealing with probably ninety-nine point five per cent of the criminal work that is being dealt with in this, more I suppose than in any other province for that matter but I know of what I speak insofar as this province is concerned.

I do not suppose there are more than one dozen criminal and jury trials in Newfoundland in any given year - not much more than a dozen perhaps, at the outside fifteen or sixteen, some years only seven or eight.

Now this points up the problem and questions attached to the magistracy and to the facilities which they have. Now in my experience, Mr. Chairman, the facilities outside St. John's for the volume of people using them tend to be better than inside of St. John's. The organization outside of St. John's tends to be better than the organization inside of St. John's.

If people go before a Magistrates Court in most parts of the province, particularly in the smaller places, believe it or not, the court is ready to deal with the four or five cases that it may have during the day, everything is set up, everything is organized and a defendant, a lawyer, whoever is appearing there before the court can go and expect to have his matter dealt with and come out of it. But it is when you get to the Magistrates Court down here that you see really what is a very grave situation, in my view.

Now the minister is in a rather difficult position. The minister is at the top of the administration of justice, the courts and everything come under him but obviously the chains of command in life being what they are then very few people in the system are going to come up to the

Minister of Justice and say, "Look, Mr. Minister this thing is not working right or this thing is causing difficulty." What happens is officials and people generally who tend to deal with the minister, I should imagine, would be less than honest in this regard and would say, "Oh, yes, Mr. Attorney General, you know things are managing in the Magistrates Court." But the fact is that in a lot of instances they are not. There has been some criticism recently about the courts and some concern. How much of it is right or wrong, I do not know. I have not read everything that has been said but I will say this, we have down there now in St. John's two magistrates, both fine men, highly qualified men, men who if they were not in the post I would sometimes not see how the thing could function at all. But these two magistrates have two separate courtrooms. That is fine. There is an R.C.M.P. prosecutor there and there is a district inspector who prosecutes constabulary cases.

But what happens is that there is not a completely separate staff for each court. So therefore you have two magistrates, they may be prepared and ready to sit but one magistrate may be waiting on the district inspector who is prosecuting before the other magistrate. Likewise one magistrate may be waiting for the R.C.M.P. corporal or sergeant who is prosecuting before the other magistrates. So that what is needed in order for this thing to function properly, in my view, and I have some familiarity with it, is two distinct set-ups, it is you see, what is a magistrates court? What is any court? It is one man who is given by law the authority to decide matters but what he needs is a support staff, if you like, to bring the matters before him expeditiously so that he can do it but it all finally comes out of his head. He is the man who decides but there is a pyramid or a pinnacle leading up to him in which people have got to be there ready to do their jobs so that their thing can proceed.

There has been some criticism from time to time of lawyers. Maybe some of it is justified but I have seen myself, time after time, six,

seven, eight, ten lawyers on occasion just sitting around waiting for something to happen and people going from one to the other and saying, "Look what is happening? Can we get a courtroom? Where is the magistrate? Oh the magistrate is ready but inspector so and so is in another court and he is not ready. Where are the R.C.M.P?" Honestly, it has gotten so that the experienced counsel sometimes goes in there and he has got to round up the whole thing and get it moving. So he goes and finds a magistrate and says, "Magistrate are you ready?" "Yes, I am ready, if I can get so and so and so and so." You have got to round them up and you have got to get the whole lot and finally you get your team in and the court starts.

Now this is not an exaggeration; it is the simple truth. So to correct this it seems to me and, of course, it is bad enough for lawyers, but lawyers go in there with a little bit of clout but I sometimes pity the poor witness and the poor accused persons who are sitting there rocking for hours waiting for something to happen.

So the only way it seems to me that this, and I offer this as I say by way of suggestion for the minister because I am closer day by day to that than he can possibly be in the position he is in. The suggestion I offer is this, that you have a separate court, you have your magistrate, you have his court reporters, you have a prosecutor, you have whatever other official is necessary and he is in No. 1 court down in St. John's, you have a magistrate and a duplication, the same sort of person in No. 2 court and with pretty strict rules about their intermixing, otherwise the system would fall down. So then two courts could operate fully all of the time. There are certainly enough cases down here to warrant it. Sometimes I wonder that the magistrates can keep their sanity with the sheer volume of cases that are flowing through the courts.

