

LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
7TH COUNCIL, 49TH SESSION

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OFFICE OF THE COMMISSIONER
NORTHWEST TERRITORIES
CANADA

Yellowknife, N.W.T.,
XOE 1H0,
7 March 1973.

CHIEF,
LABOUR AND WORKMEN'S COMPENSATION
DIVISION

CONFIDENTIAL

Report of the Labour Board of Inquiry

It seems to me that I wrote on this subject only the other day; however, on second thought my letter was to the Deputy Commissioner with instructions on what to do with the report. The Executive has decided that the Report of the Labour Board of Inquiry should be sent in confidence to all Members of Council. At the same time, I shall urge Council Members to read over the report, familiarize themselves with the contents, and come prepared to discuss the matter at the June Session of Council. Dr. Pugh and his committee should be present at that time, thus permitting a full and detailed discussion of the various recommendations. Once Council has given its reaction to the recommendations, legislation can be drawn up for presentation at the January 1974 Session. In the meantime, consideration can be given to releasing the report, perhaps in May, to acquaint the general public and those who presented briefs with the recommendations and to permit them, if they feel so inclined, to contact their respective Council Members and advise them of their reactions.

ORIGINAL SIGNED BY
S. M. HODGSON

S. M. Hodgson,
Commissioner.

*Carroll
Givens
Bin
C*

BCC: Deputy Commissioner
Assistant Commissioner

Mr. Remnant

*To note:
We have sent
the report out to
Council*

REPORT OF
BOARD OF INQUIRY
INTO
**LABOUR STANDARDS AND
LABOUR RELATIONS
IN THE
NORTHWEST TERRITORIES**

CONFIDENTIAL

JANUARY 19, 1973



GOVERNMENT OF THE NORTHWEST TERRITORIES

January 19, 1973

Mr. S.M. Hodgson, Commissioner,
Government of the Northwest Territories,
Yellowknife, N.W.T.

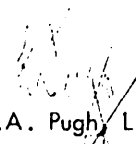
Dear Sir:

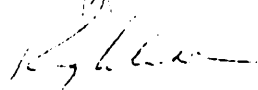
On May 17, 1972 you appointed a Board of Inquiry comprised of Dr. K.A. Pugh, Chairman, Mr. Reg. Clarke and Mr. Roy Jamha, Members, to inquire into the advisability of revising the Labour Standards and of adopting an Ordinance respecting Labour Relations and other matters pertaining thereto.

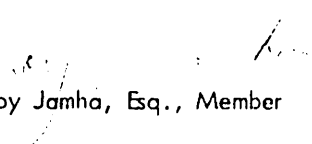
The Board of Inquiry respectfully submit their report and recommendations pertaining to all matters reviewed by the Board.

We remain, Mr. Commissioner,

Yours faithfully,


K.A. Pugh, LL.D. Esq., Chairman


Reg. Clarke, Esq., Member


Roy Jamha, Esq., Member

CONFIDENTIAL

REPORT OF
BOARD OF INQUIRY
INTO
LABOUR STANDARDS AND
LABOUR RELATIONS
IN THE
NORTHWEST TERRITORIES

TERMS OF REFERENCE

On the date of May 17, 1972, Mr. S.M. Hodgson, Commissioner, appointed a Board of Inquiry comprised of Dr. K.A. Pugh, Chairman, Mr. Reg. Clark and Mr. Roy Jamha, Members, to inquire into the desirability of revisions to the Labour Standards Ordinance, respecting hours of work, minimum wage, vacation pay, general holidays and other matters affecting employment conditions and to also inquire into the advisability of an ordinance to promote and assist in maintaining proper relations between labour and management including certifications, collective bargaining procedures, conciliation and arbitration, establishment of a labour relations board and other matters pertaining thereto.

BACKGROUND INFORMATION

On October 12, 1965, a Board of Inquiry was appointed to inquire into the feasibility of the Government of the Northwest Territories adopting an ordinance respecting minimum wages, hours of work, paid vacation and statutory holidays. Subsequently, under date of May 10, 1966, the Board of Inquiry filed its report with the Commissioner of the Northwest Territories. The recommendations of the Board of Inquiry met with the approval of the Commissioner and the Northwest Territories Council and was enacted as Chapter Four, an

Ordinance to provide for Labour Standards in the Northwest Territories ascended to November 25th, 1967, and proclaimed by the Commissioner to be in full force and effect on and after the 1st day of July 1968.

