

REPORT OF ROYAL COMMISSION TO DEAL WITH DISPUTES IN CONNECTION WITH COAL MINING OPERATIONS IN NOVA SCOTIA AND NEW BRUNSWICK

A REPORT of a Royal Commission, which was established in the month of July last to deal with various disputes in connection with coal mining operations in Nova Scotia and New Brunswick, was received in the Department on September 13 and on account of its importance is included in the present issue of the *LABOUR GAZETTE*. The report contained the unanimous recommendations of all three members of the Commission, which was composed as follows: Mr. E. McG. Quirk, Montreal, Sir William Stavert, Montreal, and Mr. W. P. Hutchinson, Moncton, N.B., Mr. Quirk being selected as chairman. The appointment of this Royal Commission was based on a recommendation made by a Board of Conciliation and Investigation established under the Industrial Disputes Investigation Act, 1907, to deal with a dispute between the Dominion Coal Company and its employees, in the month of July last. Demands had been made on behalf of employees of various mines for the readjustment of their wage scales. The above mentioned Board of Conciliation and Investigation reported that no public interest could be served by an investigation restricted to one company alone and that, whereas several Boards either meeting simultaneously or successively would find it almost impossible to arrive at a common agreement, and whereas the stability of industry and the conservation of the public interest are most desirable at the present time, the best course would be to appoint a Royal Commission "with full power to deal with the whole coal mining industry of Nova Scotia with a view to making such recommendations and findings as, in its judgment, will tend to stabilize the industry and to best conserve the interests of mine workers, the operators and the public."

Apart from questions affecting the coal mining industry of Nova Scotia the Board was empowered to deal also with

certain difficulties existing in connection with questions pertaining to the coal mining operations which are being carried on in the Minto District in the province of New Brunswick.

The three members of the Commission visited the different mining districts in Nova Scotia and New Brunswick, conferred extensively with operators and representatives of the men, and, as occasion served, with miners other than representatives, going down into and exploring the mines, and inspecting housing and other living conditions at most of the places visited. Sittings were also held at Glace Bay, Halifax, and Fredericton, at which the miners' claims and the companies' positions respectively were discussed. The demands of the men, based on their grievances are outlined by the Royal Commission in its report under three categories, as follows:

1. Incidentals appertaining to technical conditions in general, both underground and on the surface
2. Housing and other living conditions.
3. Specific increases in remuneration

The Commission has dealt first with Category One in a schedule attached to the report, where it will be found that the incidental demands, which are in detail and numerous, are set forth in their numerical order as presented, with the findings or replies of the Commission closely following in each case.

With regard to Category Two, the Commission has submitted a strong recommendation in favour of better housing and improvements in other living conditions. The Commission also recommended that the attention of the civil authorities, both provincial and municipal, should be drawn to the above findings to ensure the necessary steps being taken to ameliorate the deplorable conditions which were found to exist.

With reference to Category Three, the

Commission recommended that the demands of the men under this head should be met in full.

The Commission has also dealt in its report with the questions of output, equipment and interruptions of work, and has recommended the establishment of adjustment boards to deal with any disputes or grievances which may arise during the period of the next contract.

The report of the Commission was communicated by the Department of Labour to the companies and employees' representatives respectively concerned.

The full text of the report is as follows:

Sydney, N.S.,
Sept. 9th, 1920.

To the Honourable

The Minister of Labour,
Ottawa, Canada.

The undersigned Commissioners appointed by Minutes of Council, approved by His Excellency the Governor General on 3rd July, 1920, to investigate coal mining operations in the Provinces of Nova Scotia and New Brunswick, have the honour to report that on assuming our duties we made Sydney our first objective. On arriving in that city we placed ourselves in communication with all the operators in Nova Scotia, with the recognized representatives of the men and later with operators and men in New Brunswick. We append a list of operators so communicated with and indicate on the list the names of the operating companies who responded and were represented at our conferences.

We have visited the principal mining districts in both Provinces, and spent considerable time at Glace Bay, the collieries in that district which are designated "Dominion," with varying numbers, Reserve, New Waterford, Sydney Mines, Inverness, Pictou, Stellarton, Westville, Springhill, Joggins and Minto, conferring extensively with operators and representatives of the men, and, as occasion served, with miners other than representatives, going

down in and exploring the mines, and inspecting housing and other living conditions at most of the places visited. During the time devoted to such investigations we placed ourselves in the hands of the representatives of the men and of the operators and, in the presence of both, investigated grievances, and representations of the men, with explanations of the Operators, at close range with the principal object of absorbing the viewpoints of the men and operators and arriving at an understanding knowledge of the grounds upon which the men make their demands.

We also held formal conferences first at Glace Bay, on the 20th and 21st July, at Halifax from 9th to 15th August, inclusive, and at Fredericton on 18th and 19th August. At these conferences the representatives of the men attended in force, some twenty all told, consisting of the President (Mr. Baxter), the Vice-President (Mr. Ryan) and the Secretary (Mr. McLachlan) of No. 26 District, and representatives from the different workmen's locals in the District. The operators were also largely represented. The procedure followed was the formal presentation of the demands of the men by Mr. Baxter, who supported the demands by extensive argument, and who, in turn, was supported by the Vice-President and Secretary, as well as by the representatives of the different locals. The demands are similar in all respects to demands placed in the hands of the operators, with one exception, by the representatives of the men in April last. The men had their case well prepared and it was presented in a capable and respectful manner. The representatives of the operators replied at length and presented their explanations of the grievances advanced by the men and their views of the demands put forward. Stenographic records of the proceedings of the different conferences were taken and will accompany this report in typewritten form, bound in volumes, together with the various exhibits which are referred to and which latter consist of statements and memoranda presented

by both sides in support of their arguments.

After considering the very great differences existing in conditions as between the Provinces of Nova Scotia and New Brunswick, the Commission has decided to deal separately, in some respects, with these Provinces in its findings and recommendations.

The demands of the men, based on their grievances, may be divided into three categories as follows:

I. Incidentals appertaining to technical conditions in general, both underground and on the surface.

II. Housing and other living conditions.

III. Specific increases in remuneration.

The Commission has dealt first with category one in a schedule attached to the report, where it will be found that the incidental demands, which are in detail and numerous, are set forth in their numerical order as presented, with the findings or replies of the Commission closely following in each case.

