

## CH A P. 30

An Act to amend the law respecting registrars and the organization of registry offices

[Assented to 26th March, 1901]

**H**IS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Article 5650*i* of the Revised Statutes, as enacted by the R. S., 5650*i*, act 57 Victoria, chapter 41, section 1, is amended by adding amended. thereto the following clause:

“The Lieutenant-Governor in Council may, whenever he deems it expedient, revoke any such proclamation; and after such revocation the registrar shall collect and keep for himself, as before such proclamation, the fees and emoluments of his office in place of receiving a salary.”

Revocation of proclamation, and registrar to collect and keep fees thereafter.

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

## CH A P. 31

An Act respecting Councils of Conciliation and of Arbitration for settling Industrial Disputes

[Assented to 28th March, 1901]

**W**HEREAS the establishment of Councils of Conciliation and Arbitration for the friendly settlement of disputes between employers and employees will conduce to the cultivation and maintenance of better relations and more active sympathies between employers and their employees, and would be in the public interest by providing simple methods for the prevention of strikes and lockouts; Preamble.

Therefore, His Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## SECTION I

## GENERAL PROVISIONS

**1.** This Act may be cited as “*The Quebec Trade Disputes' Act.*” Name of act.

**2.** In this Act the word “employer” means any person or body of persons, incorporated or unincorporated, employing defined.

“Employee” not less than ten workmen in the same business; the word defined. “employee” means any person in the employment of an employer, as defined by this Act.

What claims are included under provisions of this act. **3.** (1) A claim or dispute under this Act shall include any of the matters following as to which there is a disagreement between any employer and his employees :

Price for work done, (a) The price to be paid for work done, or in course of being done, whether such disagreement shall have arisen with respect to wages, or to the hours or times of working ;

Damage to work, etc. ; (b) Damage done to work, delay in finishing the same, not finishing the same in a good and workmanlike manner or according to agreement, or the nature and quality of materials supplied to employees ;

Price for mining, etc. ; (c) The price to be paid for extracting any mineral or other substance from a mine or quarry, or the allowances, if any, to be made for bands, refuse, faults or other causes whereby the extraction thereof is impeded ;

Performance of agreements ; (d) The performance or non-performance of any written or verbal stipulation or agreement ;

Insufficient food supplied ; &c. (e) Insufficient or unwholesome food or stores supplied to employees, where there is an agreement to victual them or to supply them with provisions or stores of any kind ;

Ill ventilated mines, etc. ; (f) Ill-ventilated or dangerous places in mines, or insanitary rooms in which work is being performed, or want of necessary conveniences in connection with such rooms or places ;

Dismissal, etc., of employees ; (g) The dismissal or employment under agreement of any employee or number of employees ;

Dismissal for connection with trade organization. (h) The dismissal of an employee or employees for his or their connection with any trade or labor organization.

Number of employees to be employed for claim to be within act. 2. No claim or dispute shall be the subject of conciliation or arbitration in any case in which there are less than ten employees interested in such claim or dispute.

Appointment of “Registrar.” **4.** The Lieutenant-Governor in Council may appoint a “Registrar of Councils of Conciliation and of Arbitration” for the settlement of industrial disputes, chosen from among the persons performing other duties in the public service.

Registrar shall : **5.** The registrar shall :

Receive applications for reference to Councils ; 1. Receive and register all applications by employers or employees or on their behalf for reference to a Council of Conciliation, or to a Council of Arbitration, of any dispute or claim within the meaning of this Act ;

Convene Councils ; 2. Convene such Councils for the purpose of taking into consideration and deciding any dispute or claim ;

3. Keep a register in which shall be entered the particulars of all disputes and claims made to either of these Councils, a summary of their proceedings and the original of their decision ; Keep register for disputes, etc. ;
4. Issue all notices in connection with the sittings of each such Council ; Issue notices, etc. ;
5. Do all such other things as may be required to carry this Act into execution, and perform all other duties defined by the Commissioner of Public Works. Perform other duties as defined.
6. The registrar may issue all summonses to compel witnesses to attend to give evidence before a Council of Conciliation or a Council of Arbitration, or to produce any document in their possession or for both purposes at the same time. Registrar summons witnesses, &c.

