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Speaker: Honourable Thomas Lush

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The House met at 2:00 p.m.

MR. SPEAKER (Lush):
Order, please!

I would like to welcome to the House today, on behalf of hon. members, the Mayor of Salmon Cove, in the District of Carbonear, His Worship Mayor Bill Peckham.

SOME HON. MEMBERS:
Hear, hear!

MR. SPEAKER:
Also I would like to welcome to the galleries fifteen Grade VIII students from St. Patricks School, Patrick Street here in the city, with their teachers, Ms. Ryan and Mr. Rumbolt.

SOME HON. MEMBERS:
Hear, hear!

Oral Questions

MR. RIDEOUT:
Mr. Speaker.

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

SOME HON. MEMBERS:
Hear, hear!

MR. RIDEOUT:
Mr. Speaker, I have a question for the hon. the Premier. We have seen, over the last month or so now, that the Premier is very quickly developing a reputation, as I said yesterday, as the King of the Double Standard. We saw his double standard on potential conflict of interest answers in the House over the last couple of days. We have seen double standards on election commitments and so on. Mr. Speaker, let me

ask the Premier whether or not the Premier, on behalf of the government, has issued instructions dealing with government appointments to government boards, agencies, and Crown corporations? And if he has, in fact, what those instructions are?

PREMIER WELLS:
Mr. Speaker.

MR. SPEAKER:
The hon. the Premier.

PREMIER WELLS:
Just to deal quickly with the silly remarks that preceded the question.

MR. RIDEOUT:
It is not a silly remark. It is true.

MR. FLIGHT:
Stupid.

PREMIER WELLS:
That is right, stupid and silly.

SOME HON. MEMBERS:
Hear, hear!

PREMIER WELLS:
Immature and of no value is more appropriate.

Now to deal with the part of the comment that has some merit, the question that the Leader of the Opposition asked. There has been no formal written instruction issued. The Cabinet has looked at the large number of appointments that are being made in the various boards and offices. And my recollection is that there is something like 1,700 altogether. It is a massive number. The instruction is we have to stop the political appointment of the past and start appointing on the basis

of merit.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

That is the general instruction. In fact we are looking at breaking down the appointments and providing for the minister concerned to make appointments after appropriate consultation with those of his colleagues that may be affected by it, other ministers and so on.

MR. SIMMS:

Will you consult this side as well.

PREMIER WELLS:

That depends on whether it is appropriate.

I would say yes, where it is appropriate. If the Minister of Health were going to appoint somebody to the Marystown Area Hospital Board, he might well consult the member for Burin - Placentia West (Mr. Tobin). It would not be an inappropriate thing to do. I would not consider it inappropriate. That is not to say he is going to appoint the political nominee - the member mentions necessarily. He is still going to do what is right to run the hospital properly.

But what we are thinking about, Mr. Speaker, is breaking down the boards. Those that are major provincial boards or appointments would still be appointed by the Lieutenant-Governor in Council on the recommendation of a Committee of Cabinet who would look at the appointments. Otherwise the minister would make the appointment after appropriate consultation.

MR. RIDEOUT:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Mr. Speaker, when you strike close to the quick of the Premier's thin skin, the answer is always predictable, stupid and silly. His job is to answer the questions, Mr. Speaker.

Now let me ask the Premier this. The general instructions that the Premier has just indicated he has given to ministers on behalf of the government in terms of appointments to boards, and his reference to political involvement and so on, can the Premier tell the House whether or not those instructions applied to the recent appointments to the Workers' Compensation Tribunal, where Judge Seabright, the defeated Liberal candidate, and a Miss Payne, a defeated Liberal candidate were appointed? Were these the qualifications that the Premier was looking for in the appointments to those boards?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

Yes, Mr. Speaker. The answer is very simple. But just so that the hon. the Leader of the Opposition will really fully understand it, it may come somewhat as a shock to him, but a great many of the most capable people in this Province are Liberals.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

His colleagues obviously did not realize it in their other life. The Workers' Compensation Tribunal had languished for a year and a half with an individual, nominally holding the post, who had difficulty convening the Appeal Tribunal because of his potential conflict, having been an advisor for the Workers' Compensation Commission prior to that and the inability to get hearings on. So we cast around for somebody who could do it well, who had experience, who could be relied upon to do a thoroughly good job and would have no conflict. We found a reputable, retired Provincial Court judge.

SOME HON. MEMBERS:

Hear, hear!

PREMIER WELLS:

Now it just so happened, and it was by the purest of accident, that he was a former Liberal candidate. Anybody who has been a supporter of the Liberal Party or a former Liberal candidate will never be precluded from being appointed to any board or office where his or her merit overrides any political consideration, and that is precisely what happened here.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Thank you, Mr. Speaker.

Let me say to the Premier that he might find some competent Liberals in the 47 per cent of a population who voted Liberal, but 48 per cent of the population voted PC. Never

forget that!

SOME HON. MEMBERS:

Hear, hear!

MR. RIDEOUT:

That was more than voted Liberal in the district of Humber East, I should say to the Premier as well.

Now, Mr. Speaker, let me ask the Premier: Is the Premier aware that five days after taking office his Minister of Social Services sent a memo to all Liberal caucus members -

MR. SIMMS:

Only.

MR. RIDEOUT:

Only to Liberal caucus members.

- asking for recommendations for appointments to boards under the minister's jurisdiction? Are those the instructions that the Premier gave? In other words, fairness and balance are now replaced by a Liberal First policy. Is that what the Premier is talking about?

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

Yes, Mr. Speaker. I am aware of it and I ordered its immediate recall and rescission to a proper standard, and instructed every other minister accordingly.

MR. RIDEOUT:

Mr. Speaker.

MR. SPEAKER:

The hon. the Leader of the Opposition.

MR. RIDEOUT:

Mr. Speaker, in that case and in view of the fact that the Premier ordered its recall, how come some of our members who happened to receive one by accident, were not ordered to return the document as well?

MR. SIMMS:

Table it, Tom.

MR. SPEAKER:

The hon. the Premier.

PREMIER WELLS:

I said I ordered the minister. Immediately that I became aware of it, I drew it to the attention of the minister and ordered its immediate recall. That is not the standard by which we are operating, and the minister knows it and so does every other minister, and now all members of the House know it as well.

MR. HEWLETT:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Green Bay.

MR. HEWLETT:

Thank you, Mr. Speaker.

I would assume the Minister responsible for Environment is aware that there has been an explosion at the Grand Falls mill involving some of the burners and pressure tubes. Could the minister elaborate on the nature of the incident, the degree of damage and any injuries to persons involved?

MR. SPEAKER:

The hon. the Minister of Environment and Lands.

MR. KELLAND:

If it is the same incident we have

reported on here, Mr. Speaker, there were two reports that came into the office not totally clear. We have requested answers to both and we have an answer to the sooting problem. If that is coincidental with the explosion, then I will be able to answer your question at the moment.

The other report of an explosion, which may have been separate from the sooting incident, is now being requested and as soon as I have that I will make it available to the House.

The incident with respect to sooting, which was reported to be the most severe one, I think, from Abitibi-Price in their experience there, apparently was not reported by Abitibi-Price as they were required to do. The reason given for that was that the regular person normally responsible, Mr. Speaker, was out of town and his backup failed to make the call. This information comes from the General Manager at Abitibi-Price, Mr. Carson.

The soot emission, which was actually an oily residue, occurred around 5:45 a.m. today and it was due to a combination of factors. There was, apparently, a lightning strike which knocked out their thermo-mechanical pulp plant. The TMP plant has heat recovery, so when this was lost they had to put on number two boiler which started up and full loaded about 5:00 a.m., my understanding is. A boiler superheater tube subsequently burst at 5:45 a.m. resulting in a rush of steam up the stack, which had apparently had a buildup of the soot or oily residue, and this was blown out into the atmosphere.

Now, the company is still

investigating all the causes, the affects and causes. They are expected to have some sort of a press conference this afternoon with relation to it, around 4:30 p.m. this afternoon. Also, Mr. Carson indicated, as I said a little earlier, that it was the worst sooting incident in their experience and that there may very well be some repercussions from the general public in that there may be damage claims and things of that nature. We will have to wait and see what happens there.

There is a fully documented report, Mr. Speaker, on its way in to my office. As soon as I have that pertinent information I will be able to pass it on to the member.

MR. HEWLETT:
A supplementary, Mr. Speaker.

MR. SPEAKER:
The hon. the member for Green Bay.

MR. HEWLETT:
Mr. Speaker, with regard to the sooting, I gather it is severe and has gotten into people's furniture and draperies, on the sides of houses and so on, and it is very sticky and not easily washed off and may be expensive to clean up. Will the minister use his good offices as Minister of Environment and Lands to ensure that whoever is responsible pays for the damages to the citizens of the town of Grand Falls?

MR. SPEAKER:
The hon. the Minister of Environment and Lands.

MR. KELLAND:
First of all, I suppose, Mr. Speaker, the simple answer is we would have to wait to see if there are damage claims against

Abitibi-Price. If we can influence the proper settlement of such a claim, I am certain we would do that if it is within our jurisdiction to do so. But at the moment we do not know if there is going to be a damage claim from residents or not.

MR. HEWLETT:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Green Bay.

MR. HEWLETT:
The information I have received is that - I spoke to a person at the mill in public relations - they have had over 100 calls from people complaining of damage to their personal property. I would ask the minister to see that individual citizens are not at a loss for money because of this.

MR. SPEAKER:
The hon. the Minister of Environment and Lands.

MR. KELLAND:
Well, it is certainly not the intention of the government to see anyone suffer losses when there is redress, but even though phone calls were made, I have to suggest to the hon. member, Mr. Speaker, that we would have to wait to see if there were indeed damage claims and see what our departmental involvement might be. I would think it would be a matter between the complainant and the company responsible.

MR. DOYLE:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Harbour Main.

MR. DOYLE:

I have a question for the Minister of Employment and Labour Relations.

The minister is aware, because of meetings that she has had with the Building Trades people, of the Council's hope that the minister will be bringing in a bill to the House of Assembly, this sitting, which will bring to an end the issue of double-breasting.

Now the double-breasting issue, as the minister is aware, has been responsible for the hang-up and stalling of jobs all over the Province this past Winter. From the rumors that I am receiving and the rumblings that I am getting it is quite likely that the matter could recur again this Summer.

I would like for the minister to indicate, if she will, is she going to be bringing a bill into the House of Assembly this sitting? The bill is, as the minister is aware, already prepared by the legislative draftspeople and it is ready for presentation to the House of Assembly. Is the government going to send a signal, if you will, to the Building Trades people, a signal of goodwill so that we can avoid any labour problems or avert any labour problems which may occur this Summer as a result of not having that bill?

MR. SPEAKER:

The Minister of Employment and Labour Relations.

MS COWAN:

Thank you, Mr. Speaker.

No, I am not planning to bring such a bill into the House before it recesses for the Summer. I look forward to discussing that in-depth this afternoon when we move to Private Member's Day.

MR. SPEAKER:

The hon. the member for Harbour Main.

MR. DOYLE:

Did I understand the minister correctly? Did she say she was not?

MR. SIMMS:

Not this Summer.

MR. DOYLE:

Okay.

Well, the minister is aware, Mr. Speaker, that the Building Trades people were given a commitment, after the collapse of the MOU, that the bill would be ready for the House as soon as the House resumed sitting, and the bill is ready. I checked with the legislative draftspeople, who indicated to me that the bill was prepared a number of months ago and it was approved by Cabinet. The government indicated in The Throne Speech that it is going to be dealing with the double-breasting issue, and I thought that the inference in The Throne Speech was that it would be dealt with this sitting.

Now I want to ask the minister has she called in any of the unions or the Federation of Labour, or anyone else who represents the labour movement in the Province, to indicate to them that this bill will not be forthcoming this year? Because I believe the minister did say in committee a couple of nights ago, and in public statements that she has made, that it may be quite some time before this bill is ready to come. Has the minister called in any of the Building Trades Council people, or the Federation of Labour, or anyone else connected with the labour movement to find

out how they feel about the minister's public statements on the issue?

MR. SIMMS:

Good question.

MR. SPEAKER:

The Minister of Employment and Labour Relations.

MS COWAN:

It is a good question. I have been waiting for it for a long time and I have been waiting for the debate this afternoon for a long time, too.

First of all, in response to the first question, the Building Trades was left high and dry by the past government because they refused to consult with everybody.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

The Building Trades had hoped that their problems would be solved through a memorandum of understanding. The past government refused to - did not refuse, they just did not consult with all the groups involved and as a result were not able to deal with the problems. I met with the Building Trades people the second week I was here. I have also met with the Federation of Labour, the IBEW, the Iron Workers, a whole crowd of people in connection with this, as well as employer groups, and will continue to do so. Let me say that all groups, both employer and employee, are delighted that everyone is going to be consulted in this particular venture to try to deal with the issue of double-breasting, and feel that because of that there probably will be a resolution brought about that we can live

with. They realized that it is not possible to make a decision of so much impact within a short period of time, and have been very gracious, actually, in realizing that I do want to look at all aspects, discuss it thoroughly with my colleagues and then bring forward what is appropriate.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Harbour Main.

MR. DOYLE:

Mr. Speaker, as an example of how the Building Trades people were left high and dry, I would like to say to the minister that the building trades people presented a brief to government in February of 1988, three months later a recommendation went from Cabinet that this bill would be prepared and introduced and then a couple of months later, in February 19, 1989, the bill was prepared by the legislative draftspeople on the recommendation of Cabinet. That is how the Building Trades Council was left high and dry by the former government, so that is not a very good example of it, Mr. Speaker.

I say to the minister I believe what we are finally seeing here is a pretty good example of what this government is becoming known for, saying one thing and doing something else. Will the minister indicate or guarantee the Building Trades people that the bill is coming soon, not maybe next session, not maybe next year or the year after? Will she indicate, fair, square, plain, clear and simple, will she guarantee that the bill is coming into the House of Assembly in the

not-too-distant future; and that the Building Trades Council will be able to consult with the Minister of Employment and Labour Relations on the appropriate clauses to be dealt with so that they can have some input into the bill as well?

MS COWAN:

No, I am not going to -

MR. SPEAKER:

Order, please!

The hon. the Minister of Employment and Labour Relations.

MS COWAN:

I am not going to indicate that, I am not going to do anything that foolhardy. I will be consulting with all groups involved and bring the appropriate measures to my colleagues, when they are ready.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Fogo.

