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of the
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DEBATES
and
PROCEEDINGS

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LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 14, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the gallery, where we have 24 students of Grade 8 standing from the Treherne School, under the direction of Mrs. Mary Gibson. The school is in the constituency of the Honourable Member for Rock Lake.

We also have 34 students from the Arthur Day Junior High School, under the direction of Mr. Humphries. This school is in the constituency of the Honourable Member for Transcona. On behalf of all the honourable members, we welcome you here this afternoon.

Presenting Petitions . . . Reading and Receiving Petitions . . .

COMMITTEE REPORTS

MR. SPEAKER: The Honourable Member for Radisson.

MR. ABE KOVNATS: Mr. Speaker, the Committee of Supply has adopted a certain resolution, directs me to report same and asks leave to sit again.

I move, seconded by the Honourable Member for Emerson, that the Report of Committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Mines.

HON. BRIAN RANSOM (Souris-Killarney): Mr. Speaker, I wish to table the May 14th Flood Report prepared by the Water Resources Division.

MR. SPEAKER: The Honourable Minister of Highways.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I wish to table a brief report having to do with the community of St. Jean Baptiste Deputy . Reeve and Council of Montcalm have confirmed that the area within the dike will be ready to accommodate returning residents after 3:00 p.m., tomorrow, May 14th, 1979, all necessary checks having been made. Thank you.

MR. SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

MR. ENNS introduced Bill No. 42, An Act to amend The Highway Traffic Act (2).

MR. RANSOM introduced Bill No. 47, An Act to amend The Personal Property Security Act; and, Bill No. 51, An Act to amend The County Courts Act.

HON. KEN MacMASTER (Thompson) introduced Bill No. 48, An Act to amend The Civil Service Act; and, Bill No. 46, An Act to amend The Civil Service Superannuation Act.

MR. WILSON PARASIUK (Transcona) introduced Bill No. 53, An Act to amend The Employment Standards Act.

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Thank you, Mr. Speaker. Just so we make it very clear, I am rescinding the evacuation order effective for 3:00 p.m. today, which is also the 14th, for the community of St. Jean Baptiste. They can resume coming back to the community today. Apparently, there is a rather large funeral scheduled, regrettably, for the community in the next day or two, but the municipal officials along with the highways and water resource people have confirmed that the community is capable of being reoccupied.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question to the Minister of Health and Social Development, who is now just taking his seat. In view of the statement by the Prime Minister of Canada last night to the effect that, due to the abuse by various provinces of the moneys that are being received by provinces from Ottawa pertaining to Health and Post Education, and the fact that these moneys are not being spent as they were intended to be spent according to the spirit of the original agreement, can the Minister of Health indicate, insofar as he is concerned, whether Manitoba is reviewing its situation insofar as funds that will be received next year from Ottawa?

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, my position on this subject stands as I've expressed at both inside and outside this House in the last month and a half, that is that the purported issue being raised by the Prime Minister and his colleagues and indeed a number of New Democratic Party candidates, is a manufactured issue that the increases in health spending in the Manitoba budget compare very very favourably with any in Canada, that our increase in health spending is 7.8 percent this year and that the Prime Minister himself is on record as saying that under the new EPF arrangements, there was never any requirement on the part of the provinces to match on a dollar-for-dollar basis, the amount of money that the federal government was putting into the program.

MR. PAWLEY: Mr. Speaker, in addition, the Prime Minister last evening indicated that if there was not a change of policy on the part of the provinces, that there would be need to revert back to the earlier system — the matching dollar formula tied in very clearly. Does the Minister intend to make any representations in view of his earlier statements to the Prime Minister in this regard?

MR. SHERMAN: Well, Mr. Speaker, we did make representations and I personally made representations to the current national Minister of Health and Welfare on this subject during the past month. And we have also made it quite clear in the Conservative Party, provincially and federally, that we believe that a meeting of Health Ministers and First Ministers on the subject of health care funding and Medicare generally, is appropriate, in fact, may be overdue, and we will continue to press for such a meeting.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I'd like to direct a question to the Honourable First Minister. In view of the fact, Mr. Speaker, that the Prime Minister of this country has indicated that it is the Conservative Party that is seeking to reduce the power of the central government in Canada, could the First Minister confirm that the withdrawal from and discontinuance and declared willingness not to participate in shared cost programs in the area of Health, Welfare and Education, was instituted by the present Prime Minister, Pierre Elliot Trudeau and the Liberal government in Ottawa?

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON (Charleswood): Mr. Speaker, I think I caught the import of my honourable friend's question, namely, that the present block funding of EPF programs was instituted by the Liberal government under the present Prime Minister. If that was his question, the answer is clearly, yes, and my honourable friend was the Minister in government at the time, and knows the history of that situation quite intimately, I am sure.

MR. GREEN: Yes, Mr. Speaker, as a follow-up. Is it not the present Liberal federal government's proposals, relative to the Constitution, that the federal government not use its spending power in the areas such as provided for the Social Assistance Plan, the Health Plan, the Hospitalization Plan, and the Post-Secondary Education Plan; that the present Liberal Liberal government's proposals would restrict any future government, national government from participating in such plans as they have in the past.

MR. LYON: Well, Mr. Speaker, I would have to demur from speaking on behalf of the national Liberal Party for reasons that would be obvious to everyone. I think my honourable friend might better direct his question to one of the Liberal candidates in the forthcoming federal election. —(Interjection)— He might even have a casual conversation in the hallway with his colleague, the Member for St. Boniface, who I understand is supporting some of those Liberal candidates in this election.

MR. GREEN: Mr. Speaker, I'm not asking the Minister to speak for the Federal Government. I'm asking him as to whether or not the federal proposals for changing the constitution include a change which would restrict the Federal Government from the use of its spending powers throughout the countries in such a way as made possible, national health plans, national hospitalization plans and funding for post-secondary education and as an addendum, is that not concurred in by the Conservative opponent to be Prime Minister of the country?

MR. LYON: Mr. Speaker, I'm not in any way trying to avoid answering my honourable friend. I can only say that in the bushel bag of proposals that was presented to the Premiers at a number of the conferences that I've had the privilege to attend on behalf of Manitoba, one of the items mentioned was a constitutional requirement that each jurisdiction, federal and provincial, in their spending power, stay within their respective areas but that there would be provision also for provinces to permit the Federal Government to opt in, in effect, in certain provincial areas if it was the will of the provinces so to do. That is an incomplete answer and I don't want the record to indicate that it is a complete answer. But it is an incomplete answer on what is a very complicated topic. What motives one would attach to the Federal Government's suggestion in this regard, of course, is an entirely different matter.

MR. SPEAKER: Orders of the day. The Honourable Member for Transcona.

MR. PARASIUK: Yes, my question is directed to the Minister of Health. In view of the close collaboration between the federal Conservative leader and the Conservative premiers in order to achieve some consistency of Conservative programs across the country, can the Minister indicate if Manitoba will follow the lead of the Conservative government in New Brunswick and impose hospitalization user fees as has been done in that province?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, I don't know whether you're trying to tell me something, Mr. Speaker. I haven't read of any Cabinet shuffles to date but you may have some inside information. At the moment, answering in my capacity as Minister of Health and Community Services, the answer, Mr. Speaker, is no.

MR. PARASIUK: Will the Minister confirm that since they are not presently doing it, that means that they are not contemplating taking that step in the coming year?

MR. SHERMAN: The answer, Mr. Speaker, is yes. We are not contemplating it.

MR. SPEAKER: Orders of the day. The Honourable Member for Churchill.

MR. JAY COWAN: Yes, thank you, Mr. Speaker. I address my question to the Minister of Northern Affairs, and I address this question to the Minister with a certain sense of urgency. I have asked the Minister to clarify his government's financial commitment to the Savage Island Fish Processing Plant. My question to the Minister is, can he now indicate if any decision has been reached in regard to further funding for that operation, so that the local fishermen who are becoming quite anxious about the situation there, can finalize their summer season plans?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. MacMASTER: Mr. Speaker, I have not heard the final outcome of the review that's taken place on that, and I think I assured the member previously that I would let him know as soon as that took place.

MR. COWAN: Mr. Speaker, a supplementary to the Minister. In light of recent comments from recognized experts to the effect that lead-in-blood testing taking place at the laboratory at the Health Science Centre had been made this weekend, and as those statements contradict remarks made by the Minister who on numerous occasions has admitted that he is no expert in this field — and I might add, on numerous more occasions has proven the fact — is the Minister now prepared to table copies of the proficiency tests at both laboratories so that we may conclude as to which laboratory is doing the more expert testing at this point?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, it's not my job or my role, or it's not possible for me to table the findings of the Health Science Centre. I noticed over the weekend also that there appears to be — and I haven't been in communication to determine — but there appears to be an exchange of information that's taken place; and I knew that and reported in this House. I knew and reported in the House that our procedures and their procedures were being compared, and it's interesting to note that of the recent comparisons, that now proceddures seem to be possibly somewhat similar because findings are somewhat similar. And that's, I believe, all that I can say about that at the particular moment.

MR. SPEAKER: The Honourable Member of Churchill with a final supplementary.

MR. COWAN: Yes, thank you, Mr. Speaker. On Friday past, at the closing minutes of the Question Period, we brought the Minister's attention to some questionable grants given under the Private Sector Youth Employment Program to four firms, G.A. Junkin Firms and associated companies. My question to the Minister, which I was not able to ask on that occasion: Is the Minister now prepared to investigate those four specific grants for the purpose of confirming that they were not in any way acting to the detriment of the program, or not in keeping with the intent of the program of a limit of 10 grants to each individual company?

MR. MacMASTER: That's taking place right now, Mr. Speaker.

MR. SPEAKER: The Honourable Member for St. Vital.

MR. D. JAMES WALDING: Mr. Speaker, my question is to the Honourable Minister of Mines and Natural Resources. Does the Minister have an answer to the question I asked him privately regarding the catering tender at Birds Hill Provincial Park?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Mr. Speaker, I privately supplied some information to the question which the honourable member asked privately. He asked for some additional information and I will supply that when it's available.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I'd like to direct a question to the Minister of Cultural Affairs concerning the Winnipeg Symphony Orchestra. She made an announcement concerning a \$125,000 loan, and I wonder if she could explain the exact nature of that loan, and also whether she has a permanent, or a more permanent solution to the orchestra's funding problems.

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. NORMA L. PRICE (Assiniboia): It isn't a loan per se, Mr. Speaker, it is a guarantee of the loan that is being made through the Arts Council. And with regard to any further, there is quite an extensive drive being started right now that we feel that will help the symphony get on a sound track.

MR. DOERN: Mr. Speaker, I would ask the Minister if she can explain what she means by a guarantee? Is that equivalent to a grant? Is that something that has to be repaid? Is it a forgivable loan? Just what happens with that money? Is that \$125,000 that the province is transferring to the Symphony, or not?

MRS. PRICE: Mr. Speaker, it's a guarantee that the loan will be repaid by someone, the same as if we signed a loan for someone else.

MR. DOERN: Is the Minister considering some government appointment to the Board? I believe the Board is now independent. Is the Minister considering a number of government appointees to the Board?

MRS. PRICE: Mr. Speaker, we have a committee looking after the cultural policy which will include all Boards. We are having a good look at all the major Arts, and with an eye to having very sound structure for all the Boards, that they will be in a more workable and sound position than they have been in the past.

MR. SPEAKER: The Honourable Member for Elmwood with a fourth question.

MR. DOERN: Mr. Speaker, of the major cultural groups, can the Minister indicate which ones have government appointees to the Board, given that we have new legislation being introduced. . .

MR. SPEAKER: Order, order please. May I suggest to the honourable member that he file an Order for Return asking for answers of that nature? The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, on the point of order, I believe there are only four or five or six major groups and if the Minister has the information, perhaps she could answer it.

MR. SPEAKER: May I suggest to the honourable member that he file an Order for Return.
The Honourable Member for Transcona.

MR. PARASIUK: Thank you, Mr. Speaker. My question is directed to the Minister of Health. In view of the Minister's past statements indicating that he will act to resolve the issue of whether the Childrens Hospital should be or shouldn't be autonomous of the Health Sciences Centre Board, can the Minister indicate if he has made a decision on this matter yet, or whether he is leaving this matter to the discretion of the Board itself?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, I have an inclination, I haven't made a final decision. I have received a recommendation from the Board and I am studying it and I can assure my honourable friend that a decision will be made within the near future.

MR. PARASIUK: A supplementary. Can the Minister clarify whether he will be making that decision or whether that decision will be made by the Board? Who is making that decision?

MR. SHERMAN: The decision will be made by the fourteen members of the Executive Council, Mr. Speaker, but obviously the input of the Board and others who have participated in the thinking process, will weigh very very substantially.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I'd like to direct a question to the Honourable the Minister of Mines, Resources and Environmental Management. Can the Minister assure the cottage holders at Red Rock Lake, that the public access that they have to the beach — which they were assured of when they purchased those lots — is not going to be taken away from them by the government facilitating developments on the property, which was supposed to be retained as a public reserve?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Two points, Mr. Speaker. One, the government is not facilitating development on

the lots in question and secondly, I referred the matter to the Attorney-General's department for review.

MR. GREEN: Mr. Speaker, can the Minister use not only his good offices but whatever legal authority he has to see to it that no transfer is made while the matter is being considered by the Attorney-General's department?

MR. RANSOM: I am examining that possibility, Mr. Speaker.

MR. SPEAKER: Orders of the day. The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, a question to the Minister of Public Works. I wonder if the Minister of Public Works could indicate whether or not the redesign work of the correctional facility at The Pas has yet been completed.

MR. SPEAKER: The Honourable Minister of Government Services.

MR. ENNS: Mr. Speaker, that project is being given every attention by the department and it is my hope that some indication to honourable members in this House as to its progress will be possible for me to do so soon.

MR. SPEAKER: Orders of the Day. The Honourable Member for Churchill.

MR. COWAN: Yes, thank you Mr. Speaker. The Minister of Labour has recently indicated that an investigation is being undertaken in regard to four grants given under the Private Sector Youth Employment Program. My question to the Minister is: can the Minister further indicate if other grants of questionable natures are also being investigated and if so, which ones?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Those are the only four at the moment, Mr. Speaker.

