

Bill No. 90 of 1935.

A BILL TO AMEND THE LABOUR DISPUTES ACT.

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NOTE.

The amendment made by section 3 of this Bill adds to *The Labour Disputes Act* the provisions of *The Industrial Disputes Investigation Act* of the Dominion relating to the maintenance of the status quo prior to and during a reference to a conciliation board by prohibiting a strike or lockout pending or during a reference.

R. ANDREW SMITH,  
*Legislative Counsel.*

*(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)*

# BILL

No. 90 of 1935.

An Act to amend The Labour Disputes Act.

(Assented to \_\_\_\_\_, 1935.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** This Act may be cited as "*The Labour Disputes Act Amendment Act, 1935.*"

**2.** *The Labour Disputes Act*, being chapter 53 of the Statutes of Alberta, 1926, is hereby amended as to section 2 thereof by striking out paragraph (a) thereof and by substituting therefor the following:

"(a) 'Minister' shall mean the member of the Executive Council for the time being charged with the administration of this Act;"

**3.** The said Act is further amended by inserting therein, immediately after section 62 thereof, the following new sections:

"**62a.**—(1) It shall be unlawful for any employer to declare or cause a lockout, or for any employee to go on strike on account of any dispute prior to or during a reference of such dispute to a Board under the provisions of this Act.

"(2) Nothing in this Act shall prohibit the suspension or discontinuance of any industry or of the working of any persons therein for any cause not constituting a lockout or strike.

"(3) Except where the parties have entered into an agreement under section 62*f* of this Act, nothing in this Act shall be held to restrain any employer from declaring a lockout or any employee from going on strike in respect of a dispute which has been duly referred to a Board pursuant to this Act.

"**62b.**—(1) Employers and employees shall give at least thirty days' notice of an intended or desired change affecting conditions of employment with respect to wages or hours; and in the event of such intended or desired change resulting in a dispute, it shall be unlawful for the employer to make effective a proposed change in wages or hours or for the employees to go on strike, until the dispute has been finally dealt with by a Board, and a copy of its report has been delivered through the Registrar to both the parties affected.

“(2) The application for the appointment of a Board shall be made by the employers or employees proposing the change in wages or in hours; neither of those parties shall alter the conditions of employment with respect to wages or hours, or on account of the dispute do or be concerned in doing directly or indirectly, anything in the nature of a lockout or strike, or a suspension or discontinuance of employment or work, but the relationship of employer and employee shall continue uninterrupted by the dispute, or anything arising out of the dispute.

“(3) If, in the opinion of the Board, either party uses this or any other provision of this Act for the purpose of unjustly maintaining a given condition of affairs through delay, the Board so reports to the Minister, such party shall be guilty of an offence, and liable to the same penalties as are imposed for a violation of the last preceding section.

“62c. Any employer declaring or causing a lockout or making effective a change in wages or hours contrary to the provisions of this Act shall be liable to a fine of not less than one hundred dollars, nor more than one thousand dollars, for each day or part of a day that such lockout or change exists.

“62d. Any employee who goes on strike contrary to the provisions of this Act shall be liable to a fine of not less than ten dollars, nor more than fifty dollars, for each day or part of a day that such employee is on strike.

“62e. Any person who incites, encourages or aids in any manner any employer to declare or continue a lockout, or any employee to go or continue on strike, contrary to the provisions of this Act, shall be guilty of an offence and liable to a fine of not less than fifty dollars, nor more than one thousand dollars.

“62f.—(1) Either party to a dispute which may be referred under this Act to a Board may agree in writing, at any time before or after the Board has made its report and recommendation, to be bound by the recommendation of the Board in the same manner as parties are bound upon an award made pursuant to a reference to arbitration.

“(2) Every agreement so to be bound made by one party shall be forwarded to the Registrar who shall communicate it to the other party, and if the other party agrees in like manner to be bound by the recommendation of the Board, then the recommendation shall be binding on all the parties who have so agreed to be bound and shall be enforceable by action in the Supreme Court of Alberta.”

4. This Act shall come into force on the day upon which it is assented to.

No. 90.

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FIFTH SESSION  
SEVENTH LEGISLATURE  
25 GEORGE V  
1935

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**B I L L**

An Act to amend The Labour Disputes  
Act.

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Received and read the

First time . . . . .

Second time . . . . .

Third time . . . . .

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HON. MR. HOADLEY

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EDMONTON:  
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1935