



C O P Y

S. J. Farmer,
Mayor.

MAYOR'S OFFICE

Winnipeg, Man.

July 28th, 1924.

File 1441.

The City Council,
Winnipeg.

Gentlemen,-

I enclose herewith letter from the Minister of Labour, Ottawa, dated July 8th, 1924, dealing with the application under the Industrial Disputes Investigation Act, for a Board to inquire into the matter of the City's policy respecting Civic employees.

You will note that the Minister objects to the City Solicitor dealing with this matter and requests that the City Council advise him direct as to their position. You will also note that the Minister states that if this is not done he will be compelled to invoke the provisions of Section 63B of the Act, which clause gives the Minister power to institute an inquiry regardless of the attitude of the parties involved should he consider the circumstances warrant such action.

Yours very truly,

(Sgd) S. J. Farmer,

Encl.

M A Y O R.

C O P Y

MINISTER OF LABOUR

Ottawa, July 8th, 1924.

S. J. Farmer, Esq.,
Mayor, City of Winnipeg,
Winnipeg, Man.

Dear Sir:-

On June 7th the Deputy Minister of this Department in his capacity as Registrar of the Boards of Conciliation and Investigation under the Industrial Disputes Investigation Act, wrote you advising respecting an application for a Board received on behalf of certain linemen, employees employed in the Hydro Electric Department of your City, and in which he stated that he would appreciate receiving from you at the earliest possible moment an intimation of the views of yourself and of your Council on the subject of the dispute as set forth in the application copy of which was forwarded to you. Not having received any acknowledgment of the communication the Deputy Minister again called your attention to the matter in a letter of date June 23rd.

The subject matter of these communications was first referred to by your Corporation in a telegram received from your City Solicitor under date July 5th., reading as follows:-

"The matter of an application by John L. McBride on behalf of the International Brotherhood of Electrical Workers for a Board of Conciliation and Investigation under the Industrial Disputes Investigation Act 1907 relating to form of contract between City of Winnipeg and Linemen employed by Hydro Electric Department of Winnipeg has been referred to me with instructions to express the decision of the City thereon STOP Investigation discloses that none of the necessary conditions precedent have arisen whereby the Minister obtains jurisdiction under above Act STOP No dispute exists between this City and its linemen employees as to agreement referred to in application STOP Neither party to above agreement has made application to Minister for appointment of Board and City cannot recognize any application from any person or organization other than its own employees."

To this communication I replied to the City Solicitor as follows:-

"Your telegram received and I am sorry that you have decided that QUOTE Investigation discloses that none of the necessary conditions precedent have arisen whereby the Minister obtains jurisdiction under above Act END QUOTE You refer to the Industrial

Disputes Investigation Act and evidently overlooked Section sixty-three B STOP I should like to receive a clean cut declaration of the position of the Winnipeg City Council on the matter referred to the Mayor in connection with a form of contract between the City of Winnipeg and its linemen and should much prefer to secure that statement of position from the City Council STOP My hope is that the advice and indication of the City Council's position requested may be forthcoming promptly."

You will note from the City Solicitor's telegram the sentence in which he challenges my authority to act in the matter of the dispute as set forth in the application under the powers conferred on me by the Industrial Disputes Investigation Act. It is evident that the City Solicitor has overlooked section sixty-three B of the Act, which I regard as sufficiently wide in its scope to embrace a condition such as is claimed to exist in the application submitted on behalf of certain of your employees.

You will further note that City Solicitor's very definite statement that the City cannot recognize any application from any person or organization other than its own employees.

As Mayor of the City of Winnipeg, and according to my understanding sympathetic to organized labour for many years, you are undoubtedly fully familiar with all of the circumstances involved in the resolution of the Winnipeg City Council adopted in June 1919. It is my understanding that the practical effect of the resolution referred to is to prohibit any of the employees of your Municipality from becoming members or continuing membership in trade union organizations.