MR. WINSOR:

Mr. Speaker, my question is to the Minister of Education. The Newfoundland and Labrador High School Athletic Federation have given notice that after June of this year they will no longer sponsor the high school athletic program. This program has some 20,000 students and about 2000 teacher-coaches who have indicated that because of a lack of financing they will not continue as of September 1. Can the minister tell this House if he has been in contact with that organization and what financial arrangements have been made for September, 1989?

MR. SPEAKER:

The hon. the Minister of Education.

DR. WARREN:

Mr. Speaker, we have received a great deal of information from that federation. They are doing an important job, but I would like to defer to my colleague, if I may, Mr. Speaker, with your permission, the Minister of Municipal and Provincial Affairs, to reply to the hon. member's question.

MR. SPEAKER:

The hon. the Minister of Municipal and Provincial Affairs.

MR. GULLAGE:

Mr. Speaker, we have had several meetings with the High School Federation and have discussed funding regarding that particular association, as well as two others that are associated with my department. We promised we would have a decision before the school year closes, and we will, in fact, have that decision on the amount of funding available to the High School Federation before the school year is concluded.

MR. WINSOR:

A supplementary, Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fogo.

MR. WINSOR:

I remind the minister that the school closes in two days so he will soon have to get it together.

A supplementary to the Minister of Education. Can the minister tell us the status of the two major studies that were undertaken in education this year? I refer specifically to the Crocker study on math on science, and his own study, that he was apart of, the

Warren study on educational funding. Especially since, with the Crocker Report several interest groups within education have already seen the recommendations, when will the Crocker study be tabled in the House so we can discuss it, too? Is the minister waiting till the Summer so that no one will respond?

MR. SPEAKER:

The hon. the Minister of Education.

DR. WARREN:

Mr. Speaker, I would like to congratulate members opposite for appointing an outstanding group of educators to do a study of school finance.

MR. SIMMS:

Including yourself.

SOME HON. MEMBERS:

Hear, hear!

DR. WARREN:

I think that study was a very important study and I am looking forward to receiving the report of the Task Force on Educational Finance, I would think at the end of this month. I have been informed by one of the members of that Task Force that the report is drafted, it will be going to the printers shortly, and we should be receiving it within a month. I might say that I consider this report one of the more important reports that we will receive, because all of us believe that in order to provide greater equality of educational opportunity, we must design grant systems that reflect need and cost in this Province. So I am really looking forward to the presentation of that report, Mr. Speaker.

The second report, the Crocker report, has been submitted to

government. We have had some briefings on that report, and I would think, within a month, we will be prepared to release that report and, hopefully, after that a public debate will take place.

This is a very significant report and it refers to a number of matters that are of great interest to educators and to the public. We will certainly table that as soon as possible and, hopefully, that public debate will take place. Thank you, Mr. Speaker.

MR. SPEAKER:

The hon. the member for St. Mary's - The Capes.

MR. HEARN:

Thank you, Mr. Speaker.

First, I would like to thank the Minister of Education for his compliments about our past initiatives. Now, I would like to ask him a question about the Teacher Aide program that was developed. Over the years, since our handicapped children came into the schools, we have had a number of different initiatives to try to help the teachers of these students. All of them, of course, one being an improvement on the other, fell far short, and this last year or so we developed a program to address it, in co-operation with the Department of Social Services. How far are we? Are we ready to bring in the program in September? And what will the program be like? Will it be a program whereby the boards themselves will have charge of hiring the aides, rather than have to go through some other department and depend upon whether or not people will be available? I would like for the minister to enlighten us on this new program, when it will come into effect and

the operation of the program itself.

MR. SPEAKER:

The hon. the Minister of Education.

DR. WARREN:

Mr. Speaker, I am delighted to respond to that question.

The Teacher Aide program, I think, is a very significant educational and social program. I do not want to go into the history of teacher aides but, as the House is aware, we have in the school system, with the closing of Exon House and other similar institutions, people who are called developmentally delayed, who need special attention.

In the past, they were provided service through a variety of measures, including social service recipients. Many parents, while, as they appreciated that program, were not pleased with it. So, as a result of discussions over the past year, a proposal was made to the department. We announced in the Budget that \$3.4 million would be made available this year to provide 350 or so teacher aides. Some of that money will be provided through the Department of Social Services. We added \$1.2 million from the Department of Education's own budget.

We will be granting funds, Mr. Speaker, to school boards on a block grant basis. School boards will employ these teacher aides. Training programs are being developed. I could go on, but I will not. It is such an exciting and significant program that I thank the hon. member for asking the question. We are delighted with the program.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for St. Mary's - The Capes.

MR. HEARN:

Thank you, Mr. Speaker.

Once again, it just shows the tremendous programs that we have developed in the past and I am glad to see they are following through on these programs.

SOME HON. MEMBERS:

Hear, hear!

MR. HEARN:

We realize that in any program there are exceptions. One exception last year was in Labrador West, where, because of the involvement of key individuals, undoubtedly, we have progressed in relation to full integration moreso than anywhere else in the Province. Special allocations above and beyond the ordinary were made to Labrador West. Will the minister take that into consideration this year in the allocation of aides?

MR. SPEAKER:

The hon. the Minister of Education.

DR. WARREN:

Mr. Speaker, members opposite have great ideas, but it took us to implement that program.

SOME HON. MEMBERS:

Hear, hear!

DR. WARREN:

With respect to Labrador West, I have been briefed about that project. I pay tribute to the Coishes and others, who, over the years, have provided tremendous service. I gather that the grant they received in the past is not

now available and the Department of Education is looking at that project. I assure you, we will do everything possible to assist. We have not made a decision on that yet, but we are informed about it and we are concerned. If possible, we will provide additional funding to ensure that that project proceeds.

MR. MATTHEWS:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Grand Bank.

SOME HON. MEMBERS:
Hear, hear!

MR. MATTHEWS:
Thank you, Mr. Speaker.

I am delighted to see the Minister of Finance take his seat. I was worried for a while that he had taken the Troutier's Special out of town.

In the budget speech, Mr. Speaker, the minister indicated that various fees would be increased. I am just wondering if the minister would indicate to the House what fees will be increased, and will he provide a list of such increases for the House of Assembly?

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

DR. KITCHEN:
Mr. Speaker, I am not too sure what fees the member is referring to, but I will endeavour to provide that information later.

MR. MATTHEWS:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Grand Bank.

MR. MATTHEWS:
Thank you, Mr. Speaker.

Maybe now, Mr. Speaker, we know why the minister has been sitting there, since the budget speech, in a trance, so I would like to ask the minister, is the reason he has been so quiet that he is glued to his seat? Would he inform the House, Mr. Speaker, if he indeed is considering a trout tax for Newfoundlanders and Labradorians? Will they now have to purchase a license, either a family license purchase or an individual license purchase, to go out and flick a line out in their favorite ponds or brooks around the Province?

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

DR. KITCHEN:
Mr. Speaker, the answer to that question is no. I would like to remind the member that it was they who brought in the tax on rabbits.

SOME HON. MEMBERS:
Hear, hear!

MR. MATTHEWS:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Grand Bank.

MR. MATTHEWS:
If my memory serves me correctly, it was the former Liberal Government that taxed rabbits.

SOME HON. MEMBERS:
Hear, hear!

MR. MATTHEWS:
Mr. Speaker, we will not have to tax the Minister of Finance on his hopping up and down in his seat in this House, I will tell you that. Now, whether we should impose a glue tax on him, because he has

been stuck to his seat, is another question.

Mr. Speaker, he has taxed everything else. Ninety-five million dollars in additional taxes on the people of this Province. I think that is enough.

A supplementary question to the Minister responsible for Wildlife, Mr. Speaker. Would the minister advise the House if his department is considering a license for people to go troutng in this Province and, if they are considering such a license or tax, will they inform the House at what level that tax, which is now under consideration, is at? Is it at the officials level or has it been brought to the ministerial level?

MR. SPEAKER:

The hon. the Minister of Environment and Lands.

MR. KELLAND:

Thank you, Mr. Speaker.

I am not aware of any consideration in our department to tax resident fishermen for troutng.

MR. LANGDON:

Mr. Speaker.

MR. SPEAKER:

The hon. the member for Fortune - Hermitage.

SOME HON. MEMBERS:

Hear, hear!

MR. LANGDON:

My question is to the Minister of Works, Services and Transportation.

Would the minister tell the House is he aware of the plight of the independent tandem truck owners of the Province who find themselves

in desperate financial straits because they are unable to find work for their vehicles because they are squeezed out by the belly dump and semi-belly dump operators?

MR. SPEAKER:

The hon. the Minister of Works, Services and Transportation.

MR. GILBERT:

Mr. Speaker, I am aware that the individual truck owners in the Province have concerns again this year, as they have every year when contracts are called, with the fact that the contractors are bringing in the semi-dumps and the large trucks. Unfortunately it is not something that my department can get involved in. It is a matter between the contractors and the truckers.

I have had my officials looking at it and I have asked them to meet with the individual truckers, the ones who have contacted my office, who are in the process of developing a report so that in future years we might be able to look at something along this line when the contracts are called for road work. But it is a continuing job. It is not just this year; this is a continuing trouble. Last year, at this time, when the construction season started, there were problems with the individual truck owners. We sympathize with them. I think if the previous government had handled the situation when the question arose throughout the years as it has arose presently, it would not be there now.

So my concern is not so much with what we can do at this particular time, because I think it is a bit late and we are into the construction season, but, as I have told you, I have my officials

getting the information and hopefully we will be able to do something to provide relief to those people next year.

SOME HON. MEMBERS:
Hear, hear!

MR. LANGDON:
Mr. Speaker.

MR. SPEAKER:
The hon. the member for Fortune - Hermitage.

MR. LANGDON:
Would the minister investigate also to see if the real problem is the subletting of tenders where the independent truckers are being undercut by 30 per cent, approximately, against the regulations set by the Public Utilities Board? Is that the problem?

MR. SPEAKER:
The hon. the Minister of Works, Services and Transportation.

MR. GILBERT:
Mr. Speaker, as I have told the member, officials in my department are now investigating the whole procedure as to how this problem arose. I will have a position on it, and my department, as I have said, will be looking at it because we realize, as the member indicated, that there is a serious concern for individual truckers who have purchased trucks and are looking for work in an ever-decreasing market that was established by the previous government, where the construction industry came to almost a halt. So we are certainly going to be looking at it. If there is any way that we can alleviate the problem, we will do it.

MR. SPEAKER:

I must regretfully inform the hon. member that the time for Question Period has elapsed.

Presenting Reports by Standing and Special Committees

MR. REID:
Mr. Speaker.

MR. SPEAKER:
The hon. the Member for Carbonear.

MR. REID:
As Chairperson of the Resource Committee, I would like to report that the Committee has considered the estimates of the following departments, Mines and Energy, Fisheries, Forestry and Agriculture, Development, Environment and Lands, and has passed them all without amendment.

Thank you, Sir.

SOME HON. MEMBERS:
Hear, hear!

Answers to Questions for which Notice has been Given

MR. BAKER:
Mr. Speaker.

MR. SPEAKER:
The hon. the Government House Leader.

MR. BAKER:
Thank you, Mr. Speaker.

I wish, first of all, to answer Question 25: The member for Grand Falls 'To ask the hon. the President of Executive Council and Treasury Board to lay upon the Table of the House the following information: An itemized list of

travel expenses incurred by the Minister, his Executive Assistant or any other member of the Minister's personal or Departmental staff who may have accompanied him since May 5, 1989.'

I have the itemized list, Your Honour, which I will now table. It involves five and one-half trips between Gander and St. John's. The officials informed me that until I move my family in, trips back and forth to Gander have to come out of the ministerial allotment rather than the MHA allotment, and this is the way it has been done. So I table this.

Mr. Speaker, I would also like to answer Question No. 15 by the same member: 'An itemized list of expenditures for any office equipment, personal equipment, furnishings and photographs purchased for the Minister's Office since May 5, 1989.'

I have a list of expenditures totalling \$831.17, involving things like print wheels and a package of disks for the Xerox 645-S Memory Writer, the one that was left in the office - the other one went somewhere else - and things like desk diaries, an electric kettle and twelve teaspoons, Mr. Speaker. There was nothing like that in the office when I moved in.

I would like to also point out that there were no expenditures for photographs, furnishings and things like that for the office. I would point out another thing, however, there is a large television set which we are trying to trace down. It was the property of Treasury Board. It is no longer in the office, and we are trying to trace that at the

present time.

I would like to table this list of expenditures.

Orders of the Day

Private Member's Day

MR. SPEAKER:

It being Wednesday, Private Member's Day, I call on the member for Harbour Main to present his private motion.

The member for Harbour Main.

SOME HON. MEMBERS:

Hear, hear!

MR. DOYLE:

Thank you, Mr. Speaker.

It gives me a great deal of pleasure, indeed, to present this motion. I will read the motion into the record of the House:

WHEREAS a Province wide general strike in the construction industry is imminent this summer; and

WHEREAS thousands of Newfoundlanders each year depend on the seasonal employment provided by the construction industry as their only source of income; and

WHEREAS the former administration had legislation drafted entitled "An Act to Amend the Labour Relations Act, 1977"; and

WHEREAS Section 89 -- Subsection I and Subsection II deal specifically with businesses under common control which addresses directly the issue of

double-breasting; and

WHEREAS the double-breasting issue continues to cause labour unrest which endangers employment security in the Construction Industry;

THEREFORE BE IT RESOLVED that Government bring forward immediately this Act which will help ensure labour peace in our Province and thereby protect the jobs of thousands of people employed in the construction industry in Newfoundland and Labrador.

As I have said, Mr. Speaker, I am very pleased, indeed, to bring that resolution before the House today. I know that all hon. members will want to support this resolution. I know that even the Minister of Employment and Labour Relations might want to reflect upon what her answers were today, and maybe change her mind and support the resolution, because it is a very, very reasonable resolution. It has been called for by every labour body in the Province over the last number of years: It has been called for by the Federation of Labour, it has been called for by the Building Trades Council, it has been called for, as I have said, Mr. Speaker, by literally every labour body in the Province.

As a matter of fact, not too long ago the Building Trades Council presented to the Social Policy Committee of Cabinet a brief called **A Better Way**. A very, very important part of the brief was presented to Cabinet, and I will just read a little bit from the particular excerpt on double-breasting. The Council said, 'This is an issue that needs no explanation. However, as the

Building Trades are concerned, it needs, and we must have, a positive answer. Our position to you today is based on the premise that Legislation effectively dealing with the evil will be enacted during this sitting of the House. Unless and until we have this matter effectively dealt with, very little, if anything in this brief matters.

