

Mr. Shaw moved that the said clause be amended by adding thereto the following new subclause:

(2) No person wilfully breaks a contract within the meaning of subsection (1) by reason only that

(a) being the employee of an employer, he stops work as a result of the failure of his employer and himself to agree upon any matter relating to his employment, or

(b) being a member of an organization of employees formed for the purpose of regulating relations between employers and employees, he stops work as a result of the failure of the employer and a bargaining agent acting on behalf of the organization to agree upon any matter relating to the employment of members of the organization, if, before the stoppage of work occurs, all steps provided or contemplated by law have been taken through negotiation, collective bargaining, conciliation and arbitration.

In amendment to the proposed amendment of Mr. Shaw, Mr. Noseworthy moved that the four last lines of the amendment, namely,

If, before the stoppage of work occurs, all steps provided or contemplated by law have been taken through negotiation, collective bargaining, conciliation and arbitration.

be deleted.

And the question having been put on the proposed sub-amendment of Mr. Noseworthy it was, on a show of hands, resolved in the negative on the following division: Yeas, 3; Nays, 4.

And the question having been put on the proposed amendment of Mr. Shaw it was, on a show of hands, resolved in the affirmative on the following division: Yeas, 4; Nays, 3.

Mr. Cannon moved that clause 365, as amended, be adopted.

And the question having been put on the motion of Mr. Cannon it was, on a show of hands, resolved in the affirmative on the following division: Yeas, 4; Nays, 3.

Clause 365 as amended was passed.

The Committee considered Clause 366.

And the discussion on Clause 366 still continuing, the said discussion was adjourned to the next sitting.

At 3.15 o'clock p.m., the Committee adjourned to meet again at 11.30 o'clock a.m., Thursday, April 30, 1953.

THURSDAY, April 30, 1953.

The Committee met at 11.30 o'clock a.m. The Chairman, Mr. Don. F. Brown, presided.

*Members present:* Messrs. Brown (*Essex West*), Browne (*St. John's West*), Cameron, Cardin, Crestohl, Gauthier (*Lac St. Jean*), Garson, Henderson, Huffman, MacInnis, MacNaught, Macnaughton, Montgomery, Noseworthy, Robichaud and Shaw.

*In attendance:* Mr. A. A. Moffat, Q.C., and Mr. A. J. MacLeod, Senior Advisory Counsel, Department of Justice.