MR. COWAN: Thank you, Mr. Speaker. I'm certain if the First Minister wants to make a contribution to the Question Period, he can stand and answer the next question, but I'll address it to the Minister of Labour knowing that he will probably have the answer. Can the Minister of Labour indicate when the Student Employment Survey for 1978 will be completed and if he will table that survey in this House so we can check the effectiveness of their Private Sector Youth Employment Program?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: I expect it to be complete rather shortly, Mr. Speaker.

ORDERS OF THE DAY

MR. SPEAKER: Orders of the Day. The Honourable Government House Leader.

HON. WARNER H. JORGENSON (Morris): Mr. Speaker, I move, seconded by the Minister of Highways that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MOTION presented.

MATTER OF GRIEVANCE

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, before the House resolves itself into committee, I would like to speak on this motion to deal with a grievance that I have by virtue of the present situation insofar as federal-provincial relations are concerned.

I refer, Mr. Speaker, to the ideological collusion that exists between the Liberal and the Conservative Party in this country in the suggestion, Mr. Speaker, that there is a dispute as between the First Minister and the Conservative Party leader with respect to whether or not they are in favour

of a strong central government. And I say, Mr. Speaker, that this apparent or feigned dispute is nothing but a pillow fight between Mr. Trudeau and Mr. Clark because both have indicated in no uncertain terms that they are heading in exactly the same direction. That is, Mr. Speaker, they are both determined by their policies and by their constitutional changes to turn Canada into ten semi-autonomous provinces and the benefits that we have had from a strong central government could be lost to Canadians.

I rise at this point, Mr. Speaker, because the First Minister of this province, although apparently in opposition to the programs or the policies of the federal government, has been in league with many many Conservatives who at the Kingston conference passed resolutions, Mr. Speaker, which lead us to that very event.

I raise this now, Mr. Speaker, because the suggestion is attempted to be made that the Liberals and Conservatives are in dispute on this question. Indeed, the Prime Minister of the country has now suggested that the repatriation of the constitution is a major issue in this election campaign.

Mr. Speaker and honourable members, I for one have never had a constituent come up to me and tell me that one of the vital concerns of his is that the Canadian constitution has to be in Ottawa rather than being at Westminster. Indeed, Mr. Speaker, I know of nothing in the platforms of any of the three political parties, the major three political parties of Canada, which cannot be accomplished under the existing constitution. As a matter of fact, Mr. Speaker, the reverse is true. There are many things that we can now do in this country which is facilitated by a very flexible type of constitution which if we move to a rigid constitution housed in Canada, would prevent all of the three political parties from achieving those aspirations which they set forward in their political programs in terms of what they feel should serve the aspirations of the Canadian people.

And Mr. Speaker, this is not a flighty matter. It is a matter which is of great importance to all Canadians. The fact is that I asked the question of the First Minister today as to whether or not it was not a fact that the Prime Minister of Canada and the Liberal Party had systematically tried to take the federal government out of those areas of federal spending which have resulted in some of the best programs that Canadians have, and that was it not the Liberal government rather than any other government who affected these changes and while at the same time now, talking about protecting a strong central government in this country, and I refer, Mr. Speaker, to the areas particularly of Health, the area of hospitalization, the area of Medicare.

It was not the Conservative Party that introduced the proposition that the national government would be the one that could no longer spend money throughout the country on these programs. It was indeed, Mr. Speaker, the plainly articulated policy of the federal government in Ottawa, the government which said in words which were clearly expressed by Mr. Trudeau that Medicare was the last major national health program and that from that day forward there would be no national initiatives which would result in federal spending in the areas which were not clearly under federal jurisdiction within The BNA Act.

And I want to deal, Mr. Speaker, with the implications of that, and by the way Mr. Trudeau was good to his word since Medicare which is 1965, there have been no major national initiatives throughout this country with regard to federal spending in areas which do not fall within the enumerated areas of federal jurisdiction under The BNA Act, and it was this province of Mr. Trudeau's which has resulted, Mr. Speaker, in the weakening of the central government at Ottawa and the supposed debate between Mr. Trudeau and Mr. Clark is not who will weaken the federal government, but which one will do it more, and each of them is in the race to do it as much as they can.

Mr. Speaker, in 1967, the members who were in this House at that time will well remember that the Premier of the Province of Manitoba and the Premier of the Province of Alberta, one a Social Creditor, one a Conservative, both said that they would take Ottawa to court for using federal spending in the areas of Health, and at that time which was the introduction of the Medicare Program in this country. Since that time, Mr. Speaker, the federal government has initiated constitutional change proposals through meetings between the federal government and the provinces and through meetings between the premiers themselves. And each of these meetings, Mr. Speaker, has led in the direction of moving the federal government, or making the federal government impotent in all of those areas, Mr. Speaker, where national programming has been of such importance to this country. And as for the federal government now saying that we need a strong central government, I invite the members of this House to look at the last Federal/Provincial Conference, when the Prime Minister indicated that he had relinquished seven or eight, Mr. Speaker — I can't remember the exact number, but I certainly remember much of the details of them — seven or eight areas of present federal jurisdiction to the provinces. So when Mr. Trudeau talks about Mr. Clark selling out to the provinces, Mr. Speaker, what he is really saying is that they are each in the selling game and the only question is, is who is going to sell more and I repeat, they are not even trying to

keep it down. Each one is trying to sell more than the other.

I say the same thing, Mr. Speaker, with regard to energy because the Prime Minister of the country has now said that it was he who tried to keep a price of oil equal throughout the country. May I say, Mr. Speaker, that the price of oil has gone up from \$2.75 since 1973 to over \$11 today, and I think I'm shy with the \$11.00 — I am only saying that in order not to be mistaken — and during all of that period, Mr. Speaker, when Mr. Trudeau said that Mr. Clark would be selling out to Mr. Lougheed, the price of oil has gone up and it has been the federal government that has been directly responsible because they had the power to freeze oil, as Mr. Trudeau now says, they had the power to freeze the price, they had the power to impose the export controls, and they did it to a very limited extent, to the extent that the price of oil has quadrupled, or virtually quadrupled during that period of Mr. Trudeau's administration.

I make these points, Mr. Speaker, because it is disturbing to me as a Canadian and as a member of this House, to be told that I have a choice between Mr. Trudeau, who is going to maintain a strong central government and who has maintained it over the past eleven years by virtually promising anything that the provinces want in terms of constitutional change with the one exception of refusing to provide a repatriation before an amending formula is agreed to, but all of the things that he blames others for wanting to do the First Minister of this country is already prepared to do and has done them de facto.

We have the example, Mr. Speaker, raised by the First Minister with regard to opting in. He says the provinces would be able to have cost-shared programs with the federal government if they agreed to it. Just think of that, Mr. Speaker, if they agreed to it. It would mean that each province would be able to get shared cost programs if they were able to negotiate them on the basis of strength with the federal government. It means the reverse of what we have now. Rather than every province, and particularly the weaker provinces having as of right, the opportunity of obtaining shared cost expenditures in their province, it would mean that you could only get it on the basis of your negotiating position with the federal government. Well, Mr. Speaker, who will have that negotiating position? The Province of Ontario will have it; the Province of Quebec will have it; the Province of British Columbia will have it; the Province of Alberta will have it and therefore you have the peculiar situation of the elimination of shared cost programming which is intended to benefit all of the provinces in Canada and particularly the poorer ones, that it would obtainable only if it was negotiated with one of the more powerful provinces to start with.

It is the situation that we have with DREE, Mr. Speaker, the worst form of shared cost programming, because you can only get it based on your ability to negotiate a satisfactory agreement with the federal government and negotiating a satisfactory agreement with the federal government, Mr. Speaker, means going to them and yielding to some type of control over the program by the federal government which was certainly the experience that we had in the Province of Manitoba when I was in the ministry and when we were negotiating shared cost programming.

Mr. Speaker, I think that this is a very important state of affairs to be discussed. I have but one motion, at which I can discuss it at this time. I do relinquish that motion because I believe that it is important and I believe it's especially important given the present federal election campaign and I make no bones about it. The fact is that the pretended fight between Mr. Trudeau and Mr. Clark, with regard to constitutional change, will result in each one winning no matter who succeeds. Because either one will implement the same policy.

The program that Mr. Trudeau says is going to prevent separatism in Quebec is based on exactly that. Anybody who reads Federalism in the French Canadian, will see that Mr. Trudeau, before he became a member of the Liberal Party —(Interjection)— He was never a member of our Party.

Mr. Speaker, the honourable member says he was a member of the New Democratic Party. It would not be a terrible thing if he was, you know, we have had some members who have left and some members who have come in. Even my honourable friend would be welcome if he smartened up a bit. The fact is, Mr. Speaker, that Mr. Trudeau was a supporter of a New Democratic Party candidate in the Province of Quebec. I'm not aware that he was ever a New Democrat. But he did at that time, write Federalism in the French Canadian, and did at that time say that Canada should be divided into ten semi-autonomous provinces and that if the federal government stayed out of provincial areas, then there would be no need for separatism on the part of Quebec; that if Quebec therefore was a semi-autonomous province within a loosely confederated country, there would be no need to set up a separate Quebec. And at that time he outlined that rather than dividing the country into two, a French Canada and an English Canada, he would divide the country into ten, and the Kingston Declaration, which was formulated by Conservative prime ministers throughout Canada, is a carbon copy of Mr. Trudeau's proposal for dividing this country into ten, Mr. Speaker, there is absolutely no difference between the two. And if one were to look for the most effective separatist in Canada, it would not be Rene Levesque, it would be Peter Lougheed; that Mr.

proposals for confederation, Mr. Lougheed's proposals for provincial rights, for provincial autonomy, and provincial separatism, Mr. Speaker, are more dangerous to this country, because they come from a source which could probably achieve more than those of the Premier of Quebec.

Does the honourable member know that one of Mr. Lougheed's proposals is that after you have constitutional change in this country, after you divide it up, there could be no further change without the consent of all of the provinces.

MR. ENNS: That's not a bad idea.

MR. GREEN: All right, then let me carry it forward. Mr. Lougheed also says that the provincial resources of every province belong only to that province, and the federal government has no right to share in any of them. He is suggesting, Mr. Speaker, —(Interjection)— Mr. Speaker, that is not the way it has been. It has not been that way. —(Interjection)— Mr. Speaker, the federal government has had the power . . .

MR. SPEAKER: Order please, order please. We can only have one speaker at a time in the Chamber, and I recognize the Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, to enlighten my honourable friend, the federal government has always had the power to tax the resource-producing countries in this country, has always done so; has taxed the Asbestos Corporation; has taxed the oil companies. It is Mr. Lougheed's proposal that the province can take that entire field and leave the federal government with nothing.

But, Mr. Speaker, it is more sinister than that. It is more sinister than that, because I asked Mr. Lougheed, "Do you regard the resources," and I put this question directly to him, "do you regard the resources in the Northwest Territories as belonging to the 50,000 people who reside in the Northwest Territories, that it is their property?" And he said, Mr. Speaker, "The Northwest Territories is not a province." Interestingly enough, he then said, and made a constitutional proposal — and listen to the foresight of it — he made a constitutional proposal that the federal government not be entitled to create new provinces without the consent of all of the other provinces. So Mr. Lougheed, with his dog in the manger, wants Alberta resources for the Albertans, and, Mr. Speaker, he wants Northwest Territory resources for the Albertans. And the way he hopes to achieve it is that knowing some day that you cannot have a Northwest Territories which is different in constitutional structure than the rest of the country, it is Mr. Lougheed's proposal in his vision to say — and Manitoba will be one of the questionable beneficiaries of this policy — that the provinces will never give consent to the creation of a Northwest Territories province, and therefore you will have to take the lines, Mr. Speaker, and have them sent due north so that Mr. Lougheed, in the Province of Alberta, will get the resources not only of the Province of Alberta, but the resources of the Northwest Territories —(Interjection)— and Saskatchewan, and Manitoba, I agree, Mr. Speaker. —(Interjection)—

ell, it is interesting — I wonder whether the Minister of Highways then agrees, that if Alberta was the only oil-producing province in this country, which some day it will be, because the Saskatchewan oil will run out before the Alberta oil, does he then agree that Alberta should be able to charge whatever the traffic will bear to the rest of Canadians for the oil resources of that province? I know Mr. Trudeau agrees with that, although much to his protestations he has done it. He has said that despite the fact that Edward Kennedy in the United States says that this is crazy, that the price of oil is not based on any competition but based on our cartel, and Canadians shouldn't be charged for Canadian oil based on what a cartel in the Middle East says oil should be charged at; this is not communism, this is Edward Kennedy's statement in the States; that — despite that fact, Mr. Trudeau and the Liberal government's policy is that the price of oil that Alberta will be able to charge should move towards and reach the world price. And maybe he believes that, Mr. Speaker, and he's entitled to that belief. What he is not entitled to do is to say that Joe Clark will do that, because he says that that is Clark's policy let it be clearly understood, Mr. ; Speaker, that that is also Trudeau's policy. And that that, Mr. Speaker, is reflected in all the discussions that have been held for constitutional change throughout this country; that there has been no substantial difference of opinion between what the federal government under Mr. Trudeau has been saying, and the provincial governments led by Mr. Lougheed and Mr. Levesque have been saying, with regard to how this country is to be organized in the future.

Now, Mr. Speaker, I am not underplaying, although I think it has certainly been overrated, the question of patriotism in The BNA Act. What I am saying is that I would not want a BNA Act or a constitution that makes it impossible for Canadians to achieve and realize their objectives which happens to be changeable in Ottawa rather than in Westminster; rather than a constitution which happens to be housed in Westminster, and we've lived with it for 100 years, which has enabled

Canadians to do exactly what they want to do. And that has been the case, Mr. Speaker, there hasn't been a single government in Canada, whether at the provincial or the federal level, that hasn't been able to deal with the problems of its citizens because of some limits in the constitution. And that is what both Mr. Trudeau and Mr. Clark are promising us, and it is important that that fact be realized because of the present sham battle that is taking place.

