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No. 187.

5th Session, 8th Parliament, 63 Victoria, 1900

BILL.

An Act to aid in the prevention and settlement of trade disputes, and to provide for the publication of statistical industrial information.

First reading, June 27, 1900.

MR. MULOCK.

OTTAWA

Printed by S. E. Dawson
Printer to the Queen's most Excellent Majesty
1900

An Act to aid in the prevention and settlement of trade disputes, and to provide for the publication of statistical industrial information.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Conciliation Act, 1900.* Short title.
- 5 2. In this Act, unless the context otherwise requires, the expression "Minister" means the member of Her Majesty's Privy Council for Canada to whom, for the time being, the Governor in Council may assign the carrying out of the provisions of this Act. "Minister" defined.
- 10 3. Any board established either before or after the passing of this Act, which is constituted for the purpose of settling disputes between employers and workmen by conciliation or arbitration, or any association or body authorized by an agreement in writing made between employers and workmen to deal with such disputes (in this Act referred to as a conciliation board) may apply to the Minister for registration under this Act. Registration of conciliation boards.
- 15 2. The application must be accompanied by copies of the constitution, by-laws and regulations of the conciliation board, with such other information as the Minister may reasonably require. Application therefor.
- 20 3. The Minister shall keep a register of conciliation boards, and enter therein with respect to each registered board its name and principal office, and such other particulars as he thinks expedient; and any registered conciliation board shall be entitled to have its name removed from the register on sending to the Minister a written application to that effect. Register of boards.
- 25 4. Every registered conciliation board shall furnish such returns, reports of its proceedings, and other documents as the Minister may reasonably require. Returns by boards.
- 30 5. The Minister may, on being satisfied that a registered conciliation board has ceased to exist or to act, remove its name from the register. Board ceasing to act.
- 35 4. Where a difference exists or is apprehended between an employer or any class of employers and workmen, or between different classes of workmen, the Minister may, if he thinks fit, exercise all or any of the following powers, namely:— Powers of Minister as to trade disputes.
- (a.) inquire into the causes and circumstances of the difference; Inquiry into causes.

- Promotion of amicable settlement. (b.) take such steps as to him seem expedient for the purpose of enabling the parties to the difference to meet together, by themselves or their representatives, under the presidency of a chairman mutually agreed upon or nominated by him or by some other person or body, with a view to the amicable settlement of the difference ; 5
- Appointment of conciliators. (c.) on the application of employers or workmen interested, and after taking into consideration the existence and adequacy of means available for conciliation in the district or trade and the circumstances of the case, appoint a person or persons to act as conciliator or as a board of conciliation ; 10
- Appointment of arbitrators. (d.) on the application of both parties to the difference, appoint an arbitrator or arbitrators.
- Duties of conciliator. 2. If any person is so appointed to act as conciliator, he shall inquire into the causes and circumstances of the difference by communication with the parties, and otherwise shall endeavour to bring about a settlement of the difference, and shall report his proceedings to the Minister. 15
- Memorandum of settlement. 3. If a settlement of the difference is effected either by conciliation or by arbitration, a memorandum of the terms thereof shall be drawn up and signed by the parties or their representatives, and a copy thereof shall be delivered to and kept by the Minister. 20
- Duties of conciliator generally. 5. It shall be the duty of the conciliator to promote conditions favourable to a settlement by endeavouring to allay distrust, to remove causes of friction, to promote good feeling, to restore confidence, and to encourage the parties to come together and themselves effect a settlement, and also to promote agreements between employers and employees with a view to the submission of differences to conciliation or arbitration before resorting to strikes or lock-outs. 25 30
- Assistance, if needed. 6. The conciliator or conciliation board may, when deemed advisable, invite others to assist them in the work of conciliation.
- Governor may appoint commissioners to hold inquiry under oath. 7. If, before a settlement is effected, and while the difference is under the consideration of a conciliator or conciliation board, such conciliator or conciliation board is of opinion that some misunderstanding or disagreement appears to exist between the parties as to the causes or circumstances of the difference, and, with a view to the removal of such misunderstanding or disagreement, desires an inquiry under oath into such causes and circumstances, and, in writing signed by such conciliator or the members of the conciliation board, as the case may be, communicates to the Minister such desire for inquiry, and if the parties to the difference or their representatives in writing consent thereto, then, on his recommendation, the Governor in Council may appoint such conciliator or members of the conciliation board, or some other person or persons, a commissioner or commissioners, as the case may be, under the provisions of the *Act respecting inquiries concerning public matters*, to conduct such inquiry, and, for that purpose, may confer upon him or them the powers which under the said *Act* may be conferred upon commissioners. 35 40 45 50
- R.S.C., c. 114.

8. Proceedings before any conciliation or arbitration board shall be conducted in accordance with the regulations of such conciliation or arbitration board, as the case may be, or as is agreed upon by the parties to the difference or dispute. Proceedings before board.

5 9. If it appears to the Minister that in any district or trade adequate means do not exist for having disputes submitted to a conciliation board for the district or trade, he may appoint any person or persons to inquire into the conditions of the district or trade, and to confer with the employers and
10 employed, and, if he thinks fit, with any local authority or body, as to the expediency of establishing a conciliation board for such district or trade. Power of Minister to aid in establishing conciliation boards.

10. With a view to the dissemination of accurate statistical and other information relating to the conditions of labor, the
15 Minister shall establish and have charge of a Department of Labour, which shall collect, digest, and publish in suitable form statistical and other information relating to the conditions of labour, shall institute and conduct inquiries into important industrial questions upon which adequate information may not
20 at present be available, and issue at least once in every month a publication to be known as the *Labour Gazette*, which shall contain information regarding conditions of the labour market and kindred subjects, and shall be distributed or procurable in accordance with terms and conditions in that behalf pre-
25 scribed by the Minister. Department of Labour to be established. Publication of statistics, etc., and of Labour Gazette.

11. The expenses incurred in the carrying out of this Act shall be defrayed out of the money provided for the purpose by Parliament. Expenses.

12. An annual report with respect to the matters transacted
30 by him under this Act shall be made by the Minister to the Governor General and shall be laid before Parliament within the first fifteen days of each session thereof. Report to Parliament.