

representatives each of employers and trade unions. The National Board is assisted, in some provinces, by Provincial Boards. An appeal to the National Board may be taken from a decision of a Provincial Board.

An employer or employers must negotiate with the representatives of a trade union or employees' association which has as members a majority of the employees of such employer or employers or a majority of the employees in a unit appropriate for bargaining. When there is a dispute as to the extent of the membership or the choice of bargaining representative, the latter must be certified by the Board. If an agreement is not reached by the parties within 30 days, a conciliation officer or Board may be appointed by the Minister. There may be no stoppage of work due to a dispute until 14 days after a conciliation board has reported to the Minister. Disputes arising from the interpretation or violation of a collective agreement must be settled through the machinery provided by the agreement or, lacking such machinery, by arbitration arranged by the Labour Relations Board. Discrimination against trade union members is an offence.

These Regulations apply: (a) to transport and communication agencies extending beyond the limits of any one province and to works declared by Parliament to be for the general advantage of Canada; (b) by authority of the War Measures Act, to industries essential to the prosecution of the War; (c) if a Provincial Legislature so enacts, to other industries. By agreement between the Dominion and the provinces, Provincial Boards, except in Alberta and Prince Edward Island, administer the Regulations as they affect the industries in (b). By enabling legislation, British Columbia, Manitoba, Ontario, New Brunswick and Nova Scotia have applied the Regulations to the industries in (c).

Up to Mar. 1, 1946, the National Board had certified representatives in 203 cases, rejecting 40. The Provincial Boards had issued 2,108 certificates and rejected 286.

Conciliation services may be utilized in disputes over the terms of an agreement under the Regulations. In other disputes, such services are available under the Conciliation and Labour Act.

Under the Regulations, between Mar. 20, 1944, and Mar. 1, 1946, of 292 cases where conciliation was used, 97 were settled by Conciliation Officers and 75 by Conciliation Boards. In 38 cases no agreement was reached following a Board's report. Other cases are still pending.

### **Subsection 2.—Provincial Labour Departments**

Labour legislation in Canada is, for the most part, a matter for the Provincial Legislatures since it usually governs, in some respect, the contract of service between employer and employee or regulates conditions in local work-places. The right to contract is a civil right and the British North America Act, which distributes legislative powers between the Parliament of Canada and the Provincial Legislatures, grants to the provinces power to enact laws in relation to "civil rights" and, with certain exceptions, "local works and undertakings".

In each province, except Prince Edward Island, a special Department or Bureau is charged with the administration of labour laws. In Alberta the Board of Industrial Relations under the Minister of Trade and Industry administers statutes concerning wages and hours and the Department of Public Works, factory legislation. Other provinces have Departments of Labour. Legislation for the protection of miners is administered by Departments dealing with mines.