I find it astonishing to hear, that the battle in Canadian politics has been a strong central government under Mr. Trudeau or a loose division of provinces under Mr. Clark. It is Mr. Trudeau who introduced the concept of a loose division of promises; there is nothing in Mr. Trudeau's constitutional policies, or the changes that he has made over the years, both as constitutional proposals and *as de facto* changes in government that indicates that he is in favour of maintaining a strong central government. And as far as Mr. Clark is concerned, he has adopted in spades all of these policies.

I make this statement, Mr. Speaker, because I believe it is pertinent to be made at the present time. I believe it is pertinent to be made in a Provincial Legislative Assembly, and I believe that the future of Canada and the kind of country that we live in is something that we should all be considering, when we are listening to the so-called dispute that's taking place between the two major political parties of this country at the federal level.

QUESTION put, MOTION carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Radisson in the Chair for the Department of Labour and Manpower, and the Honourable Member for Emerson in the Chair

SUPPLY — CONSUMER AND CORPORATE AFFAIRS

MR. CHAIRMAN, Mr. Albert Driedger (Emerson): Committee come to order. I'd like to refer members of the committee to Page 19, Estimates of Consumer and Corporate Affairs, Resolution 26; 1.(a) — the Honourable Minister.

MR. JORGENSEN: Mr. Chairman, I will not burden the committee with a review of the department's activities of the past year, because essentially the role has remained the same. The same programs are being delivered, with the exception of the Department of Insurance, which has been included in the Department of Consumer and Corporate Affairs.

The overall increase in the estimated expenditure for this year is 5.2 percent over 1978/79. In line with this government's restraint program, the department staff complement has remained relatively stable, with increases in one branch being offset by decreases in another branch. Overall, the department staff complement is down by three.

There is an increase in Appropriation 1., in General Administration, of \$36,600, or five percent. This includes two additional clerical support staff in the Corporations Branch to ensure adequate service. The Corporation Branch has experienced a 33 percent increase in their rate of incorporations in the past two years.

The balance of the increase is due to general salary increases, increments and reclassifications, and generally higher operating costs. The increase in Appropriation 2., the Consumers' Bureau, of \$15,500, or two percent, is due to general salary increase and higher operating costs.

There has been a levelling off in the number of complaints handled by the Consumers Bureau and the Rentalsman. However, certain types of complaints have continued to increase. Most notable amongst these are complaints on book, magazine, record club plans; collection agency practices; and complaints regarding the abandonment of residential or rental property.

The increase in Appropriation 3., in the Manitoba Gazette, of \$11,600, or 11 percent, is due mainly to higher printing costs and an increased work load. The printing of the Manitoba Gazette is tendered each year. The low bidder for the past years, and again for this year, is D.W. Friesen and Sons, of Altona. The cost of the Gazette is offset by fees charged for subscriptions and advertising.

The increase in the Securities Commission of \$16,200, or four percent, is due to general salary increases, and slightly higher operating costs.

The increase in Appropriation 5., of the Public Information Services, of \$20,000, or five percent, is due to general salary increases and higher operating costs as well.

The largest factor in these increased other expenditures is a conversion of the telephones from the Norquay switchboard to the new Centrex System.

The increase in Appropriation 6., of the Public Utilities Board, of \$93,000, or 24 percent, is due almost entirely to an increase in the fees charged by the Board's professional advisors. The previous rate was set in 1974, and the new rate is effective April 1, 1979. These fees, incidentally, are recoverable from the Utility Companies.

The decrease in Appropriation 7., the Queen's Printer, of \$1,300, is due to the elimination of a deficit for revised statutes for this year. The sale of statutes will be sufficient to offset the cost of publication. Under this Appropriation is a new Sub-Appropriation, 7.(a)(2), Management and Brokerage — Other Expenditures. These funds were previously provided under the open ledger, but are now being set up in a voted appropriation to comply with The Public Printing Act.

Also included in this Appropriation is an increase of \$460,000 in Public Sector Advertising and Production. This is due to increased media costs, the decline of the dollar, and a proposed increase in the level of advertising by the Department of Tourism.

The increase in Appropriation 8., Rent Stabilization, of \$7,800, or one percent, is due generally to salary increases and annual increments.

These, broadly, are the outline of the main features of the Estimates, and we will endeavour to respond to whatever questions the honourable members may have.

MR. CHAIRMAN: 1.(b)(1) — the Member for Burrows.

MR. HANUSCHAK: I realize that in the area of Consumer Affairs there's two levels of government that are very much involved, the provincial and the federal. What is the liaison between the two? For example, a matter related to Weights and Measures comes to my mind. Now that, I believe, is a federal responsibility. Now, if one were to complain to your department about a Weights and Measures matter, would your department take the complaint and relay it on to the federal authorities, or would the individual simply be told, "Well, you'd better go to your federal counterpart?"

MR. CHAIRMAN: The Honourable Minister.

MR. JORGENSEN: Mr. Chairman, the individual would have that choice. If he chooses to relay his complaint directly to the Weights and Measures Department, then he would be free to do that. If he chooses to have us handle the complaint for him, we are prepared to do that as well.

MR. HANUSCHAK: What about labelling? Is that a federal or a provincial responsibility?

MR. JORGENSEN: That's a federal responsibility, Mr. Chairman.

MR. HANUSCHAK: Well, what I would like to suggest to the Minister that he take under advisement, and that is this, is that he urge the federal authorities to make it mandatory that the labelling of all products show at least the country of manufacture. I was going to say the country of origin of the material that goes into the product, but that might get to be a bit tricky, because the materials may come from goodness knows how many countries; but at least the country of manufacture.

And I refer particularly to merchandise that's sold as house brands. If you go to a supermarket and buy their house brand of soup or ketchup or peas or beans, or whatever, the country of packaging is not shown. In fact, I would go one step further, Mr. Chairman. I would like to suggest to the Minister that he consider showing the name of the manufacturer. I think if I buy an Eaton's house brand name of peas, I think I should have the right to know who packaged those peas. Or Safeway's ketchup or whatever.

Now, in some cases the supermarket will tell you who the manufacturer is. I know that some of the larger department stores will tell you who the manufacturer of their house brand appliances is, if you go to Eaton's or The Bay and you buy Baycrest television set or a Viking television set, they'll tell you who makes it. But I would think that that type of information should be mandatory, that the consumer be provided with that type of information. That is the name of the manufacturer and the name of the country. Now, that is not always clearly shown, and certainly it is not shown on house brands. If I'm buying a can of peaches I'd like to know whether they're Canadian peaches or Taiwanese or . . .

MR. JORGENSEN: Mr. Chairman, I wonder if I may interrupt.

MR. CHAIRMAN: The Honourable Minister.

MR. JORGENSEN: I don't want to in any way prohibit my honourable friend from raising this matter, but I wonder if he would not consider it to be more appropriate to raise it under 2.(a) which deals with the Consumers' Bureau.

MR. HANUSCHAK: Now, under 1.(b) Communications, could the Minister take a minute or two

to — how does Communications here — I didn't quite get the difference between Communications under 1.(b) and Public Information Services under 5. What is this particular item again?

MR. JORGENSEN: Communications deals with telecommunications, our relations with the CRTC and matters of that nature.

MR. HANUSCHAK: CRTC, but that does not include — or does the Telex operation in the government service come under this Minister's department?

MR. JORGENSEN: No, that comes under Government Services.

MR. HANUSCHAK: I note that there's about an \$18,000 reduction for Other Expenditures. The salaries appear to be about the same, a slight increase, but a 33 percent reduction in Other Expenditures — is there some lesser activity within this branch that the Minister anticipates for the forthcoming year?

MR. JORGENSEN: Yes, Mr. Chairman. That reduction is due to the elimination of consultants' fees. The type of work that was formerly done by contract consultants is now being done right within the branch itself. So there was no necessity of including it as a part of our expenditures.

MR. HANUSCHAK: But if this is now done within the branch itself, it would not appear to be done under this item, but must be done elsewhere, because there's no increase in the Salary Appropriation.

MR. JORGENSEN: That's right. The consultants' fees were outside consultants, and since we're not hiring the outside consultants any longer, and it is being done within the department, then there is no need for that extra approximately \$20,000.00.

MR. CHAIRMAN: (b)(1)pass; (b)(2)—pass; (b)—pass; (c)(1)—pass — the Member for Burrows.

MR. HANUSCHAK: Now there's about a ten . . . no, not quite, about a nine percent increase for salaries under this Appropriation. Could the Minister explain that, please? . An increase of about \$39,000, \$40,000.00

MR. JORGENSEN: Yes, there is an additional two positions to maintain a work load in the Corporations Branch because of an increase in the volume of work that is being done. As I stated earlier, there is approximately a 33 percent increase in the number of corporations in the past two years, and it is necessary, of course, to maintain the staff that can process these applications.

MR. HANUSCHAK: I note that there's an increasing tendency on the part of corporations to simply register by number, rather than show the name of a corporation, it'll be 12345 Manitoba Limited. Now, I don't seem to have a recollection of a similar practise in years gone by, you know, thinking back 15, 20-odd years or so. Is there some reason why there seems to be an increasing tendency to register in this fashion today, as opposed to assigning a name to a corporation, whatever it may be? You know, not that names always really tell you all that much about the nature of the business of the company, but still, somehow to me, a name seems more acceptable than merely, you know, 12345 Manitoba Limited.

MR. JORGENSEN: Yes, Mr. Chairman. That is as a result of a change in The Corporations Act, which was brought into effect a few years ago. That simply applies to a corporation a file number, which is easier to keep track of. Anybody wanting further information can simply refer to the file number, and get the information that he wants.

MR. HANUSCHAK: Now who assigns the file number? Can one select the number that one wants, or does one take the number that . . .

MR. JORGENSEN: Yes, they're issued in a consecutive manner.

MR. HANUSCHAK: So one could not, say, register as No. 7, or No. 11, because . . .

MR. JORGENSEN: Because it's a lucky number.

MR. HANUSCHAK: Yes, yes.

MR. JORGENSON: No, they are filed in the order in which they apply.

MR. CHAIRMAN: (c)(1)—pass; (c)(2)—pass; (c)—pass. Resolution 27, Item 2.(a)(1) — the Member for Burrows.

MR. HANUSCHAK: Yes, Mr. Chairman, perhaps the points that I had raised earlier, asking the Minister whether he would consider urging his federal counterpart to make it mandatory that the country of manufacture be shown on all goods, and also with respect to house brands, the name of the manufacturer.

MR. CHAIRMAN: The Honourable Minister.

MR. JORGENSON: Well, Mr. Chairman, it's a novel suggestion and I certainly do not intend to discard it offhand. I think it's a suggestion that can be looked into although I suspect there may be difficulties involved. But however, I'll be happy to take the honourable member's suggestion into consideration.

MR. HANUSCHAK: Well, thank you very much, Mr. Chairman. The other concern in the Consumers' Bureau area is the conversion to the Metric System, which again is a federal responsibility, I know, but is the provincial Consumers' Bureau at least monitoring the conversion process to assure the people of Manitoba that there is not an undue charge being attached or built in to the metric conversion process? Now I understand that the manufacturer and the processor will say that metric conversion is costing him money, because he has to buy a different size of package, of tin, whatever, and adjust his automatic weighing mechanism, packaging mechanism and so on, so forth.

But you will note, Mr. Chairman, and I am sure the Minister has noticed this, that in addition to whatever increase in the price of consumer goods there may recently be, and part of it may be due to metric conversion, well, in the case of milk we were told there was a cent a quart that's built in there to cover metric conversion.

But you will also note that the process of conversion, what used to be one pound and then the first stage of conversion was from one pound to 454 grams, I believe, and then lo and behold the four grams are lost. Well, it's only one percent or thereabouts, but nevertheless one percent, the cent or so on a bottle of shampoo or a package of coffee or whatever, multiplied millions of times over, can amount to a fair amount of money. And now, that's only a very modest loss of about one percent but I think that if you were to go through your medicine cabinet at home or through the kitchen cupboard, and if you happen to have anything that was purchased several months ago, you will find that there may have been something packed in 14 ounces, which may have come to 415 grams or something, the 15 grams are lost of that 400. What may have been at one time 373 grams, is now 350, and so on and so forth. So my concern is, Mr. Chairman, that unknowingly, the manufacturer is taking an undue advantage of the consumer by reason of making that type of a change in the packaging but no corresponding reduction in the price.

MR. JORGENSON: Well, there is a certain amount of monitoring being done in this respect, particularly we have done some on gasoline and some food products, we have found no undue increases due to metrication. The package sizes are agreed to by the industry committees with the metric committee and there is a desire to standardize sizes but the effects are being watched. As I say again, we have not noted any of the fears that are being expressed by my honourable friend but that does not mean that they don't bear continued watching.

MR. CHAIRMAN: (a)(1)—pass — the Honourable Member for Elmwood.

MR. DOERN: Mr. Chairman, are we on 2?

MR. CHAIRMAN: 2.(a)(1).

MR. DOERN: The Consumer Protection Act. I want to ask the Minister whether under this department, in the sense of this division of his department, this would deal with such things as land claims in the sense of people complaining about problems with the purchase of land in terms of unscrupulous promoters, etc.?

MR. JORGENSEN: No, Mr. Chairman. Matters of that nature would be more appropriately dealt with by the Securities Commission.

MR. DOERN: Under the Securities Commission?

MR. JORGENSEN: Yes.

MR. DOERN: And there's also another question I wanted to ask in general here and that is, you were involved with some stories of some unfortunate deaths by Winnipeggers travelling abroad in Latin America and in Mexico, etc. Where would that fall in your department?

MR. JORGENSEN: Well, that particular matter was drawn to my attention and I have directed correspondence to the Mexican authorities. As yet, I have not received any response from him.

MR. DOERN: Can we deal with that here in this section, 2.(a)?

MR. JORGENSEN: Yes.

MR. DOERN: Well, I wanted to relate this incident again to the Minister. There has been a number of unfortunate incidents whereby Manitobans have been travelling to far away exotic places, in particular I guess in Latin America and Mexico, etc., and we have heard some stories of people suffering heart attacks and other illnesses and being confronted with some horrendous primitive medical facilities. We've also heard of instances where people have died and then were held up for a king's ransom for the return of the body. There are different travel agencies around and so on. Many people nowadays, when they travel to a foreign location, don't go to the old capitals and the old well-known places; they tend to go to some sort of beach motel complex that's built somewhere by a large agency and they consider that going to Mexico and coming back, etc.