With regard to category two, Housing and other living conditions, we find:

That in view of the fact that the Housing, domestic surroundings and sanitary conditions of the miners are, with few exceptions, absolutely wretched, and that such conditions have a deterrent effect on the miners' ability to produce coal, and are a menace to themselves and families, and further, that children brought up in such an environment have not the same chance of life and health as children reared under better conditions, as proven by Government statistics as to infant mortality, it is therefore recommended that the Companies that own the houses put and keep them in proper repair and that a sewerage system be devised and inaugurated whereby surface closets will be eliminated, or that installation of a modern septic sewerage system be provided where it is found that the ordinary sewerage system is not feasible. Suitable kitchens should also be provided where they do not now exist.

In the matter of water facilities for the houses of the mine workers, your Commission recommend that an adequate supply be furnished and so conveniently located that the miners and their families may avail themselves of it. Pure water which is an essential, should be supplied each family in a quantity sufficient for all purposes of domestic use.

In making the foregoing recommendations the Commission is actuated by the conviction that, for humanitarian reasons, for the present and future well-being of the miners and their families (it being from the miners' families of today that the miners of tomorrow will be drawn) and to assure to the industry the necessary recruits to maintain the force required to achieve the success of the industry, it is essential that such improvements be effected.

It is also recommended that the attention of the civil authorities, both Provincial and Municipal, be drawn to the above finding to ensure the necessary steps being taken to ameliorate the deplorable conditions which we found to exist.

Seeing that rentals applying to miners' houses little more than cover repairs, if that, not to mention depreciation, and that the proposed improvements will occasion extra repairs, if only to the sanitary feature of the improvements, the Commission is of opinion that as and when the improvements recommended above are effected, an increased rental of 50c. per month per \$100 or fraction of \$100 expended in improvements, should apply to provide for such extraordinary repairs.

With reference to category three, the Commission in the process of carefully studying the principal demands of the miners, viz.: those in respect of the general increase, originally inclined to the adoption of a plan by which the demands would be met first, by a flat increase of one-third of the amounts named, and second by increased tonnage rates on a sliding scale to correspond with the increased output, the larger the output the greater the remuneration per ton, the benefit to be divided between all employees, the whole with a prospect of making it possible, without undue effort on the part of the men, to realize even larger remuneration than that demanded. The prospect of increased output was based on a plan of adjustment by which the numbers of

Contract men could be increased by transferring men now doing datal work, but capable of undertaking contract work, to such latter work, and by which the Contract men would receive such proportion of the benefits as would make their remuneration attractive. It however occurred to the Commission on more mature consideration that, for the reason that it would take some considerable time, preparation and study, on the part of both operators and men, to bring about the necessary adjustment, and that therefore the men would not realize the benefits, perhaps for a number of months, the Commission finally decided as follows:

It recommends subject to conditions set out below and also subject to rights under existing contract, if any, a specimen of which is referred to elsewhere, that the demands of the men under this head be met in full as follows:

An increase of one dollar per day for all datal men, 24 cents per ton on all tonnage rates, and 25% on all local contracts, all haulage, deadwork and timbering, the increases to apply to all districts with the following exceptions, viz.:

In Pictou County the increase shall be 27% on tonnage rates.

In the mines of Nova Scotia Steel and Coal Company the present lowest tonnage rate to be increased 24c per ton and a like percentage of increase to be added to all other tonnage rates, for example, a ton rate is .81c, twenty-four cents added makes it \$1.05 or an increase of 29.5%. A lower height of coal is paid \$1.18. Twenty-nine point five per cent added to \$1.18 equals \$1.53, and so on.

Contract rates for trimmers shall be increased 27%.

Rates for coal shippers and other employees connected with the piers to be increased 27%.

The increases to date from or be retroactive to the time of the issue of the Commission, say 1st July last. The recommendation is however subject to the condition that it is to be distinctly understood and agreed that operators and men will agree to co-operate and bring about the adjustment referred to, and within twelve months, or say on or before 1st September, 1921, adopt the

partial advance and sliding scale scheme, the particulars of which are more fully set out below, together with examples of its working. The partial advance and sliding scale scheme may be put into effect at any time, by any Company at any mine previous to 1st September by mutual consent of operators and men.

Under the partial advance and sliding scale scheme the men will receive an advance upon their present rates of pay on the following basis, that is to say:

A flat increase of one-third of the increases demanded and allowed conditionally up to and including 31st August 1921, on the presently existing rates, and a further increase on the basis of increased output to be calculated and applied as follows:

By computation of man days for a stated period, any one month, divided into total output for the period in question, the average output per man per day is ascertained. Should there be an increase of output per man per day over and above the similar average of the mine or mines or company which shall come into question, for the first six months of the present year, the men are to be rewarded for such increase by there being set aside by the operators a sum to be calculated on the following scale:

For an increase up to and including

1/10 tons	10 cents	per ton	on total	output.
2/10 "	19 "	" "	" "	" "
3/10 "	29 "	" "	" "	" "
4/10 "	40 "	" "	" "	" "
5/10 "	52 "	" "	" "	" "
6/10 "	65 "	" "	" "	" "
7/10 "	79 "	" "	" "	" "

The sum so set aside to be divided among and paid to the men monthly on the following basis, viz.:

The contract or producing men, as a body to receive \$2.00 for every \$1.00 to be paid the datal or non-producing men, inclusive of pier men, construction men, section men, but exempting such men as come under the McAdoo schedule, so-called, as a body. In the subdivision the contract men to be paid in proportion to their regular earnings during the period in question and the datal and other men mentioned above, excepting McAdoo schedule men, to be paid equal amounts without reference to proportions. For example:

In case of a force all told of 1,000 men, 400 of which are contract men and 600 datal men and having a month's increased remuneration of \$21,000 to be divided, the Contract men as a body would receive \$12,000 and the Datal men would receive \$9,000. The \$12,-

000 would be distributed among the contract men in proportion to their regular earnings for the month, and the \$9,000 equally among the datal men, or say \$15 each.

