

Settling Labor Disputes

There is no short and easy way of settling industrial disputes. The Lemieux Act is an honest effort in that direction, but it has fallen into disrepute with workmen because certain employers have refused to accept awards under it, and also because the present Labor Minister has refused to organize Boards under it when employers have not appointed representatives, being opposed to having their disputes arbitrated. When the men are well organized and powerful, they say that they do not need the law, that they can win without it. When they are not so strong, the employer knows that, and accepts or rejects the award as he pleases.

Admittedly the question is difficult. A man who is fighting for a living wage is somewhat like a man who is fighting for his life. Hence he is unwilling to let go any weapon of defence. As he looks back at the history of wages and wage disputes, he feels that nothing has done so much for labor as labor unions.

The question to be decided by any board of arbitration is far more complicated than any ordinary matter of litigation. What are a certain workman's services worth? What is a living wage? What is the standard of living for a workingman? These are questions covering a wide range, and not to be answered as easily as the question of one man's legal indebtedness to another.

The existence of difficulty, however, is not a reason for shirking the duty or for despair. We must try and try again until we reach the right solution. It is not with a hope of publishing an infallible remedy, but to throw some light on the problem, that we refer to the wages boards established in Australia by the various States of the Commonwealth. The system described is that of Victoria, but is said to prevail, in the main, in other parts of Australia.

The system was first introduced in Victoria in 1896. It was intended, as drafted, to apply only to women and children, but amended so as to include men. It covered at first only a few trades. In four years it was extended to all factories. In seven years it was further extended to the building and mining trades, and to carters and drivers. These extensions are important as indicating that the law worked satisfactorily within a limited field, and was therefore applied to larger and larger fields.

The board fixes wages and hours of work, and also the number of apprentices and "improvers" and their remuneration. An absolute weekly minimum wage is fixed, and provision is made against evasions.

A board is constituted by a resolution adopted by both branches of the Legislature. Usually the resolution is moved by the Minister administering the Factories Act, as a result of representations made by employers or employes, or both, or by officers of the department. The resolution being carried, an order-in-Council is passed constituting the board. Each side nominates representatives. Out of these the Minister makes his choice. If that is not satisfactory an election may be held, the parties interested voting by ballot for representatives on the board. Provision is made for an appeal from the board to the Court of Industrial Appeals.

These details are interesting because they show the vast amount of care and thought which has been devoted to the subject. The Ministry and the Legislature do not act in a spasmodic way. They regard themselves as responsible for the relations between employers and employed. The regulation of those relations is a recognized Ministerial duty. To that extent, at least, we might imitate the Australian example. In Ontario we have no Minister of Labor. At Ottawa there is no such machinery as we have described. In fact, we have not tackled the job in earnest; and if our half-hearted methods have failed, that is no ground for the belief that the question is insoluble, difficult though the task may be.

It must be borne in mind, however, that so long as our Governments are believed by Labor to be under the influence of the employing class Labor will fight strenuously and justifiably against being put under a law for settling wages and working conditions which will have to be applied by Government. The first step toward better industrial relations must be a Government having Labor's confidence.