But I want to ask the Minister about these two points. One is, whether he feels any responsibility in terms of requiring people in the travel industry to provide information about such things as the quality of medical care. For example, if a person travels with some sort of a heart condition, I guess one would assume that they might enquire as to possible medical attention that they could receive or whether they can get their drugs, assuming they need some quick order, etc., etc. I assume that somebody who has a problem would tend to be efficient in terms of asking for information. However, nobody knows sometimes, whether or not you're going to suddenly hit the pavement with a heart attack and then you might find yourself in a peculiar situation where there isn't proper operating equipment; there may not be blood supplies; there may not be oxygen, and so on and so on, and we have heard this kind of thing.

I want to refresh the Minister's memory from only a couple of months ago, when several of these things were publicized on the radio — what I would call horror stories from the private sector — and ask him, for instance, whether he might consider meeting with Manitoba travel agents or people in the travel field in an attempt to improve public awareness about the shortcomings or the problems of certain areas that Manitobans travel to. I cite these two examples, the one of primitive medical attention where there is no blood supplies, no oxygen, makeshift equipment, primitive operating rooms, and so on, and I'm sort of reading particularly from an article that appeared in the Free Press on February 24th. Dr. Peter Duke, who treated one gentleman named Hazlitt. This gentleman went to the Island of Cozumel in Mexico, and he had pneumonia there; there was no oxygen; there was just makeshift equipment; there was no blood transfusion. They tried to get him to the mainland for treatment. The Mexican airline refused to take him because he required oxygen during the flight. And then he died. Then his wife wanted to have his remains cremated but there were no facilities there for cremation purposes; then she tried to bring the body back to Canada; she was told it couldn't be released for four to six weeks; he was buried on the Island and Dr. Duke, who was a Winnipeg physician looking into this business, he said it really wasn't a hospital. Their standards of medicine are extremely low. I don't want to make a broad statement about the quality of medical care in Mexico because I have no idea what it is like. But

I know in this particular instance, it was certainly eons below the quality of medical care in our own province. And this doctor, again the Winnipeg physician, said that demands on essential medical supplies and equipment during the peak tour season appeared to have depleted hospital supplies and the Mexican doctor who treated this man appeared not to know what was wrong with him. Our doctor said he died because he couldn't breathe and this doctor says travellers should investigate medical facilities before they go to foreign resorts, particularly if they have had a history of illness.

To this, Mr. Chairman, the Minister replied at the time, or is quoted as replying at the time, that it isn't the travel agency's responsibility to inform tourists of hospital standards in foreign countries, and he said, "I don't go to Mexico because I've heard too many stories about how you're treated down there. You're a source to be milked to the greatest extent," And then he said according to this reporter, "They have practised that to a very fine degree. I just don't like to go on a holiday and have to look over my shoulder all the time, but," he added "I don't expect the travelling public to take the same attitude as I do."

And then, a final point here, Mr. Chairman, is that apparently, I recall hearing a discussion of this, I think it was on the radio, when this man died, in one case, they were asked \$12,000 to ship the body home. Now I don't know where on earth it would cost \$12,000 to transport a deceased person, unless there is \$1,000 or \$2,000 for air fare plus \$10,000 in special payments or kickbacks or whatever, to break the red tape and some different standards of morality, I just don't know. But I'm saying in one case they were asked \$12,000 to ship a body home from the Island of Guadalupe and I believe this was knocked down to \$8,300.00. I know in one instance, one of these agencies — one of these Fun in the Sun agencies — put up some of the money and helped knock the case down. So there's the problem, Mr. Chairman.

I agree it's something new. I don't think it's something that we have been discussing much in the Legislature. It came up a few months ago and was sort of talked about in the province the last few months. It's a new area; maybe a new problem, because of the fact that people are travelling in ever increasing numbers to these remote and exotic places. But it might be time, it might be time for us to decide whether we're going to do anything about it. Now we're not going to send down I suppose expensive teams and establish Manitoba hospitals or outpatient clinics in these resorts; certainly not. But whether the Minister's approach is good enough, I believe it isn't, I believe the Minister is taking a too casual attitude here in the sense of he should look into this problem and try to — if nothing more, if he can't require standards down there, which is out of the question, maybe he could require information to be provided in some standard form about medical facilities in these places. And maybe when someone is travelling somewhere, they should be provided with that information either automatically or on request.

I recall when I read this article a couple of months ago that the Minister said, which he said again today, he said, "I intend to direct a letter to the Mexican Consulate" and that just struck me as a very inadequate response. The Minister I regard as a strong person; he's a strong debater; he's a man who's been in the political arena a long time; I regard that as a weak response from a person who has some timbre to him. And he said that in the case of Guadalupe, he is going to have an inquiry out to the Canadian Embassy, asking the Embassy to look into that situation.

So I would simply say to him now in response to his inquiry about Guadalupe and his letter to Mexico, what can he tell us right now, and does he intend to do anything more in terms of getting together with travel agents or introducing legislation or trying to use the powers of moral suasion with people in the industry to do something about this, or are we just going to ignore the whole thing? And somebody goes down there and they die because there isn't adequate medical attention; we just say, "Well, that's just the way it goes. Let the buyer beware." Or somebody gets stuck with a \$12,000 bill to bring their husband or wife back in the event of death, and we say, "Well, there's nothing we can do about, you know. It's just one of those things."

So I ask the Minister can he tell us what he has learned first of all; and secondly, whether he intends to pursue the matter.

MR. JORGENSON: Mr. Chairman, I find it extremely difficult to believe that anybody with a medical condition would venture to travel to some of these more remote areas without making some inquiries of the medical services that may be available. And in my discussions with the travel industry, they are only too happy to provide that information to anyone who chooses to ask for it. And I think that's really all you could be able to expect of the travel industry is that the information is available to those who seek it. I find it difficult to believe that the travel industry should be held responsible to insure that the information that the honourable member seems to think that the travelling public should have should be handed to them. In most cases if that were done, they would ignore it in any case. It seems to me that there should be some responsibility on the part of the individual

to insure that the areas that he is travelling to have the kind of medical facilities that he is prepared to accept.

Canadians travelling to other parts of the world are no different from people coming to this country, particularly Americans. The Americans want to travel as far north as possible. They feel as though they have reached the outer limits of civilization when they travel further north. And my honourable friend knows that the further north you get into some of the more remote areas the less available are the medical facilities. Medical facilities in the remote areas of this province, of this country, are not as good as they are in the more highly populated centres. It's the same when we travel outside this country. There are areas that do not have medical facilities that are comparable to the facilities in some of the larger areas, and it would seem to me that it would be up to the individual to insure that when he books travel plans to any area, and more particularly if he has a medical condition or a medical history of some kind, that he insures before he leaves that the facilities that he would want to have are there.

MR. DOERN: Mr. Chairman, the Minister is making a case for somebody with a medical problem, and you know, one would assume that precautions might be taken, but I'm talking also about the average person who apparently . . .

MR. JORGENSEN: That would apply to the average person as well. It would seem to me to apply to anyone who wants to travel in remoter areas; that one of the first things they would do would be to make enquiries as to the kind of facilities that are available.

MR. DOERN: I assume that the average person travelling to these places doesn't think about that matter, you know, someone in reasonably good health. However, as a result of these stories, I think anybody who is aware of these stories is probably a little more cautious, and I'm saying again, if a person from Manitoba goes down here, for example, he's covered by MMS, isn't he? To a degree.

MR. JORGENSEN: That kind of insurance is available and to a large extent it is being promoted by the travel industry. The travel industry are endeavouring to ensure that people who do travel outside this country are covered to the best possible extent.

MR. DOERN: The Minister doesn't feel that, as a result of these experiences, any action should be taken by any level of government; for instance, his mandate, as I understand it, is to protect the consumer, and a person who buys a package vacation is a consumer. And if people are going to places where they're not getting protection, then they're getting ripped off in this incredible fashion. We've had a couple of deaths and requests for thousands upon thousands of dollars to, in effect release the body, \$12,000 to bring a body back, which maybe would ordinarily cost \$500 or \$1,000 one way, that strikes me that there's some room for action there.

MR. JORGENSEN: It would seem to me, Mr. Chairman, that it would be extremely difficult for the Department of Consumer and Corporate Affairs to guarantee the kind of treatment that is doing to be provided in another country. Surely my honourable friend does not expect that we can order foreign countries the level of medical service that should be provided.

MR. DOERN: Well, Mr. Chairman, I wouldn't suggest that for a moment, but I'm saying information concerning the level of medical care might be something that would be appropriate.

MR. JORGENSEN: Well, the information, as far as I know, is available to those who ask, insofar as it's possible to provide that information.

MR. DOERN: That's what I wanted to ask the Minister about. I mean, is he guessing or is he assuming this, or does he know that if anyone in Manitoba goes to their travel agent and said, "Can you provide me with information on the sort of level of medical care in any any country" that that agent has, are you telling me that they have a big book that they can look it up or are you assuming that they can obtain this information for you?

MR. JORGENSEN: My information from the travel industry is that information can be provided to those who ask for it, and if they don't have it at the moment, they will endeavour to get it.

MR. DOERN: I think I'm going to pursue that point personally and do some checking and find

out whether this type of information is available, because I'd be very curious to know whether there is some sort of systematic operation right now. The other question I put to the Minister was concerning his correspondence to the Mexican Consulate. He wrote them a couple of months ago. Did he obtain any information, any response to his letter?

MR. JORGENSON: I received an acknowledgment from the Consulate telling me that the matter was going to be investigated and I would be receiving a report. Up to this point, I have not received such a report.

MR. DOERN: In regard to this incident in Guadalupe, where we had a family paying \$8,300 down from \$12,000 for shipping a body home, a relative's body, the Minister said that he made an inquiry to the Canadian Embassy and asked the Embassy to look into the situation and provide a report. Has he now received that report, and if so what did it contain?

MR. JORGENSON: Mr. Chairman, I did not become involved in that particular instance. I'm not sure — my memory does not serve me properly here. I'm not sure whether that particular individual was a Manitoban or not. It seems to me that the incident which took place in Guadalupe happened to someone outside the province and it is more properly a matter for the Canadian Embassy to be dealing with, rather than the Department of Consumer and Corporate Affairs in this province. But my understanding is that the Embassy did become involved, to what extent, I don't know. I have not pursued it.

MR. DOERN: Again, I'm referring to this article that mentioned that this was a Winnipeg man, so the Minister can't inform us really of the results of those two enquiries?

MR. CHAIRMAN: The Minister of Fitness and Amateur Sport.

MR. BANMAN: Well, Mr. Chairman, briefly you know, if somebody is buying a package tour, the first thing the travel agent offers you is the Blue Cross protection — that's No. 1. That would give you a pretty good indication that they are trying to make sure that you are covered when you are abroad.

I, myself, have travelled in Mexico many times and I have yet to have a problem there, but let me just tell the member that if he's advocating that the government become involved and start rating the different countries and telling people where to vacation, we just have to look at our back door here. What about if you take and rent an aircraft and fly into northern Manitoba and they drop you off for a week and come back and pick you up in a week's time? I mean, you can stretch this particular thing into ludicrous sort of situations, because if they are going to drop you off on some lake somewhere and pick you up in a month's time or a week's time for fishing — and this happens every day I suggest as soon as fishing season opens — then you'd have to tell those people that, "Hey listen, there's no medical facilities, you are going to have to wait a week at that particular camp or tent," so there's a certain amount of common sense, and where in this whole system of government and helping people out do we finally not realize that individuals have to take the responsibility for looking after themselves. My goodness, it's not the government's responsibility to look after you in a situation if you are going to Paraguay or Mexico to tell you if there's a hospital on this corner and a hospital there. The individual has to accept some responsibility.

I think the Blue Cross that you can buy at a very reasonable rate, I know I always buy it when I go out with my family, or go anywhere even into the States, because we've heard examples where it can cost you an arm and a leg to have something done in the States if you're involved in an accident you can cover yourself. I think to that extent that's all that should become involved, I don't think we should start telling people where the hospitals are and where to go. I think the individual has a responsibility to himself and his or her own family to make sure that they avail themselves of that information.

MR. CHAIRMAN: The Member for Wolseley.

MR. ROBERT G. WILSON: Well, I think there is a happy ground here, I think the Member for Elmwood is suggesting the government get involved but I take exception to the fact that I feel the government should be suggesting to the industry, because it seems to me the travel industry are willing to sell anybody a package, and there's certain areas to which you go as individuals which are not safe, not only from a medical point of view but from an entrapment point of view, from a safety point of view — safety being physical — and what happens it seems to me is that the industry should be encouraging group travel for individuals to certain areas in the world, whether

there's political unrest or what have you. There are many horror stories. It seems to me the industry does a consistently good job of keeping these horror stories hushed up; they only come to light when different groups of people become interested.

In the case of Ed Wasserman, he was a single man, a member of the Squash Club, a good friend of myself as one, and he passed away in the Club Mediterranean. He received about \$6,000 from Club Med on a loan; he did not have any relatives and so the result was that a group of St. Vital businessmen and gentlemen got together and co-signed a note at the bank, and they held stags and parties and so on and so forth attempting to pay off this horrendous debt, and I would think that that is the kind of horror story that goes on monthly but is never reported unless the person happens to be someone who has a relative, who is willing to go to the media with the story.

The story of the woman who was found in Egypt in a tomb who had allegedly fallen, or slipped, or was pushed — now she fell into a crevasse or whatever — and they found her; she was travelling alone, a Canadian girl. The case of the RCMP Officer, who fell off the roof who was down there vacationing; the case of the Lockport girl who went on her honeymoon and her husband disappeared and they were both jailed by the entrapment that is well known in the Veracruz area, where anyone who is under 25 they charge them with possession of narcotics or whatever and charge them whatever they have in their pockets as a fine and if they find that they are of financial substantiability back home, they will then gouge the relatives and hold them. There are all kinds of horror stories. Certainly many of these stories are hushed up because families are embarrassed; they are embarrassed because a famous North Kildonan family had to bail their son out of the Jamaican jail — again an entrapment story — \$10,000 or \$12,000 paid.

