

'Q. Well, they were not being paid for it, they were supposed to be working 5-hour shifts?

'A. No, they were not supposed to be working 5 hours; that was part of the arrangement and agreement at the start.'

Extra, Double and Overtime.

While the 7-hour day, affecting as shown, a percentage of the employees, was held to be a material part of the five-hour system, the practice in regard to overtime as followed by the company, made a ten-hour day for at least from 15 to 20 of the employees in the Main office each day, also a part of this five-hour system. Mr. Dunstan in his evidence as to the company's inability to secure the necessary number of operators, said: 'There certainly has been difficulty in maintaining the number required to give service without calling upon the operators to do double duty.'

The term 'overtime' as ordinarily used, suggests the working of extra hours upon occasions which are exceptional, and in the nature of emergencies, and being such is usually associated with a remuneration somewhat above the allowance for a corresponding period of time during regular working hours. It is not intended to convey to the mind the conception of a period of work corresponding to the regular hours and remunerated in like measure. For example, if an employee's regular working hours are five per day, and he is obliged because of an emergency to work an additional hour, he would be said to be 'doing one hour overtime,' which hour's service, because of its exceptional nature and the additional strain which it was likely to impose in view of the preceding hours' work, might reasonably be remunerated at a rate something in excess of the amount allotted per hour during the regular five hours. On the other hand, if, instead of working five hours, an employee enters into an arrangement, either expressed or implied, whereby on certain days of the month he agrees to work ten hours instead of five at the same rate of remuneration per hour, in order that his monthly earnings may total a certain amount, it could hardly be said that on the particular days on which he worked the ten hours he was doing five hours' overtime. The arrangement would be more accurately described as a 5-hour day for certain days of the month and a 10-hour day on others.

Such was the arrangement which the Bell Telephone Company appears to have adopted as a regular part of its so-called five-hour system. 'Since the trouble began,' said Mr. Dunstan, 'I have been interviewed by many operators, and many have stated to me that under the five-hour system they were able to work overtime, and by working the two stretches of five hours, they were able to make more money than they could by working eight hours at the present schedule. . . . ' Also, 'I felt and we felt that overtime which consisted of ten hours under high pressure was absolutely bad, and therefore is one of the objectionable features of the five-hour plan.' That this double time at high pressure was, as a matter of fact, extensively practised, notwithstanding that it was 'absolutely bad,' and was, from the company's standpoint, not only desirable, but necessary, if operators were to be secured at the rate of wages fixed under the five-hour schedule, the admissions of the local manager amply prove. In speaking of the reasons which prompted the company to abandon the five-hour system, Mr. Dunstan said: 'When evidence accumulated that it was a failure in every point, when we were unable to get applications, when the best of those applicants would not

come unless we could promise them overtime to the extent of about three days a week, which we would not promise them . . . then we decided to draw the experiment to a close.' Also in a part of his evidence, already quoted, Mr. Dunstan referred to the part played by this so-called 'overtime,' as follows:—

'To the girl who lives at home the salary which we have been paying was perhaps sufficient; that depended entirely upon what she did with her money. To a girl who can make some money in some other occupation—and I have heard of such occasions, it would be perhaps, a very good thing. To the girl working a good deal of overtime it was all right, but the overtime was most objectionable from the standpoint of her health. But to the girl who had to make her own way in the world, to pay her own expenses, and who wished to live on a certain scale, then it was insufficient and did not attract and those people did not come into the service, except, perhaps, in very limited quantities.'

'Q. Then the woman who is depending for her livelihood on what she could earn in the employment of the Bell Telephone Company, could not make a sufficient amount to really properly pay her living expenses in the city of Toronto?

'A. Not of the class we wanted. . . . and of the age we wanted, the low salary was insufficient and the short hours did not appeal, because it did not enable her to live.

'Q. Did you have in your employment any number of girls depending entirely on what they were getting from the Bell Telephone Company?

'A. Undoubtedly.

'Q. Would that be a large number?

'A. It would be a very large percentage. . . . If I were to make an estimate I would be more inclined to put it perhaps at 30 to 40 per cent. . . .

'Q. Self-respecting women wanting employment would naturally turn away from employment that would not give them a livelihood?

'A. Most decidedly, unless we could promise her sufficient overtime to enable her to make it in that way, and when she was told we could not do that and wouldn't do it, then of course there was no alternative but to go away.'

The admissions of the local manager on this point were fully corroborated by the statements of the operators who gave evidence before the commission.

Miss Hattie Davis, who entered the service of the company in August, 1905, and who had no relatives in Toronto, both father and mother being dead, stated in her evidence as follows:—

'Q. Did you have to work overtime in order to be able to pay your board and live?

'A. Yes.

'Q. How much overtime did you work?

'A. Oh, sometimes I made \$30, sometimes not quite as much and sometimes more.

'Q. And your regular wage was how much?

'A. \$20 and \$22.50.

'Q. So that when you made \$30 you were making nearly one-third in overtime of what your total wage was? At least 50 per cent.

'A. Yes.

'Q. And you prefer the old time with the overtime to the 8 hours?

'A. Yes.

'Q. In respect to the working of the overtime, do you have to do it, or did you do a part of it willingly?

'A. No, I did it willingly; I found it necessary to work overtime.

'Q. Could you work any overtime on the 8 hours?

'A. I don't think I would like to try it.

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