There is no way we can have stability in the construction industry if this most unfair and unacceptable practice is allowed to continue.

The Building Trades want to make it clear that we are here today, determined in our resolve to do what we are committing ourselves to do. However, if there is no such legislation forthcoming then our resolve to make peace will, of necessity, have to change. We will have to continue with our old tried and sometimes failed procedure of the survival of the fittest. Some of us have survived for over 100 years and we believe we will survive for quite some time. However, the spirit of this presentation is not one of survival, it is a spirit of co-operation. If we are to develop the Province to its full potential, management, government and labour can do no less.'

That is an excerpt, Your Honour, taken from a brief that was presented to the Social Policy Committee of Cabinet back in February, 1988.

Mr. Speaker, I had the pleasure not too long ago, approximately a year ago, with the Minister of Labour and other members of the House of Assembly, of helping to put together, if you will, the memorandum of understanding with

the Building Trades Council. As everyone is aware, that memorandum survived for a little while and then it fell apart, but very much a part of that was the commitment that government would put in place a bill on double-breasting. The memorandum covered a lot of things which are contained in the draft legislation which hopefully will come before the House this sitting, things like jurisdictional umpire, multi-trade bargaining, and what have you. But, I think, one of the most important things contained in that bill is the double-breasting part of it, a clause dealing with a common employer.

Legislation, as I said, Your Honour, has already been prepared and the appropriate clauses on common employer are there. The minister said in Question Period that the Building Trades people were let down. Well, I would remind the minister that the recommendation came from Cabinet on May 12, 1988, and the bill was drafted in February. The bill is there for the minister to have a look at, and it can cure the problems in the construction industry with respect to the double-breasting issue. And the minister does not have to believe me, she can go to her officials if she wishes, or to the draftspeople, and they can provide her with a copy of that bill, and they can tell her when the recommendation came from Cabinet to have that bill prepared.

Now, why is it imperative that we have that bill? Why is it necessary for the Province of Newfoundland and Labrador to have a bill which covers the problem of double-breasting? Is it unique to the Province of Newfoundland and Labrador? I would say to the

minister, no, it is not unique. There are many, many provinces in Canada which have legislation in place right now. I would tell her that Nova Scotia has a bill in place right now, and the province of B.C. has legislation in place. I believe the minister said Manitoba has it in place. Prince Edward Island, I believe, has a bill. Alberta has a bill, as well, and also the province of Ontario.

AN HON. MEMBER:

Why did you not bring that bill in?

MR. DOYLE:

I will get around to that to let the minister know why it is necessary to bring in that type of bill.

We have a number of provinces in Canada which have that type of bill in place right now: Nova Scotia, B.C., Prince Edward Island, Alberta, Manitoba and Ontario, so it is not unique to the Province of Newfoundland and Labrador. What does it do? What would such a bill do? Well, I would say to the minister, it would create, probably, a little bit of fairness and balance that we do not have right now. How would it create fairness and balance? Well, I would imagine it is necessary, first of all, for us to examine what double-breasting is. What would be an appropriate definition for double-breasting? I would say, Your Honour, that double-breasting is a practice whereby a union company that is signatory to a collective agreement will create another company and bid on a job as a non-union company for the purpose of circumventing its duties and responsibilities under the collective agreement the company is already part of. So, it will

sign an agreement with the building trade, it will be signatory to that agreement, and upon doing that will immediately roll over, form a new, non-union company and compete with the union sector again in bidding on jobs. And that is not a fair labour practice. It is not a fair labour practice in any province of Canada, and it is not a fair labour practice in the Province of Newfoundland. But that is not to say that the union sector and the non-union sector do not have the right to exist in the Province. Nobody is saying that a non-union company cannot set up in the Province of Newfoundland or that they should not have the same rights and privileges to set up their non-union company as a union company. It is not to say that. And that is not because of any labour law that the Province of Newfoundland can bring in, or any other province of Canada. It happens to be a fact under the Constitution of Canada that both the union sector and the non-union sector have a right to work, and that no individual has to become a member of a labour movement. But it does create problems in the construction industry. It is not a fair labour practice.

And how is it unfair? Well, according to the Building Trades people how it is unfair is simply like this: Every union has the right to go out and organize members on a particular job site. If it happens to be a non-union job site, a union has the right to go out and organize these employees and try to get them as members of their union. If they succeed in doing that, then there is a procedure that has to be put in place within the Department of Labour to certify that company in order for that company to become a

union company. And once that happens, the employer, the contractor, puts a signature to a union agreement and he says, I am now a union company. All this is done through a procedure set up under the Labour Relations Board.

Now, he will do that and he will complete the project he is on. But having completed that project, what he will then immediately do, if he is running a double-breasted company, is place that company to one side and go out and form a non-union company.

Now, we have to realize that it took the union probably two or three years to try to get the employees of that non-union company to become members of their union, and it probably took many, many thousands of dollars. And having done all that and having gone through the process of having the Labour Relations Board set up the company as a union company, he immediately places that one aside, sets up another one and goes out and competes again by bidding on projects as a non-union company.

At the same time, let me say to the minister, that individual who is now a union company but has his non-union company set up, will sit at the negotiating table with the union contractors and he can sit there and agree to \$50 an hour because he is saying, Well, I will never have to pay it anyway because I have my non-union company. I am going to set up another company, and I have this company over here that is non-union. If the union boys are looking for \$50 an hour, he can agree with that because he is sitting at the negotiating table knowing full well that he will never have to pay it.

At the same time, the reverse is in order. He can say, Well, I will not agree with anything. I will keep negotiations going for a year or two years or let them strike. Let them do what they want to do, I am a non-union outfit and it is not going to affect me anyway. So that is where the problem comes in, and it is a very, very serious problem. It is a legitimate problem that the union sector has in this Province. They find themselves spending hundreds of thousands of dollars, sometimes, trying to organize a non-union employer only to find that it is all in vain. They have gone through the courts, they have gone through thousands of dollars, they have gone through two or three years of working at it, only to find that it is all in vain, because he has the right to place that company over there to the right and set up another one over here to the left. That is a very, very serious problem, and it is an unfair labour practice.

Mr. Speaker, if we are ever going to have peace in the construction industry in Newfoundland, then we have to realize that. We have to realize that it is a legitimate problem and we have to commit ourselves to doing something about it.

And we did commit ourselves. I feel we committed ourselves to doing something about it. The Building Trades people presented a brief to the Social Policy Committee of Cabinet in February, 1988. Three months after a Cabinet order went to the draftspeople to put in place a bill. I have a copy of the bill here for any individual who wishes to see it.

But the labour movement has a very, very serious problem and a very legitimate problem. And we are not unique in Newfoundland. These problems have been around for a long, long time. Some provinces have dealt with the issue. As I said, Manitoba, Ontario, Prince Edward Island, Nova Scotia, and British Columbia have dealt with the problem. It is not a perfect solution. Suddenly bringing in a bill is not going to be the perfect solution to your problem, but it will reduce it quite considerably.

As I have said, somehow we have to achieve a greater measure of labour peace in the Province. There is a certain sector out there right now which is always ready to blame labour when problems occur in the work place. Well, that is one way out. I sometimes wonder, though, how many of these work stoppages could be avoided. Some of these work stoppages occur for very good reasons, but I sometimes wonder how many of these could be averted or avoided if simple little safeguards were built into the labour laws that we do have in the Province. That is a prime example. All it takes is a little bit of goodwill to avert countless problems in the construction industry and save thousands of dollars, as well, and provide a working environment, incidentally, which people, both inside and outside the Province, can be very, very proud of.

We do have a lot of projects which we are hoping will be starting up in the Province in the not too distant future. You talk about Hibernia and the Churchill project, all of these, of course, would have special project designation. But we do have to

create the type of climate, the type of environment within the Province that will attract industry and will attract business here.

I say to minister, there has been much consultation on the matter. She says she may not bring in the bill this year; she has to meet with the Building Trades people again, she had to meet with various labour groups all around the Province of Newfoundland and Labrador. I can understand the minister wanting to do that, but I would tell her that all that consultation has already taking place. The non-union sector, the union sector, the NCLRA, the union contractors, they have been talked to on a number of different occasions, so many times that they do not want to remember it. I think the brief they presented to us said it all. It is based on the premise that the legislation effectively dealing with that evil will be enacted during this sitting of the House.

MR. SIMMS:

Who were the groups, again, that were consulted?

MR. DOYLE:

We had the NCLRA, we had the non-union sector, we had the union groups, we had the Federation of Labour who mentioned it on a number of different occasions in the Province, when we sat and heard briefs from these various groups.

It has been mentioned in the Throne Speech as well. And I notice it is also mentioned in the Liberal Party Policy Manual: 'The Liberal policy of fairness and balance will be the basis of negotiations with the labour movement. Progressive and fair

legislation has to be developed to deal with issues such as double-breasting, industrial standards, the minimum wage, and pay equity.' Unfortunately, it does not say when it is going to be dealt with.

I believe the labour movement in Newfoundland and Labrador deserves to have that bill brought in and brought in as quickly as possible. I can indicate to the minister, as well, that if she will bring that bill before the House of Assembly during this sitting, that she will get a great deal of co-operation from this side. We are not going to block it in any way.

We are responsible, as a matter of fact, as the former government, for having made the recommendation that the bill would be brought in in this sitting of the House. And as I have said, Mr. Speaker, it is not a fair labour practice. I am sure if the minister wishes to bring it up with the Building Trades Council and bring them in, the Federation of Labour, the Building Trades Council and any other labour group in the Province, they will indicate to the minister that they want to have that bill brought in in this sitting.

MR. SPEAKER:

Order, please!

I remind the hon. gentleman his time is up.

MR. DOYLE:

Thank you, Mr. Speaker.

MS COWAN:

Mr. Speaker.

MR. SPEAKER:

The hon. the Minister of

Employment and Labour Relations.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

Thank you, Mr. Speaker, and thank you to the hon. member from Harbour Main, for an interesting opening to this particular debate.

I must say in beginning my response this afternoon, Mr. Speaker, that I am shocked on several points, on several accounts that this particular resolution is before us in the House at this moment. A recession is what began the double-breasting problem. The recession began back in the early 1980s. In the early 1980s we did not know really what the implications would be, but there was the starting and the birthplace of it. And later on, as we moved into the middle of the 1980s, we did begin to see double-breasting and its implications for the construction worker in this Province.

It seemed that it first became an acknowledged problem in 1987, some time after it first began. And the past government took what was a very, very shallow view in not realizing what the implications of double-breasting were, why they arose and how they could be resolved. And that was illustrated most adeptly with the failure of the MOU. I think once that MOU failed, then the government in power at that time began to realize just what an involved topic the whole area of double-breasting was. And once they realized the magnitude of the problem, they did not have the intestinal fortitude to do anything about it.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

We are now being rushed to do what they indeed did not have the courage to do. Furthermore, and this amazes me even more, especially coming from an individual on the other side of the House who I know has great respect for the labour movement, as I myself do, but I am amazed, Mr. Speaker, that today, with construction negotiations in a very crucial stage, that this statement would be brought into the House to debate, taking a possible chance someone could say something, on either side of the House, that could put in jeopardy very precarious negotiations.

But I have to say that I am not surprised by it, because it is that same lack of sensitivity that characterized that government's attitude towards labour relations the whole time it was in office. Furthermore, and this is my third point on why I think it is unusual that this be brought to the House today, it is simplistic to say that finding a solution to double-breasted companies would solve the problems in the construction industry. That is totally and utterly simplistic. It is one problem of many that plague the construction industry.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

We cannot guarantee, if we brought in a bill today, or any type of an attempt to resolve double-breasting, that it would forestall strife in the construction industry.

Now, going back again to the approach that I care to take, I am

quite aware that some of the groups were met with by the past government, and those groups are only too glad to come in and talk to me about it again because I am listening with Liberal ears, not Tory ears.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

I feel concerned. I think these poor people have to sit here and go through this whole thing again, but they do not seem to mind. I explained to them that this government is labouring under all kinds of heavy burdens, that there are many things that have to be put in place other than labour relations, and they appreciate that. They realize that we are going to address the problem, they know we are sincere in statements made throughout our campaign, and in the Throne Speech, and they take comfort and heart from that. I am not going to, nor will my government do any kind of disservice to any group. We will consult with all, and if in the end we have to take some departures that do not please some groups, then so be it, we will do that. But we will know what we are getting into when we bring whatever we bring into Cabinet, and/or into this House.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

Will there be legislation? I was asked that this morning, and I will say, again, perhaps. I do not know whether there will be legislation or not. There are other routes that might resolve it. For example, it could be resolved through the collective bargaining arena, a very

appropriate place to resolve any labour related issue, the best place, really, in my estimation.

We could look at expediting certain procedures in the whole area of labour relations and cases that come before the Labour Relations Board. For example, the certification process may be too slow, and by addressing that we might indeed help the construction industry and help deal with the problem of double-breasting.

But, let me say once more, as I begin to wind up my points, the commitment is there. We are not going to drag our heels, we are not going to see the demise of the trade union movement in this Province. We want a vital economy, and we realize that peaceful labour is part and parcel of a vital economy but we also realize there the chicken one the egg thing, that you have to have a good economy in order to get good labour relations.

SOME HON. MEMBERS:

Hear, hear!

MS COWAN:

We will proceed prudently. When we act, we will be fully aware of all the implications, both positive and negative, and we will not lead anyone down the garden path. Therefore, Mr. Speaker, I am not able to support the resolution as it stands today.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the Opposition House Leader.

MR. SIMMS:

Mr. Speaker, I would like to have a few words to say on this

resolution so ably presented by my colleague, the member for Harbour Main, a man who served briefly in a labour portfolio, and an individual who earned, I believe, in that short period of time a great deal of respect among not only the labour movement but also all those people who are associated with this particular issue.

I am disappointed that the minister has left, and I extremely surprised that on such a contentious matter, such a serious and important matter, the minister spoke for five minutes in debate. I am absolutely surprised that she would only take five minutes to enlighten us on the Liberal Party's position with respect to this very serious matter. Unfortunately, Mr. Speaker, she spent most of that five minutes, of course, placing blame on the previous administration and the former government. That is all irrelevant. What is past is past, that is not what is important.