In the case of a property selected for the purpose of illustration, should the suggested adjustment of datal men and contract men result in increasing the output per man per day to 2.4 tons, which is 20% in the case of that property, its present output being 2.00 tons per man per day, or say slightly over half of the difference between the output of 1914, which was 2.7, the percentage of increase paid the men would be approximately 85% of the demands for contract men and 57 per cent of the demands for datal men, which, together with the flat increase of 33½ per cent, would be approximately equal to the increase demanded, or if the adjustment should result in increasing the output per man per day to 2.7 tons, which was the output in 1914, the percentage of increase paid the men would be approximately 67% over and above the demands for contract men, and 34% over and above the demands for datal men, which together with the flat increase of 33½% would amount to considerably more than is demanded, or approximately an average of \$2.89 per day for contract men and \$1.67 per day for datal and other men referred to in that class, as against \$1.44 for contract men and \$1.00 per day for datal men, the increases demanded.

The increased output by tenths of a ton, together with the flat increase of 33½ per cent, will affect the men approximately according to the following table—an average output of 6 tons per day per Contract man being used in the calculation:

TABLE.

Tenths of a ton Increase.	Increase per day.	
	Contract Men.	Datal Men.
1 tenth.....	.78	.57
2 tenths.....	1.06	.72
3 tenths.....	1.36	.90
4 tenths.....	1.70	1.11
5 tenths.....	2.06	1.37
6 tenths.....	2.46	1.67
7 tenths.....	2.89	

The above calculations are based upon the adjustment plan referred to above,

which contemplates increasing output, and increasing producing men and proportionally decreasing Datal men, on a sliding scale.

The Adjustment Board provided for by the report should be able to arrange to mutual satisfaction any difficulties which may arise in giving effect to the plan providing for the sliding scale of increase, such as the basic output which should apply in respect of new mines, the percentage of increased output or other questions in respect of unusual or extraordinary conditions and the apportioning of Construction and other men used at a distance from the bank heads to the operation which may come in question or otherwise. The Commission therefore feels that by a liberal use of the Adjustment Board and of amicable co-operation, it will be found that disputes can be promptly settled to the mutual advantage of both operators and men.

It is recommended that all moneys accruing under the retroactive feature of the agreement shall be due and payable within sixty days of the signing of the agreement.

EQUIPMENT.

The Commission finds that at some points both operators and men are prejudiced by reason of inadequate equipment, that is to say, where want of pressure for radials or punching machines is complained of it is found that an insufficiency of power for the purpose of the mines exists. The necessary increase of power would result in greater output to the mutual benefit of operator and men. Similarly additional racks should be provided, in some cases, to the same end. In some instances the wash houses are inadequate and unsanitary. The Commission is impressed with the grievances of the men on these scores, and recommends that the operators give special attention to those features of the equipment by enlargement, adjustment to modern systems and observance of rules governing sanitation where such is required.

RADIALS.

In some places radial machines are being installed with good results so far as increased quantity and cost of production are concerned. After viewing the machines at work and on making comparison of their efficiency with the punching machines and hand picks, which we have also seen at work, we have concluded to recommend the more universal instalment of the radial machines in such places as they may be regarded as fitted for.

In making such improvements and additions as are above referred to, and in generally bringing equipment up to date, much needed relief will be afforded the men. The coal shortage will also be lessened, to the benefit of the public, and the operating companies will probably increase their margin of profits through reduction of percentage of overhead charges on greater production.

ELECTRIC LAMPS.

The Commission recommends that where practicable electric lamps should be installed by the operators as a means to greater efficiency and larger production, instead of the so-called safety lamps, but the advisability of the collateral use of the safety lamps should be borne in mind for the purpose of detecting the presence of gas, that is to say, an occasional safety lamp should be available and easy of access to parties of men working in places where gas is likely to make its appearance, and that the advisability for making the tests should be kept prominently in mind.

GENERAL.

On looking closely into the comparison between the percentages of the increased cost of living on the one hand and the percentages of increased remuneration paid on the other, together with the shortening of hours which has recently been enjoyed by the men, we find that by actual computation the cheap fuel and rent by which the men benefit has

the effect of reducing the percentage of increased cost of living from 146 per cent as shown by the *Labour Gazette*, to 100 per cent. We also find that the remuneration has been increased on the average by approximately 100 per cent. It may therefore be said that wages have been increased to correspond with the increased cost of living, and that the men's standard of living has been increased by the reduction in the hours worked, from ten hours to eight hours per day, a reduction which may be said to be an advantage enjoyed by the men in addition to having maintained their previous position relative to income and expenditure.

It is claimed for the men that to maintain their position relative to the increased cost of living is not sufficient for the reason that they had no margin of income over expenditure at the time of the previous date with which the present is compared, and that they wish for more money to spend and to improve their standard of living. That is a claim which is similar to many which have heretofore been made elsewhere, and which will many times be made again, and we are in sympathy with it, as may be seen in our findings regarding housing and other domestic conditions, and in our findings regarding other demands, including remuneration. We would, however, point out that whatever may be said on the score of improving standards, the present is not a time for increasing expenditure, but, in view of the requirements for reconstruction and repair of the damages of warfare, is rather a time for increased energy and carefully guarded thrift.

In contrasting working conditions and rates of wages paid to labour in various parts of Canada, in other industries, with those paid to datal men in the mining industry in Nova Scotia, and New Brunswick, and, having regard to the benefits enjoyed by the mining men by reason of cheap coal and rentals (which are referred to in another paragraph) to the actuarial percentages of danger to life and to the question of

comforts and discomforts in mining and other industries, to the permanency of employment and elimination of bad weather as a factor in the mining industry in Nova Scotia (the contrary being the case, viz., the substitution of a uniform temperature the year round so far as underground men are concerned, with a minor exception) we find that the men engaged in the coal mining industries do not greatly suffer by comparison. By the same process of reasoning we find that contract men are in a similarly favourable position as compared with highly skilled labourers in other industries, because of similar advantages.

It has been brought to the attention of the Commission that a prevalent custom exists among the miners of taking what they term a "holiday" or "vacation" on account or because of some minor grievance, thereby curtailing that production which is so necessary to the life of the country. The Commission recommends that the officers of the U. M. W. of A. take occasion to condemn and discourage such practices, believing that the Adjustment Board provided by this finding will eliminate the excuse for such "holidaying" or "vacationing."

