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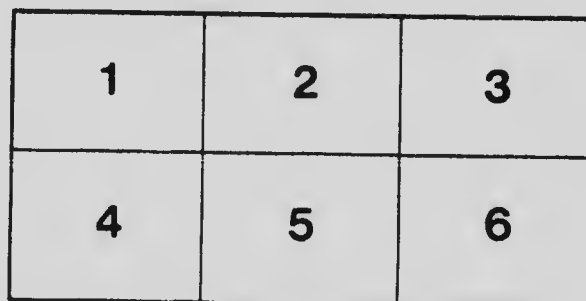
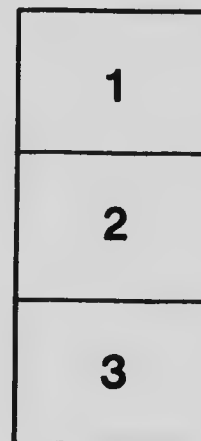
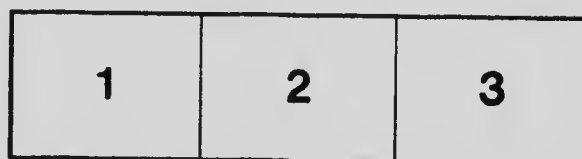
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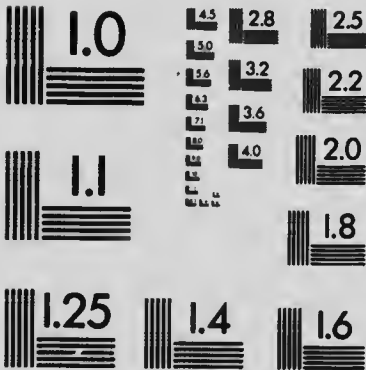
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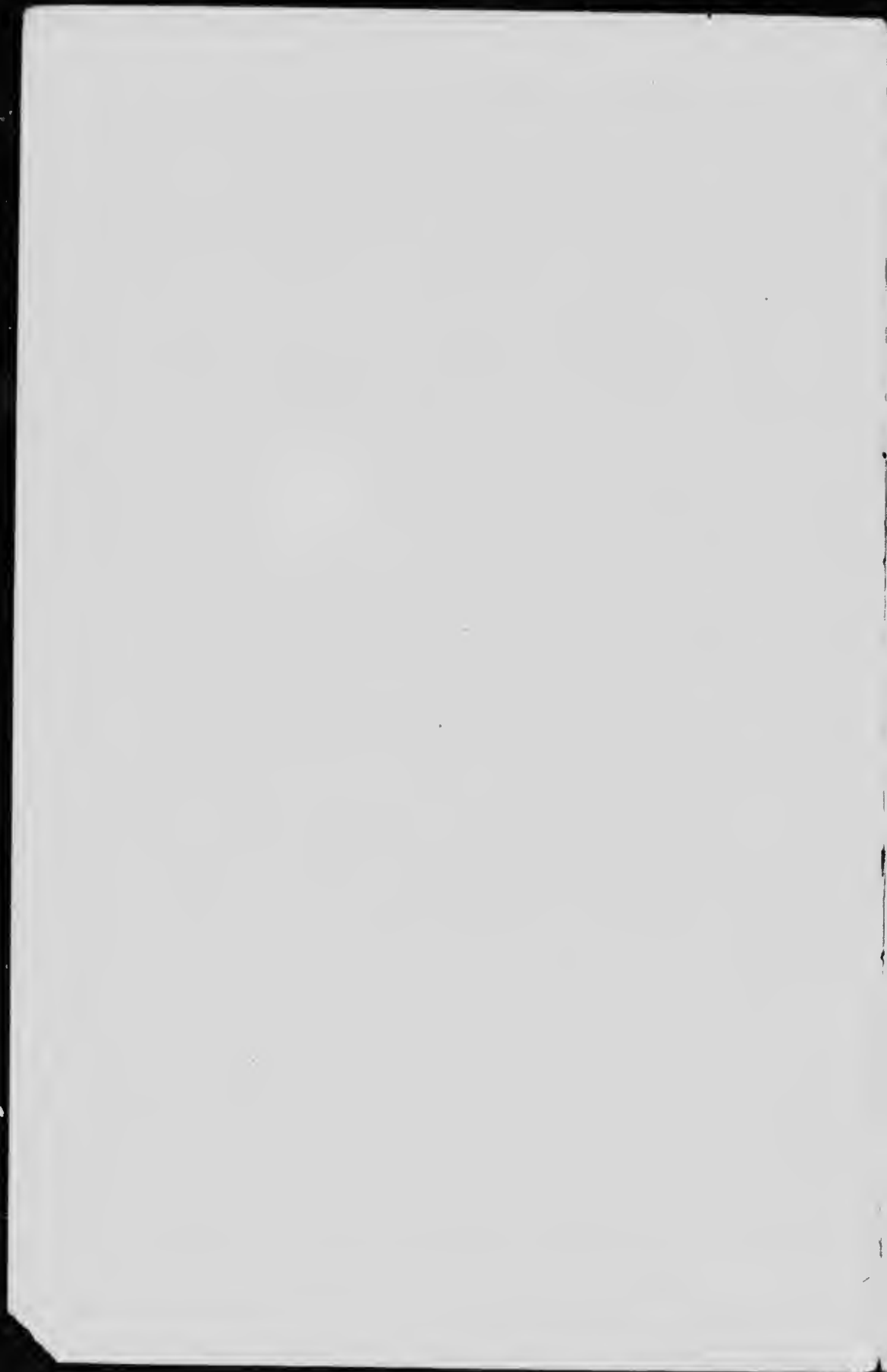
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NOVA SCOTIA'S MOST  
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THE  
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of  
THE WORKMAN'S  
LIFE  
HIS FAMILY  
HIS HOME



