

Unemployment Insurance

Another one comes from the Canadian Full Fashioned Hosiery Workers' Association, in reference to the same clause. They say:

The real joker, as far as the workers are concerned, however, is that provision which disqualifies the worker from any benefits: loss of job for "misconduct" or participation in a labour dispute. It is probably all right for Mr. McLarty to state that "union activity" is not "misconduct" but his employer friends do not agree with him. Last week, after the settlement of the celanese strike in Drummondville 150 workers who took a leading part in this historic struggle were discharged. Some were even given notices informing them that they were being dismissed for union activity.

There is another one from the National Union of Domestic and Industrial Gas Workers, to the same effect:

There are other aspects to the present proposals which we are very much opposed to. In the first place the provision that an employee dismissed because of a labour dispute, should be ineligible for benefits.

Therefore, Mr. Chairman, I wish to move an amendment:

That in paragraph (a) of section 43, in line 29, after the word "continues" the following words shall be struck out:

"and shall not apply in any case in which the insured person proves

(i) that he is not participating in, or financing or directly interested in the labour dispute which caused the stoppage of work, and

(ii) that he does not belong to a grade or class of workers of which immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage is taking place any of whom are participating in or financing or directly interested in the dispute,"

I am sorry I have not a copy of the amendment at the present moment.

Mr. McLARTY: Shall the section stand? I very much regret this amendment. The provision is identical with that in the British act ever since the British act started. It is a section which was considered carefully in the committee, and one who has a right to say that he represents labour, the president of the Canadian Trades and Labour Congress, Mr. Tom Moore, approved it. We heard representatives from the major trade unions of Canada; they all approved it. It has the approbation of labour, and I think if the hon. member for North Battleford will give consideration to the matter she will realize that, instead of extending the rights of labour, she is taking them away. I appeal to the hon. member to give serious consideration to the amendment she proposes, because rather than adding to the rights of labour, my belief is that it would take them away.

[Mrs. Nielsen.]

Mr. HANSON (York-Sunbury): Would the minister say that the proposal of the hon. member for North Battleford would be in effect a premium on striking? Would that be the effect of it?

Mr. McLARTY: I would not want to go so far as definitely to answer yes until I see a copy of the amendment. But I think to amend this section would be most inadvisable. It is one that has stood the test in Great Britain for many years; it is identical with the section in the 1935 act; it was referred to in the special committee by representatives of labour, who said, "We are being somewhat generous perhaps but we believe we should be." I think it would be a grave mistake for any amendment to be made to section 43.

Section 43 stands.

Section 44 agreed to.

On section 45—Period of disqualification limited in certain cases.

Mr. MacNICOL: The word "umpire" has appeared several times, but I have not seen how it is defined.

Mr. McLARTY: It is defined later on, in section 52.

Mr. HANSON (York-Sunbury): It is not in the interpretation section?

Mr. McLARTY: No.

Section agreed to.

Sections 46 and 47 agreed to.

On section 48—Commission or umpire may revise decision.

Mr. MACKENZIE (Vancouver Centre): I direct attention of hon. members to line 29; after the word "him" insert the word "respectively." I so move.

The CHAIRMAN: The last line will then read:

... decision given by it or him respectively. . . .

Amendment agreed to.

Section as amended agreed to.

Section 49 agreed to.

On section 50—Regard to nature of work of insured person.

Mr. HANSON (York-Sunbury): Will the minister explain the operation of this section?

Mr. McLARTY: This refers to a person who is in a particular category in a particular industry; for instance, the secretary of some