The Commission was impressed with the apparent injustice suffered by fourteen men during the first week of July in the present year, in failing to obtain access to the Dominion Coal Company's No. 14 Mine at New Waterford after having presented themselves ready for the day's work. The particulars of the circumstances are set out in a presentation by Mr. Baxter as recorded on page 8 of the proceedings of the conference in Halifax on 14th August. The men in question are claiming indemnity for loss of time, but the matter could not be taken up by the Commission without prejudice to the prompt production of this report. It is therefore recommended that the Board which is provided for in this report, take the matter up as soon as possible, enquire carefully into the merits of the case and give a ruling.

Similar remarks to the above apply in the Crawford case, so-called, which is also presented by Mr. Baxter. Particulars may be found in the record following the presentation of the case of the fourteen men referred to above, where the case is further explained by Mr. Hays who represented the Springhill Lodge at the conference in Halifax.

OUTPUT IN THE UNITED STATES.

The Commission has noted that the output per man per day in the United States is greatly in excess of that produced in the Nova Scotia coal-fields and have also noted that the cost of production per ton is much less in the United States than in Nova Scotia. Under these circumstances it takes occasion to observe that in a competitive market the United States coal operators have an advantage over the Nova Scotia operators. The attention of the miners in Nova Scotia therefore is called to the above conditions and the suggestion is made that efforts be put forward to remedy them as a matter of self preservation, and to assure to the industry the permanency which is so essential to the industrial welfare of the country and the uninterrupted continuance of work for the mine workers.

ADJUSTMENT BOARD.

Believing that disputes or grievances are likely to arise from time to time in matters of more or less importance which cannot be foreseen at the time of rendering this report, or which the Commission in making their finding could not anticipate and provide for, it is recommended that this finding constitute a contract between the Mine Operators and the United Mine Workers of America for the period ending 31st May, 1922, and thereafter until cancelled by thirty days' notice from either party. It is also recommended that, in order that no cessation of work may take place from strikes, lockouts, "vacations" or similar causes, an Adjustment Board of three be ap-

pointed by co-operation between operators and men, to determine all disputes which may occur during the life of the contract, such Board to consist of one member to be named by the Company or companies affected, and one member to be named by the Executive of the U. M. W. of A. these two to choose a Chairman, and failing to agree, such Chairman shall be named by the Federal Minister of Labour. The procedure—in case of disputes—to be as at present up to the point of the interview between the Executive of the U. M. W. of A., and the highest operating official of the Company concerned. Failure to agree will automatically call into action the services of the Adjustment Board whose finding shall be binding on the Company and the men. The expense of this Board shall be borne equally by the Company or companies affected and the U. M. W. of A., such expense to be in accordance with that Section of the Industrial Disputes and Investigation Act of 1907, and amendments, which refers to compensation. It is further recommended that the manager or official in charge of each Company designate a stated hour each week in which to meet the Men's Committee for the discussion of any grievances or other matters which may arise and which may affect the welfare of the Company and the men, if any.

In making the above recommendations providing for the formation of an Adjustment Board and periodical meetings between the operators and a committee of the workers, the Commission desire to disavow any intention of subscribing to "compulsory arbitration" but are firmly of the opinion that such a procedure during the life of the contract would be, with the co-operation of the companies and the men, the most effective and business-like method of settling any minor disputes that might arise.

It is therefore earnestly recommended to both men and operators that in acting upon these recommendations every effort towards amicable co-operation should be made.

DOMINION COAL COMPANY CLERKS.

The Commission has taken into consideration the case of the Dominion Coal Company's clerks, on representation of Mr. Baxter, and find that there is in existence an agreement dated July 15th, 1919, between the Dominion Coal Company and its clerical staff which provides machinery for the adjustment of grievances. It would also appear that the clerks have not taken advantage of this machinery although requested by the Chairman of the Commission to do so, on the understanding that, failing a settlement, the Commission would deal with the matter. It is therefore felt by the Commission that the terms of the contract should be carried out and it recommends that the Company and the representatives of the men should take the matter up and by co-operation endeavour to effect an amicable settlement. In the event of failing to do so, the Commission recommends that the parties interested have recourse to an Adjustment Board on the plan laid down in another paragraph in respect of the Nova Scotia Steel and Coal Company's clerks.

EXISTING CONTRACTS.

In making our finding subject to rights under existing contracts, if any, we refer above to a specimen which is dealt with as follows: The Commission has taken cognizance of the award of the MacKinnon Conciliation Board, so-called, in respect of the Dominion Coal Company and its employees, in which there is a clause providing for a revision of Schedule every four months period. This award is in effect as from January 1st, 1920, for one year. The men claim, and it has been conceded, that in April the demands which are before the Commission were submitted to the Dominion Coal Company and were not acted upon. Mr. McCann claims for the Dominion Coal Company that the contract is still in force as it originally existed, notwithstanding the notice which was filed with the officers of this Company at the end of the first four months period

asking for a revision as provided in the award. The stenographic records will show Mr. McCann, when appearing at one of the conferences, as having expressed himself as follows:

The Dominion Coal Company is prepared to do everything within its means to ameliorate the condition of the workingmen. We are anxious to make life as easy as possible for everybody within reason.

In view of the men's claim that, having acted in respect of the four months' clause in the MacKinnon award, and of the Company having failed to respond, they are entitled to benefit by the finding of the Commission in respect of their demands, the Commission, while not attempting to decide a legal point, suggests that the claim referred to be allowed.

NOVA SCOTIA STEEL AND COAL COMPANY CLERKS.

The Commission was interviewed by a committee representing the clerical staff of the Nova Scotia Steel and Coal Company, but inasmuch as this staff was identified with the Steel industry solely in some cases and jointly with the Steel and Coal Industries in others, and as the mandate of the Commission was confined to industrial conditions as they affected the Coal Industry, the Commission realized that they could not, in justice to all concerned, deal with the question without exceeding their authority.

The Commission feels however that the Clerical Staff may have a cause for complaint, and recommends that in so far as the Colliery Clerks are concerned, the services of an Adjustment Board, similar to that outlined in another paragraph be created with the proviso that the appointment of representatives or members be by the Clerks' Union in one case and the Secretary of the Company in the other. The two so appointed to select a third, and failing to do so, the Federal Minister of Labour to so appoint a third. This Board to settle all

disputes under this head and their finding to be final.

MINTO DISTRICT, NEW BRUNSWICK.