All of these stories are real but they are all hushed up by the industry, and I think that the industry has to encourage group travel to areas such as Mexico; to areas such as Jamaica; and it has to encourage group travel for safety reasons. And in part of that group package could be the medical information, so if nothing else comes out of this debate, maybe the industry through the government making a suggestion — not the government becoming involved as the Member for Elmwood would have it — but making the suggestion to the industry, that if they don't put information about what happens . . . I would even go so far as to suggest that the industry could, as they have with Blue Cross for a very limited amount of money, as part of the group package, have the return of a body as part of that situation. Nobody goes on a vacation to die, but in the event you die there should be some method of returning those bodies to Canada, and I agree with the concern expressed that when you have \$8,300, when a fellow only has one poor uncle left in Winnipeg and his friends desire to have him brought back here, that that's an awful lot of money. I think that the industry has to look at those things, because they make 20 percent.

You sell those two fellows the package to Club Med out of Montreal, they're looking at \$1,400, \$1,600 for ten days, the travel agent is making \$640, so why shouldn't he have an interest in selling more of those packages. What's going to happen when these stories become public is that there is going to be consumer resistance to not want to go there, and as these stories filter through —(Interjection)— well the problem is, they will go to other places such as California, or Florida, and they may hopefully some of them go to Hecla Island and other places. —(Interjection)— But I really think that the industry is coming up short in this area and I would hope medical information would be made available on group travel — not on a request basis, but as a matter of information I would like to see more emphasis — this is what amazes me, why the Canadian Government Travel Office wouldn't make Canadians aware of these dangers because it not only increases consumer resistance and demand for changes from the people who are making the money, namely the airlines and the travel agents, but it also encourages some people to take a second look and maybe take their vacation in Canada.

What better way to have some particular people have a second look at their vacation plans by having this type of information made available. So, I would hope that Club Med would pick up the cost of the \$6,000 cost of Mr. Wasserman's funeral expenses and the return of the body, because they are the ones that were making the lion's share of the profit.

Mr. Chairman, if I could for a minute while I'm on Consumers' Bureau, I'll just slip in this thought of my own pertaining to consumer protection. I understand and I'd like to know from the Minister, does the medical profession have some organization that checks out medical equipment that is sold to hospitals?

MR. JORGENSON: I'm not sure whether I can answer my honourable friend. I'd have to look into that. I will respond to one point my honourable friend made with respect to returning of bodies, who have died in areas where they have been vacationing. The Travel and Accident Insurance Policies that are provided for anybody who wants to use them, do provide for the return of the body. However, a certain amount of money — that is, involving the amount of the travel or the expense of bringing

that body back is what is insured. Now, if some minor official in some other country decides that he wants to hold that body up for ransom, of course, the travel agency simply has no control over that sort of thing.

MR. WILSON: The High Commissioner from Jamaica was here, Mr. Lester Wilson, and I believe a Mr. Walter was with him; one of the problems I told him with his country is that they have to respond to consumer resistance to corrupt officials, and I think that the Mexican government is well aware that many of their officials are less than kind towards tourists, obviously for profit reasons. My reason for raising the question that's a story for another day.

pertaining to the medical is that many nurses are raising questions. It comes in the case of reports and that of very questionable medical supplies that are purchased because probably of longstanding business associations with hospitals, and/or the purchasing agents, and the ability of that particular equipment to perform in certain functions. I understand that there was a number of reports at the Misericordia Hospital pertaining to an intravenous setup, in which several bottles had swung loose from the very complicated setup, and splintered glass in one case knocked a patient temporarily out. It would seem to me, that these faulty medical supplies are something that a patient, who is also a consumer deserves to go into a hospital and not have to worry whether the particular product functions properly.

And the Abbott Company should be looking at this, to see if they should be monitoring this intravenous setup to see if indeed it has some flaws in it. The same thing could apply to the now famous "Wheelchair Rip-off raws U.S. D a viewpoint by Jack Anderson. The same company also has a complete monopoly in the Winnipeg area, and it seems to me that certainly other wheelchairs can function just as well as the particular wheelchair that was mentioned in Mr. Jack Anderson's column. And I would like to see where the cheque comes for the consumer and the taxpayer. Of course, I can draw it as ublic Pccounts, I guess, but I would wonder just for the record, where people can express government concerns pertaining to equipment. By that, I mean the staff who are in the front line, the nurses and the doctors — well, doctors can do something about it, but nurses and technical people express concerns that some of the equipment will not perform certain functions, and yet, these particular pieces of equipment are bought and purchased as if a God-given right. There doesn't seem to be any — in other words, maybe the specifications are such, that only one product can qualify. I don't know what the answer is.

I wanted to put it on the record, because I promised several individuals at different hospitals who have brought this to my attention, and I brought it up slightly in Public Accounts, but I wanted to read it into the Consumers' Estimates, because I think it's important that this type of thing — if these these nurses can write to the government, the government will forward it on to the administration of the hospital. Because in some cases, they get the feeling that the administration is above criticism by employees and I just wondered if . the Minister thinks that idea has any merit.

MR. JORGENSEN: Mr. Chairman, before the Committee rises, I would like to respond to my honourable friend, and thank him for drawing this particular matter to our attention. We've had no complaints to the best of my knowledge in the Consumers' Bureau, so therefore, the subject is a new one to us, but we'll be certainly interested in making some inquiries to find out just what is happening, and if there is anything that the Consumers' Bureau can do.

MR. CHAIRMAN: Order please. In accordance with Rule 19 (2), the hour being 4:30, I'm interrupting the proceedings for Private Members' Hour and will return at 8:00 p.m.

SUPPLY — LABOUR AND MANPOWER

MR. CHAIRMAN, Mr. Abe Kovnats (Radisson): This Committee will come to order. I would direct the honourable members' attention to Page 59 of the Main Estimates, Department of Labour and Manpower. We are on Resolution No. 78, Item 2. Labour Division. (a)(1) Administration (a) Salaries—pass; (b)—pass; (1) — the Honourable Member for Logan.

MR. WILLIAM JENKINS: Yes, Mr. Chairman, I wonder if the Minister could — I don't know if I asked him on Friday I'm not sure, — if the Minister could give us a breakdown of the Other Expenditures.

MR. MacMASTER: I already gave that, Mr. Chairman.

MR. JENKINS: Okay.

MR. CHAIRMAN: (b)—pass; (1)—pass; (2) Safety and Health Inspection (a) Salaries—pass — the Honourable Member for Logan.

MR. JENKINS: Yes, in this item, Mr. Chairman, could we get a — I believe the Minister said if we were going through, he was going to give me the breakdown of the staff man years or funded positions, whichever he wishes to use — could he give us the funded positions for the Salaries contained under Safety and Health Inspections.

MR. MacMASTER: Mr. Chairman, last year there was 34 for unfunded; this year there is 30, with intentions to fill them all. I think that's all I have on that.

MR. JENKINS: The Minister said — I'm not quite sure if he said 30 funded and 4 unfunded, and this year his intention in the Salary that we have here is for 30 funded positions. How many of these funded positions are vacant at the present time?

MR. MacMASTER: 3, Mr. Chairman, and 1 is an educated guess within days of being filled.

MR. JENKINS: Could the Minister tell us what these positions are, are they inspectoral staff or what category would these vacant funded positions be at the present time?

MR. MacMASTER: The two that are specifically vacant, one is an inspector for Brandon and the other is a supervisor for all the inspectors.

MR. JENKINS: Thank you, Mr. Chairman. These inspectors that we have under this, they're all Workplace and Health Safety inspectors dealing with the Act or do they deal with any other types of inspection, other than Workplace —(Interjection)— specifically with the Act; and the position that the Minister says that is within days of being filled, is that the position of the supervisor or what?

MR. MacMASTER: The one that's going to be filled within days is more in the category of Hygiene, Industrial Hygiene. It's the two that we haven't processed yet or in the process — one's a supervisor and the other is the inspector for Brandon.

MR. JENKINS: The two that are not filled, are these positions being advertised at the present time. The Minister says from his seat, not at the moment. Is it anticipated that they will be advertised in the very near future?

MR. CHAIRMAN: (a)—pass — the Honourable Member for Kildonan. I'm getting a little confused, gentlemen — the Honourable Member for Kildonan.

MR. PETER FOX: Thank you, Mr. Chairman. Maybe it's because I didn't rise high enough, I'll stand up on my . . .

MR. CHAIRMAN: Remember, I had three members, I didn't know which one to acknowledge.

MR. FOX: Thank you, Mr. Chairman. In respect to the safety and health inspection, I understand that the health inspection is now shared between some of the environment inspectors as well as what used to be Health Inspectors under this Workplace Safety Health Division. Would the Minister be kind enough to give us a description of what is taking place now that it's been re-allocated so that we can get a perspective?

I would also like to know whether the discontinuance in respect to the Building Standards Code, the inspection of plumbing and development in that area, who has taken that over in the rural areas, because I understand some of the inspection has been turned over to the municipalities like Portage la Prairie and so on. But I'm not aware of who is doing it, where it's being done in the country, which used to be done under the Health Inspection Branch as such.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: That will come under Mechanical and Electrical under the Estimates, Mr. Chairman.

MR. FOX: Did the Minister say he's going to do that under the Mechanical section.

MR. MacMASTER: Yes.

MR. FOX: I see. Well, are there any of the Safety and Health Inspection now on a joint basis with the Environmental Department under this section?

MR. MacMASTER: Just in the case of a specific problem that may be addressed by both groups, Mr. Chairman.

MR. FOX: Thank you, Mr. Chairman. That's the reason I asked for the Minister to give us a description or a brief outline of how the inspection was taking place. After all, this has been reorganized and there has been no full explanation last year as to how the inspection was taking place. So I was hoping the Minister would give us some description of what is taking place now. The other reason I ask is because safety also comes under Workers Compensation and I would like to determine how much is being overlapped between the various departments that are now responsible for inspection, whether it's Safety or Health or Hygiene or otherwise.

MR. MacMASTER: I can give the member a rundown on some of the areas in the construction inspection. Inspections take place in relation to construction — we'll try and break it out to construction industry. Inspections do take place to see if there's compliance with the Act. Orders or recommendations to resolve matters affecting Safety and Workplace are issued. Follow-up visits to ensure compliance with orders take place. Investigations into accidents of a fatal or serious nature and orders relating to it take place. We obtain technical data from manufacturers and suppliers on request if people wish to have that kind of information. We respond to complaints from either management, workers, unions on safety related matters. That's one of the three, the three being what I meant by workers was if there is no official organization there, they can themselves ask to have a look at an area.

In the industrial setting, it has its similarities to the other. We have the inspections in relationship to compliance with the Act, issue orders, recommendations. Again, the investigation of accidents, be they fatal or serious, and again technical data, latest up-to-date data on new methods is attempted to be obtained by ourselves, and again we respond to management, workers and unions. There is another aspect to it that I think would be of interest, and that's the training and the educational section which these people deal with. We conduct, on request, safety and health education courses at schools, colleges and universities. And we make available seminar-type educational programs which are applicable to all types of industries in the province.

We carry out in-house staff training to upgrade knowledge capabilities of our staff, and I've mentioned before that we're not just satisfied there's enough of that so we'll be recruiting somebody for that particular job. We do work in conjunction with established Safety and Health Committees concerning their duties and powers and responsibilities, and again, we're not satisfied with the amount of educational programming that's taking place with the Safety and Health Committees. I personally am not satisfied for a variety of reasons, some of which is inquiries I've had from Safety and Health Committee members. They are asking for additional support and training to get them going.

The member well knows that to get a Safety and Health Committee going isn't always the easiest thing in the world, and some people on both sides, I think, are a little lacksadaisical about it. So we're attempting to do more than encourage it. We're attempting to get these committees working and get them looking for the things they should be looking for and reporting — writing their minutes up appropriately. I think there's a fair amount of work that has to be done in that particular area, so that's generally some of the things that the inspectors do.

MR. FOX: I thank the Minister for that explanation. Do the inspectors do both Safety and Health, or are there groups of different people doing Safety and those doing Health?

MR. MacMASTER: They do, Mr. Chairman, but we have a Hygiene group that we'll be discussing shortly in the Estimates which they can call in for specific inquiries, investigations. They're more professional people in the particular field. So they have that support staff.

MR. CHAIRMAN: (a)—pass — the Honourable Member for Flin Flon.

MR. THOMAS BARROW: Just a few questions, Mr. Chairman. The government mining inspectors — would the Minister just expound for a short while on their duties and terms of reference?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Well, it's not my department, Mr. Chairman, but I don't like running away from things that I have some idea about, and I think the Member for Flin Flon, of all people, probably has as much knowledge of mine inspectors as I have, maybe more years. They do similar type inspections in the mines as our Safety people do in industry and in construction, very similar to what we've been talking about today. I understand, now I'm not responsible for it, I don't know precisely what they're doing, but I suspect from the ones I've seen over the years that they're doing similar type inspections.

MR. BARROW: Mr. Chairman, it is true, I know what their duties are. I know the success they're having. But what I want to know, does the Minister know, what powers do they have? And do they work with the company inspectors, in conjunction? The Hudson's Bay Mining have their inspectors; we have ours. Do they work together as a team? I imagine Thompson is the same. Do they follow the same procedure?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: I would hope, Mr. Chairman, and I can't specifically outline it to the member, what I'll attempt to do is get something from that particular department of their general role and get it down in writing and give it to the Member for Flin Flon. I would hope they do what we want our inspectors to be doing, and that's when they make their inspections that they make it in conjunction with the company representative and the union or the workers' representative. And that's really the true way that inspections should be made, in my humble opinion.

MR. CHAIRMAN: The Honourable Member for Flin Flon.

MR. BARROW: My question really wasn't over, Mr. Chairman. It's what are their powers, what can they do? If they suggest doing something, is it done? If they have an unsafe working place, can they shut it down? This is what I want to get into.

MR. MacMASTER: I said to the Member for Flin Flon, Mr. Chairman, I'll try and get their duties and their powers and their authorities . . . —(Interjection)— . . . it's not my department, but I'll attempt to get that information for the Member for Flin Flon.

MR. BARROW: Could the Minister tell me what are the salaries of government mine inspectors? Is this in your records? Will you take that as notice too, Mr. Minister?

