

*Unemployment Insurance Act*

people, are bound to err, especially when the terms of the act are such as would tend to bring about that natural result. I was not quoting facts relative to a specific case; I took a case which was generally typical of conditions which have aroused the ill-will, shall I say, of a particular labour organization, the brotherhood of maintenance of way employees. I suggested that it surely could not be argued that the spirit of this act is being followed when an individual who has been employed in a position which enabled him to be home every night to look after his aged wife and aged sister-in-law, a position which paid him \$6.75 a day, should now be obliged to leave his home and travel sixty miles to take a job in the kitchen of a mining camp, peeling potatoes and washing dishes, for \$80 a month and board, more particularly when it would become necessary to hire someone at a minimum of \$2 a day and board to look after his dependents at home. That is a situation which has developed under the act, a situation which has led the assistant general chairman of the brotherhood of maintenance of way employees to state:

... I feel that labour should not be required to accept such a decision as given in this case, without lodging a strong protest in the highest quarters and the arbitrary powers of the umpire, if not used with discretion and a sense of fair play towards labour, should be curtailed.

That is the feeling of the assistant general chairman. It might also be of interest to note that they say a rank injustice has been done not only to the individual or individuals but to those dependent upon them, and in this communication they refer constantly to a strong feeling of resentment which has developed at what they call these arbitrary tactics. Possibly that expression is rather strong. I want to emphasize that I think the men who are administering the act are endeavouring to do a good job, but I wonder if they are plagued by directives which countermand their desires, so that generally they are placed in an unfortunate position, as a result of which their actions under the act may take on the appearance of arbitrary action.

Then, of course, they go on to point out that surely the welfare of the workingman should be taken into account, and in fact they say it should be the primary object under the act. They say the maintenance of way employees have been aroused wherever this case has been discussed.

The point I want to make is this. During the consideration in committee on the bill which will follow this resolution, I hope that more than merely passing consideration will

[Mr. Shaw.]

be given to the sections relating to eligibility under this act, and that we may find out whether or not this situation, which evidently prevails in certain parts of Canada, is general across the country. I have not desired to be critical in what I have said, but I think the duty rests upon us to remove conditions which result in cases of this kind.

May I point out that under the act this case was carried right to the top so far as the act goes; it was carried to the umpire; and, so far as the employee is concerned, he is finished at that point. But I fancy the minister, if he were so disposed could assess the facts of a case like this and, if he finds that a rank injustice has been done, he can take the necessary action to render justice to this poor old fellow, who believed that he had complied with all the regulations, and who, I believe, did and who certainly deserves better consideration than to be told to go out washing dishes, even though there is a difference of some hundreds of dollars a month in the rate of pay.

Mr. T. L. CHURCH (Broadview): Mr. Speaker, I wish to give general support to this resolution. When I first came to parliament I introduced on the first or second day a motion in the house, along with the then member for Winnipeg North Centre, Mr. Woodsworth, in favour of unemployment insurance and old age pensions. I happened to be the president of the Union of Canadian Municipalities when we were urging this thing in the early 1920's and before. We had hundreds of employees in the various departments in the city of Toronto, with a payroll running into millions of dollars. Some of them went to the first war and afterwards returned to their old positions in the city's service. Then we had the school board, public utilities, the harbour board, and hydro, and later on, the transportation commission, all with a large number of employees and a big payroll.

Before the present government introduced the Unemployment Insurance Act in 1940, some of the municipalities in Ontario went to Queen's Park, Mr. Hepburn then being premier, and we were told that under the municipal act we could not legally pay our employees on retirement \$12 a week, and were recommended to come to Ottawa. The result was that this act was introduced, and it has been a blessing not only to the employee but to the employer.

I do not want to impose any undue burden on the employer; far from it. Unemployment insurance has been a splendid thing for the country. There are certain defects in the present law, and I believe that the minister has already received representations from the public utilities of the province, from employees