## SECTION II

## COUNCIL OF CONCILIATION

7. (1) A Council of Conciliation for the purposes of any dispute or claim, shall consist of four conciliators, two to be nominated by each of the parties to the dispute. Composition of Council of Conciliation and how nominated.
2. The nomination shall be by writing lodged with the registrar. Nomination to be in writing.
3. Either party may lodge the nomination paper with the registrar at any time after the dispute has arisen ; and, if only one of the parties has notified the registrar of the nomination of his conciliators, that officer shall give notice to the other party of the nomination which he has received. Who may lodge nomination paper and when.
4. Any vacancy in a Council shall be filled by a person nominated by the party who nominated the conciliator to be replaced. Vacancies how filled.
8. The dispute or claim may be referred to a Council of Conciliation in the two following cases :
1. If the parties to the dispute lodge an application therefor with the registrar ; What disputes may be referred : If both parties apply ;
2. If only one of the parties lodge the application. If only one applies.
9. The registrar on receipt of any such application from the parties or from one of them, shall lay the same before the Council of Conciliation constituted in the prescribed manner ; and he shall carry out all directions of the Council given him to effect a settlement of the dispute or claim. Duty of registrar upon application being filed.
10. Either party to the dispute or claim may be represented by one or more persons not exceeding three. Parties may be represented.

Bound by acts of representatives. Such party shall be bound by the acts of such representative or representatives. (Form D)

Managers to be appointed in writing if party less than twenty. If over twenty. **11.** Where the party numbers fewer than twenty, the manager or managers must be authorized to act by a writing signed by all such persons and handed to the registrar. Where the party numbers twenty or more, the manager or managers may be appointed or elected in such manner as such persons think proper.

Copy of documents selecting managers to be lodged with registrar. A copy of the resolution (if any) electing the managers, together with a declaration by the chairman of the meeting (if any) stating it to have been carried, shall be given to the registrar and be kept as a record of the election.

Joint statement or separate statement. **12.** The parties to the dispute shall, if possible, draw up a joint written statement of their case ; but if they do not agree thereupon, a statement in writing from each party shall be made.

To be forwarded to registrar before meeting. The statement or statements shall be forwarded to the registrar before the meeting of the Council.

Convening of meeting of Conciliators. **13.** When the parties have named their conciliators, the registrar shall by notice in writing (Form E) convene a meeting of the conciliators at such time and place as he determines.

Proceedings by and report of Conciliators. **14.** (1) After taking cognizance of the dispute and of the facts, hearing the parties and endeavoring to conciliate them, the Council of Conciliation shall transmit to the registrar a report setting forth the result of its operations. (Forms F and G)

If report states that no settlement has been made, proceedings thereafter. **2.** In case such report is to the effect that the Council has failed to bring about any settlement of the dispute, the registrar, on receipt of the report, shall transmit a copy, certified by him, to each party to the dispute ; whereupon either party may (Forms H and I) require the registrar to refer the dispute to the Council of Arbitration for settlement. (Form J)

### SECTION III

#### COUNCILS OF ARBITRATION

Two Councils of Arbitration : One for all disputes other than railway disputes. **15.** (1) There shall be two Councils of Arbitration : a Council of Arbitration for the settlement of disputes other than between railway (including street railway) companies and wage earners employed in respect of railway construction or traffic on railways ; and a Council of Arbitration for

the settlement of disputes between such railway companies and wage-earners so employed in respect of railway construction or traffic on railways.

One for railway disputes.

2. Each Council of Arbitration shall consist of three members British subjects, appointed by the Lieutenant-Governor in Council.

Appointment of members by Lieutenant-Governor.

3. One member is appointed on the recommendation of the employees, and another on the recommendation of the employers; such two members may, within twenty-one days after their appointment, submit to the Lieutenant-Governor in Council the name of some impartial person to be the third member, and president of the Council. (Form A)

One on recommendation of employees, another on that of employers, and the third on that of the two first.