One thing that really bothered me and bothered the people who attended this Safety and Health Review Committee, where they went to delve into problems of the safety and the health of the miners, was the inspectors were forbidden to give evidence, to present briefs. They had a wonderful opportunity to question these people, to see what was going on; because it has been said to this committee that the companies, both Sherritt-Gordon and HBM and S, for sure, just laugh at suggestions and they haven't got the power to shut the place down. And these are the things that I'd like explained, if you take them as notice.

I'd like to know — and we slipped up on this — where a man could refuse to work in an unsafe place. What happens afterwards? What's the procedure after he refuses? Would you also take that as notice?

MR. MacMASTER: I'm a little surprised that the member says that there are instances where mining companies are laughing at the — if that was his term — laughing at the inspectors. I would like anybody in Manitoba to make me aware of the fact if one of our inspectors is ever laughed at, and their recommendations are treated frivolously, it would be totally unacceptable as far as I'm concerned.

MR. BARROW: That's all ry well, Mr. Chairman, but the Minister knows as well as I do that in Lake or Leaf Rapids, this was produced as evidence to the committee. And there's no question of this. There was no denying it. So there just might be a little truth in this, or a lot of truth.

MR. CHAIRMAN: The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Chairman. I overlooked asking the Minister whether he could give us a

of the determination that takes place in respect to a fatality that is to be placed in the Attorney-General's Department for a charge. Could he explain who makes that decision — whether it's the Minister or the Deputy Minister — and also in respect to violations that take place under The Workplace Safety Act, as to how many warnings they get by letter, or what other form of warnings, and when action is taken place?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Mr. Chairman, there is a degree of latitude that's allowed inspectors in conjunction with their Director, in relationship to orders — and I think that was the question — orders as given in relationship to the fatality situation, our people review what they see to be the facts. They review what they see to be the faults that existed at the site at the time, or as close to the time as they can be there and they prepare a report stating what they surmise to be the situation. You know, X incident was obvious, this was obvious, that was obvious; it was determined that this didn't take place, or that didn't take place and we, in turn, hand that on to the Attorney-General's office for disposition.

MR. CHAIRMAN: (a)—pass — the Honourable Member for Churchill.

MR. COWAN: Yes, thank you, Mr. Chairperson. I have to apologize for getting in just after the Estimates examination had started today, but I understand from the Member for Logan that there were 30 funded positions and four vacant last year; and 30 funded positions under this particular item in the Estimates this year, and I would just ask the Minister to confirm that, if I have the correct information? The Minister shakes his head that, yes, that is correct.

According to a very brief perusal of the Estimates, and we see under Salaries, we see for last year \$440,800 for salaries, and this year \$534,100, which shows a fairly substantial increase. And my question to the Minister would be then, seeing as how the number of funded positions are staying the same, where is this increase being implemented?

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Mr. Chairman, I don't know how many times I have to say it. I said there were 30 positions last year, four unfunded. This year they're all funded, the same number; that's an increase of four staff on line in the department.

MR. COWAN: Yes, then if I understand it correctly, and I may be the one that's not understanding the process here and I would ask the Minister's patience which I'm certain he will ask of us at times also; that the figure \$440,800 shows the actual amount that was spent for 26 positions, although 30 positions were allocated for in the projected Estimates of the year before. Is that correct? Basically, then, what we have is not an increase in staff or not an increase in possible staff — and here's where it gets a bit dicey and here's where we have to investigate it a bit more — because it looks like there's an increase in staff. It appears upon first perusal of the Estimates, that there's been an increase in staff here. But actually, what is happening is, in the past four years the department has not been funded fully to the complement that was allocated to it during the previous Estimates. I just ask the Minister if that is correct?

MR. MacMASTER: Last year to make it much simpler, there were 26 funded. This year there's 30 funded; an increase of four.

MR. COWAN: Yes, thank you, Mr. Chairperson. I'd ask the Minister to dwell on this item for a bit because it's a very important item, and quite frankly I don't feel as if enough has been done in the past year and again we run into that problem, where the Minister's not entirely responsible for the past year as an individual Minister but as a member of the government, surely he has to assume some of the responsibility.

There was some conjecture in the press recently that workplace, safety and health inspectors that were coming in to make inspections were being pre-announced; that the companies knew that they were coming; the companies could therefore make changes which would not be of a permanent nature but a temporary nature, that would alleviate certain problems that would be inherent to the workplace.

As an example, if they were coming in to test a lead foundry, which I think this particular allegation was predicated upon, if they were coming in to investigate a lead foundry, doors would be open that were not normally open, or windows would be open or operations would be shut down. And

this is a very serious allegation because if that is happening, and I have heard it from more than one source, and I would expect the Minister has heard it also throughout the years. If this is indeed happening, it is destroying what would be the intent of the Workplace Safety and Health Inspection Services and that is to ensure safe workplaces. We would have temporarily safe workplaces or workplaces that appeared safe, but in essence, if minor alterations are being made just previous to an inspector coming in, then we don't really have any long-term benefits from this department. So I would give the Minister opportunity to correct the allegations if he considers them incorrect or to discuss the problem in some detail so we can work out solutions.

MR. CHAIRMAN: The Honourable Minister.

MR. MacMASTER: Mr. Chairman, I think there's two safeguards here. No notification is given to companies when an inspection is going to take place and in addition to that, members of the Safety Committees in those particular companies are certainly not welcome, it's a compulsion that they join with the inspectors. Now surely if a worker is walking around with the inspector and said, "You know, this place is usually running but today because you're here it's not, somehow, some way, the company got wind of the fact you were coming," I think the inspector would be just as concerned as the member obviously is across. .

MR. COWAN: Yes, thank you, Mr. Chairperson. I'm certain the Minister shares this concern and the article that I'm making reference to is out of the Tribune on May 4th, which is under the headline "Lead Testing Not Complete — Bronze Staff" and they're talking specifically in regard to Canadian Bronze. A Mr. Ruppel said the employees could tell when a government inspection was coming because of the plant clean-up and shutdown of equipment which contributed most to air pollution inside the plant; and it's a direct quote, "It's a nice place to work when the inspector's there" said Mr. Radwanski, "but as soon as he's out the door, we fire up again." Normally smoke inside the plant is so thick, he said, that co-workers just a few feet away could be seen only as a blur. This would tend to indicate — and it's a source so to speak, to use a cliché, in the vernacular, is a source right from the horse's mouth — would seem to indicate that there is a problem here, that somehow the companies are getting advance notification that an inspection team is coming, and I would just ask the Minister in that regard then to explain to us the procedure by which an inspection is made; who decides where the inspection is going to be made; who decides when the inspection is going to be made; and who decides what inspector is going to go out there; and what safeguards are in place?

Now the Minister said there are two safeguards: that they're not announced — although it would seem they are in this respect — and also that the worker accompanies the Safety and Health inspector, and that may be the case. But workers aren't always quick to bring up situations such as this. Workers fear for their jobs. This has been a problem with safety throughout decades that workers are afraid to comment about safety, so that they may not say anything to the inspector yet the problem still exists. Just because they don't say it, doesn't mean that the problem doesn't exist. Yet we have a reporter — it's a by-line article, Larry Marshall, Tribune labour reporter — we have a reporter going in using direct quotes that are showing us that the situation is existing. I think it's incumbent upon the Minister then to explain the procedures by which inspections are determined and made and to outline any other safeguards that may exist, because the two he mentioned are not adequate obviously.

MR. MacMASTER: I can't say much more than I've already said and I have no intention of talking about schedules of visits here in this House, for that in itself would destroy the affect of the inspectors who have certain responsibilities in certain areas. I'd be much more than disappointed if I found out that one of our inspectors was notifying particular companies, and for the life of me, I can't think that they would want to. I would believe, I'd like to believe, and I think it's a fact that they're all pretty credible serious sensible people concerned with the very work that they are working at. And I just find it difficult to believe that inspectors within our department are notifying companies before they go there. It certainly won't be accepted if that particular situation is pinpointed to any particular person. I would suggest that employee has a problem which he might be able to handle if that was determined. I'm not sure if that does exist. It might have been frustration of somebody who made a comment. I do not believe everything that I read - in the newspapers. People get a little excited sometimes and say things, but because there is some smoke, and where there is, I suppose there is always a bit of fire, and what I'm really saying, if that really remote possibility exists, we'll keep a closer tab on our particular staff.

MR. COWAN: Mr. Chairperson, we had a problem like this in the previous year during the Estimates,

the Minister of Labour at that time indicated that unannounced inspections at Hooker Chemical — am I right? — Simplot Chemical in Brandon were creating problems. And at that time we thought there might be some change in policy and I'll have to go back through the Estimates because I don't want to take the chance on misquoting the previous Minister, but if memory serves me right, there was some indication there that unannounced visit by inspectors — in at least in that one instance — were being reviewed, and I will have opportunity to speak on that later I am certain.

But I'm not asking the Minister at this point to indicate what particular facilities, what particular workplaces are going to be investigated and give me a timetable, date-by-date, place-by-place. I'm asking for a general overview of the procedures and I don't think that should be classified information. How is the decision made to call an investigation? Is it on a regular basis; is it on a spot basis; is there a command where someone higher up says do an inspection here; or is it the individual inspector's responsibility to determine when and where investigations should be done? In the light of the allegations, and the allegations are serious, and the allegations are in black and white, it is incumbent upon the Minister to answer the questions that we're asking him in the House. And the questions are quite plain: what procedures are being followed to ensure that there is no leak of when investigations are happening? Now I have never accused the safety inspectors of leaking that information. I don't think they would. As a matter of fact, I am not accusing anybody of leaking information, Mr. Chairperson, but at times, information does flow; at times information gets out that perhaps shouldn't get out and if the safeguards aren't strong enough, that information is going to make the rounds and can result in a less efficient less effective inspection review of the workplaces in the province.

And the Minister knows full well about secrecy. He knows that for instance, the budget debate that's going to be addressed to in his House tomorrow night, that they have made certain provisions to ensure that none of that budget debate leaks out beforehand. And they are following a set pattern so that none of that budget debate leaks out beforehand, and they have determined the method by which they draw up and they review and they present the budget debate so that none of the information leaks out beforehand. I am asking them, to tie the two together. What method is there that is in effect to ensure that the schedule of inspections of different workplaces doesn't leak out before the inspections actually take place?

MR. CHAIRMAN: (a)—pass — the Honourable Member for Churchill.

MR. COWAN: Yes, when the Minister doesn't answer, I can only assume that the Minister can't answer because it does no credit to him. It is going to prolong these Estimates procedure when we get non-answers and it does no credit to him not to answer this very serious allegation. What we have is an allegation that rests on the record and has not been disputed. We are asking for a very simple sequence of events and he refuses to give it. I think that the record will speak for itself in this regard. We can only assume that there must be indeed some basis to the allegations that have been made in the public media.

I would ask the Minister to indicate to us at this point, how many refusals to work under unsafe conditions have come before the Safety and Health division this year and what the outcome of those were; how they have been dealt with by the Workplace, Safety and Health inspectors? Did they write out any orders; were there any prosecutions? How many violations of that particular section of the Act were there, etc.?

MR. MacMASTER: I'll get that answer for the member, Mr. Chairman.

MR. COWAN: Yes, I'd also ask the Minister how many Stop Work orders were issued last year and if he can tell us how many of those Stop Work orders arose out of violations that were first dealt with by improvement orders; and if he can answer us how many repeats of Stop Work orders had to be issued; Stop Work warnings resulting in Stop Work orders and then you'd have to go in and repeat the Stop Work order because nothing was done about it? And if he can indicate by industry — and I'm not asking for details here, just specifics — manufacturing, construction; the same specific sort of general areas that the Workers Compensation Report is broken down to; where most of those Stop Work orders were issued and the number of prosecutions that took place under the Act?

MR. MacMASTER: I'll attempt to have that information for this evening.

MR. CHAIRMAN: (a)—pass — the Honourable Member for Churchill.

MR. COWAN: Yes. The inspectors are responsible according to the Minister for the effective implementation of the Workplace Safety and Health Committee structure, which is integral to the whole philosophy and intent behind The Workplace Safety and Health Act. With functioning committees we take a tremendous burden off of the inspectors themselves; and by functioning committees we mean committees that are knowledgeable and that are militant — and I don't use that word in the negative sense, as is many times taken in this House, I use it in the sense that I'm certain that the Minister takes it in — that know their rights and are willing to stand up for their rights; and committees that feel a part of the whole process. I would ask the Minister therefore, how many training sessions have been held with the inspectors and the Safety and Health committees at the different locations during the previous year?

MR. MacMASTER: I have that; I'll get that for this evening too. That's three specific questions that I'll earmark and get them for him.

MR. CHAIRMAN: The Honourable Member for Logan.

MR. JENKINS: Yes, thank you, Mr. Chairman. I'd like to deal with a report here with the Minister, I refer him to page 27 of his Annual Report dealing with the Workplace Safety and Health division. And one of the questions has already been asked by the Honourable Member for Churchill, is under functions: (1) Delivers training to industries and schools on the recognition and avoidance of workplace hazards, and we'll look forward to how many of these were actually carried out last year.

I wonder if the Minister also, in the second item underneath that: it prepares and delivers training and educational materials for Safety and Health Committees. I wonder if the Minister has any examples of that that he could table in the House as to what type of materials are going out to the Safety and Health Committees of these plants, you know, if that sort of materials are available I think that members of this committee would like to hear that.

The fourth item down, it states: meets requests for information from the public; and I wonder if the Minister has any ballpark figure of how many requests we get. Is that from the general public or just what do they mean by the public? Do they mean Workplace and the Safety Health Committees in these workplaces or do they mean from the general public at large? And it also states that it monitors developments in Health and Safety fields in this province and other jurisdictions.

Since there now seems to be new levels of contamination in the lead-in-blood levels in jurisdictions across the line. Has the Minister and his division, are they becoming more knowledgeable about what is accepted as the norm, say in jurisdictions in the United States, where they seem to be dealing with certified laboratories, which is something that we don't have in the province of Manitoba, according to both the Minister of Labour and the Minister of Mines and Resources. We have two laboratories that are testing for lead-in-blood levels of contamination here in Manitoba. One is the provincial laboratory . . .