Now I hope I am not taking too much time, Mr. Chairman, but there is one other thing that is necessary down there I think to make it function properly and that is this, that is a magistrate who is on duty, not one of the two magistrates who sit all day hearing cases or should sit all day hearing cases but magistrates who can alternate perhaps with each other

to do duty in the evenings, maybe duty even starting 8:00 A.M. in the morning when the cells are opened up and the new shift comes on duty of police and you want to get people out of the cells and on bail. Because a lot of the time of the regular magistrates is taken up with dealing with bail applications. They are dragged out of bed in the night to come down there, sometimes when it is anything serious. There should be a magistrate on duty, not a night court perhaps in the way it is thought of in Chicago and New York and other large cities but a magistrate who is on duty, on rotation, up perhaps until 11:00 P.M. or 12:00 P.M. at night to deal with the cases that come in and can be dealt with in that sense and men let out on bail and sent home, doing whatever has to be done. Small matters involving a very minor fine could be dealt with right there on the spot and let the real, when I say "the real" let the ordinary courts function as trial courts. God knows there is enough stuff coming through the system to warrant that. So I think there should be also and it could be junior magistrates who are learning their craft as it were who can deal with quick matters at night and early in the morning and also deal with enquiries. Because sometimes the whole situation down there in court is paralyzed because magistrates are there on enquiry, somebody is dead, there is a magisterial enquiry into the death. There is a magisterial enquiry into a fire. There is a magisterial enquiry into whatever it might be and the magistrates are patiently sitting there in their offices with a girl taking down the evidence of a witness who is explaining what happened in the particular incident and outside there are accused persons, lawyers, police, everybody lying around and saying, "My God, is something going to happen?" This is just the way it is.

AN HON. MEMBER: Inaudible.

MR. WELLS: And preliminary enquiries - my learned friend says preliminary enquiries, exactly the same thing. The magistrates dealing with them and everybody else is sweating it out. So as I say the minister cannot possibly see what it is like there and I do not expect anybody to come and tell him because if the minister went down there and said, "Well look what is the situation here?" There would be, "Yes, Sir, No, Sir, three bags full, Sir."¹

He would think; "Whoa! You know things are really on the ball." This is very true and the bits of criticism that are coming out of the court and from members of the police, lawyers etc. to some extent they are justified. I offer this simply as an explanation of what is happening and a few suggestions as to what I think might be done for the assistance of the minister in solving some of these problems.

MR. CHAIRMAN (STAGG): The honourable Member for Labrador South.

MR. M. MARTIN: Mr. Chairman, we have a chronic problem in my district related to backlog of cases for the Magistrates Court. This I think is due to the fact that the magistrate for some reason or another cannot visit the district often enough. There are long periods between visits and cases back up. I am wondering whether or not this is peculiar to my district or to rural areas or if this is a universal problem?

Two questions I suppose, relating to this; What is the situation with backlog of cases of this nature at the present time? And what plans do the minister have to deal with this situation?

MR. HICKMAN: Mr. Chairman, firstly may I thank the three honourable and learned gentlemen who have commented on what is unquestionably a problem in our court system as in the Magistrates Court in St. John's. Now I will come to this question raised by the honourable Member for Labrador South immediately following that.

The suggestion and the idea that additional staff are required in the Magistrates Court in St. John's, so that both can function, in my opinion has a great deal of merit. Indeed, we have the request right now before Treasury Board for additional staff for that court. At the present time in the magisterial service we need two or three magistrates. The announced government policy is that we would prefer that all magistrates are legally trained but as the Steele Commission said, "This is not realistic at this time."

What we are doing and continuing to do, a policy was implemented a few years ago, is to send magistrates to Dalhousie School of Law to take a law degree and then come back and continue on in the magisterial service. Magistrate Scott of St. John's and Magistrate Trahey have both

graduated and you know are now functioning as legally trained magistrates. Magistrate Langdon recently completed his second year and Magistrate Goodyear of Gander will be going to Dalhousie Law School this year and hopefully more each year thereafter. Dalhousie can only accommodate one per year. It is a fairly expensive proposition but at the same time these magistrates do service during the four months of the summer as relief magistrates. We also have Magistrate Akman on his own account who is at McGill Law School. I had forgotten about him.

We will be advertising for magistrates within the next few days. We have now implemented a new salary scale for magistrates which is in line with the Steele Commission Report, it is somewhat higher in one instance. The new scale for magistrates is; for legally trained magistrates the scale is \$17,000 per annum up to \$27,000 per annum. Indeed, I do not want to sort of name names but we do have a couple of senior magistrates who are pretty close to that right now. For the lay magistrate, the new salary scale is \$14,000 per annum to \$23,000 per annum. I would hope that that salary scale will attract some lawyers to the Bench. That scale for lawyers, whilst it is not comparable to Ontario who always pay \$2,000 a year more than county court judges are paid by the federal government, it is now certainly comparable now to the other provinces. For lay magistrates, well we do not have anything to compare it with. Saskatchewan I think has three or four lay magistrates but they have a two tier system.

