

Questions

exercise of such powers by any rulings or instructions issued by the National Board and any decision, order or direction of any regional board shall be in accordance with such rulings or instructions.

(4) Where with respect to any matter the opinion of a regional board is divided in respect of the interpretation or application of the order or of any ruling or instruction of the National Board or where in any case in the opinion of a regional board there is doubt in respect thereof, the regional board shall not make any decision or give any order or direction with respect to such matter or in such case until the regional board has referred such question of interpretation or application to the National Board.

Procedure

12. Any application by any employer or employers or any employee or employees or any association of employers or of employees requesting any board

- (a) to prescribe increased wage rates; or
- (b) to defer payment of any bonus for any period or to adjust the amount of any bonus; or
- (c) to determine any dispute as to whether a bonus is payable or the amount of any bonus; or
- (d) to exempt any employer from payment, in whole or in part, of the bonus;

shall be required to be submitted in writing.

13. (1) Any application in respect of a national employer shall be referred to the National Board and any application in respect of an employer other than a national employer shall be referred to the regional board for the region in which such employer carries on business.

(2) The National Board or any regional board to which an application is referred shall give notice in such manner, as, in the circumstances, it deems sufficient to any person, firm, corporation or association having an immediate interest in the matter in respect of which such application is made and shall give an opportunity for representations to be made by or on behalf of every such person with regard thereto.

(3) The National Board or any regional board to which an application is referred shall make such inquiries and investigations into the matter in respect of which such application is made as it deems necessary for the proper disposal thereof.

General

14. (1) Any regional board to which notice is given of the modification of any labour agreement inconsistent with the provisions of the order to bring it into conformity therewith or to which notice is given of the suspension of any other condition of work suspended in the interest of war production shall send such notice to the National Board.

(2) The National Board shall keep a record of all such notices and of all notices of a like nature sent directly to the National Board.

15. All meetings, records, deliberations and discussions of the National Board or the executive committee or of any regional board shall be confidential and shall not be disclosed unless such disclosure is authorized by the National Board or the executive committee or by the

[Mr. Mitchell.]

regional board, respectively, and any such disclosure shall be made by the chairman of the National Board or in his absence such person as he designates for such purpose or by the chairman of the regional board or in his absence such person as he designates for such purpose.

16. Subject to the approval of the Minister of Labour the National Board may from time to time amend these bylaws.

National War Labour Board

To Chairmen and Chief Executive Officers
Regional War Labour Boards.

Administrative Procedure Letter No. 4

Re: Giving notice of applications and hearings, recording of decisions, etc.

A. Notice of Application:

1. Application in writing received. If the material in support of the application is not complete, an opportunity to complete it should be given to the applicant.

2. If application is accompanied by a consent by or on behalf of all parties having any immediate interest in it no notice need be given.

3. If application is not accompanied by such a consent, the chief executive officer of the board to whom application is made shall give notice as follows:

(a) if the application is made by the employer, to all employees having any immediate interest in it either individually or by posting a form of notice (draft form attached) in the office, plant or works of the employer. The employer may be directed to post such notice for such period and in such manner as the board directs and to furnish proof of the posting;

(b) if the application is made by or on behalf of all employees having any immediate interest in it, to the employer;

(c) if the application is by some but not all employees having any immediate interest in it, to the employer and the other employees who have any immediate interest in it.

4. In the event that the working conditions in respect of which applications are made are covered by a collective agreement, it will be sufficient if notice to the employees is given to the signatories on their behalf of the collective agreement.

5. Upon receipt of an application, the chief executive officer will analyse all material submitted with the application and all representations, if any, made in respect thereof and if necessary request further material and make an investigation. A summarized analysis of all material will then be submitted to the board together with any suggestions of the chief executive officer.

B. Notice of Hearing:

If the board considers it necessary, for the proper determination of the questions submitted in the application, to hold a hearing, notice of the holding of the hearing shall be given in the same manner as that outlined in the case of notices of applications and shall state the time and place of the hearing, together with the order of the appearance of the parties, if necessary.