She attempted, Mr. Speaker, to put up a good front in defence of their very weak position on this particular issue. She tried to cloud the thing and tried to make it a broader issue but, unfortunately, that is what delayed the double-breasting legislation in the first place. I thought she read her notes perfectly. I do not know who prepared them for her but undoubtedly somebody in the Liberal office prepared the political aspects of it and obviously somebody in her department helped her with the background, because she obviously is not too familiar with it, considering what she had to say.

Mr. Speaker, as I said, this is

potentially an extremely grave and serious situation, the issue of double-breasting. The question is: Is double-breasting right or is it wrong? We on this side of the House, when we occupied the government benches, made our position very clear to the people who were involved in this issue, as well as to the general public of the Province, that indeed we think the practice is wrong. Companies should not be able to, as they describe double-breasting, operate both a union and a non-union subsidiary company, at the same time, merely to avoid their obligation to trade unions or to collective agreements.

So we felt that was a wrong practice. Granted, it had existed for a long period of time, no question about it. But we were determined as a government to address that problem, and indeed we did. She accused us of doing nothing about it. The fact of the matter is, as my colleague described in his few comments, that we actually had legislation prepared to deal with eliminating this serious situation. That was the original intent, by the way. The original intent was to deal with the double-breasting issue. Unfortunately, what came afterwards, the MOU, clouded the entire issue, made it very difficult to proceed specifically with the double-breasting issue, and we got into a whole series of negotiation and consultation.

The minister likes to imply that there was no consultation or negotiation. Well, I beg to differ with her, and I am sure the previous Minister of Labour, Mr. Blanchard, would differ with her wholeheartedly, because he, I think, met with just about every group that might have had anything

to do with this at all, those representing both the union and the non-union sector, the NCLRA and the Federation of Labour as well, as other interested parties. It is unfair to say, to imply that there was no negotiation, or not very much negotiation or consultation. That just is not accurate. When we got into that situation of having to consult, then the broader issue became the MOU, trying to deal with all the other problems associated with the construction industry and, unfortunately, the government intent of presenting legislation to the House dealing with the double-breasting issue got bogged down. Therein lies the problem.

Now the member in presenting his resolution has clearly stated some facts in his preamble, and I implore the minister to have a look through it: Do not just slough it off, do not just get up for five minutes and attack the previous administration, but come to terms with the real problem. You are now the government. You can attack us all you want but that is not the point any longer; you are the government and the people expect action. Certainly, in this case a large sector of our society expects the government to act.

The member says, 'A Provincewide general strike in the construction industry is imminent this summer.' I do not think there is any question about that. That is a very, very strong possibility. If that were to occur, I am sure the minister would agree, it would have a devastating effect on the economy of the Province. An awful lot of people would be sloughed out of work, and there would be a lot of work left undone, and

communities would suffer, and so on.

MS COWAN:

You should have heard my earlier comments.

MR. SIMMS:

I am sorry! The minister is shouting across the House. She is saying?

MS COWAN:

You should have heard my earlier comments.

MR. SIMMS:

What earlier comments? You only spoke for five minutes, and I heard those.

Anyway, Mr. Speaker, if the minister would stop interrupting, perhaps I could get on with my train of thought. As the preamble points out as well - the minister obviously did not read the preamble; she could not have - thousands of Newfoundlanders depend upon the construction industry for jobs provided by the construction industry, seasonal employment in most cases, as their only source of income.

The former administration had drafted legislation, An Act To Amend The Labour Relations Act, 1977. Various subsections in that legislation deal specifically with businesses under common control which addresses directly the question of double-breasting. "WHEREAS the double-breasting issue continues to cause labour unrest which endangers employment security in the Construction Industry." No question about that fact and all of those facts, Mr. Speaker. So I ask the minister to treat the issue a little more seriously. It is, in fact, too serious, in my view, to try to

score cheap political points. It is too important a matter. Members opposite seem to be totally unconcerned about that fact, the fact that it is a potentially dangerous situation. As I said in my earlier comments, it is crazy to be spending the time of the House, especially when it is only five minutes, attacking the previous administration. Who really cares about past history? If you want to attack us, fine, attack us. We do not mind that. But do not waste your effort arguing about the past when you should be exerting effort to correct the problem. That is the whole point. The past is the past. Let us deal with the future and the question. What is right is right. Double-breasting legislation should be brought in, no question about it.

I do not know if members over there oppose it. I do not even know what their position is on it. Surely they should be able to address that question, and that is what this resolution is trying to do. So the government should get on with that job. They should move along. Forget attacking the previous administration. We will take our heat. We are not too concerned about that at all. Time will tell what happens in this Province with respect to the Liberal Party.

MR. WALSH:
All you are talking about is the past.

MR. SIMMS:
Sorry! The member for Mount Scio - Bell Island is shouting across the floor as well. What is he saying?

MR. WALSH:
For the past seven minutes all you

have been referring to is the past.

MR. SIMMS:
No, I am not. I am talking about the future and bringing in legislation to correct this situation that now exists.

MR. WALSH:
Stop referring to the past.

MR. SIMMS:
I am not referring to the past. The minister is the one who referred to the past. The hon. member for Mount Scio - Bell Island should perhaps go over and have a talk to his colleague. That is all she said in her five minutes, and I am pointing out that that was a waste of time and a waste of effort. She accused us of not having the courage to bring in the appropriate legislation or to do something about the problem. I am not quite sure what she was saying. I assume she was saying we did not have the courage to bring in the legislation that would right what is wrong. I assume that is what she was saying. She is not giving me any indication, but I assume that is what she was saying.

Well, if that is her impression, how then can we say that the legislation is, in fact, in place, it is there ready to be presented to the House of Assembly? We had the legislation actually prepared some time ago. As I said, unfortunately what happened was all of the other issues came into being. There were so many groups out there that started making representations to the previous Minister of Labour, that the actual presentation of the legislation got bogged down because we were trying to deal with all of these other issues. I personally believe, at this point

in time, that maybe that was a mistake. As one individual, I think that maybe that was a mistake. We should not have gotten bogged down with that. We should have proceeded in dealing with the issue that was raised with us in the first place, which was the issue of double-breasting.

The minister says double-breasting is only one issue. That is what she said in her five-minute commentary. I agree with her. That is exactly the point I am trying to make now. If she recognizes that double-breasting is one issue and only one issue, then why does she not deal with that one issue? She will still have time to consult with all these other sectors that she is referring to to try to deal with the other problems that have become well known throughout the Province, all the other issues that were brought up during the consultation period and during the negotiation period. She can still consult with the Federation of Labour. She can still consult with the Building Trades Council. She can still consult with the NCLRA, the non-union sector and the union sector. She can still do all of that. But, surely, if she herself has acknowledged here in the House today that double-breasting is but one issue, and what this resolution deals with is this one issue, she could tell us whether or not the government intends to deal with that one issue.

The question is: Will the minister bring in legislation to eliminate double-breasting? That is the question. That is the one, single issue that we are trying to zero in on and focus on.

Now, the government said in the

Throne Speech - I do not have a copy of it right in front of me. I do now know if my friend does.

MR. DOYLE:

No, I do not.

MR. SIMMS:

Well, everybody remembers. The government said in the Throne Speech, or made a reference in the Throne Speech, as we all know, with respect to this issue -

MR. DOYLE:

They would consult wisely with the labour movement.

MR. SIMMS:

My friend here, who is an expert in labour matters, can almost repeat it verbatim. Could you say it again?

MR. DOYLE:

Page 7, third paragraph.

MR. DOYLE:

They would consult widely with the labour movement.

MR. SIMMS:

Page 7, third paragraph. Okay. Here is what the Throne Speech says, Mr. Speaker. I should repeat it. I should read it into the record.

Mr. Speaker, I have already said five times as much as the minister did, and I am not even finished yet, only half way through.

"In recent years, economic development in Newfoundland and Labrador has been impeded by an unsettled labour climate." That is interesting, because all kinds of other independent agencies have said publicly that economic development in Newfoundland has proceeded and progressed considerably in the last number of

years. That is an interesting statement but, granted, it is a partisan document. We will let them have their say.

"My Government is determined to achieve a more productive and amicable labour relations environment and to deal directly with the issues that are contributing to this situation." Deal directly with the issues contributing to this situation.

MR. DOYLE:

They mentioned double-breasting.

MR. SIMMS:

Double-breasting? They go on to mention that specifically? You are kidding!

"These are difficult issues and there are no easy solutions to them. However, My Government commits itself to a full consultative process with both organized and non-organized labour, and with management, to address such issues as double-breasting, industrial standards, essential workers, minimum wages, occupational health and safety, and pay equity."

So, given the line of thinking expressed by the minister today in this debate, is the minister then saying that they are not going to deal with any specific issues, they are going to deal with all of these issues in a consultative process, and, after they have consulted on all of these issues, they will bring in legislation, then, to deal with all of these issues together. That is the way I would read it from what the minister has said. Otherwise, why could she not deal specifically and directly with the question of double-breasting? And that is what the resolution asks, nothing

more, nothing less. It is all ready, all developed, all put together, and members opposite should get off their fannies and start acting on behalf of the people of the Province, to bring in legislation that is so widely required and so widely asked for.

Now, Mr. Speaker, I only have a couple of points I want to make. It might take me a bit longer to make them, but I am trying to emphasize them.

The minister, as well, made her comments, I think, in a negative fashion, and it is very unbecoming of her. She is still in a learning process. I suspect she is getting all kinds of advice from her colleagues opposite on how to approach the House of Assembly, and I hope she is not taking any advice from the member for St. John's South (Mr. Murphy). I hope not, unless I was wrong in reading the member's intention from his speech yesterday in the Legislature on the Budget, because it was, I thought, unbecoming of him. I did not realize he had that nasty streak in him, but he certainly showed it yesterday. I hope she is not taking advice from the member for St. John's South. I implore her to take advice from the Minister of Fisheries (Mr. W. Carter), and I would have said the President of Treasury Board (Mr. Baker), until I heard today something he said - I did not hear it, but I am told he had said something. I am checking Hansard to see what he said or implied and, if he did, I will certainly be raising a point of order. But normally the President of Treasury Board is a sensible individual. Even the Minister of Education is starting to come along a little bit. So maybe she should take her

advice from those people, as opposed to taking advice from, say, the Minister of Environment or the Minister of Social Services or the Minister of Transportation who sits in front of her, or certainly, the Minister of Health.

MR. WARREN:

The Minister of Forestry.

MR. SIMMS:

The Minister of Forestry, I have nothing to say now about the Minister of Forestry. I said it all today. The Minister of Health is probably one of the most arrogant ministers over there right now and he has only been there six weeks.

Anyway, I suggest to the minister, take advice from some of the more competent people in Cabinet, people who have a reasonable approach to things. I suggest to her she should not get herself caught up and dragged into any kind of negative approach. Because what she said today, when she accused this party of not having the courage to bring in this legislation, I mean, she cannot be accusing us of that. She must be trying to accuse us of not having the courage to try to resolve that entire labour relations problem, and that is not true. I mean, we had the courage, because we certainly tried for months and months to resolve it. But she said she was surprised that we would even dare bring this resolution in. And what she is doing, Mr. Speaker - and she probably does not even realize it - she is attacking the labour movement.

SOME HON. MEMBERS:

No, no!

MR. SIMMS:

Because, Mr. Speaker, I can assure you, the labour movement of this Province want this legislation brought in. My colleague, the member for Harbour Main, has consulted already with a number of groups who are interested in this legislation. And it is not only because of our own interest in resolving this problem and trying to deal with this particular issue, but it is because of the encouragement and the insistence and representations made by the labour movement that we are pushing this particular issue. So when she says the party opposite did not have the guts to do this or the courage to do that and she is very surprised we would even dare bring this resolution in today and all that, she is casting the same kind of reflections on the labour movement. I would caution her against that. I guess she does not get a chance to speak in the debate again, but I ask her to consider what she had to say today in that short five minute address that she gave on such a very serious important manner. I would ask her to consider what she said. Go up and ask Hansard for a transcript of what she had to say, although I guess she has a copy of her remarks because, as I said, she read the notes very well, I felt.

But in that presentation today she clearly gave the impression that this government is not prepared to move in resolving such a very important matter. And I do not understand, quite frankly, why they would take that approach. I do not believe for a moment that the members of the backbench, down there in the Hogan's Heroes Corner they call it, or whatever it is, I cannot believe for one moment that they agree with the Liberal Government's position on

double-breasting, their position to put it off, defer it. I cannot believe that they are prepared to put off this legislation. They should be pounding on the door of the Minister of Employment, pounding on the Premier's door and saying, 'Look, let us act on this issue. This is a very important matter. We should deal with it. We recognize there are other labour relations problems in this Province. We recognize that, we know that, and let us deal with those, too, but let us get on with one of the major issues facing the Province in the construction industry today which is to resolve this particular issue.'

And I want to ask the minister if she would reconsider what she had to say and perhaps go out and meet with the press. We will even attempt to get her an interview on the press, because every time she gets on CBC or NTU television is better for us, more points for us. We would like to get her on again tonight and ask her if she would reconsider her position, which seems to be so firmly entrenched. That is one of the lessons you are suppose to learn in politics, not to get yourself so firmly entrenched in a position you cannot sort of be flexible.

From what she said today, I take it that this government will not be bringing in legislation to deal with double-breasting in this session of the House. I think that is what she has said. She certainly said it publicly. Am I correct, that the minister implied they will not bring in legislation this session? --

MR. DOYLE:
Not only has she said that, but she has also said they may not

bring it in at all.

MR. SIMMS:
Perhaps the Government House Leader can nod.

MR. WARREN:
Is it yes or not?

MR. GRIMES:
If you had listened to her the first time you would know.

MR. SIMMS:
But I did listen. That is the problem, Mr. Speaker, because the member for Exploits (Mr. Grimes) injects now, the man who should be in Cabinet, or would be in Cabinet if he had his way. But he interjects and says 'You should have listened.' Well, that is precisely what happened, I did listen, Mr. Speaker. But everybody is totally confused. Would the minister just nod? Will the government be bringing in legislation dealing with double-breasting in this session of the House?

Will the minister listen to the question first? I have not even asked the question.

MR. DECKER:
That is silly and stupid.

MR. SIMMS:
Oh, there he is! Arrogant!

SOME HON. MEMBERS:
Hear, hear!

MR. SIMMS:
I suspect the Minister of Health has breakfast with the Premier every single morning, according to how arrogant he is after getting.