Subsequently, this Ordinance was amended, increasing the minimum wage from \$1.25 per hour to \$1.50 per hour effective July 1, 1970.

Since the enactment of the Labour Standards Ordinance, rapid industrial development of the Northwest Territories has taken place. World wide demands for energy and minerals have stimulated the search for gas, oil and minerals in the Territories, resulting in changes to the residents from a hunting, trapping and fishing economy to that of a wage economy. It is anticipated that this change in particular sections of the Northwest Territories will be more rapid in the future than it has been in the past.

In view of these changes which have taken place and those anticipated, there is a need to review the basic standards for employment to protect the worker from exploitation, and to enhance the standard of living for all the citizens of the Territories. Therefore, the Commissioner, Mr. S.M. Hodgson appointed the Board of Inquiry on May 17, 1972, to hold an inquiry in accordance with the terms of reference herein before mentioned.

PARTICIPATION BY INTERESTED PARTIES

The Secretary of the Board of Inquiry placed the following notice in all of the newspapers in the Northwest Territories on or about June 1st, 1972.

ATTENTION

Notice of Inquiry

into

Labour Standards and

Labour Relations

in the

Northwest Territories

The Commissioner of the Northwest Territories has appointed a Board of Inquiry to review the provisions of the Labour Standards Ordinance for possible revisions and to examine the feasibility of adopting a Labour Relations Ordinance including certification, conciliation and arbitration procedures, and to invite all persons interested to submit their views and opinions on all or any matter relating to these subjects to:

The Secretary,
Labour Board of Inquiry,
Labour Division,
Government of the N.W.T.,
Yellowknife, N.W.T.

before June 23, 1972.

The Board will review all formal representations and recommendations at public hearings to be arranged in the Northwest Territories. Dates, time and places of hearings will be announced later.

Subsequently, the following notice was published in all the N.W.T. newspapers on or about July 1st, 1972, advising the time, the dates, and the places of public hearings.

ATTENTION

Notice of Hearings Re
Board of Inquiry into
Labour Standards and Labour Relations
in the Northwest Territories

The Labour Board of Inquiry appointed by the Commissioner of the Northwest Territories will hold hearings in respect to the above named subjects as follows:

- Yellowknife, N.W.T. in the Court Room, Post Office Building on Monday, July 17th, and Tuesday, July 18th, 1972 from 9:00 a.m. to 5:00 p.m.
- Inuvik, N.W.T. in the Court Room on the second floor of the Government Administration Building on Thursday, July 20th, 1972 from 9:00 a.m. to 5:00 p.m.
- Frobisher Bay, N.W.T. in the Board Room of the Administration Building of the Government of the Northwest Territories on Tuesday, August 1st, 1972 from 9:00 a.m. to 3:00 p.m.
- Resolute Bay, N.W.T. in the Airport Hotel on Friday, August 4th, 1972 from 9:00 a.m. to 1:00 p.m.
- Hay River, N.W.T. in the Court Room of the Court House on Monday, August 7th, 1972 from 9:00 a.m. to 3:00 p.m.
- Fort Smith, N.W.T. in the Board Room of the Administration Building, Government of the Northwest Territories, on Wednesday, August 9th, 1972 from 9:00 a.m. to 3:00 p.m.

The Board will hear representations from organizations and individuals who have submitted briefs. For further information contact:

The Secretary,
Labour Board of Inquiry,
Labour Division,
Government of the Northwest Territories
Yellowknife, N.W.T.

Besides the formal publications of the notices of the dates of hearings, etc., the Board sat on September 19th in Fort Simpson.

It will be noted that the interested parties were invited to submit written briefs and were asked to notify the Board of Inquiry of their intention to give oral evidence in support of their briefs before the said Board. In all, thirty-eight briefs and submissions were received from organizations and companies and persons listed in Appendix "A" and attached to this report.

In view of the fact that the responsibilities of the Board of Inquiry are two-fold:

1. A review of the Labour Standards, and
2. To examine the feasibility of adopting a Labour Relations Ordinance;

the report is divided into two main divisions. Even though certain recommendations to be made by the Board pertain to both Labour Standards and Labour Relations it is thought wise to keep the recommendations separate since there is a Labour Standards Ordinance in effect and the recommendations of the Board made thereto

would require merely amendments to the pertinent sections of the Ordinance .