4. In case of the said two members failing so to do, the Lieutenant-Governor in Council shall appoint as president an experienced impartial person not personally connected with or interested in any trade or industry, or likely by reason of his former occupation, business vocation, or other influence, to be biased in favor of or against employers or employees.

If they fail to agree on recommendation, appointment without.

5. The same person may be president of both councils.

President of Councils.

6. As soon as practicable after the Council has been completed, the names of the members of the Council shall be published by the registrar in the *Quebec Official Gazette*.

Publication of names in *Quebec Official Gazette*.

7. The Lieutenant-Governor in Council may, on the recommendation of the recommending authority, cancel the appointment of any member appointed on the recommendation of such authority.

Cancellation of appointment.

8. The term of office of a member of each Council shall be two years; at the end of which term and of every successive term of two years, a fresh appointment of members shall be made in manner aforesaid.

Term of office of members.

9. Every member retiring from office shall be re-eligible.

Reappointment.

10. If the president of a Council becomes insolvent, or makes a composition with his creditors, or makes an assignment of his property or salary for the benefit of his creditors, or if any member of a Council is convicted of any criminal offence, he thereby vacates his office of member.

Vacancy in office in certain event.

11. Any vacancy in a Council arising from death, resignation or other cause, is filled by a person nominated by the Lieutenant-Governor in Council for the term of office, or the residue of such term (as the case may be), in accordance with the methods prescribed by this act.

Appointment to fill vacancies.

12. In case the president of a Council is temporarily unable to act as such from illness, absence from the province, or other cause, the Lieutenant-Governor in Council may appoint a person to be acting president of the Council in his place; and such acting president shall perform all the duties imposed by this act upon the president.

Appointment of acting president and his duties.

Appointment to replace member other than president and how effected.

13. If any member of a Council, other than the president, shall, from illness or from any other disability howsoever arising, be unable to perform the duties of his office in respect to any dispute, the parties may consent, in writing under their hands, to the appointment, by the Lieutenant-Governor in Council, of a member named in such writing to act in the place of the member during such disability; and if either of the parties refuses such consent, then the judge of the Superior Court for the district in which the dispute has arisen may, on the application to him of the other party after notice given to the party refusing its consent, designate a person to be appointed member as aforesaid, and the Lieutenant-Governor in Council may appoint the person so designated, who shall thereupon be deemed a member of such Council for all purposes relating to the hearing and determination of such dispute.

Remuneration of members.

14. The members of each Council of Arbitration shall be remunerated for their services in such manner and according to such rate of payment as the Lieutenant-Governor in Council shall appoint, from and out of the consolidated revenue fund of this Province.

How recommendations of employers and employees ascertained.

16. The recommendation of employers and employees as to the persons to be appointed as members of the Councils of Arbitration respectively is ascertained as follows :

Who votes for person to be recommended by employers.

(a) For the selection of the person to be recommended by the employers, every employer in the province having at least ten persons in his employment is entitled to one vote; every organization in the province, whether incorporated or unincorporated, representing the interests of employers, each member of which has at least ten persons in his employment, is entitled to one vote; every Board of Trade in the province legally constituted is entitled to one vote.

Who votes for person to be recommended by employees.

(b) For the selection of the person to be recommended by employees as a member of the Council of Arbitration in matters foreign to railways, every trade and labor council, every district assembly of the knights of labor, every federated council of building trades, every lawfully incorporated trade union, every organization of wage-earners of an industrial calling primarily constituted, and actually and *bonâ fide* operated for the regulation of the wages and hours of labor, is entitled to one vote.

Who votes for person to be recommended by railway employees.

(c) For the selection of the person to be recommended by employees of railway companies as a member of the Council of Arbitration in matters connected with railways, every organization in the province, whether incorporated or unincorporated, exclusively representing the interest of wage-earners employed in respect of railway construction or traffic on railways is entitled to one vote.