Now, the question is: Will the Liberal Government be presenting legislation to this House in this

session - which includes the Fall sitting - to eliminate the problem of double-breasting? Will the government be doing that? The minister does not have to stand and take my time. Can you nod? Can you do this? Can the minister do this, or can he do this? All he has to do is this, or this. The minister can speak in the debate. He can tell us. But, obviously, he will not tell us.

MR. BAKER:
I will.

MR. SIMMS:
Well, what is it?

MR. BAKER:
Would the hon. member yield for me to give an answer?

MR. SIMMS:
How much time do I have left? Well, in that case, I will sit and let the minister answer.

MR. BAKER:
The answer is very simply this -

MR. SIMMS:
As a matter of fact, my time has expired, Mr. Speaker. I am sorry I did not have a bit more time. So you are the Speaker now.

SOME HON. MEMBERS:
Hear, hear!

MR. SIMMS:
Come on! Come on! Come in! He recognized you.

SOME HON. MEMBERS:
Hear, hear!

MR. SIMMS:
On a point of order, Mr. Speaker.

MR. SPEAKER:
Order, please!

I had not recognized the hon. member. The hon. Opposition House Leader was still speaking. You still have the floor.

MR. SIMMS:
I have not even raised my point of order yet, Mr. Speaker. You are amazing. The Speaker is amazing, absolutely amazing. He can even read minds. And he can read minds like members'. I am rising on a point of order, Mr. Speaker.

MR. SPEAKER:
Hon. Opposition House Leader, are you on a point of order?

MR. SIMMS:
Yes, Mr. Speaker.

My time has expired, I am told by the Clerk. I did not get a five minute notice, by the way, which is the practice that has normally been used.

Can I ask the Government House Leader, in this point of order, Mr. Speaker, because it is certainly a point of order that deals with parliamentary procedure: The minister was prepared to answer the question. Since he is not going to speak in this debate next, would he go down and tell the man who should be in the Cabinet, probably even the Government House Leader, what the response to my question would be? That is all I would ask him to do on that point of order, Mr. Speaker, and a very valid point of order.

MR. BAKER:
To that point of order, Mr. Speaker, the Opposition House Leader very well knows that what he has done is not a point of order.

MR. SIMMS:

I will give you time to answer the question.

MR. BAKER:

The record will show in the last three or four weeks that the House has been opened, Mr. Speaker, that he has risen on many points of order -

MR. SIMMS:

Three to three.

MR. BAKER:

- and points of privilege, and more often than not the Speaker has had to admonish the Opposition House Leader, that what he is doing is not really a point of privilege. I would like to point out to Your Honour that this is in fact not a point of privilege.

MR. SIMMS:

I did not raise a point of privilege.

MR. BAKER:

It is simply that the member has taken an opportunity to make an additional point that he did not have time to make in debate. So, Mr. Speaker, this is not a point of order, or privilege, or a point of anything else. It is simply an attempt by the Opposition House Leader to get in a few extra words.

MR. SPEAKER:

There is no point of order.

The hon. the member for Stephenville.

SOME HON. MEMBERS:

Hear, hear!

MR. K. AYLWARD:

Thank you, Mr. Speaker.

You would think, Mr. Speaker, listening to the former Government House Leader and now Opposition

House Leader, Leader number two, that we do not take this issue seriously on this side of the House, that we are not going to undertake to resolve the problem.

Mr. Speaker, one of the things I was taught as a young man was that if you are going to build a house, you needed a foundation.

SOME HON. MEMBERS:

Hear, hear!

MR. K. AYLWARD:

You just do not jump in, you do your homework first and then you make the right moves to resolve the problem.

Now I know we have been here long enough to solve this problem, many, many years and so on and so forth. We have had a number of discussions. We have had a good chance to have conciliation with a number of the labour groups in the Province. But what we need, Mr. Speaker, is an understanding Opposition, one which will let the government do its job. And we undertake to do that job.

The Minister of Employment and Labour Relations is doing that job. She has undertaken a process of discussing this major issue of double-breasting with all the labour groups in the Province, with all the employer groups in the Province. These discussions are ongoing. They are going to be ongoing, and we will be attempting to resolve the problem. We will be undertaking to do so as soon as possible. This process has started and I have a great deal of confidence that our minister and our Cabinet and our government will certainly be coming forward with recommendations to help resolve the problem. Whatever those recommendations may be, we

will come forward with some solutions and hopefully we will be able to resolve this very major problem. And it is indeed a major problem in this Province.

Double-breasting has caused a great deal of labour unrest in Newfoundland and Labrador. It has affected many workers in the Province and their families. And a lot of companies have had to struggle, also. It is because some companies have decided to operate on both levels, have decided to set up businesses on the side which are doing similar work, performing the same functions so as to take advantage of the loopholes in the system we now have. We have to address that problem.

As the Minister of Employment and Labour Relations pointed out, the recession brought things on and brought them to a head.

With the lack of opportunities and a smaller market, a lot of the businesses out there, a lot of the construction companies and so on, had a smaller market to compete in and, therefore, we have now seen the evolution of the process come to a head.

I think, Mr. Speaker, when we are discussing this problem and discussing the solutions this government is going to bring forward, we should put it in historical perspective. You see, in 1985 the former, former Minister of Labour, the hon. Ted Blanchard, who was a credible minister for the previous administration, struck a committee to do a report on the construction industry. That was headed up by Gordon C. Easton, Chairman. They completed the report with a number of recommendations about how to

deal with the double-breasting issue in the construction industry. These recommendations have been in existence for the last three to four years. As a matter of fact, Mr. Speaker, when you look at the original draft the previous minister, the member for Harbour Main, is talking about, this previous draft they were thinking about bringing in, they could have done that, Mr. Speaker, if they had opened the House before they called the election. But they did not do that, and that is the way it went.

They had drafted this bill, supposedly an amendment to the Labour Relations Act, and they were going to bring it in. But if you go back over the last three or four years you will find that a lot of the information and similar ideas were put forward by the Chairman and by the Construction Industry Advisory Committee, which prepared the report. Therefore, the information had been in the hands of the former administration for the last three or four years, and if they had seriously wanted to resolve the issue, they had their opportunity. They really did.

As a matter of fact, at that time they should have undertaken to do something with it instead of letting it fester to the point it is now. It has really become a serious matter, one which can affect our whole industry and affect the entire economy of this Province. We could be into an industry dispute at any time, and it is all because of the lack of action by the former administration.

You have to have this historical perspective if you are going to get up in this House and accuse

the new government, which has only been here for six to eight weeks, of being to blame. How can we be to blame for something which they set up and left in our hands? Again, another mess for us to clean up, and which we undertake to do.

These recommendations that were prepared were quite good; they gave an overview of the construction industry. The Committee travelled to Norway to look at the offshore oil industry. They made recommendations on preparing a labour management agreement for offshore oil and so on. So these recommendations have been in the hands of the former Department of Labour, the ministers, and the former administration for quite some time. Therefore, one has to wonder how come these things have not already been done? What we are doing, and it is a totally understandable process, is undertaking to review all the information and getting the advice of all the groups - not some of the groups, all of the groups. We will be undertaking to provide some solutions. It is high time that was done. It should have been done last year, the year before, the year before that, and the year before that but it was not.

That has to be well-known, it has to be looked at, and it has to be considered by the public of the Province. It is a very crucial issue. Double-breasting is a simple issue in one way, but it has become a lot more complex during the last few years, and it became more complex because of the previous administration.

I have a copy of the memorandum of understanding which apparently was

struck with the former government. The former, former Minister, the hon. Ted Blanchard, was extremely supportive of this memorandum. He worked hard, and so did that department, to put it together, and they came to an agreement finally. As a matter of fact, it was hailed as a fine agreement all across Canada; a number of the provincial jurisdictions have been looking at it. This was hailed as a good agreement and they had a working paper they could carry forward and work towards some type of legislative amendments or an agreement that would see some labour peace in the future.

This agreement, Mr. Speaker, was struck by the former, former minister but, unfortunately, the former, former Premier decided that the minister did not have the authority he thought he had and they decided, even though he struck it, it would not go through Cabinet and that they would have to go back again and consult with some other groups that had not been consulted. So, here we go.

We had the former minister who had tried to do something with it, and apparently had done something with it, but the previous administration decided that was not the solution. Fine and dandy! They did that, they were the government of the day, and that is fine. The agreement that was struck was hailed and looked upon very favourably by most, but it was not able to be carried forward. And you have to wonder why. You also have to wonder what happened to the former, former minister. Of course, he was embarrassed. He was very credible. He had been in the Department of Labour as a Deputy Minister for many years. But, you

see, he had put this proposal together and the Cabinet decided that it was not the thing, they could not agree with it - 'Take it back and come back with something else.'

But did not last that long, he had to leave. Then the people on the other side had a leadership convention which resulted in a new Premier who then decided he was going to replace the former Minister of Labour, and the person he put in his place was the present member for Harbour Main. And they were the government four or five weeks, almost as long as we are here, Mr. Speaker, so you have to wonder why they were not able to carry it forward. As a matter of fact, the hon. the Leader of the Opposition and the member for Harbour Main were in Cabinet in the Peckford Administration, therefore, they certainly must have had something to say about this memorandum of understanding.

So this historical perspective should be seen by everybody opposite when considering their comments. I think most people are now seeing exactly where we stand, see where the future is and how we have to deal with it. We are dealing with it, Mr. Speaker. There are a number of discussions, as I have said, going on between the labour groups in the Province and employers in the Province. This matter is very serious. We are certainly going to be dealing with it over the coming months and the coming weeks, if we can.

The House opened in June. It had not been open for almost a year, to the day. If this legislative amendment was there a few months ago - I cannot understand it - why would they not bring it in before

they called the election? That would have been something for them to do. They could have hailed it as something. They could have beat the old chest and said, 'Hey, here we go. This is a good move we have made politically,' and they would have resolved the problem. As a matter of fact, that would have been smart political strategy on their part. Of course, we are not so sure about political strategy anymore.

The fact of the matter is, Mr. Speaker, the opportunity was there. To ask us to do that now, we are considering it amongst other options we are looking at. We have to review all the options and come forward with what we think is best. We are going to do that as quickly as we can, but it does take some time.

I know, as every member knows, that the Summer is the season for the construction industry. We could have problems and we have had problems in the past. We want to do something that is going to resolve the matter in the future, not for the short-term, not for just this Summer or the next year. We do not want to make a hasty move. We want to make the right moves. We want to get the information. We want to get it from everybody, and then we will make a decision. That is the only way to go as far as I am concerned and as far as this government is concerned.

So I commend the Minister of Employment and Labour Relations and this government for taking the route that it is taking. Now, we are not going to come in and make a quick decision on such an important matter for pure political satisfaction, to say, 'Well, look, we have that one

resolved,' and then come back next Summer and find we have a problem. Let us see if we can fix it.

I think the people out there who are involved in the construction industry understand where this government is coming from. They know we are here and we are trying to deal with that problem and that we are going to be considering their views. That is important and they understand that. They have patience and they understand that.

It is very difficult, though, for them to operate with the present structure they operating within. There are abuses there. There are companies who are getting away with double-breasting, and we have to do something about that; we have to resolve that problem.

We have to see it dealt with, because there are a lot of unfair things happening. There were a number of recommendations made by the Easton Report and in the brief presented by the Newfoundland and Labrador Construction Association. In February, 1988, they presented a brief to the government of the day. It had a number of recommendations, again similar to the Easton report. These recommendations are good recommendations and we are considering those and looking at other jurisdictions across Canada to see what they are doing. We are getting our homework done. Again, you have to do the right thing. I think that is the important thing here.

We consider this matter extremely serious. It is a matter that affects many, many people in the Province, therefore, we are going to deal with it as quickly as we

can. Double-breasting has caused many problems and has caused an unsavoury labour relations climate, one which makes it difficult for business and for unions. When you see examples of people setting up a company, and on the same day setting up another company so that the union cannot organize, that is an abuse of the system. It is! There are loopholes there which allow that. We see that happening and we are going to try to resolve it. You have to move carefully and move delicately, but you have to move. I can assure this hon. House that I know, and I have a great confidence in our minister and our government, that we will certainly be doing something to try to resolve the problem.

Now, we might not succeed right off the bat. I mean, we are going to try. We might come in with three things out of four that will work, and the other one may have to be patched up, or maybe two out of four will work and two may have to be patched up, but we are going to take action, and we are going to take strong action to deal with it.

I think it is time action was taken instead of the problem being ignored, Mr. Speaker. But there is one thing the people of the Province can now have great confidence in, and that is that the House of Assembly will now function in an orderly manner. And they can look forward to a Fall session for the first time in I do not know how many years. My memory only goes back so far, but I think it has been at least three years since we had a Fall session. We are even looking at, Mr. Speaker, setting up committees so that we can review legislation before it comes to the House,

which would allow for good debate on any legislative changes.

AN HON. MEMBER:

(Inaudible) on both sides. I dare say.

MR. K. AYLWARD:

Legislative changes we decide to make. So we are bringing in some good things. Mr. Speaker, by keeping the House open as long as we are going to keep it open, we are giving the Opposition all kinds of opportunities to tear into us and tell us what we are not doing right and all of those things. And I think that is a healthy process.

MR. MURPHY:

If they are around, and not flying all over the place.

MR. K. AYLWARD:

If they are around. But it is a healthy process. I can assure the members opposite that we as a government will certainly have the House open and good debate on any changes we propose to make.

The people of the Province know this government is serious about its business. They know we are here and we are going to be working hard. They are confident. They know the House will be open. When we say we will bring in legislation, that does not mean it is going to be next year. What it means is that if we have a Fall session, we will bring in some legislation. We do not know if we are going to bring in legislation on this matter or not yet, we still have to decide what we are going to do for sure. But if we do, they can be assured that there will be a session in the Fall. And we will probably have another one next Fall because, you see, government has to function.

It will not be like the last twelve months, Mr. Speaker, previous to when we took office, where there was an election called without opening the House, no budget passed, nothing. The legislative amendments they are asking us to pass today were on the books ready to go and they did not pass them. They did not even want to open the House. They did not even want to bring it in so they could say, look at the good job we have done. They did not even want to do that. So I get a little perplexed. I have to ask, why did they not do that? It would have made our job a little easier, I can tell you. As a matter of fact, it would have made our job a bit tougher in the election, because that would have been a good move for them to make, apparently. People would have said at least they are doing something. But you would not be able to find out for sure until after the election, because it is three weeks — twenty-one days and it is all over. So they could have made the big, bold move to do that, after all this consultation.

