

Province's Labor Code 'No Mean Achievement' In Opinion of Blackwell

Terming the Ontario labor relations code "no mean achievement" and a measure "which may well be a milestone in Dominion-Provincial relations," Attorney-General Leslie Blackwell told the Legislature last night that the code would be the means of aiding peaceful relationship between labor and industry during the war period.

The bill was given second reading after nearly six hours of debate, the C.C.F. opposing the motion. No recorded vote was sought. Nine speakers, most of them Opposition members, spoke on the bill. J. B. Salsberg (L.P., St. Andrew) defended the principle of the bill while admitting it contained many imperfections. All other Opposition members who spoke were highly critical of the measure.

Mr. Blackwell said two courses were open to Ontario when peace returned; either to assist, along with the other Provinces, the Dominion Government to establish a national code, or failing that, to establish the best possible labor code for Ontario that could be conceived at that time.

To an attentive House and packed galleries the Attorney-General declared: "We have settled in Canada collective bargaining in principle. We have settled for the first time in this nation a national labor relations measure that has scope from coast to coast. It is not wide enough, but it is no mean achievement. If we are honest in our desire to co-operate with the Dominion Government we must compromise."

Amendment Due.

Mr. Blackwell said he had just been advised that by special Order-in-Council the Dominion Government has protected both certification and all business before the Labor Court pending March 20, and added that there would be an amendment to the Ontario act to reconcile the Provincial bill with this decision. While it had been pointed out that under Order 1003 matters might be taken away from both courts, Ontario had so far been unable to prevail upon the Dominion Government to deal with this aspect. The Province, however, had gone as far as its jurisdiction would allow.

One of the earlier labor codes, P.C. 2685, Mr. Blackwell said earlier, had done more harm than any other labor legislation in that when this collective bargaining measure had been put to the test "labor was told it didn't mean there must be collective bargaining." It was just a "pious expectation" of what it was felt employees should do.

Jolliffe Critical.

Opposition Leader Jolliffe, who summarized many Opposition objections to the bill, declared that Labor Minister Daley had said nothing could be done to alter the Federal code in the Ontario Legislature, and added that it was a question whether a Federal code could be extended to industries over which the Federal Government has no power to legislate. The code was not a bill but an Order-in-Council, an example of Executive legislation. Elected representatives at Ottawa had never had an opportunity to discuss it, yet it was now suggested to extend it to all Ontario industry. "It is a matter of the greatest

importance whether it will apply to Ontario industries which it will not affect unless this House decides," said Mr. Jolliffe. He criticized the bill on other grounds, its conciliation clauses and penalties. "It won't work," he declared.

Ontario Hydro Commission employees, heretofore excluded, are now to be included under the collective bargaining legislation, Labor Minister Charles Daley said.

"Hydro is the type of industry that should not be exempted under the new act," the Labor Minister said. An amendment will be made to include Hydro when the bill reaches committee.

Explains Principle.

Mr. Daley, introducing the labor bills for second reading, explained their principle to include all industry not now included in Dominion wartime labor regulations. The new Federal labor code already had been proclaimed law on March 20, so "we can argue but we cannot change a word of it," he said. It could, and no doubt would, be changed, as need arose. The Ontario act was an enabling act to extend its provisions to Ontario. It was unreasonable to suppose that two distinct labor codes could operate in Ontario, one for war industry and one for others when often they were carried on under the same roof.

Replying to Liberal Leader H. C. Nixon, Mr. Daley said Ontario workers affected are about two-thirds in war industry and one-third in civilian occupations. "We have tried to devise an enabling act that will co-ordinate the whole thing," he said.

Asks Fair Trial.

Asking a trial for the Dominion code, he told the House it was the 23rd draft of legislation evolved after wide discussion, and deserved to be tested. But, he warned, regulations were not enough without a spirit of good faith. He assured labor that it would have equal representation on the new labor board, and pointed out that the heads of the big labor congresses had approved it.

"I can set the labor board up in 10 minutes after the act is proclaimed," he declared. "It will contain representatives of the congresses and all unions—and I don't mean company unions. The act will make collective bargaining compulsory in all Ontario industry."

Mr. Daley said all business now before the Labor Court, which is to be abolished, will be completed. To obviate delays all appeals from the new board will be to the national board.

As highlights of the new legislation, he said it prevents unions being liable to damage actions, and workers from discharge for union activities and would bring about closer co-operation between labor and management now and after the war.

Condemning the new labor legislation as deficient and an encouragement to company unions and "not a victory for labor but for the anti-labor section of the Canadian Manufacturers' Association," C. H. Millard (C.C.F., York West) appealed to the Government not to "push it through" when it would "only end in disaster for labor." He said he could not be sincere in his labor affiliations and endorse "a bill to enforce bad legislation."

Quotes Adamson.

He quoted Rodney Adamson, M.P. for York West, who had said at Kitchener Feb. 14 that labor would be "the first to get it in the neck" under the new bill, and who had criticized penalties as too heavy—three months in jail for every day on an illegal strike. Attorney-General Blackwell countered with the statement that Mr. Adamson did not speak with authority for either the Federal or Provincial parties.

Mr. Millard contended that the conciliation clause would drive a wedge between employers and employees, and said it was not for the Government to take the place of arbitrator. Also, he claimed, conciliation services are poorer than under the old bill. He suggested an alternative course in labor legislation, with Ontario laws running parallel to Dominion. His condemnatory remarks were interrupted at one point by an altercation over a point of order in which his Leader, Mr. Jolliffe, and Attorney-General Blackwell participated, and which brought an appeal from Mr. Speaker not to start "splitting hairs" on procedure so late in the session. It was the session's 28th day.