(d) For the selection of the person to be recommended by railway companies as a member of the Council of Arbitration in matters referring to railways, every railway company controlling or running a line of railway in this province is entitled to one vote. Who votes for person to be recommended by railway companies.

(e) The registrar shall give notice in the *Quebec Official Gazette*, calling on all organizations and persons entitled to vote for the selection of a member to be recommended to either Council, or claiming to be so entitled, to communicate with him on or before the 1st of August, 1901, and every second year thereafter. Such notice is to be inserted for at least four weeks before the said day in each of the said years. Notice to be published in Quebec Official Gazette calling on organizations, etc., for their votes.

(f) The registrar shall, after the first of August aforesaid, prepare a list of the persons and organizations appearing to be entitled to vote, and may refer any doubtful claim to the Commissioner of Public Works for his advice or direction. List to be prepared by registrar of persons entitled to vote.

(g) Such list shall give the last known address of every person and organization entered thereon; shall be published in the *Quebec Official Gazette*, and shall be open to inspection at any time by any person, without fee, in the office of the registrar during office hours. What list to contain and how published. Inspection thereof.

(h) Between the first and thirtieth days of September next, and between the same days of every second year thereafter, the registrar shall transmit by post to the address of each person and organization entitled to vote, a voting paper in the Form M of this act. Voting papers to be sent by registrar to voters.

(i) The voting paper of any person entitled to vote under this Act as an employer shall be signed by himself or some person duly authorized in writing in that behalf; and the voting paper of any organization entitled to vote shall be signed by the president or vice-president of the organization, or, in the absence of such president and vice-president, by any office bearer of the organization other than the secretary thereof, and shall be countersigned by the secretary or acting secretary, or, in the absence of such secretary and acting secretary, by any two members not being office bearers. The voting papers of a Board of Trade shall be under the corporate seal of the board. Formalities at voting.

(j) The voting paper shall be forwarded in a sealed envelope, addressed to the registrar of Councils of Conciliation and Arbitration, Quebec, and endorsed "Voting paper under *The Quebec Trade Disputes' Act*." How to be forwarded.

(k) Every voting paper shall be forwarded by mail or otherwise to the registrar, so as to be received by him on or before the fifteenth day of October in the year 1901, and on or before every subsequent second fifteenth of October thereafter. When to be forwarded.

If received after date fixed.

(l) Every voting paper received by the registrar after the time limited for the receipt of voting papers by the preceding paragraph is null.

Counting of votes.

(m) The registrar shall forthwith, after the fifteenth of October, count the recommendations by or on behalf of employees or by or on behalf of employers for each Council, and shall forward the same to the Commissioner of Public Works, together with his report thereon; and the Commissioner of Public Works, upon being satisfied of the accuracy of such report, shall publish in the *Quebec Official Gazette* the result of such recommendations, and the names of the persons appointed by the Lieutenant-Governor in Council, to be members of the Councils of Arbitration, and also the names of, and number of recommendations in favor of the five persons who have received the greater number of recommendations for each Council on behalf of employers and employees respectively.

Publication of report in *Quebec Official Gazette* and of names of persons appointed by Lieutenant Governor.

What disputes may be referred to Council of Arbitration. On application of either party.

**17.** Any dispute may be referred to the appropriate Council of Arbitration for its hearing and determination in any of the following cases :

(a) On application, as in Form I of this act, to the registrar by either party to a dispute or claim which, having been referred to a Council of Conciliation, has not been settled or adjusted by such Council ;

On application of both parties.

(b) On application, as in Form II of this act, to the registrar by both parties to the dispute or claim within the meaning of this Act, which has not been so referred to a Council of Conciliation.

Matter may be referred a second time, etc.

**18.** If, in either case mentioned in the preceding article, the award of the Council of Arbitration is not complied with and carried out by the parties, or for any reason proves abortive, the parties to the reference or either of them shall not thereby be precluded from again referring the dispute to a Council of Conciliation.

Proceedings by Council, if one party makes default to appoint conciliators, etc.