What we are saying is, we are seriously dealing with the problem. I, as many of us, like the member for Bonavista South (Mr. Gover), have been involved in Labour before, and especially the minister, who has a great record in Labour. You know, we are going to be dealing with this matter as quickly as we can. As we have said, we cannot do everything in the first few weeks. We are trying to get our feet wet and get everything worked out and resolve the problem, but we want to make the right moves, not the wrong moves. I once saw a movie called **All the Right Moves**.

AN HON. MEMBER:

Yes.

MR. K. AYLWARD:

Well, I can only advocate that this Liberal Party, this government, is going to make the right moves, Mr. Speaker, as much as we can.

AN HON. MEMBER:

Irregardless of rantings.

MR. K. AYLWARD:

That is right. Irregardless. But we do appreciate the prodding of the members opposite, because we need that in the healthy democratic process we have. We look forward to it. Because we need to do it right, there is no doubt about that. It is good, and it is part of the healthy democracy we are in.

So the hon. the member for Harbour Main, the hon. critic for the Opposition (Mr. Doyle) should understand that, yes, we are going to be dealing with it and that we, as the government, will want to resolve the problem of double-breasting and the agony it causes, the labour unrest it causes. But I can say to him and the Leader of the Opposition that we are not going to wait for four or five years without making any moves, commissioning reports to be done, with all kinds of good recommendations. I mean, we will call the House together. If we want to resolve a problem, we will have the House open and we will be able to debate the legislation. So he can be assured of that. I think our government has been a shining example of that process, so far.

SOME HON. MEMBERS:

Hear, hear!

So, Mr. Speaker, it is a complex

issue. We are working hard. I wanted to give an historical perspective so that the members of the House could understand that it is a difficult question, but that there are a number of recommendations being looked at, a lot of consultation is taking place and we are going to do something about it.

I think members opposite can understand that. The hon. the member for Harbour Main brings forward his resolution, but I think they thought they were still the government when they drafted it, because they are still trying to tell us exactly what to do. I do not mind suggestions, Mr. Speaker, but I am not so crazy about the exact wording of this resolution. Again, we will decide on that later today.

Mr. Speaker, I thank the hon. House for its attention and I look forward to this debate. Thank you.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for St. Mary's - The Capes.

MR. HEARN:

Thank you, Mr. Speaker.

I must say, if the hon. member who just spoke believes half of what he said, no wonder he is not in Cabinet. He is probably gullible enough to believe what the Premier told him when he said if he did not make any stink about it, eventually he would get a seat in Cabinet.

SOME HON. MEMBERS:

Hear, hear!

MR. HEARN:

I stand in support of -

MR. WALSH:

(Inaudible) common sense and intelligence.

MR. HEARN:

If the member for Mount Scio - Bell Island wants to speak, I will certainly take my place and let him go on.

MR. SIMMS:

A good idea! Let us hear it from the member for Mount Scio. He knows a lot about labour relations.

MR. WALSH:

I am not (inaudible).

MR. SIMMS:

Not prepared!

MR. HEARN:

Mr. Speaker, like many more, including the minister, he knows very little about labour relations in the Province.

I stand in support of the resolution submitted by the member for Harbour Main, that the government bring forth immediately the act which will deal with double-breasting in the Province. I understand one of the reasons it has not been done is that there is a major disagreement in Cabinet over the procedure.

MR. MURPHY:

Oh, no!

MR. HEARN:

You would not know. It is in Cabinet, and you do not know what is going on in Cabinet. We do. As you know, we do have our contacts. The Premier is worried about the moles and they are around, and we know what goes on. But hon. members do not. And, of course, if he keeps acting that

way, he never will. Just because he is officially the candidate now, it does not give him the right to take the House on his back.

Mr. Speaker, there is a dispute over bringing the legislation in, because we have our right wing and our left wing. We have the Premier himself and the Minister of Health on the far right and, of course, we have the Minister of Labour, the Minister of Finance and the Minister of Education on the far left, and they cannot agree upon legislation dealing with the double-breasting issue; they are trying to make everybody happy.

The words of the member for Stephenville: 'We will do something about it' - we have been hearing that ever since they came to power. Well, they are in long enough now to start producing.

From the Speech from the Throne, Mr. Speaker: 'My government is determined to achieve a more productive and amicable labour relations environment and to deal directly with the issues... My ministers are confident that mutual respect and genuine concern for the welfare and the interests of all sectors of society employees, employers, and public at large - will result in a progressive and rewarding relationship over time.'

SOME HON. MEMBERS:

Hear, hear!

MR. HEARN:

Well, Mr. Speaker, did they deal with the issues? No, they did not. They dealt with the employees - they axed them! In fact, even in the minister's department, and she did not even

know it was going on. She gets up and talks about labour relations. They took care of the employers. They eliminated one of the best programs that was ever brought in in the Province, the Private Sector Program. Now, they have zeroed in on the employees and the employers, and the public at large was taken care of by the Minister of Finance in his recent budget. So they have already moved on the commitments in The Throne Speech. However, I am not sure what it does for the double-breasting issue.

The uninformed minister, when she was speaking on the issue, instead of zeroing in and telling us their plans for dealing with labour relations in the Province, continued to attack the Opposition for what they did not do. We all admit that there were a lot of things that we would have liked to have done, and will do in the future that we did not get time to do, or the opportunity to do, or the environment was not there in which to do those things, but that does not take them off the hook. They are the government now, and they have to deliver on these things.

The minister mentioned about the inability of the government to talk to labour. If there was anybody in this Province who should stand up and praise the former government in the way it dealt with labour, it should be the Minister of Employment and Labour. Never in the history of the Newfoundland Teachers' Association, that great labour union which at one time, before the minister and before the time of the member for Exploits - before they took over it was a professional organization. Now it is called a labour union. But

whatever it is, the minister should know that in the history of that great professional organization, or labour union, never did they reach an agreement on a contract before the former one ran out. That was done during the minister's own time.

Now I have to admit that it was done while the minister was out of the Province. I think we should be aware of that. It was done while the minister was out of the Province. But it was done officially during the time when the minister is on record as being President of the NTA. How, then, can she stand up and say that we had a tremendously poor record of labour relations in dealing with the different unions?

We have to find a better way of dealing with labour in the Province. We learned a lot in our discussions and negotiations with them. Because we did meet, we did not ignore labour. We met with the employees, we met with the employers, we met with the unionized people, we met with the non-unionized people, and from that there developed a memorandum of understanding.

Let me talk a little bit about the memorandum of understanding; let me educate the minister as to how it all came about and why there was not a formal agreement which would lead to labour peace and we would not have the situation we have today. It originally started when a brief was presented to the Social Policy Committee of Cabinet by the Building Trades Association called **A Better Way**. It discussed a better way to deal with some of the labour problems in the Province. Some of the topics that were discussed include: multi-trade bargaining;

the right to strike, which the member knows all about, because teachers in this Province have the right to strike. It was given to them by the Progressive Conservative Government, after it had been denied them for years and years by the former Liberal Government of the Province.

The brief talks about the settlement of all problems during negotiations, a mechanism for zeroing in on problems that occur during negotiations, when you move away from the table, when you move behind the scenes, when you move to the minister's office in the late night to handle little issues, when you move to the hotel rooms in Corner Brook at two o'clock in the morning, as the former president over there would know, to deal with issues. We have the definition of industrial and commercial sectors, the clarification of the two sectors, the certification of trades, double-breasting, the key topic, and the group will tell you that the key issue in their presentation, the key topic they wanted us to pay attention to, to zero in on, was the double-breasting issue. Because if that were out of the way, the other problems, then, would fall by the side.

They mentioned government construction jobs and their concern that government was not more, perhaps, on labour side when it was giving tenders; they were looking for, perhaps, preferred tenders. Jurisdictional disputes and then the economic forecast, etc. But the key factor was double-breasting.

When they presented the brief to Social Policy, one statement they made stuck in the heads of some of

the people involved, and it was that in order for an agreement to be reached, the unionized contractors in the Province must be aware of what they were trying to do, that organized labour was realistically and seriously trying to present a way to deal with problems. They were giving a considerable amount from positions they held in years past. They were looking forward to an agreement with the unionized employers whereby both of them could reach mutual agreements so that they could capitalize on the work that was taking place.

We said, 'Maybe we can get you together,' and a small group of ministers, way outside of any line of work or duty, went out and met individually with individual members of the Building Trades, with individual unionized employers, and discussed some of the ideas put forth in **A Better Way**. Now, that, to me, is discussion. That, to me, is availability. That, to me, is the start of negotiating a better way to do things.

Eventually, we brought a few of them together, a few of the union people, a few people representing the employers, and we discussed the suggestions that had been made. The key topic was government's involvement as it related to double-breasting and what we would do about it. We committed to them, if they could put the rest of the House in order, that the double-breasting issue would be settled once and for all by bringing the proper legislation to the House.

This small group, a small beginning, was enlarged and became a greater group. We met with a large number of union people and a

large number of unionized employers and put together a memorandum of understanding based upon the brief presented entitled **A Better Way**, whereby they agreed to a number of things, including strike-free conditions for three years, and eventually agreed to five years, provided the doubt-breasting issue would be attacked and some other minor issues would be worked out in the interim. Up to that time, there was absolutely no mention made of Industrial Standards Wages and Benefits which lately became the kicker in the whole process.

As the memorandum was taken back for discussion with the different groups and agencies, we saw some changes made. The major one being the concern by the unionized employers who advocated the establishment of the Industrial Standards Wages and Benefits package.

This is what disrupted the momentum that was moving in relation to labour peace in the Province, and that, I guess, is where it is today. However, the one key issue, yet, that perturbs the unionized sectors out there in the labour force and in the Building Trades in particular, is the issue of double-breasting. And once that issue is clarified, then, I think, the doorway is open to finding labour peace in the Province. This can be done by bringing forth the legislation that is prepared, and the quicker it is done the better. It may not solve all your problems with labour, but it will be a big beginning, and I think they will get the confidence in you, perhaps, they did have in us as we arrived at that negotiated process or position. This can only be done with consultation and

co-operation.

Now, the Minister of Employment and Labour Relations, when she stood up, spoke about consultation and co-operation. We will see in the upcoming weeks and months how much heed is paid to the lip service that has been given not only to this but to any other issue that has been raised. It is great to say we are going to do it; you should have done it, but we are going to do it. Well, there are things we did not do and we admit it.

SOME HON. MEMBERS:

Hear, hear!

MR. HEARN:

But there are a lot of things we did. And there will be a lot of things you will not do. In three or four years time you will be standing here saying, We admit it. But you are the government now and you have to deliver. When we look at the affect a major disruption in construction, in the Building Trades area will have upon this Province, then, I think, it is time that we zeroed in on the solutions. We cannot say, wait and we will see. We will think about it in the Fall, and when we reach an agreement in Cabinet between the right wings and the left wings, maybe we will then bring forth legislation. Then it might be too late.

If we are going to talk about fairness and balance, it does not matter whether we are left wing, right wing or in the middle. If we are going to talk about fairness and balance, everyone has to agree that the double-breasting issue is unfair and does not provide proper balance in the construction field in this Province. Consequently, the issue

has to be dealt with. Unions have a right to organize. It is not easy to organize. The bigger the employer and the more experienced he is, the harder he is to catch. That is fair ball! It is fair for employers to try to avoid being unionized as long as they play by the rules. If they want to run a shop that is not unionized, that is entirely up to them. They are the employer. They take the chances and they pay the bills. But if the union catches up to them and if the members show they want to be organized - there are several firms out there who have employees who do not want to become members of any union, they are quite satisfied with the benefits, wage packages and so on they receive. They do not want to become unionized, and they let the different unions know that. But when the members show they have a desire to become unionized, where the unions can go in there and get a majority of them to agree and sign them up, then they have every right to expect that it will be followed through and the company will operate as a unionized company. But, the loopholes that are there for employers to sneak away and continue to work and operate companies without recognition of the legalities involved, then those loopholes have to be plugged and it can only be done by proper legislation. I would suggest to the minister, who hopefully will be bringing forth legislation, that it be done -

AN HON. MEMBER:

She said she might not.

MR. HEARN:

Well, she said she might not. Hopefully, she will.

- that it be done with care and caution and that she consult the

expert lawyers who sit in the front benches and the back benches over there, because we have extremely smart people in the Province when it comes to finding loopholes.

Legislation is only as good as how effective it can be in the course of the Province. And if loopholes can be found, then we are right back to square one. We have a fair amount of legislation on the books right now dealing with labour matters, but you can drive a truck through most of them. So we have to zero in to make sure that any legislation dealing with double-breasting is proper so that it does give the employer protection of going out there and operating the way he wants to. But the minute union moves in and organizes his workers, then he has to recognize that fact and work within the parameters. That is all the Building Trades people are asking for, fairness and balance. And surely the statements from the Premier and from the government daily deal with the fairness and balance that they will heap upon the people of this Province.

Well, in supporting this resolution, Mr. Speaker, we ask that they start heaping some of this fairness and balance upon the people who are members of the Building Trades Association, and that they support our resolution, and that at the first available moment, once they agree in Cabinet, as I say, upon the legislation, they bring forth the act so that we can discuss it, debate it, analyze it and approve it here in this hon. House. Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Humber West.

SOME HON. MEMBERS:

Hear, hear!

MR. DICKS:

Thank you, Mr. Speaker.

MR. SIMMS:

Ted Noseworthy (inaudible).

MR. DICKS:

It is not the hon. House Leader of the Opposition.

It is a pleasure to rise in the House, Mr. Speaker, and address it today. I think it becomes new members to express to the House on their first occasion the many thoughts which have come to them over the years while, in some cases, awaiting election, in other cases anticipating it, and, I suppose, in a particular case, such as this, enjoying it.

My first thought is to congratulate the speaker who is not present, as well as yourself and the Chairman of Committees, who is not here at the present time, on your election which, of course, was a unanimous choice of the House and which, at this rather belated date, I would wish to concur in.

I would also like to thank particularly fellow members of the caucus for their support over the last couple of months, since the election, and particularly the Premier who was kind enough to invite me into Cabinet. Although the hon. member in his remarks indicated that there were many lawyers on this side of the House, that is not entirely the case. But I can say with some degree of certainty that it is the ambition

of virtually all of the profession on some occasion, upon achieving office, to be invited into the Cabinet, into the position which I now find myself, as Minister of Justice and Attorney General. For that I am truly grateful, and I would hope that over the course of the coming years, should I continue in that position, I will ably and properly fulfil my role as Attorney General.

