

APPENDIX No. 4

Prof. SKELTON.—But it does not say whether the current hour rate or the current day rate.

Mr. SMITH.—I think that the provision with regard to wages presents a possibility of operating against this Bill. If a contract was entered into by the government on the basis of an eight-hour day law while the wages paid for private work were on the basis of a ten-hour day, that would mean a reduction of the rate paid on public work. In the New York State law they have provided against such a possibility by enacting that a man employed for eight hours shall have the same wages as a man who is employed for ten hours on private work.

Prof. SKELTON.—The language certainly should be made explicit as to whether it applies to the hour or the day.

By Mr. Staples:

Q. In connection with data that you have now in your possession, did you discover whether or not, when a Bill was before the legislature, an effort was made to include farm labourers or agricultural labourers, and if so what representations that element made to the committee considering the measure?—A. As far as I remember, although I did not look up the point definitely, it was almost unanimously agreed that the exception should be made. I think there was practically no effort made to have the law include farm labour. However, I shall look the matter up, and if I find to the contrary, I will report the fact to you on my next appearance before the committee. Now let us resume the consideration of the New York law. (Reads):

“The contract for such public work hereafter made shall contain a provision that the same shall be void and of no effect unless the person or corporation making or performing the same shall comply with the provisions of this section; and no such person or corporation shall be entitled to receive any sum nor shall any officer, agent or employee of the state or of a municipal corporation pay the same or authorize the payments from the funds under his charge or control to any such person or corporation for work done upon any contract, which in its form or manner of performance violates the provision of this section, but nothing in this section shall be construed to apply to persons regularly employed in state institutions, or to engineers, electricians and elevator men in the departments of public buildings during the annual session of the legislature, nor to the construction, maintenance and repairs of highways outside of the limits of cities and villages.”

In this connection, Mr. Chairman, partly because the hours of labour in the country were considerably longer—it was thought that it was undesirable to have the hours of labour of men employed through the state on country roads, as short as elsewhere, so that an exception was made in view of the effect on farm labour.

The CHAIRMAN.—Mr. Smith, is the point you made, that by the inclusion of the wages' clause in the Bill it would have the effect of requiring the government contracts to be paid for at a rate per hour that was existing in the state?

Mr. SMITH.—At the rate per day existing in the states.

The CHAIRMAN.—That is your view of the effect of the clause?

Mr. SMITH.—Yes, that unless you make provision as they have done in New York; and it is evidently the intention of the Act to provide that the current wages in the district based on ten hours a day shall be the same wages for an eight-hour day.

By the Chairman:

Q. Was the question discussed, Prof. Skelton, as to whether by the current rate they meant the rate per hour or per day?—A. In New York State?

Q. Yes.—A. Yes, they explicitly stated the rate per day, and if such a Bill as this were to pass and the fair wages' law remained in its present form, it would be very ambiguous as to whether the current rate of wages should be understood as the rate per hour or the rate per day. It should be made more explicit which is intended.