**19.** Whenever a party to a dispute has lodged an application with the registrar requesting that the dispute be referred to a Council of Conciliation, and has appointed conciliators, and notice of the application and of the appointment of conciliators has been given to the other party, if such other party has not within a reasonable period appointed conciliators, and if the party lodging the application has not proceeded to a strike or lockout, as the case may be, the Council of Arbitration, if it thinks fit, may proceed as in case of an abortive reference to a Council of Conciliation, and such Council may report its decision as to the settlement of the dispute in question.

**20.** In every case referred to a Council of Arbitration, the Council shall have power to require either or each party to the claim or dispute to name not more than three persons, who, upon their consent in writing being lodged with the registrar, shall for all purposes of the reference be taken to represent such party in the proceedings before the Council. (Form O)

Appointment of representatives by parties on being required so to do by Council.

**21.** The meetings of the Council of Arbitration are public. The president shall, for the purpose of preserving order during any sitting of the Council, have all the powers of a judge of the Superior Court, save that he shall not have the power of committing for contempt.

Meetings public. Powers of president as to order.

The Council of Arbitration shall decide the disputes according to equity and good conscience.

Rule to govern decisions.

**22.** (1) The award of the Council of Arbitration shall be made within one month after the Council has completed its hearing of the reference; it shall be given by and under the hands of a majority of the members of the Council. (Form K)

When award to be given and how.

2. At the request of either party, and if the Council of Arbitration approves, a copy of the award is published by the registrar in the *Quebec Official Gazette*.

Publication in *Quebec Official Gazette*.

3. The award, or a copy certified under the hand of the president of the Council, is deposited in the office of the registrar, and shall be open to inspection without charge during office hours.

Deposit of award. Inspection thereof.

**23.** Either party to a dispute referred to either Council of Arbitration may, at any time before award made, by writing under the hands of such party, as in Form L, agree to be bound by the award of the Council, in the same manner as parties are bound upon an award made pursuant to a submission under chapter LXXIII of the Code of Civil Procedure agreeing to be bound by an award.

Parties may agree to make award equivalent to that under cap. LXXIII of Code of Civil Procedure.

Every agreement of that nature made by one party shall be communicated to the other party by the registrar, and, if such other party also agree in like manner to be bound by the award, then the award becomes executory in accordance with article 1443 of the said Code.

Communication of agreement, &c.

#### SECTION IV

#### MISCELLANEOUS PROVISIONS

**24.** For the purposes of this act, Councils of Conciliation and Arbitration have power :

Powers of councils :

(a) To visit the locality where the dispute has arisen, and to hear all persons interested who may come before them ;

To visit localities where dispute has arisen ;

To summon persons to attend and to give evidence; Proceedings on persons refusing ;

(b) To summon any person to attend as a witness before the Council, (Form P.) and in the case of any person summoned refusing to attend, application may be made by either party to a justice of the peace having jurisdiction in the city, town or county wherein the Council may be sitting for an order compelling such attendance ; and such justice of the peace is hereby empowered to compel such witness to appear before the Council, as he might compel any witness to appear before himself in matters governed by part LVIII of the Criminal Code, 1892 ;

To administer oath, &c., to witnesses.

(c) To administer an oath to or to take the affirmation of any person attending as a witness before the council, and to examine any such person on oath or affirmation.

Advocates &c. not to represent parties.

**25.** No party to any dispute referred to a Council of Conciliation or a Council of Arbitration shall be represented by an advocate, or by any paid agent or agents other than one or more of the persons between whom the dispute or claim has arisen.

Exception.

No fees to registrar.

**26.** No fees shall be paid to the registrar by any party in respect of any proceeding under this act.

Remuneration of members of council.

**27.** Each member of any Council of Conciliation shall for his services be remunerated, out of the consolidated revenue fund of the Province, according to the following tariff :

Preliminary meeting.....	\$ 3.00
Whole day sittings, subsequent meetings.	4.00
Half-day sittings, do	2.00

Payment of witnesses.