While I am on the question of salaries, I am sure everybody is familiar with the problems that we have been having in recruiting and attempting to recruit lawyers to the staff of the department and particularly crown prosecutors. We have run another advertisement now for two or three weeks at a new salary scale. The new salary scale for lawyers now in the Department of Justice is from \$12,000 per year, that is for a man straight out of law school with not a days' experience to \$32,000 per year. I notice the Chairman is making notes. I hope he can be persuaded to give up his very lucrative practice in Stephenville and service his country. That \$32,000 a year does not include the top people within the department.

5760

We feel this is necessary because we should be in a position to say to a lawyer who is coming into the department, "if you perform this is where you are going to be in three or four years, five, six, seven, eight, ten years time." Thirty-two thousand a year - a lawyer who can make \$32,000 a year in private practice has to gross I would suggest at least \$64,000, in fact I would suggest maybe more.

But regrettably, even with that salary not one application, not one.

MR. W. N. ROWE: What about draftsmen?

MR. HICKMAN: Legislative draftsmen are on the same scale, \$12,000 to \$32,000. We have one gentleman from the Scottish Bar who is here now and has had many years of experience in drafting and who will soon be called to the Bar of Newfoundland.

We have had a couple of inquiries from very promising solicitors in St. John's who are interested in the broad scope of the Department of Justice. One Newfoundlander who is a senior prosecutor in Ontario has indicated that he may come down. Well, he is due down at the end of the month. We have had so many here. We have spent thousands and thousands of dollars bringing lawyers to St. John's in the last eighteen months, showing them around, winning them, dining them, telling them what a pleasant place it is to live and they say, "Well we need a week to think it over." When I hear them say that I know what that means. They are not coming. I think all they do is go back to their own department and get a higher salary.

Mr. Chairman, to give you an indication of the work load that my department is carrying: We have more jurisdiction for instance in the Department of Justice in Newfoundland than does the Department of Justice in New Brunswick. In New Brunswick the cities look after the police, the cities appoint their own magistrates, their own prosecutors, their own fire departments, a lot of the jails are county jails, the ones they have, or else they use Dorchester. New Brunswick has forty-three lawyers on the staff of the Attorney General. We have less than ten. I can only assure the honourable gentlemen that any Saturday or any Sunday or most evenings there are several lawyers working in the Department of Justice.

Mr. Chairman, for those interested in coming in and this is something that is not known to the profession, the Department of Justice in my opinion offers the broadest type of practice that one can get in the legal profession. I know if I had a son who wanted to study law and wanted to article I would insist that he article in the Department of Justice where he would learn law rather than search titles, and get some experience there. This was under salaries.

This is with respect to the backlog of cases in St. Barbe South. Two or three years ago there was a decision made to bring St. Barbe South within the magisterial district -

AN HON. MEMBER: Labrador South,

MR. HICKMAN: To bring Labrador South within the magisterial District of Goose Bay. We pretty well have decided now that that should be changed and that Labrador South should go back into the magisterial District of St. Anthony. The magistrate in St. Anthony really does not have a day's work a month. The honourable gentleman asked if there were a backlog in rural Newfoundland. The answer is no.

The Steele Commission recommends and it is contained in the bill that we will be bringing before the House within the next few days, the Provincial Courts Act, the appointment of a judicial council who amongst other things will look at the magisterial district boundaries. There may be a great deal of merit in centralizing our magisterial services and having very fixed and frequent circuits throughout the province. If we have a man who certainly if he should come out of law school and we should put him in Harbour Breton, if he were to have two criminal cases a year he would be lucky, and they would only be impaired driving and the rest would be a few traffic cases and collecting some monies for the school tax authorities and the municipal authorities. He simply will not stay there.

Mr. Chairman, I would hope that in Labrador South - I have asked and the honourable gentleman has advised me before and we have caught up with the work as soon as I was advised - that if he hear any complaint to let me know and we shall try to rectify it.

MR. CHAIRMAN (Mr. Stagg): On motion 703-01, 02-01, 02-02, 03-03, 02-04, 02-05, carried.

MR. W. N. ROWE: (Inaudible).

MR. CHAIRMAN: (Mr. Stagg): On motion 02-06, 07-01, 07-02, 07-03, carried.