The recommendations of the Board concerning Labour Relations require the development of a complete Ordinance dealing with the right to organize, the freedom of association, including the certifications, collective bargaining procedures, conciliations and arbitration. A Labour Relations Board be established with the view of promoting and assisting in maintaining proper relations between labour and management. Therefore, we shall continue by dealing with firstly, the suggested revisions to the Labour Standards Ordinance , Chapter Four .

PART ONE - LABOUR STANDARDS ORDINANCE

Hours of Work

The consensus of opinion expressed in management briefs regarding the limitations of hours of work provided in the Ordinance was that it was working extremely well. In view of the flexibility in the limitations of hours of work for certain industries, such as in exploration and development of metal, mining and petroleum including, geophysical, geological and siesmological and diamond drilling, and in the transportation of goods to and from isolated areas, and in tourist camps, all such industries had been able to maintain their operations in the most productive manner .

It was also stated if the normal standard weekly hours of work were reduced such industries could maintain proper staffing of their operations as long as the same flexibility continued, allowing maximum hours of work to be fixed on a monthly basis for such industries.

Even though organized labour request in their briefs a reduction of the weekly total hours of work to 40 from 48 as a standard work week, they agree that there is a need for continuing flexibility in the Ordinance.

THE BOARD RECOMMENDS that effective April 1st, 1974, the weekly total hours of work be reduced from 48 in a week as in the Ordinance at present, to 44 hours in a week, and that the necessary corrections be made in the various sections of the Ordinance to accommodate such reduction of hours.

(For example, the hours of work provided in section 5 for industries based on a monthly total of 208 would be reduced to 191 hours in a month.

Also provisions will be required to make appropriate amendments to Section 6 of the Ordinance to accommodate the reduction of the weekly hours from 48 to 44 per week in April 1st 1974. Thus in Section 6, subsection 1, the figure 60 will require deletion and the figure 54 substituted therein. In subsection 2 the figure 260 hours be deleted and the figure 234 hours be substituted therein.)

It is suggested that appropriate provision be made for authority to establish hours of work different than the standard hours in a particular situation on application by employer and agreed to by his employees.

Presently, with exception of the exclusions from the standard hours and basing certain industries on the monthly maximum hours, all hours of work in excess of 8 hours a day must be on overtime rates of one and a half.

With the development of the petroleum and petro-chemical industries, there is developing a trend for a four day week in certain situations. In some cases arrangements have been made for a ten hour day and a four day week giving the employees three days off per week.

The Board believes there should be flexibility to accommodate this sort of arrangement, providing of course that before establishment of such hours of work, that extreme care must be taken to ensure that the longer hours will have no harmful effect to the health and welfare of the employees.

The Board would also RECOMMEND for the protection of female employees' generally that provisions be made in the Ordinance requiring the employer to provide safe transportation to employees' to and from their residence to the place of work, if work commences or terminates between the hours of 11:00 p.m. and 6:00 a.m. the following morning.

Minimum Wages

The Board ascertained that a large number of employers in industrial establishments were paying rates in excess of the present minimum wage of \$1.50 per hour.

Most of the submissions from management have recognized that in view of the high cost of living in the Territories an upward revision could be expected. In fact, one group of management suggested a figure of \$2.00 per hour.

Organized labour in discussing the high cost of living in the Territories submitted that the minimum wage should be at least \$2.50 per hour.

In fact, one brief suggested that the minimum wage should be at a rate which would ensure an income a little better than the income derived from welfare.

Another organization further suggested that since the cost of living increased dramatically the farther north you are employed from the 60th parallel that increasing the minimum wage rates commencing at \$2.25 per hour upward should be brought into effect starting at the 60th parallel, then increasing 25¢ per hour at designated parallels would be the most

equitable way of guaranteeing the minimum standard of living for employees.

While in a few provinces of Canada the minimum rates of pay are established in zone areas, it is now generally conceded that a minimum wage rate should have universal application and in areas where the cost of living is extremely high other methods of easing the burden should be explored.

From time to time individuals expressed concern as to the employment of residents in the Territories, maintaining that firms bring employees in from outside at a higher rate of wage than they pay local residents doing the same work.

It would therefore appear to the Board that since the fixing of a minimum wage rate has an impact not only on the standard of living but also on social problems, the present \$1.50 per hour is inadequate due to the high cost of living and the variables in employment opportunities.