**28.** Witnesses before Councils of Conciliation and of Arbitration shall be entitled to the same fees as in the Superior Court ; payable out of the consolidated revenue fund of the Province.

Regulations may be made by Lieutenant-Governor in Council.

**29.** The Lieutenant-Governor in Council may make regulations for fixing the place where the Councils of Conciliation and Arbitration shall sit, and for the purpose of giving effect to any of the provisions of this act.

Publication thereof.

Such regulations come into force on publication in the *Quebec Official Gazette*.

To be laid before Legislative Council and Legislative Assembly.

Such regulations shall be laid before the Legislative Council and before the Legislative Assembly within fourteen days after being published in the *Quebec Official Gazette*, if the Legislature is then in session ; and if not, within fourteen days from the date of the first day of the ensuing session.

**30.** No proceeding under this act shall be deemed invalid by reason of any defect of form or irregularity. Defects of form.

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

---

## SCHEDULE

---

### FORM A

#### RECOMMENDATION AS TO PRESIDENT OF THE COUNCIL OF ARBITRATION

We, the undersigned arbitrators, appointed under the provisions of *The Quebec Trade Disputes' Act*, submit the name of \_\_\_\_\_, of \_\_\_\_\_, as that of an impartial person, qualified for the position of President of the Council of Arbitration as respects railway disputes (*or as respects disputes other than railway disputes.*)

Dated at \_\_\_\_\_, this \_\_\_\_\_, 19\_\_.

---

### FORM B

#### AGREEMENT OF BOTH PARTIES TO REFER TO CONCILIATION

*(To be prepared in duplicate)*

Whereas a dispute or claim in respect of matters hereinafter stated has arisen between the parties hereto, the parties do hereby refer the said dispute or claim for settlement to a Council of Conciliation, and we, the undersigned, as managers for the said employers, do hereby name \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ to be conciliators for such employers; and we, the undersigned, as managers for the employees, do hereby name \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ to be conciliators for such employees upon such Council as aforesaid.

The dispute or claim is as follows (*here state the matter or matters in dispute.*)

Now we do hereby request the registrar to have the said dispute or claim referred to a Council of Conciliation consisting of the aforesaid persons.

Dated at \_\_\_\_\_, this \_\_\_\_\_, 19 \_\_\_\_ .  
 \_\_\_\_\_  
 A. B., C. D.,  
 Managers for the Employers.  
 \_\_\_\_\_  
 E. F., G. H.,  
 Managers for the Employees.

Witness :

(*Appointment of managers to be attached.*)

See Form D.

---

### FORM C

#### APPLICATION BY ONE PARTY TO REFER TO CONCILIATION

Whereas a dispute or claim, has arisen between \_\_\_\_\_ employers and \_\_\_\_\_ employees ; we, the undersigned managers for and on behalf of the \_\_\_\_\_ aforesaid, apply to have the said dispute or claim referred to a Council of Conciliation, and hereby name and declare \_\_\_\_\_ of \_\_\_\_\_, and \_\_\_\_\_ of \_\_\_\_\_, to be our conciliators upon such Council, as aforesaid.

The dispute or claim is as follows (*here state the matter or matters in dispute.*)

Dated at \_\_\_\_\_, this \_\_\_\_\_, 19 \_\_\_\_ .  
 \_\_\_\_\_  
 A. B., C. D.,  
 Managers for

(*Appointment of managers to be attached.*)

See Form D.

---

### FORM D

#### AUTHORITY TO MANAGERS TO ACT

We, the undersigned employers (*or employees*), one of the parties to the dispute or claim between \_\_\_\_\_ and \_\_\_\_\_ authorize \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_ to represent us, as managers before the Council of Conciliation, and we hereby agree to be bound by the acts of these our representatives.

Dated at \_\_\_\_\_, this \_\_\_\_\_, 19 \_\_\_\_ .

Witnesses :

## FORM E

## CONVENING A MEETING OF THE COUNCIL OF CONCILIATION

(Date.)

To

Sir,

I beg to inform you that you have been selected as a conciliator in a certain dispute or claim between

employers and employees.

