

Section 2.—The Dominion Department of Labour.

The Department of Labour of the Dominion Government was established in 1900 under the authority of the Conciliation Act. At the outset its chief duties comprised the administration of certain provisions of this statute which were designed to aid in the prevention and settlement of labour disputes, the administration of the Government's fair wages policy for the protection of workmen employed on Dominion Government contracts and on works aided by grants of public funds, the collection and classification of statistical and other information relative to conditions of labour, and the publication of a monthly periodical known as the *Labour Gazette*. From 1900 to 1909 the Department was administered by the Postmaster General, who was also Minister of Labour. It was constituted a separate Department under the Labour Department Act, 1909.

The work of the Department was greatly increased in 1907 by the passage of the Industrial Disputes Investigation Act. At present the Department is also charged with the administration of an Act passed in 1918 known as the Employment Offices Co-ordination Act, with the Government Annuities Act of 1908, the Technical Education Act of 1919, the White Phosphorous Matches Act of 1914, the Fair Wages and Hours of Labour Act of 1935, the Vocational Education Act of 1931, the Combines Investigation Act of 1923 as amended in 1935 and 1937, and the Dominion relief legislation. The work of the Department has developed in other directions, especially in the collection and publication of information as to industrial disputes, wages, industrial agreements, prices, industrial accidents, labour legislation, and labour organization; also in connection with the International Labour Organization of the League of Nations. For the operation of the Government Annuities Act and the Technical Education Act, see the chapters on Insurance and Education, respectively.

Industrial Disputes Investigation Act.—The Industrial Disputes Investigation Act (R.S.C., 1927, c. 112) has attracted considerable favourable attention from legislators and publicists throughout the world. As enacted in 1907, it forbids strikes and lockouts in mines and certain public utility industries until the matters in dispute have been dealt with by a board of conciliation and investigation consisting of three members, two appointed by the Minister of Labour on the recommendation of the respective parties to the dispute, the third on the recommendation of the first two, or, if they fail to agree, by the Minister himself. Should either of the parties fail to nominate a board member, the Minister may appoint a fit person on its behalf. After such a board has made its report, either of the parties to the dispute may reject its findings and declare a strike or a lockout, a course which has been adopted, however, only in a small percentage of cases. The machinery of the Act may be extended to other industries with the consent of the parties concerned.

In January, 1925, a judgment was rendered by the Judicial Committee of the Privy Council declaring that the Act as it stood was not within the competence of the Dominion Parliament.* At the ensuing session of Parliament amendments were made to the statute with the object of limiting its operation to matters not within exclusive provincial jurisdiction. It was also provided by these amendments that the statute should apply in the case of "any dispute which is within the exclusive legislative jurisdiction of any province and which by the legislation of the province is made subject to the provisions of this Act" The legislatures of all provinces

* See p. 241 of the *Labour Gazette* for February, 1925, for text of judgment of the Judicial Committee of the Privy Council in regard to the validity of this statute.