THE BOARD RECOMMENDS a minimum wage of \$2.00 per hour to be effective September 1st, 1973 and a further increase of 50c per hour on April 1st, 1974, for all employees over 17 years of age. For employees under 17 years of age the minimum rate of wage of \$1.75 per hour effective September 1st, 1973 and \$2.25 per hour effective April 1, 1974.

This suggested increase of 50¢ per hour to be effective April 1st 1974 is to achieve two objectives; to ensure that the employees will not suffer reduced income by the reduction of the hours of work from 48 to 44 per week on the 1st of April 1974, and secondly, to attempt to ease the burden of increased costs of living, which it is predicted, will continue to rise particularly in the Territories.

This assumption is made on present day factors which have a direct bearing on the cost of living such as high transportation costs, fuel costs, rental and accommodation costs, that unless there are other remedies bringing about a reduction in such costs, it is suggested that perhaps the minimum rate of \$2.50 per hour will not be sufficient to ensure a minimum standard of living for employees.

Annual Vacations

The Board recommends that additional provision be included in Section 18 of the Ordinance to provide for three weeks vacation after five years of employment based on 6% of the employees' earnings and the appropriate amendment also made to Section 22.

To ensure employees' entitlement to a general holiday which may fall while he is away on vacation the Board recommends that present Section 21 be rescinded and the following be substituted therefore,

"Where a general holiday occurs during vacation granted to an employee, pursuant to Part Four, the vacation to which the employee is entitled, may be extended by one day but the employer shall pay to the employee in addition to the vacation pay, the wages to which the employee is entitled for that general holiday."

General Holidays

It would appear from evidence submitted to the Board that it has become a practice for certain types of employment, particularly that of stores, offices, etc., to close on the first Monday in August and since there is no provision in the present Ordinance to grant such a day as a holiday, the employees suffer a reduction in take home pay.

THE BOARD RECOMMENDS an appropriate amendment be made to Section 2 clause (e), to include the first Monday in August as a general holiday upon proclamation of the Commissioner.

We find upon examination of the collective agreements and of Labour Standards throughout Canada, that the vast majority of such standards provide for employees' entitlement to holiday pay whether or not such a day falls on a working day.

It therefore appears only just THAT WE RECOMMEND an amendment to Section 25 to ensure the employee receives holiday pay whether or not the general holiday falls on a working day. This could be achieved by deleting the words "that would otherwise be a working day" and by substituting "within any period of his employment".

Maternity Leave

Strong representations were made to the Board regarding protection of female employees to ensure that they shall not suffer loss of employment and reduced income upon returning to employment after confinement.

THE BOARD WOULD RECOMMEND that a maternity leave clause be inserted protecting the employees' job for eleven weeks, five weeks before delivery and six weeks following and that the employees' receive the same wage and benefits upon return to work as when she left on leave or maternity leave.

Wage Recovery

Numerous complaints were made to the Board regarding the non-payment of wages. Particular reference was made to employers who came in from outside, had work performed for them, disappeared and left wages unpaid.

While we appreciate that the Wage Recovery Ordinance provides a civil remedy for the recovery of wages, it would appear there is a need for sterner measures to be taken.

THE BOARD WOULD RECOMMEND two approaches to assist the employee.

The FIRST RECOMMENDATION would be to amend the Standards Ordinance to provide that all wages due to an employee must be paid within 10 days of each pay period, and such pay period should not be greater than one month.

Failure to comply would be an offence of the Ordinance and the employer if found guilty, besides being required to pay the fines and costs should also be required to pay the wages upon an Order from the Court. (N.B. See section 30 of The Alberta Labour Act as an example.)

THE SECOND RECOMMENDATION would be a

requirement that all employers be bonded to ensure the payment of wages .
The Board would RECOMMEND that the employer be required to post a bond
in an amount of 75% of the annual payroll or anticipated payroll .

THAT PROVISION be made for an exemption from the
requirement of posting a bond on application by an employer to the
Administrative Tripartite Board, where such Board is satisfied that there has
been no default in the payment of wages in a three year period prior to the
enactment of the Legislation requiring bonding, or where the employer can
produce documentary evidence that he is able to meet his payroll at all
times .

PROVISION to be made, naturally, that where an
employer fails to post a bond or fails to receive an exemption and continues
to employ employees this shall be an offence of the Ordinance and subject to
penalty, the minimum and maximum fines should be stipulated and in such
amount as to deter employers from contravening the law .