You are requested to attend a meeting of the conciliators in the above matter, to be held on the day of at in the when the application in the said matter will be laid before you.

I have the honor to be  
Your obedient servant,

A. B.,  
Registrar.

## FORM F

TERMS OF SETTLEMENT OR ADJUSTMENT AFTER REFERENCE TO  
COUNCIL OF CONCILIATION

Whereas a dispute or claim having arisen between employers and employees having been appointed conciliators, and the undersigned having been appointed as managers for the said and the undersigned having been appointed managers for the said, it is hereby declared that a settlement or adjustment of the said dispute or claim has been arrived at in the following terms, to which terms the said managers hereby agree for and on behalf of the said parties respectively :

(Insert terms of settlement.)

In witness whereof we, the undersigned, have hereunto set our hands at , this , 19 .

A.B., C.D.,  
Managers for Employers.  
E.F., G.H.,  
Manager for Employees.  
I., J., K.,  
Conciliators.

## FORM G

## REPORT BY CONCILIATORS OF FAILURE TO SETTLE

(Date.)

*To the Registrar under the Quebec Trade Disputes' Act.*

Whereas a certain dispute or claim was referred to us for conciliation by                    employers and                    employees, and such conciliation was duly entered upon, the parties aforesaid being duly represented (by their respective managers) or as the case may be) and evidence was taken (*omit the latter words if such were not the case*), and the dispute or claim referred to us was fully discussed, but no settlement or adjustment was arrived at, we, the conciliators hereinafter subscribed, report that we have been unable to bring about any settlement or adjustment of the dispute or claim so referred satisfactory to the parties thereto.

I., J., K.,  
Conciliators.

## FORM II

## JOINT APPLICATION TO REFER TO THE COUNCIL OF ARBITRATION

(Date)

*To the Registrar under The Quebec Trade Disputes' Act.*

Whereas a dispute or claim in respect of matters hereinafter stated has arisen between                    employers and employees.

\* We, the undersigned, managers for the said employers, and we, the undersigned managers for the said employees, duly appointed to represent the interests of the said parties respectively, hereby apply to have the said dispute or claim referred to the Council of Arbitration.

The dispute or claim is as follows :

(*Here state the matter in dispute.*)

A. B., C. D.,  
Managers for Employees.

E. F., G. H.,  
Managers for Employers.

(*Appointment of managers to be attached.*)

See Form F.

## FORM I

APPLICATION BY ONE PARTY TO REFER TO THE COUNCIL OF ARBITRATION AFTER FAILURE OF COUNCIL OF CONCILIATION

(Date.)

*To the Registrar under The Quebec Trade Disputes' Act.*

Whereas a dispute or claim having arisen between employers, and \_\_\_\_\_ employees, was referred to a Council of Conciliation, and the said Council failed to settle or adjust the same ; now, therefore, we, the undersigned, being the Managers duly appointed to represent one of the parties to the said reference, do hereby require you to refer the said dispute or claim to the Council of Arbitration.

A. B., C. D.,  
Managers for &c.

## FORM J

REFERENCE TO COUNCIL OF ARBITRATION AFTER FAILURE OF COUNCIL OF CONCILIATION

(Date).

*To the President of the Council of Arbitration as respects railway disputes (or as respects disputes other than railway disputes.)*

Whereas a certain dispute or claim having arisen between \_\_\_\_\_ and \_\_\_\_\_ the same was referred for conciliation to \_\_\_\_\_, and they have reported that they have been unable to bring about any settlement or adjustment of the said dispute or claim satisfactory to the parties thereto, and whereas \_\_\_\_\_, one of the parties to the dispute or claim, requires such dispute or claim to be referred to the Council of Arbitration, Now, therefore, I do so refer the said dispute or claim to the said Council, and herewith transmit all the papers in the said reference to you as President of the said Council.