A STORY.



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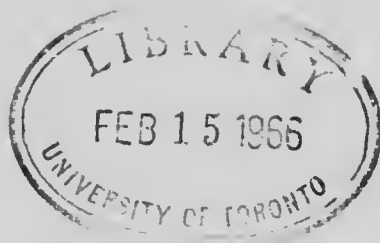
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# The Bread Winner's Law

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## **THE BREAD WINNER'S LAW:**

**The Day of the Worker has Dawned in  
this Province.**

**The Safety of the Home and the Family  
Assured.**

An eminent man once said that "the greatness of a nation is measured by the character of its people," and if we apply this principle to industrial conditions, we must say that industrial progress must be measured by the happiness and contentment of the workers."

For many years the question of enacting a sound and humane compensation law has engaged the attention of our Legislators, and the first practical step was taken in 1909 when the Murray Government passed an advanced law respecting Compensation to Workmen. This was considered a great step forward and brought commendation from all sides. At the sessions of 1912, 1913 and 1914 the Act was further improved.

### **THE WORKERS' YEAR.**

But it was the session of 1915 that produced the ideal measure of Compensation, when the Murray Government, realizing the necessity of a sound and more humane measure of Compensation for our Workmen, passed a law that stands today as the greatest labour legislation in the history of the world. It is the law which the English workingman has been seeking for years, and be it ever to our credit Nova Scotia was the first to enact it into law.

## THE WORKER AND HIS HOME.

The one great feature of this Compensation Act is the great encouragement it gives the worker. Under it he feels that measure of safety which produces contentment and greater effort, and thus qualifies him, more than ever before, to contribute to that great industrial progress evidenced in this Province today.

## WORKERS ARE GRATEFUL.

That the industrial workers in this Province are grateful goes without saying. They are going to be asked to pass judgment on the character of this law, and all that is expected of them is to state, by their ballot, whether or not they are in favor of this law.

If the workers of this Province are in favor of this Compensation Act; if they are satisfied that it is a measure under which their position as workers is improved, then their answer will be their ballot, and that answer will be given with fearlessness and justice.

## LOOKING BACK.

Look back, workers, just a few years, and what do you behold! How we remember the crash of a scaffolding and a worker hurled to his death on the ground below. Dead in his overalls, with the widow and children left to depend upon the charity of the world.

