

EXCHANGE OF NOTES (NOVEMBER 2 AND 4, 1942) BETWEEN
CANADA AND THE UNITED STATES OF AMERICA RECORDING
AN AGREEMENT RESPECTING WORKMEN'S COMPENSATION
AND UNEMPLOYMENT INSURANCE IN CONNECTION WITH THE
CONSTRUCTION OF THE MILITARY HIGHWAY TO ALASKA
AND OTHER UNITED STATES PROJECTS IN CANADA

I

The United States Minister to Canada
to the Secretary of State for External Affairs of Canada

LEGATION OF THE UNITED STATES OF AMERICA

No. 785

OTTAWA, November 2, 1942.

SIR:

I have the honor to refer to the discussions which took place in Ottawa June 3 and 4, 1942, between representatives of my Government and representatives of the Canadian Government regarding workmen's compensation and unemployment insurance in connection with the construction of the military highway to Alaska and other American projects in Canada.

It is the understanding of my Government that, as a result of these discussions, it has been agreed:

A-(1) that American contractors engaged upon the construction of the military highway to Alaska as well as upon or in connection with all other current and future projects of the United States in Canada undertaken pursuant to agreement between the two Governments, shall normally employ only employees whose original contract of employment is made outside Canada and who have not been ordinarily resident in Canada in the three months prior to such original contract. These employees are hereinafter designated as American employees;

(2) that it is, however, recognized that in some instances employees ordinarily resident in Canada have already been employed by American contractors engaged on projects to which this note applies and that in some special cases it may be necessary for American contractors to be permitted to engage employees ordinarily resident in Canada; but that in such cases it is agreed that the employees will be secured through the Canadian Employment Service;

(3) that American contractors engaged on projects to which this note applies shall not in respect of their American employees be subject to Canadian laws or regulations, whether federal or provincial, governing wage rates, hours of labor and conditions of work;

(4) that American contractors engaged upon projects to which this note applies shall not be subject in respect of their American employees to Canadian workmen's compensation laws and regulations, whether federal or provincial, but shall be subject in respect of such American employees to the provisions of the Longshoremen's and Harbour Workers' Compensation Act of the United States as amended by Public Law No. 208, 77th Congress;