Under such circumstances it appears to me that employees of the city desiring to escape from the restrictions imposed by the sometimes called Slave Pact might have reasonable justification for hesitating to reveal their identity through the filing of an application for a Board of Investigation under the Industrial Disputes Investigation Act, or by direct reference of their views to the City Council.

My understanding is that many of the municipal employees are returned soldiers, and it has occurred to me that the situation here involved is somewhat unfair on account of the fact that on the 11th day of July 1918 when the great war was at its most crucial stage, and about the time that many of Winnipeg's citizens were staking their all and their lives in the war area, the Government of Canada passed an order-in-council, P.C. 1743, wherein we find, in paragraph numbered 2, the declaration "that all employees have the right to organize in trade unions, and this right shall not be denied or interfered with in any manner whatsoever, and through their chosen representatives should be permitted and encouraged to negotiate with employers concerning working conditions, rates of pay, or other grievances ". A war time concession in this respect might be reasonable in peace times.

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A few months later, or in November 1918, the great war ended, although the bodies of tens of thousands of Canada's labouring men were left in soldier's graves overseas, and Winnipeg's contribution in that respect was appalling.

Later the representatives of Nations of the World that had been engaged in the great conflict met at.....

Versailles to draft the Treaties of Peace, and that Treaty in part XIII declared for the "recognition of the principle of freedom of association", and for the past several years International Labour Conferences, representative of the majority of the Nations of the World, have been held annually based on a recognition of the principle of freedom quoted above and for the additional purpose of securing and ensuring for the workers of the world social justice.

I had hoped, in view of your well known interest in these matters, that you as Chief Executive of the City of Winnipeg would have undertaken direct communication with your Council to ascertain the present position of the Council in reference to these matters; and it is with that thought in my wire of the 5th instant, in reply to the City Solicitor, I stated that I "should much prefer to secure that statement of position from the City Council".

I am now however, in receipt of a further telegram from the City Solicitor as follows:

"Agreement referred to your telegram fifth settled by Council June nineteen nineteen STOP Motions to rescind agreement defeated October and November nineteen nineteen STOP Agreement came up again in January nineteen twenty two and was referred to proper committee of council report of which thereon was adopted as follows: QUOTE "Your committee has duly considered the notice of motion proposing that the Resolution of Council demanding the signing of agreement by its employees be rescinded referred to this committee by Council on January thirtieth nineteen twenty two and begs to recommend in connection therewith that no change be made in the present form of agreement" STOP In June nineteen twenty two a motion was brought before council to vary the agreement which was lost STOP The matter has not since been brought before the Council."

If the City Solicitor's latest reply is intended to be the last word on this matter, I feel compelled to express my disappointment. The City Solicitor definitely states that the matter has not been brought before Council since June 1922 and the procedure adopted in dealing with this matter rather suggests that, perhaps it is not intended that the matter should again be brought before Council.

Such a policy does not suggest itself to my mind as being calculated to, in the long run, be in the interest either of the City of Winnipeg or its employees. The telegrams which I have received from your City Solicitor clearly confirm the allegation made in the application for the Board, that the so called Slave Pact still exists. If its maintenance is justifiable, then I would suggest that no difficulty should be experienced in satisfying a Board

formed under the Industrial Disputes Investigation Act to that effect. The circumstances of the case as they appear before me at the present time through the medium of the application for the Board and also the telegrams received from your City Solicitor, furnish sufficient ground to incline my mind to the belief that the facts call for some investigations, I should greatly appreciate the co-operation of yourself and Council and your agreement to the establishment of a Board under the Industrial Disputes Act. If you as Mayor of Winnipeg disagree with this view kindly advise me, as with the information now before me I shall feel compelled in the public interest, and in what I conceive to be the rights of the workers, to invoke the powers conferred under the terms of section sixty-three B of the Act, a course which I should very much regret to be obliged to adopt.

Please let me hear from you as soon as possible.

Yours truly,

(Sgd) James Hurdock,

Minister of Labour.