MR. MacMASTER: If I could just interrupt, Mr. Chairman, that will be I'll get into I'm trying to get under Industrial Hygiene; the answers for the other items. **MR. JENKINS:** Then if the Minister could inform us just what his report means by monitoring developments in Health and Safety fields in this province and other jurisdictions, if he could give us a brief explanation of that. And under (2), the provision of medical consultation in licensing of workers in prescribed occupations, and on Page 28, which deals with these people, it issues licences to persons working in prescribed occupations. Who would these people be, and what field of industrial safety would these people be licensed in to practice, and what would be the process of training and job skills that are required to obtain a licence as his report is stating to the House here.

Another one here, and I guess since this topic is quite current at the present time, since we've had the near nuclear disaster at — what is it? — Three Mile Island I believe it's called, in the United States. He also reviews data on personnel exposed to radiation. I wonder if the Minister could give us an expansion on that. Where in the province are these people being exposed to radiation and how many? And under (3) it monitors and

evaluates workplaces to ensure a healthy environment, and in providing this section of the division takes samples and measures of dust, fumes and gases in the workplace. When we were in the Department of Mines and Natural Resources, we found out that there were places here in Manitoba that were to monitor amounts of dust, fumes, etc., but we found out from the Minister of Mines that this was a federal responsibility. Is this a joint federal-provincial agreement, that the monitoring of dust, fumes, and that — is that being done by our department, or is it being done by a federal department? Because when we got stack emissions that were being monitored, what we understood from the Minister of Mines, the province had transferred this responsibility by agreement to the

federal inspection teams. Are we talking about the same thing here and is there under the Workplace and Safety Health Act here, and I know now I may be treading on ground that may not be our jurisdiction, but I believe it was a few years back that there was inspection being done of workplaces under the Worker Compensation Act, under places that were under federal-labour jurisdiction, places like the railway shops, Air Canada and places like that. There was some inspection. Now, the Workplace and Safety Health Act as such, in Manitoba, I imagine would not apply to these places unless there was an agreement that inspection would be carried out by an agreement between the federal and provincial jurisdictions in this case, and if the Minister could advise the Committee if there is any co-operation in this field, because I know one of the problems that we had years ago and it improved to a certain extent, but it's not improved I don't think to the extent that it should be, was that the inspection and inspectoral staff in many cases in the federal field were not even domiciled in Manitoba. They were, in many cases, in Saskatchewan or Alberta or British Columbia, and in dealing in total with all of western Canada. And with the result that inspections were not being carried out under the federal jurisdiction to the extent that they were under the provincial.

And under (4), the Minister states that there were inspections of workplaces for visible and suspected hazards, and in carrying out their function in this section of the division makes inspection of the oven workplaces — I wonder if the Minister could inform us of how many inspections were made in 1978, as compared to 1977.

With those few remarks, if the Minister has any of the answers, I'd be pleased to hear them.

MR. MacMASTER: I think I've got some of them, Mr. Chairman, maybe not them all at the moment. The Environment, the Minister responsible for Environment was correct, but there may be somewhat of a misunderstanding. The outside plants is what the federal government is responsible for. As far as the areas of federal jurisdiction — there was an agreement; the Member for Logan is quite correct, there was an agreement between the federal government and the province in relationship to inspections, and that agreement expired in December, and the federal government is now responsible for making their inspections in their jurisdiction. So, the member was quite correct that there was in fact, an agreement in place, but that agreement is no longer in place. The federal government has not renewed it with the provincial government and consequently, the federal government is responsible for those inspections.

Another question in relationship to monitoring development of Health and Safety means that we collect and review regulations and legislation of all other provinces to see where we're at, and where they're at in relationship to regulations.

It was asked how many meetings were held with Safety Committees; there was 1,603 meetings that were held in co-operation with Safety Committees throughout the previous year.

In Safety Training, there was a question about training; there was 65 seminars of one-half day or more that took place, and there was 92 in-plant training sessions that took place. There was 99 sessions in schools and colleges that took place previously.

MR. JENKINS: Yes, I wonder if the Minister could inform us of the training and educational materials that his department has, and whether he could make those available. Thank you.

And also, I believe it was under (2) where I asked the Minister — issues licences to persons working in prescribed occupations, and if the Minister could explain that, just exactly who these personnel are that this division would be licensing, what type of job skills and what type of certificates are issued? Are they yearly certificates, or what, what would be the . . . ?

MR. MacMASTER: That's under Occupational Medicine, but I can answer it now and save it there, that it's an annual licence that's given after they've had their x-rays.

MR. CHAIRMAN: (a)—pass — the Honourable Member for Churchill.

MR. COWAN: Thank you, Mr. Chairperson, just a comment on the number of things that the Minister said. When he indicated that there were 65 seminars of one-half day or more, and 92 in-plant training sessions and 99 school training sessions or seminars at schools and colleges; it seems to indicate that there is a change from the previous year in the area of number of inspections, and I would ask the Minister to outline who they're talking to in the schools and colleges? Are they going to Red River Community College, are they going to Keewatin Community College and talking to workers about Safety and Health, or are they going into the high schools and the secondary schools and the primary schools and talking to students, and if so, what are they talking about in general? Are they giving them an overview of what the department does, or are they talking about specific

of interest? And just one other question, how do the speaking engagements originate? Are they asked by the schools to come in and speak on specific subjects, or do they send out a circular saying that they are offering their services?

MR. MacMASTER: It works both ways: There's invitations from them through us, and we make them aware that we're prepared to go in; and I haven't got a breakdown of how many of each, and they are specifically talking by and large, to people that will be going into the workplace fairly shortly.

MR. COWAN: Yes, Mr. Chairperson. Well, that's an admirable policy; it's a new policy I would understand from my review of the statistics, that they are going in to give people who are shortly about . . . in their workplace, the opportunity to know the functions of the government Workplace Safety and Health division. Also, I assume they talk a bit about general safety and health within the workplace, the importance of it, items to watch out for. So, I encourage the Minister in that policy; I think it's admirable and should be enlarged upon.

At the same time, I like to be positive every once in a while, Mr. Chairperson, because sometimes I feel very negative, standing up here all the time and questioning and questioning. So, that's my positive statement, now for the bad news — it's a good news and bad news syndrome. At the same time, there seems to be a substantial drop in the number of in-plant training sessions, so that people who are already in the work force are not getting the same level of concentration of sessions that they got in previous, and were dropped from — and this material came from the Annual Reports. In '77, 155 in-plant training sessions to 92 in '78, which is a 40 percent drop. My question to the Minister is, if he can indicate why the change in policy in this regard, why have they suddenly decreased by almost half, the number of training sessions for people already in the work force?

MR. MacMASTER: I haven't got that explanation at the moment. I'll attempt to get that, Mr. Chairman.

MR. COWAN: Yes, last year, Mr. Chairperson, during the Estimates procedure, the Minister of Labour at that time indicated that every man or worker who is exposed to lead is tested every two to three months by our government people, and that the Act itself reads that it should be done every six months, but they were doing it every two or three months. My question to the Minister is, how often are the workplaces that are known or suspected to be lead contaminated inspected by Workplace Safety and Health inspectors?

MR. MacMASTER: They vary, Mr. Chairman, depending on the obvious, I suppose, where there appears to be a greater problem, there's more frequencies of inspections than there is, where there is a lesser problem.

A MEMBER: What's the very minimum?

MR. COWAN: Well, then I would ask the Minister a specific, how many times in the past year, has Canadian Bronze been inspected for lead contamination, how many times have they done lead-in-air surveys at Canadian Bronze since the beginning of '77 — in essence the past year-and-a-quarter?

MR. MacMASTER: I'll get that number, but I believe it was three or four times last year and I think it's been done at least once this year.

MR. COWAN: Yes, I would also then ask him to indicate how many times, while he's getting that information, to find out how many times the other plants that are on that list — 5 plants — have been inspected for air and lead surveys, and I also had put in an address for papers, I believe, to the Minister, for results of lead-in-air surveys that have been done; also a number of other items which I can detail out later, if necessary. But I would just ask the Minister generally if he can indicate where we are at in the process of that list being compiled and tabled in this House?

MR. MacMASTER: I'd expect it very soon, Mr. Chairman.

MR. COWAN: Yes, thank you, Mr. Chairperson. Well in that case, perhaps we could try to get it during the Estimates so that we can have some opportunity to discuss it during this process of investigating the Minister's department.

On the area of employees exercising the right to refuse, I'd asked the Minister a couple of questions earlier, and perhaps I could just clarify that and make his task a bit easier and my task a bit easier, and ask him a number of questions in fairly systematic order:

How many cases have come to the department's attention of employees exercising the right to refuse; how many were fired for that; how many were reinstated after the firing; and how many are pending; and what the process is when . . . well, perhaps he can answer that question because it's a policy question, not a detailed question? What is the process when an employee calls an inspector in and says, "I have refused to work under these conditions because I consider it to be unsafe for a, b, c, and d reasons?"

MR. MacMASTER: Mr. Chairman, if a complaint is lodged or a request for an inquiry I think, or a look, I think is as simple as we can term it, our inspectors are more than willing to go out and investigate the particular situation.

MR. CHAIRMAN: (a)—pass — the Honourable Member for Churchill.

MR. COWAN: Yes, what powers do the inspectors have at that particular juncture and are they exercising those powers? I think that's very important, because they can have powers in the legislation but if we don't have any incidence of them being exercised, then we don't really know whether that particular section of the Act is being followed in intent as well as by the letter.

MR. MacMASTER: Well I understand, and I'm going to endeavour to get the exact number, but I don't believe there's been many — very few, I think — actual refusals to work because of a particular situation. Now there may have been some that the inspector cleared up rather quickly, but I just have to say that there really hasn't been that many.

So I don't know what we have to go on as a precedent for. I'll get those numbers of those that had that particular problem during the previous year, and I'll present that this evening.

MR. COWAN: Yes, thank you, Mr. Chairperson. Well, as the Minister knows, sometimes a perfectly good piece of legislation is not having the effect that it was intended to have out in the real world because people aren't exercising the right for any number of reasons. And the Minister has indicated previously that he is dissatisfied with this particular functioning or he is satisfied with this committee, he has given us some personal opinions on some of the events . . . that are taking place within and without, but within the jurisdiction of the department.

I would just ask him then to indicate to us if he is satisfied with:

No. 1. The way the legislation is written now, the wording of it?

No. 2. Is he satisfied that it is being used adequately and that people are aware enough of it and confident enough of it to use it with that degree of confidence that is necessary to take what many times appears to be a fairly important step at the workplace for the individual worker? It is very hard to do sometimes, refuse to work, given the historical aspect of management's prerogatives. So is the Minister satisfied with the wording; are they intending to make any changes in that and a review of The Workplace Safety and Health Act, which he and the Minister previously have indicated that they're making; and is he satisfied that the workers are using it properly?

MR. MacMASTER: I'm not satisfied that all parties concerned are totally aware of everything that's been within the Act, I don't know if I'll ever be satisfied with that. That's one of the specific reasons that we're putting additional staff on to make people more aware of what the protective nature of the legislation is, and I couldn't agree more that it doesn't really matter a damn what kind of legislation you implement if people aren't made aware of the content of it, and the proper application of it, then it's superficial, it doesn't really do the job. And again I repeat, I don't know if I'll ever be satisfied. Personally, sometimes I'm a difficult person to satisfy, so the answer to the satisfaction is no, I'm not satisfied. We're putting additional people on and we've tried to be as specific as possible about the nature and types of people we're putting on and the reason for increasing the complement in this particular division this year. I really don't know how much more I can say.

MR. COWAN: Yes, well thank you. The Minister answered one-half of the question.

The other half was, is he satisfied with the drafting of the legislation; does he feel it to be effective; does he feel it to be functional; does he feel it to be easily understandable; does he feel that the workers can have confidence in the drafting of the legislation; and is this one particular aspect of the legislation that is being looked at by his Review Committee and for what purpose, if so?

MR. MacMASTER: Mr. Chairman, I haven't lived with the particular Act long enough to stand here and say that it's not workable, or that it's not working either. We have said that we're not satisfied with the education end of it and I think that's an internal thing, I don't think that has too much really to do with the legislation.

I don't plan at this moment, any major proposals for any major changes in any way, shape or form to the particular piece of legislation. I want to see during this year the Safety Committees working better; having them better informed; making sure they are better aware of the contents of the Act. I want to assure myself that the committees are functioning. The Advisory Committee is going to be advising us on the criteria of committees and suggesting to us where we should be expanding it. I think we have to get our ship in shape and I think we have to get the committees rolling a lot better, more positively, during this coming year, which is going to be one of my major requirements of the division, that that's the things that we do during this year.

So I have to say to the member that I can't specifically outline any areas that I have major concern with, but during the course of the year dealing with these committees and reviewing any problems that may arise, there may be need for changes next year.

MR. COWAN: Well this brings us back to the Safety and Health Committees which we had been discussing on Friday afternoon, I believe, before adjourning for that day. The Minister indicated at that time that there were a number of committees that weren't functioning and that there was a letter I believe that had gone out to those committees. There was no time limit, I understand from an answer he gave to the Member for Kildonan in regard to those committees becoming a functioning body, but just that there was encouragement that the inspectors would go out and follow-up on the letters and that the Minister wasn't certain when we could judge the failure or the success of that particular effort.

Is the Minister prepared to prosecute under the law if it is judged that there are companies that are still refusing, after two years, to set up safety and health committees? It is a very blunt question — I know the Minister doesn't like to lead with his right and tell people what he's intending to do. I know he likes to play his cards close to his chest and there's some value in that technique many times, but in this particular instance I think if the Minister would say, "Yes, we are going to come out and support the workers in their efforts to form these committees, and we are going to be hard on any worker or any company that does not wish to form those committees," which he has the power to do under the legislation and hasn't been done yet to my knowledge, is the Minister prepared to make that sort of definitive statement in the House so that the workers can take the lead in the workplace where they can have the most impact and be most beneficial to the whole process?

MR. CHAIRMAN: I would suggest to the Honourable Minister there are only a couple of seconds left if he wants to hold his answer until later.