The Commission intimated, earlier in the report, that it proposed to deal separately with mines and mining operations in the Provinces of New Brunswick and those in Nova Scotia. We find, however, on reaching this stage of our deliberations that most of our findings apply with equal force to conditions in both Provinces and we therefore confirm our recommendations accordingly. There are, however, some conditions which apply in particular to the operations at Minto, New Brunswick. They are set forth in the demands made for the miners by Mr. Baxter in his presentation of the case as reported on page two of the first day's conference at Fredericton, and may be dealt with serially as follows;

DEMAND 1. One dollar per day increase on all present day pay rates, and 27 per cent increase on all contract rates.

This has to do with the main question of increased remuneration which has been fully dealt with in another section of the report, and is intended to apply to conditions at Minto, but seeing that increases have occurred since 1st May, 1920, it is stipulated that these rates are to be regarded as being added to those in effect at that date.

DEMAND 2. Better ventilation of the mines. We recognize that perhaps because of mining at Minto being in its initial stages as compared with mining in Nova Scotia, the perfection in ventilation may leave much to be desired. It has been found, however, that the largest operator at Minto already has equipment at the spot and is proceeding with its installation. We also find that other operators at Minto recognize the importance of greater attention to this feature of the industry, and have expressed their intention of taking steps to improve conditions in that respect in the near future.

DEMAND 3. Check off of Union dues through pay-office.

The Commission does not see its way to make any positive recommendation in this connection but would take occasion to observe that the practice has been adopted and is being followed by all the larger operators, and many of the smaller ones, in Nova Scotia, and the Commission suggests that the operators at Minto take into consideration the advisability of taking a favourable view of the request.

DEMAND 4. All pushing of boxes to be paid for.

The Commission finds that pushing of boxes cannot be as conveniently eliminated in the mines at Minto as in those of Nova Scotia, the principal reason being that head-room is not sufficient to permit of the use of horses. It may also be observed that distance of transportation underground is reduced by frequency of shafts, which is permissible by reason of the shallow over-burden, and that the proportion of cost on output which would be occasioned by the installation of mechanical haulage would be excessive. While, therefore, pushing cannot be eliminated or even largely reduced the Commission recommends that the cost of pushing should be included in the tonnage rate or be made the subject of negotiation in the different cases, between men and operators.

DEMAND 5. Better housing conditions; and adequate water supply for workmen.

The Commission has dealt with housing conditions and water supply elsewhere, and while it must admit that the Minto Mines do not appear to have the character of permanency which the Nova Scotia Mines have, it cannot greatly alter its recommendation in respect of Minto. It would, however, observe that because of a very much smaller degree of congestion, in respect of numbers of houses at any one point, the recommendation concerning systems for sewerage may for the present be waived.

DEMAND 6. Bell rope on both sides of shaft and a by-path to pass from one side of the shaft to the other.

The Commission finds that, where a bell rope is on only one side of the shaft, it is the simplest kind of an operation imaginable to attach a "bridle," making it possible to use the bell rope from either side of the shaft, and as the operators appear to be agreeable to provide a by-path to permit of passing from one side of the shaft to the other, the Commission does not feel that it is called upon to make any recommendation in this connection.

DEMAND 7. All workmen to be paid time and a half for overtime, and double time for Sundays and holidays.

The Commission would apply its findings as set out in this respect in other parts of the report to Minto, its decision being that the custom now prevailing be continued.

DEMAND 8. When a miner is taken from the working face to do shift work to be paid \$6.00 per day.

The Commission noted at the conference that the operators appeared to be willing to concede that when a miner is taken from the working face to do shift work he should receive his average rate of pay. The Commission considers this fair and recommends accordingly.

DEMAND 9. When a man reports for work he must be given work or a day's pay.

The Commission's reply to a similar demand included in the incidentals dealt with elsewhere is as follows: "The Companies have expressed willingness to place such men under such circumstances to the best advantage, recognizing the hardship and injustice to men so affected without consideration." As the operators at Minto seem to be in accord with the operators in Nova Scotia in this respect, the Commission does not feel called upon to take any definite action.

The attention of the Commission has been drawn to the absence of Coal Min-

ing Laws and Regulations in the Province of New Brunswick and recommends that the attention of the Provincial Department of Mines be brought thereto.

The following Minto operators were represented at the conference held at Fredericton, viz:

Harvey Welton, representing himself.

International Paper Company, represented by A. D. Taylor.

Rothwell Coal Company, represented by H. J. Evans and W. B. Evans.

Avon Coal Company, represented by Burton C. Wood.

John Henderson, representing himself.

Minto Coal Company, represented by Charles J. Coll and R. B. Hanson, K.C.

Grand Lake Coal Company, represented by J. A. Armstrong.

Before closing the report the Commission wish to state that they are deeply indebted to the officials of the operating companies and the Executive of the United Mine Workers of America and the various committee men, and others who interested themselves, for facilities extended to its members, and the cheerful manner in which co-operation was given. Such kindly consideration was of material assistance to the Commission. We also appreciate the courtesies of the Council of Glace Bay and those of the Governments of Nova Scotia and New Brunswick in so kindly placing at our disposal their Legislature Chambers in which to hold the Conference.

(Signed) E. MCG. QUIRK.
W. E. STAVERT.
W. P. HUTCHINSON.

List of operators communicated with by the Commission on instituting enquiries and investigations, those responding by attending the Conferences, or some of them, being distinguished by (A).

(A) Dominion Coal Company: H. J. McCann, Gen. Manager, Glace Bay, N.S., representing mines in Cape Breton and at Springhill.

(A) Nova Scotia Steel and Coal Company: T. J. Brown, Gen. Manager, Sydney Mines, C.B.

Indian Cove Coal Company: Thos. Hartigan, Gen. Manager, Sydney Mines, C.B.

Bras d'Or Coal Company: Géo. Burchell, Gen. Manager, Little Bras d'Or, C.B.

Inverness Railway & Coal Company: R. E. McLeod, Inverness, N.S.

Port Hood Collieries: Malcolm Beaton, Gen. Manager, New Glasgow, N.S.

Greenwood Coal Company: J. W. McLeod, Gen. Manager, New Glasgow, N.S.

Milford Coal Mining Company: Alex. Sutherland, New Glasgow, N.S.

(A) Acadia Coal Company: Felix Robertson, Gen. Manager, Stellarton, N.S.

(A) Maritime Coal, Railway & Power Company: Robert Bell, Gen. Manager, Joggins, N.S.

(A) International Coal Mining: William Maxwell, Gen. Manager, Westville, N.S.

