



CHAPTER 60

An Act respecting the arbitrating of disputes between certain charitable institutions and their employees

[Amended to, the 30th of March, 1939]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. In this act the words: "charitable institution" designate any institution recognized as a public charitable institution in virtue of the Quebec Public Charities Act (Revised Statutes, 1925, chapter 189). de- "Charitable institution".

2. It shall be illegal for any person employed in a charitable institution and filling any function whatsoever therein to go on strike with respect to a dispute between such institution and one or more of its employees, respecting the emoluments, salaries or wages of such employees or the hours of work. Any dispute in this connection may be submitted to a council of arbitration formed in conformity with the provisions of this act. Illegality of certain strikes.

3. Every application for the creation of a council of arbitration must be made in writing and be addressed to the Minister of Health. Application for creation of council of arbitration.

If it is made by a charitable institution, it must be signed by its president or by one of the officials thereof authorized for such purpose. By whom application must be signed.

If it is made by the employees, it must be signed by the majority of those exercising the trade, art or profession affected by the dispute and who work in the institution with respect to which the application for arbitration has been made. Idem.

Communica-
tion by
Minister of
Health.

The Minister must, within the fifteen days following the receipt of the application, communicate to the parties his decision to grant or to refuse it.

Composition
of council of
arbitration.

4. The council of arbitration shall be composed of three arbitrators not concerned in the dispute, appointed in the following manner: one by the charitable institution, another by the employees concerned, and a third by the first two, or, failing agreement between the latter, by the Minister of Health.

Replacing of
arbitrators.

5. If an arbitrator dies or becomes unable to act before the making of the report contemplated under section 7, or if he refuses or neglects to act within a reasonable delay, which must not in any case exceed ten days, he shall be replaced in the manner contemplated by section 4.

Appointing of
arbitrator in
certain event.

6. When one of the parties fails to appoint his arbitrator within the eight days from the receipt of a notice to that effect given by the Minister of Health, the latter may appoint such arbitrator upon the application of the other party.

Hearing, etc.,
of witnesses,
etc.

7. The council of arbitration shall hear the parties and their witnesses and shall obtain all the necessary information respecting the dispute.

Making of
report.

The council of arbitration must, within the delay fixed by the Minister of Health, make a full report to the latter of the evidence obtained and the conclusions which it has arrived at.

Offence and
penalty.

8. Every employee going on strike in infringement of the provisions of this act shall be liable, in addition to the payment of costs, to a fine of not less than ten dollars nor more than fifty dollars for each day's infringement, and, failing payment of the fine and costs, to imprisonment for not less than eight days nor more than one month.

Idem.

9. Any person who incites, encourages, or aids in any manner an employee to go on strike or to continue a strike in contravention of the provisions of this act shall be liable, in addition to the costs, to a fine of not less than fifty dollars nor more than five hundred dollars, and, failing payment of the fine and costs, to imprisonment for not less than eight days nor more than one month.

10. Each arbitrator shall be entitled to ten dollars for a full day's sitting, and to five dollars for half a day. Remuneration.

11. The costs of the arbitration shall be borne by the party designated by the council of arbitration. Costs of arbitration.

12. This act shall come into force on the day of its sanction. Coming into force