Order please. The Hour being 4:30, and in accordance with Rule 19(2), I am interrupting the proceedings for Private Members' Hour and will return to Committee of Supply at 8:00 o'clock this evening. Committee rise.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: We are now under Private Members' Hour. First item of business on Mondays in Private Members' Hour is Resolutions.

First Resolution on the Order Paper is Resolution No. 13, proposed by the Honourable Member for Brandon East.

The next resolution is the resolution of the Honourable Member for Inkster, Resolution No. 1, with the Amendment proposed by the Honourable Member for Burrows. This resolution is presently open. Are you ready for the question?

RESOLUTION NO. 1 — RIGHT TO WORK (AS AMENDED)

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. I just wanted to try and bring us up to date here. We've had so many amendments to this resolution back and forth that I'm beginning to wonder just whereabouts we are, but I believe that the amendment that is before the House at the present time is the one that was moved by the Honourable Member for Burrows which states, "Let it be further resolved that this House endorses the Rand formula formulated by Mr. Justice Rand of the Supreme Court of Canada and other freely negotiated forms of union security."

We then had the Minister of Labour making a few brief remarks and moving further, which you, Mr. Speaker, have ruled out of order, that this amendment be further amended by adding thereto the following, "That this House endorses a principle of checkoff of union dues as prescribed under Section . . ."

MR. SPEAKER: May I point out to the honourable member that that subamendment was ruled out of order.

MR. JENKINS: Yes, I realize, Mr. Speaker, that that is — but just to get the thing in perspective here, what we are dealing with. The Minister had proposed that the following be added: "That this House endorses a principle of checkoff of union dues as prescribed under Section 68 of The Labour Relations Act and other forms of freely negotiated union security." And it was pointed out by the Member for Inkster that this amendment should be considered to be out of order and you, in due course, Mr. Speaker, did rule the motion out of order. I want to say to the members and especially to the members of the Conservative back bench and other members of the Conservative Party that the proposed amendment that the honourable member, the Minister of Labour, proposed to this House was practically identical to the one that was moved by the Member for Burrows. If the Minister's motion had been on the floor, and I'm sure that the Conservative Party would have supported it, I want to point out to them now that they're voting for the same thing, that they are voting for the Rand formula which was introduced by Justice Rand some, I guess, thirty odd years ago. At least.

And also the agreements that have been concluded by freely negotiated collective bargaining, whereby if the bargaining unit and the employing agency decide that they will have a union shop, that will be there by their collective agreement. If they decide they want a closed shop, it will be there by virtue of that agreement. And the Minister pointed out in his proposed amendment, other freely negotiated union security. There's nothing within the present Labour Relations Act of Manitoba — I want to point this out very clearly to the members of the government, especially to the rural members of the government, because they seem to be the ones who are most anxious to see Right To Work legislation, or just the right to work be the motion that eventually passes this Chamber.

There's nothing within the Labour Relations Act that says "Closed shop" or "Union shop" shall be there. But there's nothing within the Act that prohibits an employer and his employees, through collective negotiations, to come to such an agreement. What the people who are advocating Right To Work, as we said the other day, I believe, when I spoke in response to the Minister introducing his Estimates in the Department of Labour, that the best advice I could give to the Minister was to try and remain as independent as possible, from both sides of the collective bargaining process, to hold himself as independent as possible. But if we get members of the Conservative back bench and members of the Treasury Bench who are going to force the Minister to bring in Right To Work legislation, then I can assure you, you are not remaining independent, because there's nowhere, as far as I am concerned, in the whole country, where we have legislation that prohibits the employer and his employees, through the collective bargaining process, from deciding freely that they will have either a closed shop or a union shop, or even an open shop, which is perhaps maybe what some of the members on the other side want, which is the open shop.

But that process is left to those people who are dealing in the day-to-day activities of the workplace where these people work and where they work for an employer. And so I want to make it very clear to the members on the other side that if you get up and vote and you vote against this resolution, then you are going to be very bluntly and plainly voting against what your own Minister of Labour, if his amendment had been in order, is absolutely saying, because the two motions are practically identical. Section 68(1) says that there shall be a compulsory checkoff, and where there is no agreement, and I think the Member for Inkster dealt with that in his opening remarks, that was one of the things that he thought was perhaps something that we maybe went a little too far on. And sometimes maybe I think that there is something to be said for that, because I think when people get involved in a compulsory checkoff there is some bad features to that.

But I think if an employer and his employees have come to an agreement that there shall be a closed shop or a union shop, that is their business. And for those who do not wish to work under those conditions, there are other places, many other places where they can be employed. It becomes a condition of employment to work in that place. If it's a closed shop you have to have a union card with the union that is there. If it's a union shop you are given a certain length of time when you become employed in that place, and you know it is a condition of employment; you go there with your eyes wide open and you say, well sure, as a condition of employment here, after a period of time, it might be a month, six weeks, maybe even three months, depending on what the probationary period may be for the employer. It may be a three-month probationary period for

hiring onto the permanent work force is the employer's set of conditions that he sets down, then I would say that in most cases it probably will be three months, and after three months then you are considered. You must — this is not talking with checkoff — you must then become a member of that union to continue in employment.

I know that there are people who are going to say, "Well, this is terrible. It doesn't happen anywhere else." Well, I don't know how many people a few months ago, or maybe it's not even that long, but on the ballot paper in the state of Missouri, they had the option of voting for a closed shop or the right to work, or it was not the closed shop, but for the right to work. That amendment was defeated decisively by the people, and I don't know how many people have watched 60 Minutes, which is a fairly good program that comes on. But this article was commenting on two people pro and con on the right to work. One was a Mr. James J. Kilpatrick, and if I might just quote, this is republished from the Retail Clerks Advocate, and I imagine they had the transcript. But it says, "Every so often, among the babble of words that come and go on national television, there are rare moments of truth and light. Such a moment occurred recently on the popular 60 Minutes show, when Shaina Alexander took the anti-union views of columnist James J. Kilpatrick. Considering the climate of anti-unionism rampant these days, and our hats are off to Shaina Alexander for putting the case in support of trade unionism so neatly, and here is a transcript. This is what Mr. Kilpatrick said: 'The cause of the Right To Work took a setback in Missouri on election day, Shaina, but the issues won't go away. For the issue is human freedom, and that's the only issue. Should working men and women be compelled against their will . . .'"

MR. SPEAKER: I realize we have allowed a lot of latitude in this debate, and I realize the difficulties that we have in trying to confine our remarks to the subject matter before us, which is the amendment proposed by the Honourable Member for Burrows, and I hope that we try and control our remarks purely to the proposal put forward by the Honourable Member for Burrows. I have allowed a lot of latitude in the past and I probably will allow a fair degree to continue, but I hope the members do make an honest effort to confine their remarks to the amendment, the proposal put forward by the Honourable Member for Burrows. The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. That is exactly what I am trying to do. I'm trying to point out to you the two opposing views that seem to be held in this House. And if I may be allowed to continue, I shall try and condense it a bit if I have to. But it goes — and this is the basis of the argument of the members opposite. This is what Mr. Kilpatrick says, "Should working men and women be compelled against their will to become members of a labour union or lose their jobs . . ." —(Interjection)— Absolutely. That's within what we have in the amendment. "In a shop employing 100 persons, should 51 of them have the power with the connivance of management to dragoon the other 49 into compulsory membership? Don't tell me about the union shop. Until Mill Buckley and the National Right to Work Legal Foundation went to court, I was compelled to be a member in good standing of the American Federation of Television and Radio Artists or get fired from 60 Minutes. I no longer have to be a member, subject to fines or expulsions for conduct detrimental to the union, but I still have to pay extortion in the form of dues. I get no services or benefits I ever asked for. Now you may argue that non-union workers become free riders. Humbug. They are captive passengers. Well, Shaina, I like the system of voluntarism in private life; live and let live. Join or don't join. I've always thought that kind of freedom is what America is all about."

Now in rebuttal, Ms. Alexander said, "All baloney, Jack. Every word. Right to work means really the right to freeloader. Ever since the Taft-Hartley Act in 1947 workers have been protected against discharge for non-membership in unions as long as they pay their dues and initiation fees. A so-called Right To Work law would enable workers to get their benefits without the payment. That the real purpose is to weaken unions. You're wrong when you say that until the Buckley decision you had to be a member in good standing of our union or get fired. As long as you paid your dues you could even scab during a strike." And I know what my friend from Flin Flon thinks of scabs. "And the union couldn't force 60 Minutes or any other TV show to fire you. Old Bill Buckley is up to his usual dirty tricks with the English language and you're right in with them there Jack, neck deep. About 51 percent? More baloney. Taft-Hartley says that if the majority of the employees want a union, the union represents everybody. That ain't dragooning, that's democracy. And if the majority votes for Jimmy Carter," and I might say if they vote for Joe Clark, he represents everybody too. "And the Army and the Navy protects everybody, and everybody's got to pay taxes." And as she said, "Even the 49 percent who voted for Gerald Ford," and whatever the figures will be here in Canada come May 22nd.

So we have to pay our taxes. It's a democratic system. And the fact that I may not agree with Mr. Clark or Mr. Trudeau or our First Minister, I still have to pay the taxes, and that's the way

it works. That's the way it works in the workplace.

So if we're going to have democracy, and have democracy as it works, then I say to you people, if you believe in the democratic system, then I think you should get up and vote for this Resolution, and with this amendment. And if you're not prepared to do so — and you know, it was very interesting. It's too bad that the Minister of Highways isn't here, because when the Resolution was first introduced by the Member for Inkster, on Page 925, the Minister of Highways said, and I quote, "Well, Mr. Speaker, . . ."

MR. SPEAKER: Order please. May I suggest to the honourable member that we are dealing with the Amendment and not with the Resolution.

MR. JENKINS: Thank you, Mr. Speaker, I'll shorten it then. The Minister said at that time that he would vote for the motion as it was. That was the nub of what he said. He said that the Member for Inkster was trying to trick him, but he wasn't going to be fooled by that trickery. He was going to vote for the Resolution as it was. And I can assure you, Mr. Speaker, if you review the votes that we have taken on this issue, that the Minister of Highways has voted for every progressive move that has been moved in this Chamber. And so his record is on there.

I know we have to believe honourable members and ministers when they get up in their place and state something in this House, but I am going to be very loathe to believe anything that the Minister of Highways is going to say in the future. —(Interjections)—

MR. SPEAKER: Are you ready for the question? The Honourable Member for St. Matthews.

MR. LEN DOMINO: Mr. Speaker, I can't support this Amendment. The members opposite express shock. —(Interjections)— This Amendment asks the House, it says, to be exact, "Be it therefore resolved that this House endorse the Rand Formula formulated by Justice Rand of the Supreme Court of Canada", etc.

I don't think it's necessary that this House endorse or accept an Amendment of this sort. The Minister of Labour, when it was first introduced, appeared reluctant to support it. I wouldn't support it, and I can see why he was reluctant. Because I don't think the Rand Formula is valid here in Manitoba.

The Rand Formula was written, the judgment was written for a specific purpose at a specific time. It was written in 1946 to cover a contract between the Ford Motor Company and their striking union. There are all sorts of references in that formula to the Province of Ontario, specifics about the company and the union. I don't think it is at all valid right here, today, in Manitoba.

Mr. Speaker, there are other problems with the Rand Formula, and I don't know when the last time the Member for Inkster has read this actual judgment, but I took the time to find a copy of it and read it. And there are other things in here besides the fact that it was written for a different situation 30 years ago — 30 years plus ago. Also included in this Rand Formula, there are provisions to control the unions' ability to strike, there are provisions to control the unions' ability to respond to wildcat strikes . . . —(Interjection)—

A MEMBER: Do you believe in the right to fight?

MR. DOMINO: Well, we'll get to that. Inside this Rand Formula, Chief Justice Rand in his judgment talked about what would happen if the union called, or if it was a wildcat strike. He sets out in here fines, compulsory fines for people who strike without legal authorization. The Rand Formula also states that before a union can enter into a strike, they have to have a secret ballot, supervised by the provincial authorities. We don't have that in Manitoba.

I don't think it's necessary to have that in Manitoba, either, because most of the unionists I've met, and most of the unions I know, act very responsibly. To be exact, I'm often embarrassed when politicians bait unions needlessly. I think we can trust our unions to operate legally, safely and honestly, for the betterment of their own members. There are times when a union will find a conflict between the public interest and the interest of its members. In that case, I say it may be necessary for the government to step in especially if the union has an unfair advantage, or has developed a position of strength.

So I don't think strikes are always okay, but generally speaking, yes. I would be very very reluctant, ever, to move against a strike, or to interfere in the free collective bargaining process. But I do accept there are times . . . I wasn't prepared to see the police go on strike, personally, and I don't think you were, either. I don't think it's a fair contest between the City of Winnipeg Police Department and the people of Manitoba; the old people of Manitoba, the defenseless people of Manitoba. That's not a fair struggle. The government has to step in to redress it. Those people have to learn to

solve their problems outside the usual collective bargaining process.

A MEMBER: They realize that.

MR. DOMINO: But let's talk more about the Rand Formula. I don't want those provisions — those provisions are part of the Rand Formula — Page 9 to be exact. —(Interjections)—

A MEMBER: They haven't read it yet.

MR. DOMINO: But, Mr. Speaker, the Minister of Labour said, I don't think they've read it for a long time, it's an old document. Mr. Speaker, the Minister of Labour tried to get up in this House, and put on record what he did believe in. But, because he was ruled technically out of order, it was impossible for him to do that.

I am proposing today to move a resolution, an amendment to the Resolution, which will allow our party to state exactly what we do believe. So, Mr. Speaker, I would like to propose a motion, seconded by the Member for Pembina, that the proposed Amendment be further amended by deleting all the words after the words "endorses therein" and substituting therefor the words "the principle of checkoff of union dues as prescribed under Section 68 of The Labour Relations Act, and other forms of freely negotiated union security."

MR. SPEAKER: Order please. I ask the indulgence of the House to take this matter under advisement.

We will proceed with the next resolution. Is there a consensus among the members to call it 5:30? The hour is then 5:30. The Honourable Government House Leader.

MR. JORGENSEN: I move, seconded by the Minister of Tourism, that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:30 tomorrow afternoon (Tuesday).

Committees will meet tonight at 8:00 o'clock in Room 254, and in the Chamber.