(A) Minudie Coal Company: Geo. H. Sterne, Gen. Manager, Amherst, N.S.

Emmerson Coal Company: W. L. Barnes, Gen. Manager, River Hebert, N.S.

John T. Douglas, Glace Bay, N.S.

(A) Harvey Welton.

(A) International Paper Company: A. D. Taylor.

(A) Rothwell Coal Company: H. J. Evans and W. B. Evans.

(A) Avon Coal Company: Burton C. Wood.

(A) John Henderson.

(A) Minto Coal Company: Charles J. Coll and R. B. Hanson, K.C.

(A) Grand Lake Coal Company: J. A. Armstrong.

NOTE: The Inverness Railway and Coal Company, an operation of considerable size, being in the hands of a Receiver at the time when the Commission instituted enquiries and investigations, was not represented at the Conferences. The Commission took occasion, however, to visit the mines.

Schedule of Demands of District No. 29 United Mine Workers of America with replies by the Commission

GENERAL CONDITIONS UNDERGROUND.

1. All mining tools be sent into mine and stanchel at a convenient place on each landing and a man appointed to look after all tools and give to their owners.

Reply—

The Dominion Coal Company and the Nova Scotia Steel Company will place tools at the

top of working landing or within reasonable distance of the working places and will provide men to give out these tools.

Acadia Coal Company and Springhill now doing what is asked.

Intercolonial Coal Company will agree to stanchel tools at a reasonable place. In view of the favourable nature of the replies of the Companies quoted we do not hesitate to recommend that this demand be complied with so far as is possible and practicable.

2. A continuous service of riding rake after 12 o'clock noon where it does not interfere with the hoisting of coal.

Reply—
We recommend that present conditions be maintained or where possible or practicable improved by negotiation between operators and men.

3. Where a miner has a miss shot and loses coal that he be made up to his average day's pay.

Reply—
Where a miner has a miss shot and loses coal it is recommended that he be compensated for actual time lost while at the face, plus the cost of his explosives, and detonator.

4. That 25 feet be the maximum distance for shovelling down coal in pitching seams.

Reply—
The Commission recommends that the demand in this respect be complied with, and that where shovelling beyond 25 feet shall be required, the cost shall be a matter of negotiation between the men and the operators.

5. Where pushing boxes in pitching seams cannot be abolished that pushing boxes be paid for at the rate of five cents per ton, from 200 to 250 and an additional five cents for each fifty feet.

Reply—
We find that the operators recognize as we do the objections to excessive pushing, have undertaken to greatly eliminate it, and have already taken steps to that end. We also find that such pushing cannot be eliminated in all cases. Where it cannot be, the cost should be a matter of negotiation between operators and men.

6. When a man reports for work he must be employed and given work in an ordinary place or receive his average wage.

Reply—
The Companies have expressed willingness to place men under such circumstances to the best advantage, recognizing the hardship and injustice to men so affected without consideration.

7. All miners out of places receive \$5.50 per day.

Reply—
The operators' reply to this demand is that

in cases of men out of places and for whom there is work they shall get classification rate for such work. The Commission considers this fair.

8. That four rooms be given to all machine runners under-cutting in rooms and sufficient compressed air to supply all machines.

Reply—

The reply of the operators is as follows:—

Four places will be given to all machine runners under-cutting in rooms and sufficient compressed air to supply all machines.

The Commission considers this a satisfactory reply.

9. All local contracts now in force to be incorporated in the general agreement.

Reply—

It is the opinion of the Commission that present conditions governing local contracts at different points should be maintained as far as possible and practicable.

10. When men lose time on account of pressure that Companies pay for time lost at the regular rate paid miners out of places.

Reply—

The operators' reply that a reasonable effort will be made by the Companies to supply men with pressure. The Commission feels that more or not well be demanded under present conditions of equipment, on which latter point the Commission has made a separate finding.

11. That not more than two miners be allowed to work in one place and the men have the right to select their own buddies when double shift is required.

Reply—

It is recommended that the men's demand in this connection be complied with except under exceptional circumstances, which should be adjusted between the Manager and a committee of the men, provided however, that in cases of a heavy fall of coal or other emergency, more men may be employed.

12. Where a rake of men are employed on a new lift that the Company run the riding rake down night and morning.

Reply—

The Commission accepts the reply of the operators to the effect that where riding rakes are in use the Companies will endeavour to take the men as near their work as reasonably practicable. We would however add that there appears in some cases to be ground for complaint because of inadequate equipment and because rakes should exist where they do not now. It appears to the Commission that it is an economic point of some importance that by extension of rakes greater efficiency, with increased output, can be attained to the mutual benefit of men and operators.

13. Where the pit starts in the morning and stops before 11 a.m., all datal hands be paid one-half shift, and when pit runs up to 12.30 p.m. all datal hands to receive one shift.

Reply—

The Commission feels that it cannot recommend any variation from the present custom.

14. That all employees shall receive time and a half for over time and double time for Sundays and legal holidays.

Reply—

The Commission recommends that the custom now prevailing be continued.

15. Where any men report for work in or about the mine they must receive a job or be paid a day's pay.

Reply—

The operators' reply to this demand is to the effect that they cannot bind themselves to find employment for men where no work is available, and the Commission sympathizes with that view.

16. That men are being hired on at the different collieries, making a change possible that the principle of seniority of service be recognized when making such changes providing that said employees affected are capable of fulfilling the duties required of them.

Reply—

The operators' reply is as follows: If this applies to the collieries that the man is working in, we are agreeable as this is the system in vogue at present. The management should be the judge as to the fitness of the man for the position. The Commission while approving of this reply would take occasion to recommend that seniority and corresponding ability be preferred to other considerations.

17. Resolved that we protest against coal companies changing conditions after contract has been drawn up; and further we demand that any proposed changes be discussed when wage agreement is being drawn up.

Reply—

It should be unnecessary for the Commission to enjoin upon either operators or men the necessity for living up to the terms of agreements entered into. A case was cited in this connection which seems to be the cause for the creation of this demand but the Commission cannot feel that any finding possible in respect of this demand will prevent a recurrence of cases similar to that cited. We understand that the case cited is now in process of adjustment in a manner satisfactory to all concerned.

18. Where new work is being started and no rate set for it that the men receive six dollars a shift till there is a rate agreed to between the Company and the men.