But not so now. The Compensation Act of 1915 provides that the widow be paid **twenty dollars a month** and **every child** shall be paid **five dollars** a month until they reach the age of 16 years.

And this will be paid at once, and without any litigation, by the Compensation Board appointed by the government of Nova Scotia.

Do you want this new law, workers, or do you want to go back to the day of your father, when you, perhaps were one of the orphans that a similar accident produced?

### **WORKERS SHOULD KNOW THE LAW.**

And now that this law is within grasp of the workers, they should make themselves familiar with its provisions. The law itself will be administered by an independent board, which will deal with every case upon its merits. And once a claim for compensation is acknowledged, the payment is made immediately.

### **SCALE OF PAYMENTS.**

Where an accident causes the death of a worker, who leaves a widow, she is entitled to a monthly payment of Twenty Dollars. If the widow remarries, she is given four hundred and eighty dollars. If the dependents are a widow and children, in addition to the payment provided for the widow, \$5 per month shall be paid for each child under 16 years of age, with a maximum total payment of \$40 per month. If the dependents are children only, the payments are \$10 per month for each child under 16 years of age. Payments are provided for dependents (father, mother, etc.) who are not included in the foregoing.

### **CONSULT YOUR LEADERS.**

It is not possible in a small pamphlet of this character to discuss all the provisions of the Act,

but it would be wise for the workers to discuss the law with the labour leaders in the various sections of the Province.

Many of the best informed labor men in this Province watched the progress of this legislation, and in order that the workers can fully understand the law, it would be well for them to have these leaders address them in order that the fullest test as regards the sound character of this law should be given.

### **REMEMBER THE WOMEN AND CHILDREN.**

In every phase of industrial accidents, the burden falls upon the women and the children of the workers. It is the worker's home as well as himself that is protected under this law, and if the workers do not grasp this opportunity, then they are not doing justice to the wife and little ones that depend on them.

### **NO POLITICAL KITE.**

Some people reading this little pamphlet might cast it aside and dub it a political kite; if it provides for the worker the best law of compensation ever enacted in the interest of the workingman, then the government which adopted it should be given the credit of having a political kite, the like of which never before was known in this Province, or anywhere else, and the Government should at least be given the credit.

### **PLEASES BOTH SIDES.**

To show the soundness of this great Compensation Law of 1915, let us quote from the report

of a special committee of the Canadian Manufacturers, Association appointed in connection with this Compensation Act. Among other things the Committee says:

**“The manufacturers were met by the Government in a fair and cordial manner,** and the whole matter thoroughly discussed at length before the committee of the House Representatives of labour organizations participated in the discussion throughout, and it is a pleasure to report that these representatives freely and earnestly expressed their appreciation of the fair and broad-minded manner in which the object was dealt with on behalf of the Canadian Manufacturers Association.

“The bill as finally passed, is a readable and workable document, and on the whole, the Act represents an **immeasurable advance upon the Ontario statute, and comes within reasonable distance, in a number of respects, of being a model Act.**”

And now, workers, it is up to you. Do not accept the statement contained in this pamphlet until you consult your Labour Leaders. Ask them of this great Compensation Law, and when they assure you that it is as sound and humane as this pamphlet says, then give the Murray Government the credit they deserve. The best way to acknowledge that is to vote for the Liberal candidates and thus show that the workers of this Province realize that their wives, their children and their homes are protected under the provisions of the Nova Scotia Workmen's Compensation Act.

#### **A REAL LEADER'S VIEW.**

Those of us who have followed the course of this Compensation legislation will recall that

shortly after the passage of the Bill Mr. John T. Joy was interviewed by the Morning Chronicle, and here is what that well-known labour leader said:

“Organized labor, wage earners in general and all those who are concerned in promoting the welfare of the labouring population of Nova Scotia, must view with a great deal of satisfaction the placing upon the statute books of the Province of a Workmen’s Compensation Act based upon the most modern principles. The importance of this legislation to the workers cannot be over-estimated, as it departs entirely from the old system of settling compensation claims directly with the employers or the casualty companies, which involved friction between employer and workmen, and in the case of the casualty companies, settlements at times unsatisfactory to the workman or his dependents, and substituting therefor the principles of collective liability with compulsory insurance and a state fund administered by an independent board appointed by the Governor-in-Council.