MR. MARTIN: Mr. Chairman, on 07-04, could the honourable minister just explain briefly what the scale for jurists' fees are at the moment. I have heard complaints in the past about people being called for jury duty and who were not reimbursed according to what they might have earned on a daily wage. I am not sure if this is what they are talking about here. I wonder if the minister could just explain what the situation is.

MR. HICKMAN: The jurors are now paid six dollars per session. We are now working on a new scale for jurors. We also hope to bring before this committee (in fact it is now drafted) a further amendment to the Judicature Act which will make it compulsory for employers to pay an employee whilst they are on jury duty.

MR. CHAIRMAN (Mr. Stagg): On motion 07-04, 07-05, carried.

MR. W. N. ROWE: Mr. Chairman, on 704-01, which is not strictly relevant under salaries but since we do not vote the capital I will ask a question under this heading. What progress is being made on the new penitentiary that the minister announced for this year or last year?

MR. HICKMAN: I did not announce a new penitentiary for this year or last year. I am very pleased to report a great deal of progress.

The report of the Corrections Committee recommended that there be appointed an architect skilled in the design, firstly of

the programme for corrections and secondly for the institution or institutions. I asked the Solicitor General, sort of a tongue in cheek, if he would fund the total cost. To my delight he has agreed to do it.

I read an editorial in one of the papers in January suggesting that it was wishful thinking for me to think that the federal government would co-operate on this and suggesting that I might as well get on and appoint the person or persons to do the study when the point of fact is that he was appointed months before. They have now just about completed the work. It is Mr. Kenneth Al McReynolds of Thornhill, Ontario. He is an architect by profession. He has completed an assessment of the correctional needs of the province. He is now in the process of preparing a report, which will be submitted to both governments, as to the institutional requirements of Newfoundland. He is a highly skilled gentleman. He has been working with the interdepartmental committee, with Mr. Morris O. Barlett and his committee.

As I said, the Government of Canada are paying the costs. One thing I think we can boast of is that from the correction conferences that I have attended this past year, this past four months, there is no doubt in my mind that Newfoundland is much further ahead right now with our correctional planning than any of the Maritime Provinces. We seem to be in the good books of the Solicitor General and he is very anxious to help us.

Mr. McReynolds was recommended to us by the Solicitor General. He has designed new correctional facilities for the Northwest Territories, for Northern Manitoba, with the native community, and one or two other places. I will not presuppose what his recommendations are going to be. We have suggested to the federal government that there should be a community residential correction centre in Goose Bay to take care of a problem that is peculiar to that area. Mr. McReynolds and his committee have been in there. There has been an offer of local involvement, local participation, particularly by the Kinsmen Club. There

is a vocational school there. I foresee that there will be a community correctional facility in Goose Bay. Obviously there is going to have to be a new one in St. John's. There may have to be another small residential community centre somewhere else. I am not looking at the Chairman but there will have to be another somewhere else. We do not have that recommendation.

Unfortunately with some of our native offenders, when they come into the penitentiary in St. John's or they go to Springhill, they are model prisoners, they get early parole but they do not participate in the learning process because the courses that are given there are not relevant. If we can have that centre in their own area where they can avail of community activities and recreational or vocational facilities, I think that we will go a long way in solving that problem.

Mr. Chairman, I am very, very happy indeed with the progress that we have made in correctional facilities. Also in that vote are monies which will be used to implement, hopefully, the start of an adult probation service in Newfoundland. That is part of the monies we are asking for and again the McReynolds Report will have some very strong recommendations on it.

MR. MARTIN: Mr. Chairman, as the honourable minister very well knows, we have had a very grave problem with regard to certain elements of the native community as the correctional institutions have dealt with them. In some cases we have managed to get the reverse results of those which were expected.

Mr. Chairman, I am very pleased to hear that these plans are going ahead in Goose Bay. I am wondering if the minister could just enlighten us as to what the scope will be. What types of offenders will be handled at the Goose Bay institution?

MR. HICKMAN: Assuming that we are going to get that recommendation, everyone except those who are really deemed to be security risks, and they are few and far between, I would say the huge majority will be in that institution of all types of offenses.

MR. CHAIRMAN (Mr. Stagg): On motion 704-01, 02-01, 02-02, 02-03, 02-05, 03, carried.

MR. MARTIN: Mr. Chairman, on 705-01, I have a question regarding the administration of police protection services. I will ask one question first. This may answer the whole thing or it may lead on to another one. Does the province subsidize only the St. John's Municipal Police, the constabulary in this case, or does it also subsidize other municipal police forces? Are there training facilities available for police forces of other municipalities as well as salary subsidization?