FINALLY, in any case where the employer fails to post a
bond, the Government may pay to the employees the wages due to him by the
employer . Then the onus of recovering such monies paid out in wages be
initiated by the Government through legal action against the employer .

Application

Besides the formal sittings of the Board members, the Board has the opportunity of meeting with individuals and discussing with them their problems concerning their employment. Such discussions were of mutual importance, the Board, on the one hand gained a great deal of knowledge and the employees on the other hand appreciated the sympathetic hearing given to them by the members of the Board.

One bitter complaint was concerning the long hours of work and no protection under the Ordinance for employees engaged in commercial fishing. It is noted in the first report to the Commissioner on May 10, 1966 employees engaged in commercial fishing were to be included under the Ordinance but by the very nature of their occupation, the maximum hours of work was to be based on a monthly total rather than a daily and hourly total.

THIS BOARD ALSO WOULD RECOMMEND, to stop exploitation of employees engaged in commercial fishing and to protect the employees, that the application of the Ordinance be amended so that such employees be not excluded and further recommend that their hours of work be based on a monthly total.

Administration & General

THE BOARD WOULD RECOMMEND that under the

provisions of Section 45 that a Board be established and provisions be made in the legislation for the authority to have additional members appointed so that the total Board would not exceed five members.

FURTHER, the Board to have a great deal more authority and power than that of advising the Commissioner. This would include making recommendations to the Commissioner with regards to general changes of hours of work and minimum wages, vacation pay, etc., and would have the administrative authority to deal with individual applications regarding the question of changes in shift hours of work, permission to work over-time, etc., and enforcement of the legislation.

This recommendation of the Board concerning the establishment of a Tripartite Board herein before mentioned, is dependent on whether or not the Commissioner will entertain recommendations of the Board of Inquiry pertaining to the question of advisability of establishing Labour Relations legislation for the Territories.

Fair Practice Ordinance

A number of the briefs discussed with the Board pertain to the Fair Practices Ordinance and particularly to two points.

1. The exclusion of an employer who employs

less than five employees.

2. That the Ordinance contain no protection to females except the protection for equal pay for equal work.

Cases were cited that in seeking accommodation females were being discriminated against by change in their status and mention was made to the Ontario, Alberta and other provincial legislation which provide that there be no discrimination against a person because of their marital status or sex.

The Board would RECOMMEND that where it is appropriate that the words "marital status and sex" be included in the provisions which provide for no discrimination, in employment, in membership of trade unions and in accommodation.

PART TWO LABOUR RELATIONS

In the main, the question of adopting a Labour Relations Ordinance received the most attention from labour and management. They expressed conflicting views not only on the adoption of such ordinance, but also on the provisions of any Ordinance that may be adopted.

It was indeed interesting to note that local management and local trade unions were very strong in proposing that the Government of the Territories assume authority over Labour Relations Matters.

THE BOARD could sense a growing provincial feeling in the attitudes of resident management and labour expressing the views that legislation is needed which will cope with conditions in the Territories which they believe are different from those elsewhere.

This same proposal was submitted by management of the construction industry representing a few contractors in, but mainly the contractors outside of the Territories. They also suggested the Canada Labour Code was inadequate to deal with problems of construction brought about by extremes in temperature, isolation, short construction season, camp operations and transportation problems and many of the recent amendments to the Code would or could cause problems in Labour Relations in the North.

They further suggested that due to the expanded northern construction that immediate action is needed to establish Labour Relations Legislation in the Territories.

Organized Construction Labour, on the other hand (we must again add, from outside the Territories) took the position that they felt it was not urgent for the Council to enact a Labour Relations Ordinance. Their suggestion was on the premise there was not sufficient work force in the Territories to justify a Labour Relations Ordinance.

In the discussions which took place at the various hearings, both management and labour expressed their appreciation for the assistance given to them by the Federal Department of Labour in the field of collective bargaining.

We heartily agreed with the strong position taken by management and labour that residents must be given every opportunity to employment and the right of first refusal of employment before outside labour is hired.

In the supplemental report of the previous Board of Inquiry, dated May 10, 1966, that Board suggested that due to the small size of the working force it would not be practical to establish labour relations legislation. However, we believe that the circumstances have changed a great deal. In particular, the transfer of the Territorial Government to Yellowknife.