#### NEW AND OLD ACTS.

“The new Act differs from the old compensation law almost in every respect. The greatest amount payable under the old law was the sum of three years’ average earnings, not to exceed \$1500. After that, totally disabled workmen could make out as best they could, or perhaps starve or go to the workhouse. The new Act provides for the injured workman during his disability, even if it lasts his life time. Under the new law, litigation is pushed to one side and the questions as to right of compensation and the amount payable are determined by a board of three members appointed

by the Governor-in-Council. Compensation is payable in periodical sums, thus providing for continual maintenance of the injured workman or his dependents." Mr. Joy quoted part of the new Act as follows:—

"Part 1.—Compensation payable to workmen employed in these industries. This part shall apply to employers and workmen in or about the industries of lumbering, mining, quarrying, fishing, manufacturing, building construction, engineering, transportation, operations of railway, telegraph, telephone, electric power lines, water works, sewers and other public utilities, navigation, operations of boats, ships, tugs and dredges, stevedoring, operation of grain elevators, and warehouses; teaming, scavenging and street cleaning painting, decorating and renovating; the operation of laundries, dyeing and cleaning or any occupation incidental thereto or immediately connected therewith, provided that subject to sections 5 and 6, this part shall not apply to the following:—

"(a) Persons engaged in office or other clerical work, and not exposed to the hazards incident to the nature of the work carried on in the industry;

"(b) Persons whose employment is of a casual nature, and who are employed otherwise than for the purpose of the employers' trade or business;

"(c) Outworkers, persons employed by a city, town or municipal corporation as members of a police force or of the fire department;

"(d) Members of the family of the employer."

Continuing, Mr. Joy said: "On being notified by an employer of a workman's injury or death by accident, or disability or death occasioned by an industrial disease, the Board will at once adjudicate the case and apportionate the necessary payment or payments. The only cases of this character in which compensation will not be payable are (first) where the disability lasts less than seven days, and (second) where the accident is attributable solely to the serious and wilful misconduct of the workman, and does not result in death or serious and permanent disablement.

"Among the many other considerations set forth in the Act are that no agreement between employer and workman to forego the benefits of the Act is valid, no part of the amount payable to the accident fund by the employer is to be charged up to the workman, nor can compensation be attached, charged or assigned, without the approval of the Board.

### SCALE OF PAYMENTS.

"Once the right of a claim is acknowledged this scale of compensation becomes immediately payable; if the accident causes death and the workman leaves a widow she is entitled for life, or until re-marriage, to a monthly payment of twenty dollars. In the event of re-marriage the sum of two years' payment is given her. If the dependents are a widow and children, in addition to the payment provided for the widow, \$5 per month shall be paid for each child under 16 years of age with a maximum total payment of \$40 per month. If the dependents are children only, the payments are \$10 per month for each child under 16 years of age. Payments are provided for dependents



(father, mother, etc.) who are not included in the foregoing. All these payments are governed by the provision that in no case shall they exceed 55 per cent. of the workman's average earnings.

"The maximum sum of yearly earnings upon which the Board is allowed to compute payments has been placed at \$1200. Workmen earning yearly in excess of \$1200 are within the Act, but their compensation payments are scaled down to meet the established maximum. In the case of temporary total disability 55 per cent. of wages is paid until workman is recovered. In the case of permanent total disability he receives 55 per cent. of his average earnings for life. Payments are provided for permanent partial disability such as the loss of fingers and other injuries of similar character. Compensation is paid from date of accident providing disability has lasted seven days.

"In return for the advantages of Part 1, the statutory rights of the workman are taken away. This is in line with the principle of avoiding litigation with its waste. It gives the employer the certainty that all he will have to pay is his proportionate cost of the accidents happening in the group of industries to which he is attached. The workman gets in return payments of compensation just at the time he needs it most, and these payments are continued during his disability. On account of the relatively slight hazard of some occupation as well as impossibility of classifying and for other reasons, there will be a number of workmen not under Part 1.