MR. HICKMAN: Mr. Chairman, we pay the total cost of policing the City of St. John's, through the Newfoundland Constabulary. We do not subsidize any of the municipal police forces as such. All the municipalities are policed by the R. C. M. P. We do pay for that force. We have offered municipalities from time to time the training facilities of the Newfoundland Constabulary if they wish to send any of them in and some municipalities have availed of it.

MR. MARTIN: Is there any legislative umbrella under which a municipality may hire a police officer having trained under the constabulary training programme, paid for by the province? There is a second question in that respect. Is there any set of regulations, set of standards which must be followed when municipalities are hiring police officers? Do they have to come up to a certain standard, the standard, for instance, of the R. C. M. P. or the Constabulary?

MR. HICKMAN: No, Mr. Chairman, there is not. Under the Local Government Act, we have the power to confer upon a local police officer, the municipal police officer, all the powers of a policeman. We have no control over the hiring of municipal policemen. They hire their own. For instance I know of a couple of municipalities which have very good municipal policemen right now. There is no standard, at least they have to follow.

MR. CHAIRMAN: (Mr. Stagg): On motion 705-01, 02-01, 02-02, 02-03, 02-04, 02-05, 03, 04, carried.

MR. MARTIN: Mr. Chairman, on 706-01, the same question applies here. Apparently the province is providing the City of St. John's and greater St. John's with fire protection. Is this same service afforded to other municipalities or is this strictly a bonus that St. John's is getting?

MR. HICKMAN: It is well-known that the province pays for the cost of providing fire protection for the City of St. John's. The City of St. John's makes a grant of I think \$10,000 a year, which is kind of low. There are substantial grants that have been made to the City of Corner Brook. We do have, in the areas where they do have the volunteer fire brigades, training courses through EMO here in Torbay and this year we plan some regional training courses for the volunteer fire brigades and also we have the cost-sharing of fire equipment.

MR. CHAIRMAN (Mr. Stagg): On motion 706-01, 02-01, 02-02, 02-03, 04, 05, 03, 04, 707-01, 03, 708-01, 02-01, 02, 03, 04, 709-01, 02-01, 02, 03, 710-01, 02-01, 02, 03, 711-03-01, 02, 03, carried.

MR. HICKMAN: Mr. Chairman, on 04, legal-aid, I move that that vote be increased to \$225,000. That is necessary. It is an accounting thing because at the bottom we have less related revenue, Government of Canada, \$75,000.

MR. THOMS: Mr. Chairman, could the minister explain to us this legal-aid? It is paid by the government. Could people, say from out-of-town, come in and receive legal-aid as they do in St. John's? I have a case in which this did not happen. He was refused legal aid. I have another constituent of mine who is having difficulty in seeking legal-aid. Can the minister, while he is on his feet, tell us how many lawyers are involved in this?

MR. HICKMAN: Mr. Chairman, legal-aid applies provincewide. If the honourable gentleman have a constituent who could not get legal aid the only reason why he could not have gotten it would have to

have been that it was for something that at that time was outside the scope of the legal-aid programme. If it were a criminal case, he is entitled to it if he can meet the criteria. The criteria is that to pay a lawyer's fee he would have to deprive himself or his family of the necessities of life. The legal-aid programme is being expanded a great deal into the civil field now, particularly of divorce and family matters.

What was the other question the honourable gentleman asked me?

MR. MARSHALL: If I may, Mr. Chairman and I know I am in danger of the wrath of the Hon. Minister of Justice, but I think there is more to be said on legal-aid, this beneficial programme brought in by the Minister of Justice. I think we should perhaps raise the committee and ask leave to sit again.

On motion that the committee rise and report having passed certain items of expenditure under the following Heads: Head V, Manpower and Industrial Relations, Head VIII, Social Services, Head XVI, Rural Development, all items, Mr. Speaker returned to the Chair.

MR. STAGG: Mr. Speaker, the Committee of Supply have considered the matters to them referred and report having passed certain items of expenditure under the following Heads: Head V, Manpower and Industrial Relations, Head VIII, Social Services, Head XVI, Rural Development, all items, have made further progress and ask leave to sit again.

On motion report received and adopted.

On motion committee ordered to sit again on tomorrow.

MR. SPEAKER: This House stands adjourned until tomorrow Friday,
May 10, 1974 at 10:00 A.M.