SOME HON. MEMBERS:

Hear, hear!

AN HON. MEMBER:

And Consumer Affairs.

MR. DICKS:

And Consumer Affairs.

It is an honour to represent the district of Humber West. It is a district in which I have lived - the hon. the member for Humber East (Ms Verge) has come into the House and I thank her for her courtesy in that regard. We have known each other for many years. In fact, I ran against her in 1982 and lost. I know she has served her district well for many years.

However, it is Humber West of which I wish to speak. It is a district I know well. The pulp mill is located there. A lot of my friends, relatives, clients over many years have worked there, and I believe I know the concerns of that district and they are ones which I shall be bringing into this House and to government from time to time. It is an honour and it is something I would hope to fulfil in due course.

In thinking of what one would say on an occasion such as this, I think one would, first of all, consider the duty of a representative. I have had the

opportunity to review the remarks of some other imminent politicians. I did not find any by the hon. House Leader over there who is shaking his head, but I will keep looking perhaps I shall. It was Jefferson who said that -

MR. SIMMS:

I was not talking about the hon. member.

MR. DICKS:

It was Jefferson who said 'That when a man assumes a public trust he should consider himself a public property.' I think very often that is a shock that comes to a new member because, indeed, that is what we find. It was Edmund Burke who indicated, 'It ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents' - a noble aim and one I am sure we all find difficult to achieve at times.

He goes on to say, 'Their wishes ought to have great way with him, their opinion high respect, their business unremitting intention. It is his duty to sacrifice his repose, his pleasures, his satisfaction to theirs. And above all, ever, and in all cases, to revere their interests to his own.'

I think that encapsulates in many senses what one hopes to achieve as a member, a difficult thing to do, but, nonetheless, I think an enviable aspiration for us all. One can say many things but if one were able to fulfill that in the course of one's days in public service, then I think one could enjoy one's retirement, albeit at some point it may be forced upon us rather than chosen by us.

I have also asked myself, being fortunate enough to be on the government side, in what endeavours and to what extent good government can be achieved, and in what it does consist. The answer that struck me as being closest to the heart is that it consists in being the art of politics. It is the achievement of human happiness. Shaw has said, as well, 'The greatest of evils and the worst of crimes is human poverty.' I think, particularly in this Province where we suffer with so much unemployment and so many ills of society in relation to much of the rest of Canada, let alone North America, if we are to achieve anything as a government and as a House of Assembly in representing our constituents, it is that to some extent we lessen the poverty that affects our society at all levels. I think it is to that end that we would work.

Again, I guess, I am somewhat a fan of Jefferson, believing him to have achieved quite a bit. He did say, as well, that a wise and frugal government, which I commend the Premier for bringing forward and, to some extent, forcing upon us against our opposition at times -

MR. SIMMS:

A Cabinet break already?

MR. DICKS:

- but nevertheless an ambition to be greatly lauded, Mr. Speaker.

Jefferson said, 'A wise and frugal government which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labour the bread it has earned. This is the sum of

good government and this is necessary to close the circle of our felicities.' I think in that he was particularly keen in setting forth those criteria on which we can judge what is a wise and frugal government. One may ask how one would achieve that. I think it is the knowledge of human nature that would do it.

It is always incumbent to look across at the Opposition and see to what extent one may anticipate not only the fellowship of government, but also what one may anticipate from the Opposition benches. It was Disraeli who said that - I am referring not to Oppositions per se - 'A Conservative Government is an organized hypocrisy.' Now, I would say that perhaps a corollary to that, which was not expressed at the time, is, does that mean that Liberal Governments are disorganized hypocrisies? I suspect not, but I thought the point worthy of note.

I think more to the point of how one would hope to view the Opposition over the coming years, is that Opposition is sometimes a difficult role to fill. That of critic is never the most positive path to tread upon. It was Edmund Burke, another English statesman who said, 'He that wrestles with us strengthens our nerves and sharpens our skills. Our antagonist is our helper.'

AN HON. MEMBER:

Who was that?

MR. DICKS:

Edmund Burke. Not from Bay Bulls.

I would say, Mr. Speaker, that in the coming years, although I would expect and anticipate that the Opposition will at times try to

take their measure of flesh out of my hide, as becomes them, nevertheless I would hope that we shall always have the view of a mutual aim and ambition in this House to perform for the good of the Province and the betterment of the Province. To that end, their antagonism, I would hope, to always see in a constructive sense, as one of help rather than opposition.

Lastly, the press, who I think I was fortunate enough in rising to clear. I might refer to Jefferson again, who in reviewing his role of the press and government had the following to say: 'The basis of our government being the opinion of people, the very first object should be to keep that right. Were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.' I would not echo his sentiments quite to that extent, but I certainly think, in addition to the Opposition, the role of the press is something that I would hope to appreciate as well in the future as being a necessary part of our process; while not entirely preferable to government, at least one that we can appreciate as being a necessary part of our process, which brings me rather belatedly to the issue before the House today. I have had years of experience at the Bar and a particular pleasurable part of my practice for many years was acting as a labour arbitrator. In that role, if there one thing I found it was that there were many issues coming to arbitration, usually at the instance of unions arising out of collective agreements, in which an arbitrator would have to decide on some very close and difficult

issues in matters of fact and law. It was very often the case that there was truth on both sides, and in many cases the unions won their point and in other cases lost it, but very often a matter of some determination and weight to be held.

Now the particular issue of double-breasting is one that has obviously been difficult to resolve. The previous government confronted it, perhaps was confounded by it, and we have before us the experience of the government either being unable or unwilling to act. Now I do not cast aspersions on the previous government for its role in this, all we know is that the record is there, as has been set out by my learned friend, the Minister of Employment and Labour, who set out very clearly her present position and that she will act with only due consultation, deliberation and forethought, and, as well, the benefit of the thoughts of my learned friend, the member for Stephenville, who has indicated the historical basis for this. We know it to be an issue of importance in this Province as the resolution clearly indicates. To that extent, and to which that is set forward in that resolution, that is a sentiment with which I can concur.

However, I cannot concur with the substance of that resolution as was put to this House, that we as a government act immediately and pass the legislation drafted by the previous government. I say that if for no other reason than the fact that the previous government itself was not, or did not, or could not act upon its proposed legislation.

If I may say just briefly with respect to the resolution, the resolution assumes, perhaps, a little more than is due and fair in the circumstances. It says, '...a general strike in the construction industry is eminent this summer.' I might point out that eminent is a term that one rarely uses with respect to politicians, but is no doubt something to which they aspire. I suppose what is meant here is that a construction industry general strike might be imminent. I do not know if it was amended, but I presume that was the intent. I think that may be overstating the case. I would not concur, from my knowledge of present events -

AN HON. MEMBER:
(Inaudible) on.

MR. DICKS:
Oh, I see. Well, I am sure that will be duly corrected should it pass.

Nevertheless, I think that may be overstating the case. I think we all appreciate, on both sides of the House, the pressing nature of the problem, but I do not know that we can agree that there is an immediate strike looming that will cripple the construction industry and deprive the Province of the employment opportunities which may arise at the present.

The second area with which I disagree on the preamble has to do with the fact that 'legislation addresses directly the issue of double-breasting.' Having had the opportunity to review the draft legislation, I am not clear and I do not necessarily agree that it addresses the issue directly; it establishes a means by which the previous government intended to deal with the double-breasting

issue. But I am not content, nor can I say with a required degree of satisfaction, that that particular legislation will not only address the issue but rather more importantly, resolve the problem of double-breasting in this Province.

Now to the resolution itself, I would not support it to the extent that it resolves 'that this government bring forward immediately this Act.' I believe, as the Minister of Employment and Labour Relations, has indicated that we as a government are not satisfied that the necessary process has been followed to allow all segments of the construction industry in this Province, both labour and management, unionized and non-unionized, have the type of input into the legislation to persuade us that this indeed represents a proper and fair consensus. I should also add that this government will not necessarily act on consensus as I see it, but rather on what we believe to be the right solution. But neither am I persuaded that not having achieved a consensus nor reflecting on the legislation should we as government accept that it is the right thing to do, because that, as well, is not apparent on the face of it.

As the minister pointed out, there are other means that we must explore that may be available in current legislation to attempt to resolve this rather difficult and what, in fairness, has been a frustrating issue.

Lastly, Mr. Speaker, with respect to the resolution, I think it presupposes and in fact states that this act will help to ensure labour peace. All I say on that aspect of the resolution is that

the double-breasting issue is one that is not of general application; it addresses one particular matter at present in this Province, and perhaps we need to address on a more broad basis the various issues confronting labour and management in this Province, which includes not only the issue of double-breasting, which is the illegitimate child, if you will, of the recession but, rather, we will get to the point of resolving the economic difficulties which have engendered this. And until such time as we as a government and as a Province are able to achieve prosperity and, hopefully, to some extent, the preparation of greater public works, thereby enhancing the construction industry in this Province, I do not really think, regardless of any legislative enactments or measures, will we really achieve labour peace.

So, if our government is to act, and I believe we will with all due diligence in such a matter, we will probably do so. The minister has indicated this on a somewhat broader basis than a single issue framework, and, to that extent, I believe our thoughts will be a better base.

Lastly, and I do not know if I should be too political in closing on my first day in the House, but -

MR. DOYLE:

No, no! Do not be nasty!

MR. DICKS:

No, I will not be nasty.

But, in going through this whole exercise, I did come across an interesting quote of Churchill of whom we are all fans, including the hon. members across the House. If we were to review the

previous government's actions, one quote of Churchill's might be apt. This is from his book **When England Slept** (1936) a very prescient book, as well, as was the Speaker previously in the Chair. He said that the previous government, if I may apply it to them, 'decided only to be undecided, resolved to be irresolute, adamant for drift, solid for fluidity, all-powerful to be impotent'.

MR. SIMMS:

It is rather old to be used in (inaudible).

MR. DICKS:

Perhaps I can leave you with something else.

By contrast, what we as a government propose to do is to 'pass from the tossing sea of cause and theory to the firm ground of result and fact.' Thank you, Mr. Speaker.

SOME HON. MEMBERS:

Hear, hear!

MR. SPEAKER:

The hon. the member for Green Bay.

MR. HEWLETT:

Thank you, Mr. Speaker.

MR. SIMMS:

Where is your quote book?

MR. HEWLETT:

I am afraid I left my quote book at home.

I would just like to make a few very brief remarks in support of the resolution, a few probably general observations with regard to the hon. crowd opposite.

The minister who just spoke indicated that they wanted more

process with regard to this particular issue of double-breasting. I think, to a great extent, the issue has been talked to death. It is a matter of someone taking the bull by the horns and moving with it. Whether or not this government will take the bull by the horns is another matter, Mr. Speaker, because my colleague from St. Mary's - The Capes indicated there was a split between the left and the right within the Cabinet of this government. I think, so far in this Assembly, it has become very obvious that the right has the upper hand.

Prior to the election and in general terms, I guess, in the Throne Speech, this government spoke very glowingly on the left side of many issues with regard to our people, matters in social services, education and so on and so forth. But the Budget shows that this is a cold, clinical right-wing government.

MR. SIMMS:

Hear, hear!

MR. HEWLETT:

I remember the Liberal Party in Opposition during the very difficult times of the recession of the 1980s and the subsequent labour unrest that followed. The Liberal Party, at that time, which was very much a left of center party, allied itself many, many times with the labour movement during those very difficult times. Therefore, I suppose, during the election campaign past, we were not altogether surprised that Mr. March came out in support of the Liberal Party. Maybe the NDP were surprised.

Mr. Speaker, the Liberal Party is now the governing party, the

establishment party. The Liberal Party came through an election campaign with a very big-spending, big money campaign.

Would this be the reason the Liberal Party is not in favour of progressive labour legislation at this time? The Liberal Party, Mr. Speaker, has IOUs out to a lot of certain interests in our society.

MR. SIMMS:
Ah, ha!

MR. HEWLETT:
Mr. Speaker, sometime ago, I sat on an environmental panel with the minister opposite, Mr. Fenwick of the NDP, and a representative of the Green party, in Corner Brook. The subject of beverage containers came up, and Mr. Fenwick sort of turned on me rather savagely and indicated that the reason we had a litter problem with regards to aluminum cans was that the PC Party was in the pockets of the beverage companies. Well, Mr. Speaker, I do not think the PC Party is in the pockets of any companies right now, but the governing party is in a position -

SOME HON. MEMBERS:
Hear, hear!

MR. SIMMS:
They never were.

MR. HEWLETT:
And they never were, Mr. Speaker, might I add. I am sure members opposite were applauding for the second half of that sentence.

As I indicated to Mr. Fenwick, Mr. Speaker, I could not take criticism from the NDP with regard to our party being a captive of one element of our society. But I think it is becoming fairly obvious right now that the Liberal

Party is, to a great extent, a captive of certain elements of our society, and because of their big-spending election campaign ways, I think there are IOUs on the go. I do not think the labour movement can look forward to great things from this party, therefore, Mr. Speaker, I think it is up to the only left of centre party in this Assembly right now, the PC Party -

SOME HON. MEMBERS:
Hear, hear!

MR. HEWLETT:
- to put forward resolutions that will lead to labour peace in this Province, because, Mr. Speaker, I do not think the right-wing government opposite has its heart in that place. I thank you.

MS VERGE:
Have a heart.

MR. HEWLETT:
Does not have his heart in that place. He does not have a heart.

MR. SPEAKER:
The hon. the member for Harbour Main.

MR. DOYLE:
No more speakers on the other side, Mr. Speaker?

MR. SPEAKER:
If the hon. member speaks now, he closes the debate.

MR. DOYLE:
Thank you, Your Honour.

SOME HON. MEMBERS:
Hear, hear!

MR. DOYLE:
I was very, very pleased today, Mr. Speaker, as I said in the beginning, to present this

resolution to the House of Assembly. I really did not see any reason why members opposite, especially the Minister of Employment and Labour Relations, could not have been supportive of this resolution today. She spoke for a couple of minutes on the resolution, and I fully expected that when she rose in her place to talk about this resolution she would have said, Well, there is a whole lot about the resolution I can support and there is a thing or two in the resolution I cannot support, so I am going to propose an amendment to it so that all hon. members in the House of Assembly can support the resolution. The minister did not do that. She got up and she spoke for about three to five minutes and was irrelevant, most of the time, with respect to her speech. But she did make a couple of points that I jotted down, on which I am going to comment a little bit on later on. What she could have done was stand in her place today and say, This is basically a good resolution which we can all agree with except for one little point.