## PART TWO PROVISIONS.

"For workmen not under Part 1 (payments of compensation) Part 2 of the Act will be of special

interest, as it directly concerns them. It is a sweeping modification of what are known as the common law defences. Many workers have lost damage suits because a fellow servant was at fault, or because the accident was due to the negligence of the workman; or that the workman assumed the inherent risk of the employment. These were obstacles a workman had to overcome first in a damage suit. For those who do not come under Part 1, these defences are so modified as to likely cause the employers to seek to be brought under the provisions of Part 1, so as to establish certainty in respect to their liability.

"Under Part 2 a workman shall not be deemed to have undertaken the risks of the trade; or be responsible for the negligence of his fellow workman and contributory negligence on his part will only be taken into account in assessing the amount of damages. Part 2, in a word, is a great step toward having the employer meet his liability without old time-worn defences, which were unjust and indefensible. It will move effectively towards eliminating in the future the majority of the present exemptions to Part 1.

"The Act will be brought into full force and effect by proclamation. It is almost unnecessary to say that it will take some time to create the administration machinery necessary to its proper working out. Statistics in regard to the industries of the Province will have to be compiled.

"A section of the Act which is of special interest to the workmen of Cape Breton County is section 4, which provides that the Board, after ascertaining the wishes of employer and workman, may contract with any of these workmen that the provisions of

any scheme of benefit shall, on proof that such benefit is as good to the workman as the compensation part of this Act, be substituted for the provisions of Part 1 of the Act. This section is further qualified by sub-section 5: 'This section shall apply only to the employers and workmen in the industries carried on within the Island of Cape Breton, by (a) The Dominion Steel Corporation (including any of the companies composing such corporation) and (b) The Nova Scotia Steel and Coal Company, Limited.'

"Sub-section 6 provides: 'No certificate shall be given under the provisions of this section, and no applications therefor shall be considered by the Board without the assent of a majority of the workmen affected thereby expressed in a plebiscite to be taken by a secret ballot under regulations to be made in that behalf by the Governor-in-Council.' It would seem that sub-section 6 provides every opportunity to the workmen affected to express their views in respect to the question of accepting the Act or the retention of the present system of benefit societies.

### INDUSTRIAL DISEASES.

"The part of the Act relating to industrial diseases deals with diseases contracted directly in the course of employment. Where a workman is disabled or dies from disease, due to the nature of employment in which he was engaged for the previous twelve months to the date of his disablement or death, whether by one or more employers, it shall be regarded as an injury arising out of and in the course of his employment, and compensation paid according to the scales of the Act. The inclusion of industrial diseases is following the funda-

mental principle of workmen's compensation, which is that the workman or his dependents must not be left to carry wholly the burden of the accident and death or disablement, arising from the hazards of industry.

"The Act on the whole is broad and comprehensive, and can be measured up with the best compensation laws elsewhere. The workers of the Province have been treated fairly in the passage of this Act, and must derive great satisfaction from the fact that there is now on the statute books of our Province a Compensation Act that is fair and equitable to all concerned. Throughout the fight for this Act the representatives of labor were treated with the utmost courtesy and consideration.

"One strikingly important feature of the Act is that it provides machinery towards the adoption of safety methods in the carrying on of the various industries. This is of vital interest to the workman, because accident prevention is much better than compensation for accidents."

"I have only touched upon," said Mr. Joy, in conclusion, "parts that directly concern the workman. Other important parts dealing with the question of assessments, formation of safety associations and safeguarding of compensation payments, as well as providing adequate reserve funds to meet the cost of any great disaster, are among the general provisions of the Act."

### **BECOMES EFFECTIVE OCT. 1, 1916.**

By proclamation in the Royal Gazette, dated the 22nd day of May, A. D., 1916, the Nova Scotia Workmen's Compensation Act comes into force on the 1st day of October, A. D. 1916.

