

Investigation Act was brought to a head when it was undertaken to reduce wages before a board had sat on the controversy and had filed its award. As the result of some correspondence and negotiation in the matter the employers agreed to await the orderly consideration of the controversy involved by a board of investigation, and the filing of the award, before taking advantage of their right to change the wage schedule. There is another important thing in section 57: It is proposed to place clearly upon one of the parties to the dispute the onus or responsibility of applying for the board of investigation. In many cases in the past the employer and the employee have waited for the other to move, the one expecting that the other was going to ask for a board of investigation, neither party accepting it as their responsibility to make the necessary application. It seems as though—in the general orderly process that, I think, Canada requires in the conduct of relations between employers and workmen—the responsibility for making the application should rest somewhere. We are trying, in section 57, to define where that responsibility shall rest and to indicate to either the employer or the employee, as the case may be, that it is his responsibility under the law to make the necessary application for the board.

Mr. BOYS: Is there any compulsory feature in connection with this proposed amendment? I do not quite see what change is brought about by it. One of the parties must make application under the existing law and will not that be the same under the amendment? Unfortunately, I have not the act itself here, and without it it is very difficult to follow these proceedings.

Mr. MURDOCK: If my hon. friend will look through the bill he will see that the new words, which it is proposed to include, in section 57, are set out in italics. It is placed on the page opposite that in which the text of the proposed Bill No. 84 appears. There is the entire language of the section.

Mr. GUTHRIE: I am not quite clear as to the meaning of the word "desired." Will the minister explain that fully?

Mr. MURDOCK: I am quite sure my hon. friend for South Wellington will agree that an employer might indicate his intention to change a particular wage rate, either by reducing it or increasing it, as and of a certain date, but an employee can only indicate a desire for an increased wage rate, or changed conditions, as of a certain date, and it seems

[Mr. Murdock.]

as though there is a very proper distinction between the intention of the employer to change wage rates and the expressed desire of the employee for changed wage rates, and that is the distinction which we propose to recognize.

Mr. BOYS: I read the bill hurriedly and when I first spoke I did not notice that section 57 was quoted on the opposite page. The language is—

The application for the appointment of a board shall be made by the employers or the employees proposing the change in wages or hours.

Has that always been done? One party had to make the application, so far as I know the law.

Mr. MURDOCK: I only wish to say that my hon. friend's understanding was right, but unfortunately we have not found it so. I could give many concrete examples to indicate to my hon. friend that both sides have just simply marked time and done nothing, or as some would say glared at each other, and passed the buck, indicating it was the other fellow's turn to move, and nothing was done until there was a strike. That is not right, and both could state with some degree of accuracy under the law, that it was not their turn to move. There was no specific or special obligation placed upon them to take action. In other words, the employees have said that the employer should set the example, and the employer generally said "The employees are the most concerned, and they should make the application for the board." My hon. friend may be interested in knowing that by far the largest number of applications that have been made for boards have been made by employees and not by employers.

Mr. BOYS: I think the minister misunderstood what I meant. All I said was that, so far as the law was concerned at present, the application for a board must be made by one of the affected parties. As far as I can read this amendment, that is so. All the bill says is that:

The application for the appointment of a board shall be made by the employers or employees proposing the change in wages or hours.

Suppose they do not make it, what will happen?

Mr. MURDOCK: If they do not make it, we will be in very much the same position as we have been in the past.

Mr. BOYS: Exactly.

Mr. MURDOCK: In answer to my hon. friend as to what will happen then, I cannot