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DECISIONS OF COURTS AFFECTING LABOR IN 1915.

Legislatures write laws, but until the courts have interpreted them the real effect is often uncertain. The Bureau of Labor Statistics of the United States Department of Labor annually prints not only the labor laws enacted in the country as a whole but also a careful selection of the decisions of the various courts of superior rank showing the application of such laws to concrete cases. Important decisions under the common law are given as well, the annual bulletin of the bureau on the subject thus affording a valuable work of reference in its field.

The volume covering the year 1915 has just appeared as Bulletin 189 of the bureau, and presents in condensed form the salient points in some 270 cases. As heretofore, a summary statement of the facts in each case is given, followed by quotations embodying the vital points of the decision, the volume being prefaced by a review of the cases considered, indicating the effect of the rulings of the courts. Aliens and armed guards for work places, employers' liability and workmen's compensation, boycotts, blacklists, strikes, and injunctions, the rights of members of trade-unions to resist expulsion from membership, wage payments, and work time - these and almost every other incident of the employment relation are touched upon in one or several cases.

Most numerous are decisions relating to workmen's compensation, the scope and effect of this new type of law being not yet fixed with sufficient clearness to preclude a considerable amount of litigation. However, this represents but a small fraction of the number of cases settled under these acts, many adjustments taking place almost automatically. Some attacks were again made last year on the constitutionality of such laws, but none was successful. An interesting point discussed is as to the application of the law of a State to cases of employees injured in interstate commerce. The Federal liability law applies where the employer is negligent, and the Illinois courts hold this to be the full measure of the employer's liability; while the courts of New York and New Jersey take the position that the State can add a duty to compensate cases where there is no negligence, requiring the employer to make payments under the State law.

Likewise diverse are the rulings as to whether injuries received outside the State can be compensated for under the State law, courts of New York, New Jersey, and Connecticut making awards in such cases, while those of Massachusetts hold the contrary. Questions of the inclusion or exclusion of diseases incurred by reason of occupation also cause diverse opinion in the different States, even where the terms of the acts are practically identical.

As in all recent years (since the enactment of the Federal law of 1908), the question of what employees on railroads are engaged in interstate commerce, and therefore entitled to sue under the Federal liability law, gives rise to many difficulties, and the rulings continue to be far from harmonious, though clarifying decisions have been rendered by the Supreme Court of the United States. The same is true of the hours of service and safety appliance acts of Congress applicable to railroads, under which several decisions appear.

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