Reply—

If this demand is regarded as applying to men

working at the face, the Commission is agreeable and recommends the allowance of the demand.

19. That all timber set by miners and roads laid by miners be paid for at schedule rate.

Reply—

The Commission finds that the cost of timber set and roads laid by miners in rooms is recognized as being included in the tonnage rate.

20. Men turning their own fans, tending their own donkey, or shovelling down their own coal, when they cannot get a man, be paid the rate of \$5.50 per day.

Reply—

It is recommended that men compelled to turn their own fans, tend their own donkey or shovel down coal, when they cannot get a man, be paid the classification rate of such work in addition to what they may earn at the face in connection with their contract.

21. When a shortage of men occurs and two men are compelled to do the work of three men that they receive time and a half.

Reply—

The operators reply that two men cannot do the work of three men. The Commission understands that it is but rarely that the operators call upon two men to do three men's work, and that when it is done the custom is to compensate the two men, and therefore recommends that practices as heretofore maintained at different points should be continued.

22. That each local Union shall have complete jurisdiction in Union matters, over the mine or plant where its members are employed, and may determine by vote of its members at any of its regular meetings whether any new employee shall become a member of their Local Union. The right of self determination shall not be abridged by officials of the Company interfering in any union affairs.

Reply—

The Commission does not see its way to disturb conditions in this respect as they have hitherto existed.

23. One dollar flat rate of increase for all datal paid men, and twenty-four cents per ton increase on present ton rate.

Reply—

This demand is dealt with elsewhere.

24. All local contract, all yardage, dead work and timber be increased 25 per cent.

Reply—

This demand is dealt with elsewhere.

25. Double shifted places to receive seven cents extra over the regular ton rate.

26. A double shifted single place to receive fifteen cents per ton over regular rate.

27. Continuous night work to receive ten cents extra over regular ton rate.

28. Where an under-cutting machine is working week about the machine runner to receive two cents per ton extra.

Reply--

The Commission understands that these and similar demands are now complied with in whole or in part at various places, and recommends that all four demands should be subjects of separate negotiations between men and operators at the different points where questions may arise. It is impossible to make a ruling which will apply at all places alike.

SURFACE

1. One dollar flat rate for all datal paid men excepting as provided in the following conditions

Reply--

This demand is dealt with elsewhere.

2. Any man working at mechanical repair work for three years to be considered a first grade mechanic.

Reply--

A man working at mechanical repair work three years shall be considered a first grade mechanic, but is not to receive a first grade mechanic's wages until there is a vacancy in a first grade mechanic's position, in which case, if competent, the senior man should receive the appointment and be paid as such.

3. That all mechanics, carpenters, blacksmiths, and all surface laborers be given an eight hour work day with one hour for dinner.

Reply--

If this demand means that all mechanics, carpenters, blacksmiths, and all surface labourers be given a nine-hour work day less one hour for dinner, or in other words an eight-hour day with a nine-hour spread, the Commission recommends that it be allowed.

4. Men employed on a job that requires continuous service to be paid time and a half for Sundays and legal holidays, when working his regular shift.

Reply--

The Commission makes the same recommendation in respect of this demand as was made regarding demand No. 14 (General Conditions underground), viz:

That the custom now prevailing be continued.

5. Engineers operating an engine of 800 h.p. to be paid \$6.00 per day.

Reply--

The Commission regards this as an alteration in the schedule of classification rates for which there does not appear to be sufficient warrant.

6. All other employees to receive \$1.00 per day flat increase, except car shunters who are to receive the brakemen's rate.

Reply--

This demand is dealt with elsewhere.

7. All firemen be brought up to the standard including head firemen, and increases to be added to that standard.

Reply--

The Commission cannot recommend the allowance of this demand.

8. Construction carpenters now receiving less than standard rate of wages be given the standard rate paid at the machine shops and all other increases added.

Reply--

The Commission cannot recommend allowance of this demand. It would seem to it, having regard to the circumstances, that the participation of the men in the general increase recommended should be sufficient.

9. Demand six-hour day for sinkers and a rate of \$1.25 per hour and the abolishment of electric hoists in sinking shaft.

Reply--

The Commission regards this demand as a matter of negotiation as between operators and men, as occasion arises.

10. That where there is a new agreement put in operation and a disagreement arises out of said agreement, involving loss of work for mine committee, and in the event of the Company being in the wrong, then the Company shall pay committee's expenses.

Reply--

The Commission cannot recommend the allowance of this demand.

SHIPPERS AND TRIMMERS

Increase of 27 per cent on contract rates and on those new rates, coal to be trimmed not more than 25 feet from the hatch. Extra work to be paid by the hour.

Reply--

The question of increase is dealt with elsewhere. The Commission recommends that the limit of 25 feet be allowed and that extra work be a matter of negotiation.

Coal shippers rates to be increased 27 per cent. All holidays to be paid for.

Reply--

The question of increase is dealt with elsewhere. The Commission recommends that the question of payment for holidays be a matter of negotiation.

All other workmen connected with piers be increased 27 per cent; all overtime to be paid time and one-half. A guarantee of \$30.00 per week for all shippers and trimmers in district 26 U. M. W. of A.

Reply--

The question of increase is dealt with elsewhere. The Commission recommends that the question of guarantee be a matter of negotiation, but does not see its way to allow the demand in respect of time and a half.

GENERAL CONDITIONS APPLICABLE TO UNDERGROUND AND SURFACE EMPLOYEES.

1. All datal employees, including men who work on continuous jobs, shall receive double time for Sundays and legal holidays and time and one-half for overtime.

Reply—

The Commission makes the same recommendations in respect of this demand as was made regarding demand No. 14 (General Conditions Underground) and No. 4 (Surface); viz:

That the custom now prevailing be continued.

2. That rent of Coal Company houses be reduced 25 per cent and all Companies do sanitary work and have all dwellings fenced.

Reply—

The Commission is dealing with this demand elsewhere in the report.

3. That eight hours in twenty-four hours shall constitute a shift; that all work performed over eight hours in twenty-four in any one day, shall be paid for at the rate of time and a half, double time for Sundays, and legal holidays; this not to apply to continuous work.

Reply—

The Commission recommends that this demand be allowed so far as eight hours in twenty-four hours constituting a shift is concerned but must make the same ruling in respect of the remaining part of the demand as has been made in respect of Demand No. 14 (General Conditions Underground) and No. 4 (Surface) and No. 1 (General Conditions Applicable to, Underground and Surface Employees) viz:

That the custom now prevailing be continued.

