

prior to
or pending
reference
to Board.

dispute prior to a reference of such dispute to a Board of Conciliation and Investigation, or during the pendency of any proceedings in relation to such dispute before a Board under the provisions of this Act: Provided that nothing in this section shall prohibit the suspension or discontinuance of any industry 5 or of the working of any persons therein for any cause not constituting a lockout or strike.

Relation
of parties
to remain
unchanged
pending
proceedings
before a
Board.

58. In every case where a dispute has been referred to a Board, until the dispute has been finally dealt with by the Board, neither of the parties nor the employees affected shall, on account 10 of the dispute, do or be concerned in doing, directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute; but if, 15 in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, and the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed 20 for a violation of the next preceding section.

Penalty for
causing
lockout.

59. Any employer declaring or causing a lockout contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars for each day or part of a day that such lockout exists.

Penalty for
going on
strike.

60. Any employee who goes on strike contrary to the provisions of this Act shall be liable to a fine of not less than ten dollars nor more than fifty dollars, for each day or part of a day that such employee is on strike.

Penalty for
inciting to
lockout or
strike.

61. Any person who incites, encourages or aids in any 30 manner any employer to declare or continue a lockout, or any employee to go or continue on strike contrary to the provisions of this Act, shall be guilty of an offence and liable to a fine of not less than fifty dollars nor more than one thousand dollars.

Dismissal
employee
because of
membership
in union
illegal.

62. If an employer dismisses from his employment any 35 employee by reason merely of the fact that the employee is or is about to become a member of a trade union, such employer shall be liable to a penalty not exceeding fifty dollars for each employee so dismissed.

2. In every such case it shall lie on the employer to satisfy the 40 court that such employee was dismissed by reason of some facts other than those mentioned in this section.

Striking
because of
employment
of persons
other than
union
members
illegal.

63. If an employee goes on strike by reason merely of the fact that his employer has employed or is about to employ some person not a member of a trade union, he shall be liable to a 45 penalty not exceeding fifty dollars.

2. In every such case it shall lie on the employee to satisfy the court that he went on strike by reason of some facts other than those mentioned in this section.