Maybe the THEREFORE BE IT RESOLVED part she could not agree with, but surely she could have agreed with approximately five parts of the resolution, and there are only six. Five parts of the preamble she could have easily agreed with. Number one: 'WHEREAS a Province wide general strike in the construction industry is imminent.' I think that is true. The minister obviously does not believe that to be true, but I believe it to be true.

Before she became Minister of Labour, she should have been aware that all Winter long construction jobs in and around Newfoundland -

I should say in Newfoundland, not around Newfoundland. Construction jobs in Newfoundland were hung up, they were stalled all Winter long, simply because of an issue pertaining to double-breasting. You had the Labourers' union who were quite legitimately, I suppose, hanging up a job downtown because of a dispute they had had with a company which was being accused of double-breasting. I think it is reasonable to assume that this same type of situation may very well occur again this Summer; it occurred all Winter, and kept construction jobs hung up all Winter.

The second part: 'thousands of Newfoundlanders each year depend on the seasonal employment provided by the construction industry as their only source of income.' There is not one member in the House of Assembly who do not have constituents, who live in their own ridings, who do not depend upon the construction industry to one extent or another for part of their income, indeed, for all of their income. A lot of people depend upon the construction industry for all of their income. So I do not imagine that there are too many people, including the Minister of Employment and Labour Relations, who would dare disagree with the second part of that resolution.

The third part says: 'The former administration had legislation drafted entitled "An Act to Amend the Labour Relations Act, 1977"'. I already presented the minister with a copy of that act today. That act was brought in by the former administration in response to a brief presented by the construction trades people called, **A Better Way**. They made it clear in no uncertain terms, back

in February, 1988, when they presented the brief to the Social Policy Committee of Cabinet, that they wanted legislation brought forward to deal with the double-breasting issue.

Now, the period it took government to act on that was very, very short indeed. The Building Trades people came on February 17, 1988, with their brief called **A Better Way**, calling for a bill to be introduced in the House of Assembly this sitting. They presented the brief in February 1988, and in May of the same year, approximately three months later, an order came from the Cabinet of the Province to the legislative draftspeople to have a bill prepared which would bring to an end forever and a day the practice of double-breasting. As I said originally, in my opening remarks, I do not believe it is reasonable to expect that this is the cure-all for all the labour problems in the Province of Newfoundland and Labrador. It certainly is not. It is not a cure-all.

We do have a number of provinces in Canada which saw fit to introduce bills in their respective provinces, which have dealt quite well with the double-breasting issue. As I have said before, we have Nova Scotia, British Columbia, Prince Edward Island, Alberta, Manitoba and Ontario, who have all brought in bills to deal with the double-breasting problem. So there was no reason why the minister could not agree with that part of the resolution either, because the bill was there; I presented it to the minister in Committee a few nights ago, and she has a copy of it, I presume.

The forth part: 'Section 89 - Subsection I and Subsection II deal specifically with businesses under common control which addresses directly the issue of double-breasting.' That is true. 'The double-breasting issue continues to cause labour unrest which endangers employment security in the Construction Industry.' Nothing could be more true, Mr. Speaker. Nothing could be more true, because over the last number of months, as I indicated to members, we have had the construction industry virtually grind to a halt because of the double-breasting issue.

Now, I thought the minister would have some problems with the last part of the resolution. I thought she would have some real problems with that.

The last part of the resolution says: 'That Government bring forward immediately this Act which will help to ensure labour peace in our Province and thereby protect the jobs of thousands of people employed in the Construction Industry of Newfoundland and Labrador.' I thought the minister might have some genuine problems with that part of the resolution, but I did not expect the minister to get up and open up an unprecedented attack upon the labour movement of the Province because they want a bill introduced to deal with the problem. I thought she would probably come in with an amendment to the resolution that would say, Well, we are not going to do it immediately, we need some additional time to have a look at the bill. Quite possibly, when we come back for a Fall sitting, we will be ready to bring the bill in at that time. No, she did not say that. The minister got up and

said it was quite possible that she will not be bringing in a bill at all to deal with the double-breasting problem - she will not be bringing in legislation at all.

Now, I do not know what kind of signal that is sending to the labour movement in our Province. Today, if any of them are listening, they have to be quite confused about what the minister's intentions are. I am sure they want a clear-cut signal, they want some direction as to where the minister intends to go with this bill. I am a little bit confused, too, and I do not mind admitting it. I am a little bit confused as well, because when I was calling upon the minister a number of weeks ago to introduce the bill, at that time she said, Well, we need more time to look at it. Quite possibly we will be bringing in a bill in due course. I may not be quoting the minister 100 per cent accurately, but she said something to the effect that she would be bringing in a bill in due course to deal with it, when she had a little bit more time to reflect upon the whole thing, when she had a little bit more time to consult with the labour movement in Newfoundland and Labrador. Then upon further questioning, probably by the press, I do not know, she revealed to us a few days ago that she would not be bringing it in in this sitting. I would imagine that means not at the Fall sitting either, because it would be a continuation of this sitting. So, she revealed that she is not going to bring it in in this sitting. Then, upon further questioning she says, Well, maybe not this year, or maybe not next year. Maybe not at all, she is saying to us. We will try another avenue, possibly. So there are

all kinds of confusing signals coming this way, and I am sure the labour movement is wondering today in what direction the minister is going to go. Nobody seems to be able to get any kind of clear-cut direction as to where the minister intends to go in bringing in a bill to deal with this problem. I certainly do not know, and I am sure the labour movement does not know, either.

I do not know if the minister takes the issue as seriously as I do. I have been dealing with the issue, I guess, for the last couple of years and I consider it to be a very, very, serious issue, one that has to be dealt with if we are going to have any labour peace in the Province. But, somehow, it does not seem to be a very important issue with the members opposite. The minister spoke for approximately five minutes on the bill itself. But, while I am saying that it does not seem to be an important issue with the members opposite, I look at the Liberal Party Policy Manual and I find that it was important enough to the Liberal Party to make a statement on it in their Liberal Party Policy Manual: 'We have to bring in legislation to deal with the double-breasting issue.' That indicated to me that it was important to members opposite, but when the minister got up to speak, it was totally different, it seemed, to me, that it was not important at all. In the Throne Speech the government went out of their way to say to the labour movement in the Province, 'We are going to have wide consultation with you and one of the issues we feel has to be dealt with is the double-breasting issue. Twice the government has made statements on the double-breasting issue, once in

the Throne Speech and once in their Liberal Party Policy Manual. But, at the same time, we cannot now get any clear-cut direction from the Minister of Employment and Labour Relations as to when she intends to deal with the issue, no clear-cut direction at all. One moment she is saying, 'Well, when we have more time to look at it.' The next minute she is saying, 'Not this sitting. Maybe next year.' Now, today, she has revealed to us that it may not be at all. We may never, ever see legislation to deal with the double-breasting problem. So the minister seems to be fiddling while Rome is burning.

I guess what the minister is saying indirectly is that the unions in our Province do not have the right to organize - they do not have the right to organize. She also made another very, very revealing statement to us. She said to us, in the five minutes she had to speak today, 'The trade union movement in Newfoundland and Labrador does not seem to mind.' I believe she mentioned the same thing in Committee a couple of nights ago, that from her talks with the trade union movement, the Building Trades Council, 'they do not seem to mind.' I think Hansard will show that this is what the minister said, 'They do not seem to mind that we are going to wait, that we may not bring in a bill at all. The trade union movement does not seem to mind.'

The minister really has to make up her mind as to what kind of signal she is sending to the Building Trades Council. She has to make up her mind if she is going to bring in legislation this sitting, next sitting, or next year; she has to make up her mind as to whether or not the trade union

movement mind or do not mind the fact that she is postponing it. I think what they will be saying to the Minister of Labour in the next number of days, and probably the next number of weeks, is that they do mind very, very much, that they have talked about this issue on probably hundreds of different occasions, had been very, very pleased that they made progress to the point where the former government had responded positively to them and their brief "A Better Way," and had instructed the draftspeople to come up with a bill. That bill is there for anybody to see. The Building Trades Council are very, very much aware of it, as well.

So what they are wondering today, I am sure, is will the Minister of Labour go to the trade union movement in this Province, as they certainly deserve, and have this bill brought forward, if not immediately - we could all live with it, I guess, if the minister is saying she is not going to bring it forward immediately. We are going to have to live with it - at least indicate that she is going to bring it in at some point.

Mr. Speaker, I would ask the minister to meet with the trade union movement over the next few days and give them some indication as to when she is going to bring in a law that will bring to an end once and for all this unfair, despicable practice.

MR. SPEAKER:

Is the House ready for the Question?

SOME HON. MEMBERS:

Question! Question!

On motion, the resolution was defeated.

MR. SIMMS:

Since we have ten minutes left, on Division then, Mr. Speaker.

SOME HON. MEMBERS:

Division.

MR. SPEAKER:

Call in the members.

MR. SPEAKER:

Ready?

MR. SIMMS:

We are ready, Mr. Speaker.

Division

MR. SPEAKER:

All those in favour of the motion, please rise:

Mr. Hearn, Mr. Doyle, Ms Verge, Mr. Simms, Mr. Matthews, Mr. Woodford, Mr. Hewlett, Mr. A. Snow, Mr. S. Winsor, Mr. Langdon, Mr. Parsons.

MR. SPEAKER:

Those against the motion, please rise:

The hon. the Premier, the hon. the Minister of Fisheries (Mr. Carter), the hon. the Minister of Works, Services and Transportation (Mr. Gilbert), the hon. the Minister of Environment and Lands (Mr. Kelland), Mr. Hogan, Mr. Reid, Mr. Ramsay, Mr. Crane, the hon. the President of Treasury Board (Mr. Baker), the hon. the Minister of Development (Mr. Furey), the hon. the Minister of Health (Mr. Decker), Mr. Walsh, Mr. Noel, Mr. Gover, Mr. Penney, Mr. Barrett, Mr. L. Snow, the hon. the Minister of Forestry and Agriculture (Mr. Flight), the hon. the Minister of Municipal and Provincial Affairs (Mr. Gullage),

the hon. the Minister of Justice (Mr. Dicks), Mr. Grimes, the hon. the Minister of Finance (Dr. Kitchen), the hon. the Minister of Education (Mr. P. Warren), the hon. the Minister of Employment and Labour Relations (Ms Cowan), the hon. the Minister of Mines and Energy (Dr. Gibbons), Mr. K. Aylward, Mr. Murphy, Mr. Dumareques, Mr. Short.

MR. SPEAKER:

There are twenty-nine against and eleven for. I declare the motion lost.

SOME HON. MEMBERS:

Oh, oh!

MR. SPEAKER:

Order, please!

The hon. the Government House Leader.

MR. BAKER:

Thank you, Mr. Speaker.

There are a couple of announcements. First of all, tomorrow the intention is to start the Concurrence debates. I will remind hon. members that the normal way this happens is the Chairman of the Committee introduces for a maximum of twenty minutes, the Vice-Chairman responds for, again, a maximum of twenty minutes, then it is ten minutes back and forth for however long hon. members desire to continue. So that is the Concurrence debates.

MR. SIMMS:

Mr. Speaker.

MR. SPEAKER:

The hon. the Opposition House Leader.

MR. SIMMS:

Mr. Speaker, just so there is consistency, I have checked with the Table and apparently the practice in the past has been fifteen minutes for the Chairman and Vice-Chairman, and ten minutes back and forth. As well, members could get up a second and third time, there was no limit on that. We should be consistent, I suppose. Perhaps we could agree to that, fifteen minutes?

MR. BAKER:

Mr. Speaker.

MR. SPEAKER:

The hon. the Government House Leader.

MR. BAKER:

I have no problem with that, except I did said a maximum of twenty minutes.

MR. SIMMS:

Let us all agree now. The Premier said it is okay.

MR. BAKER:

If the Chairman and Vice-Chairman decide they can finish in ten minutes, I would suggest they take that particular route as well.

The schedule for the remaining Committee meetings for this week:

Tonight, I would like to remind hon. members, the Department of Justice will be appearing in the House, and the Department of Finance will be appearing in the Colonial Building, and tomorrow, at 7:00 p.m., Municipal Affairs will be appearing in the House.

MR. SPEAKER:

The House is now adjourned until 2:00 p.m. tomorrow, Thursday.

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Answers to Questions
tabled

June 21, 1989

June 21st, 1989

Hon. Winston Baker, M.H.A.
President of Treasury Board

The following is a itemized list of travel expenditures incurred by me
as President of Treasury Board since May 5th, 1989:

May 5th, 1989	- Air Fare, Gander to St. John's	\$131.60
May 9th & May 10th, 1989	- Air Fare, St. John's to Gander and Return	\$259.20
May 12th, 1989	- Air Fare, Gander to St. John's	\$131.60
May 19th, 1989	- Air Fare, St. John's to Gander	\$131.60
May 26th, 1989	- Air Fare, Gander to St. John's	\$131.60
May 28th, 1989	- Air Fare, St. John's to Gander	\$131.60
June 8th & June 11th, 1989	- Air Fare, Gander to St. John's and Return	\$274.20
June 16th & June 19th, 1989	- Air Fare, Gander to St. John's and Return	\$274.20
Total		\$1465.60

*

There have not been any travel expenses incurred by my Executive
Assistant or any other member of my personal or Departmental Staff
since May 5th, 1989.

June 21st, 1989

Hon. Winston Baker, M.H.A.,
President of Treasury Board

The Following is an itemized list of expenditures incurred by the Minister's Office for equipment and supplies since May 5th, 1989:

May 16th, 1989 - K-Mart, one electric kettle and twelve teaspoons — \$ 36.92

May 19th, 1989 - National Office Equipment, one Philips Dictaphone
and 6 mini-cassette tapes ————— \$ 269.00

June 6th, 1989 - H.F. Fanning & Sons Ltd., three desk diaries for
the Minister, secretary and executive assistant ——— \$ 17.25

June 15th, 1989 - Xerox Canada, three print wheels and one package
of disks for a Xerox 645S Memorywriter ————— \$ 200.00

June 21st, 1989 - Imprint Specialty Promotions, 500 Nfld. Flag Lapel
Pins ————— \$ 308.00

Total

—————
\$ 831.17
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