A. B.,  
Registrar.

## FORM K

## FORM OF AWARD OF THE COUNCIL OF ARBITRATION

We, \_\_\_\_\_ president and \_\_\_\_\_ arbitrators  
 as respects railway disputes (or as respects disputes other  
 than railway disputes, or a majority of the Council of Arbitration,  
*as the case may be*) in the dispute or claim between  
 and \_\_\_\_\_ do hereby award that

(*Here set forth the award.*)

Given under our hands, at \_\_\_\_\_, this  
 \_\_\_\_\_ 19 \_\_\_\_\_,

President.  
 Arbitrators.

Witnesses :

Registrar.

## FORM L

AGREEMENT TO ACCEPT AWARD AS AN AWARD OF EXTRA-JUDICIAL  
 ARBITRATORS

Whereas certain disputes or claims (*here state shortly the nature of the dispute or claim*) have arisen between the parties hereto, and it is desirable to refer the same to the Council of Arbitration as respects railway disputes (or as respects disputes other than railway disputes) and for the said parties to be bound by the Award of the said Council of Arbitration in the same manner as parties are bound upon an award made pursuant to chapter LXXIII of the Code of Civil Procedure, now it is hereby agreed by and between the parties aforesaid to refer the said disputes or claims to the award of the said Council of Arbitration, and each of the said parties agrees with the other to be bound by the award of the said council in the same manner as parties are bound upon an award made pursuant to the said chapter LXXIII of the said Code.

In witness whereof, we, the managers duly appointed and authorized to represent the parties hereto, have hereunto set our hands at \_\_\_\_\_, on the \_\_\_\_\_ 19 \_\_\_\_\_.

A. B., C. D.,  
 Managers for Employers.

Witness :

E. F., G. H.,  
 Managers for Employees.

FORM M

VOTING FOR THE RECOMMENDATION OF A MEMBER OF COUNCIL

A. B. is hereby recommended, on behalf of the employers or employees (*as the case may be*), to be appointed a member of the Council of Arbitration for disputes between railway companies and their employees (*or in matters not relating to railway disputes*) under the *Quebec Trade Disputes' Act*.

(Signatures).....

FORM O

CONSENT TO ACT AS MANAGERS BEFORE THE COUNCIL OF ARBITRATION

(Date.)

To the Registrar under the *Quebec Trade Disputes' Act*.

Whereas the Council of Arbitration has required one of the parties to a dispute or claim between and referred to the said Council to name not more than three persons, who, upon their consent in writing, shall for all purposes of the above reference be taken to represent such persons ; now we, the undersigned, having been duly named as such persons, do hereby consent to represent the said party for all the purposes of the hereinbefore mentioned reference.

In witness whereof we have signed.

(Signatures)

Witnesses :

## FORM P

## SUMMONS TO WITNESSES BEFORE EITHER COUNCIL

To

Whereas a Council of Conciliation (or the Council of Arbitration, as respects railway disputes or as respects disputes other than railway disputes, *as the case may be*) constituted under *The Quebec Trade Disputes' Act*, has now before it for conciliation (or arbitration, *as the case may be*), a dispute or claim between \_\_\_\_\_, employers, and employees; and whereas the said \_\_\_\_\_ desire that you should attend before the said Council as a witness to give evidence, and have authorized and required me, \_\_\_\_\_, as Registrar, to issue this summons for your attendance, I do hereby, in exercise of the powers in this behalf given by the said Act, summon and require you, to attend at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_ at the hour of \_\_\_\_\_, in the \_\_\_\_\_ noon of the said day, before the said Council, there to be examined and give evidence as to and concerning the said dispute or claim, and so to attend from day to day thereafter until you have been duly discharged by the said Council from further attendance.

And I further require you to bring with you and produce at the time and place aforesaid, (*documents, etc., if any, required to be produced by witness*).

In default of your attending at the time and place aforesaid, you are liable to be proceeded against under the provisions of *The Quebec Trade Disputes' Act*.

In witness whereof, I, the said \_\_\_\_\_, as such Registrar as aforesaid have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, in the year one thousand nine hundred and \_\_\_\_\_

A. B.  
*Registrar*