4. That all employees working on datal rate by night receive twenty-five cents extra over day rate.

Reply—

The Commission recommends adherence to present customs.

VARIATIONS.

1. That a schedule of rates for Birch Grove be drawn up to conform with the rates of other mines.

Reply—

The Commission cannot find any good reason for allowing this demand.

2. Cross cut work at Dominion No. 2 receive at present for the first fifteen feet forty-two cents, all the rest of cross cuts fifty-five cents per foot. Resolved that we demand fifty-five cents per foot for all of the cross cut.

Reply—

The Commission recommends that present rates continue to apply.

3. Railroad section men demand time and a half for overtime and double time for Sundays.

Reply—

We understand that certain customs presently maintained regarding remuneration to section men, called out for extra time and on Sundays. The Commission therefore feels that this demand should be treated in the same manner as decided with reference to No. 1 (General Conditions applicable to Underground and Surface Employees,) viz:

That the custom now prevailing be continued.

4. Resolved that Dominion No. 10 rates be brought up to conform with Jubilee mine in Sydney Mines.

Reply—

The Commission cannot find any good reason for allowing this demand.

5. That the granting of permits or certificates of competence to inexperienced men be abolished, except in the case of returned soldiers who are anxious to learn the work for which they are seeking.

Reply—

The Commission takes occasion to express disapproval of the issue of permits to inexperienced people and to the attempts to make permanent use of such permits and recommends strict adherence to Government regulations in respect of the issue of certificates.

6. That we make a demand for two places to work in instead of one and further that we demand 35 per cent increase for all handpick miners on or above all rates paid to cutters, shooters and loaders (Waterford)

Reply—

The Commission cannot recommend the allowance of this demand.

7. A demand for radial machines in Dominion No. 1 and some extra pay granted until radials are placed in mine.

Reply—

The Commission is favourable to this demand and deals with the desirability of installing radials when discussing General Equipment. As the Company has expressed its intention of installing radials in Dominion No. 1, forthwith, we do not see the advisability of allowing that part of the demand which refers to extra pay.

8. Waterford Power Plant be paid the same rate of pay as now paid at No. 2, Colliery Power Plant.

Reply—

The Commission is of the opinion that there is reason for the existence of slightly higher rates of pay at Dominion No. 2, than at Waterford, and therefore hesitates to recommend the demand.

9. Whereas there is much dissatisfaction amongst the road makers on account of the present rate and existing conditions, be it resolved that we demand \$7 per day for all datal road makers.

Reply—

The Commission considers that the best results in road making are achieved through contract work and is of the opinion that that system should apply where possible. It therefore withholds its recommendation for the allowance of this demand.

MEMORANDUM.

A LOCAL CONTRACT OF WORKING CONDITIONS Between Dominion Coal Company and Local Union No. 4514 located at Springhill.

Clause 1. That the Company put a man at each lift to stand the picks and give them out on each shift, and the pick houses to be always kept locked.

Reply—

A similar demand is dealt with in our reply to demand No. 11 (General Conditions Underground).

Clause 2. That no more than two miners be allowed in a place at any one time and that the men have the right to select their own butty and his opposite shift when double shift is required.

Reply—

A similar demand is dealt with in our reply to demand No. 11 (General Conditions Underground).

Clause 3. That wherever a rake of men are employed on a new lift that the Company run the riding rake down night and morning.

Reply—

A similar demand is dealt with in our reply to demand No. 12 (General Conditions Underground).

Clause 4. When any new work is being started in which there is no price on, that the Company pay the men employed at that work \$6.00 per day until such time as the Local Union No. 4514 and the management can agree on a rate for said District.

Reply—

A similar demand is dealt with in our reply to demand No. 18 (General Conditions Underground).

Clause 5. That all timber set by miners and all road laid by miners be paid for at the schedule rate.

Reply—

A similar demand is dealt with in our reply to demand No. 19 (General Conditions Underground).

Clause 6. That the Company pay 10c. per ton extra for all double shifted places after June 1st, 1920, and 15c. per ton extra for the third shift.

Reply—

A similar demand is dealt with in our reply to demands Nos. 25 and 26 (General Conditions Underground).

Clause 7. That the distance for putting down coal by miners in close work be 21 ft. in high and low coal, and the distance for shovelling out coal in board or cross cuts be 12 ft. and in pillars the distance be 25 ft. from the box after the above mentioned distance in this clause, the Company to put down coal or pay the rate for common labour to miners doing it.

Reply—

The Commission allows this demand so far as distances in the different specifications are concerned, but recommends that the price for shovelling beyond the distances referred to in the different specifications be a matter of negotiation between the operators and the men.

Clause 8. That men turning their own fan or tending their own donkey or shovelling their own coal when they don't get a man, they be paid the rate of \$5.50 when taken out.

Reply—

A similar demand is dealt with in our reply to demand No. 20 (General Conditions Underground).

Clause 9. That when Company hands are required to go to another Company hand job when short of men that they must be paid time and a half for it. Due to shortage of men two men are compelled to do the work of three men that they receive time and a half.

Reply—

A demand similar to the latter part of this demand is dealt with in our reply to demand No. 21 (General Conditions Underground). The Commission feels that it must disallow the first part of the demand.

Clause 10. That when the pit starts in the morning and stops before 11 o'clock all Com-

pany hands must be paid a half shift, and if run up to 12.30 o'clock and then stop all Company hands must receive their full shift.

Reply—

A similar demand is dealt with in our reply to demand No. 13 (General Conditions Underground).

Clause 11. That all employed shall receive time and a half for over time and double time for Sundays and legal holidays. Double time from the time the p. stops on Saturdays and days before holidays.

Reply—

The Commission make the same reply to this demand as it has made in respect of demand No. 14 (General Conditions Underground).

Clause 12. That when men report work at lamp cabin and are let down they must receive a job that day.

Reply—

A similar demand is dealt with in our reply to demand No. 15 (General Conditions Underground).

When making use of the term "sensible," "practicable," "reasonable," other inflections of those words, the Commission have in mind that that term is to be governed or qualified by such test as may be determined, in case of dispute, between interested parties, by the Arbitration Board which is provided for in the report.