Since the major part of the industrial development of the North is in the Mackenzie district the administration of the legislation is more closely associated with and has better knowledge of the peculiar problems, both economic and social, that exist in the north which has a great impact in the field of collective bargaining.

In the interest of the people of the Territories, THE BOARD RECOMMENDS, that it is now timely for the adoption of a Labour Relations Ordinance, such an Ordinance must guarantee to employees the freedom of association, the right of collective bargaining and proper procedures for the settlement of industrial disputes. We would also recommend that such legislation be written in clear, concise, simple language so that employees and employers could readily understand their rights and obligations under the law.

To ensure a full recognition of the principle of the rights of employers and employees in the collective bargaining we would suggest that a preamble be inserted in the legislation similar to the preamble contained in the Canada Labour Code.

Without a doubt and particularly in the construction industry many collective agreements executed outside the Territories will become operative in the Territories. Many of these agreements will contain Union Security and clauses requiring all employees to be or become members

of the union a party to the collective agreement, requiring the payment of initiation dues as a condition of employment. Since such clauses initially might impair residents from job opportunities, THE BOARD RECOMMENDS that residents be exempted from the payment of initiation fees required by Union Security clauses contained in collective agreements executed by employers and trade unions in all cases where the trade union is not a local trade union in the Territories.

The application on seniority clauses of agreements executed outside of the Territories has created problems for resident employees and again to ensure protection to such employees to have an opportunity to be gainfully employed we would recommend that such seniority clauses be null and void with respect to resident employees.

In the case of health and welfare plans contained in agreements between construction employers and trade unions and building trade unions, any monies so payable on behalf of resident employees should be funded in such a manner that the resident employees shall qualify under the eligibility clauses in such health and welfare plans.

We understand that the average plan today provides for requirement of 600 hours of work before an employee can qualify for such health welfare plans and since the resident employees of the Northwest

Territories may not be able to accumulate 600 hours, this figure should be reduced considerably to ensure that they enjoy such benefits.

(It is appreciated that a definition in the Ordinance is required to define what is meant by resident employee.)

THE BOARD RECOMMENDS, besides the ordinary prohibition against intimidation or threats by employers, trade unions, or those acting on behalf of such persons or organizations interfering with the right of an employee to join or not to join a trade union, that provisions be made that where an employee resides on land owned by or under the control of his employer that there be no prohibition against any representative of the trade union visiting the employee outside of working hours for the purpose relating to the formation of an organization, selection or administration of a trade union or soliciting membership in a trade union.

To expedite the process of certification it is suggested that an examining officer be authorized to issue an interim certificate of certification if:

- a) he is satisfied that the union is a proper bargaining agent,
- b) the unit for collective bargaining is appropriate and
- c) a majority of employees desire to have the trade union certified.

Upon issuance of the interim certificate if an employer is not satisfied then he could appeal to the Board for formal hearing. Time limits would have to be established.

However, if no appeal is made to the Board, then the interim certificate would become permanent Certification. Of course, provisions will have to be made where the Board itself by its own initiative might wish to call a hearing.

To encourage employees to participate in collective bargaining provision should be made permitting applications for certification to the Board by a trade union which has not less than 35% support of the employees in a unit. In all such cases, if the application is made on the wishes of 35% or more but less than 50% of the employees in the unit who are members of the trade union, then the Board must supervise a vote of the employees as to whether or not a majority of the employees entitled to vote desire the trade union to be certified as their bargaining agent.

In other cases where the trade union is supported by more than 50% of the employees in the unit, then the ordinary procedures of certification would be followed.

Provisions should also be made to prevent companies from incorporating "spin-off non-union companies". In the last year or so, in

the province of Alberta and other provinces, it has become a practice in the construction industry for some of the employers who enter into agreements with trade unions to incorporate other companies to engage in the same construction work but operate on a non-union basis. In the vast majority of cases, the directors and the major shareholders are the same as those of the company which has entered into a collective agreement with the trade union.

It has been brought to light that some companies will have seven or eight "spin-off" companies. It can well be appreciated that this makes a mockery of the entire process of the freedom of association with the right of collective bargaining.

THE BOARD WOULD RECOMMEND that the provisions to prevent this approach to negate collective bargaining could be in the following terms.

1. If and when the employer or any shareholder (holding a major equity or control thereto) shall perform or shall cause to be performed, any work covered by a collective agreement under its own name or under the name of any other as a person, corporation, company, partnership,

enterprise, associate, combination or joint venture, the collective agreement shall be applicable to all such work performed under the name of the employer or the name of any other person, corporation company, partnership, enterprise, associate, combination or joint venture.

2. Where a question arises under section 1 as to whether or not the collective agreement is applicable the Tripartite Board may decide the question and its decision is final and conclusive.

Administration

Reference made in Part One of this report of the establishment of a Tripartite Board with the powers to make orders and regulations and to administer the Labour Standards Ordinance, we recommend that the same Board be authorized to be a Labour Relations Board with quasi-judicial authority under a Labour Relations Ordinance and empowered with the responsibility of administering the said Ordinance.

In fact, to coordinate the administration of all legislation respecting employers and employees, one Board should be created responsible for the administration and other duties assigned to it respecting labour standards, fair practices, labour relations and any other legislation respecting employers and employees.

CONCLUSION

As experienced by the previous Board of Inquiry of the year 1966, in the submissions and oral discussions with us the problems of the residents who are not subsidized in accommodation or receiving northern allowances was strongly stated.

THIS BOARD WOULD STRONGLY SUGGEST that since no action has been taken on the recommendation of the previous report regarding subsidization of transportation and warehousing costs, and to bring equal opportunity of an adequate standard of living, that the Government should introduce an annual guaranteed income to every adult person, discontinuing welfare payments and northern allowance.

We appreciate, of course, that this would be a very bold step to take, however, would not the recognized treasure house of Canada be the logical place to distribute the wealth to the Canadians in the vast Territories in the North.

Names of Organizations, Associations, their representatives and persons who made submissions to the Board of Inquiry

YELLOWKNIFE, N.W.T.

Area Council - United Steelworkers of America	- Mr. Martin Kolenko, President, - Mathew Gwilliam, Reporter
N.W.T. Public Service Association Labour Standards Labour Relations	- Mr. Wayne Peterson, Secretary Treasurer
Mr. R.J. Borden - Accountant	
Imperial Oil Ltd.	- Mr. R.J. Ings
Alberta Federation of Labour	- Mr. Gene Mitchell, Executive Secretary
Giant Mines Ltd.	- Mr. D.J. Emery
Mr. J.C. Birt	
Indian Brotherhood of N.W.T.	- Mr. Jerry Sutton
Alberta Construction Labour Relations Association	- Dr. J.D. McFetridge - Mr. Wayne Roma
Canadian Petroleum Association	
Mrs. Alison J. McAteer	
Y.W.C.A. Letter re McAteer Brief	
Consumer's Association of Canada, Yellowknife Branch, re. McAteer Brief	
International Union of Operating Engineers	

Appendix A
Yellowknife, N.W.T. (cont.)

Pipeline Contractors Association of Canada

Purdy & Waller, Barristers

- Mr. Anthony Jordan

Yellowknife Board of Trade

Northwest Territories Tourist Association

Eric Smith - Fair Practices

Fair Wage Schedule

Canadian Manufacturers' Association
(Alberta)

INUVIK, N.W.T.

Mr. Richard Hill

Mr. D.P. Mercereau - Director,
Inuvik Region, Government N.W.T.

SACHS HARBOUR

Letter from Mrs. Agnes Carpenter

FROBISHER BAY, N.W.T.

Mr. Anthony Moss Davies

Frobisher Inn

- Mr. D. Miklos, Senior,
General Manager

Miss Denice Hemphill

Appendix A (cont.)

RESOLUTE BAY, N.W.T.

Tower Foundation Joint Project

- Mr. Leo Nelson,
Project Manager

Mr. Tom Goodwin

- Settlement Manager

HAY RIVER, N.W.T.

Mr. Mike Milan

Mr. Steve Dostalev

Pat Engbers

International Brotherhood of Carpenters
Local 1325, Edmonton

- Mr. Ron Dancer
- Mr. Duncan Laingley

FORT SMITH, N.W.T.

Canadian Labour Congress

- Mr. Ronald W. Lang

Canadian Construction Association

- Mr. Eric L. Hartley

Cominco Ltd.

- Mr. F.H.P. Dewdney
- Mr. R.J. Gray

Building Trades Dept.,
A.F.L. - C.I.O.

- Mr. I.C. Nessel,
- Mr. L. Leclair,
- Mr. N. Pon

Fort Smith Chamber of Commerce

- William Applewhite

FORT SIMPSON, N.W.T.

Mr. Joe Mercredi

