

THE
MINIMUM WAGE FOR WOMEN
AND ITS APPLICATION
IN CANADA

DEPOSITED BY THE FACULTY OF
GRADUATE STUDIES AND RESEARCH

I x M . IEG. 1929
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ACC. NO. **UNACC.** DATE 1929

166 seps.

The Minimum Wage for Women
and its Application in Canada.

by

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A thesis in part fulfilment for the Degree
of Master of Arts, April 29, 1929.

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CHAPTER (1)

INTRODUCTORY.

Special legislation for the protection of the wage earner from exploitation and the assurance to him of a living wage has been a matter of slow but steady growth. The classical economists were of the opinion that the policy of laissez-faire resulted in the greatest production and most equitable distribution of wealth. With the passage of time, the increase in capitalistic production and the growth in number of those whose wages are their sole source of support, the conclusions, of the economists and to a certain extent of the general public, have been greatly modified. Some of the reasons for this change in attitude are based upon the generally accepted principle that labor is not a commodity to be bought and sold in the market place as are material goods.

In this connection it is perhaps necessary to point

(2)

out that the worker is in a weaker bargaining class than the employer. First the worker is in the position of a person who has something to sell, and we all know that when you wish to sell it is a much more difficult task than when you desire to purchase. Secondly this article which the workman sells is lost for each day that it lies idle. Furthermore he has not sufficient capital to enable him to live without working, and thus work, at any price, will become his aim. Now then if the supply exceeds demand the price of wages will be slashed to the lowest level, in all probability below the level of existence. But since labor is not a commodity like others, in that the price it obtains, will react on the owner of it. Thus the proletariat will show the affect of their wages by their reaction on the market for all other commodities. The employer himself will be stricken with his own folly, for in turn his market will be affected by a diminishing demand. And with affairs such as this the cycle will continue and with what result? Being that this is a mere supposition and that the present position of labor, fortunately, is

not yet approaching this catastrophe, it is wiser not to deal with remedy but rather with the prevention.

The labor population has a right to be protected from economic conditions that will start the above mentioned cycle of affairs with its consequent detriment to employers as well as employees. It usually happens that when one is confronted with low wages, immediately one feels that the employer is to blame, with the resultant ire against the wealthy employer. Greatly as a result of this attitude we get large numbers sponsoring minimum wages and organizations for labor. It is quite true that the employers as a class, doubtlessly, are stronger than the employees as a class. But as regards the individual employer, no matter how human he may be he is powerless to effect a higher rate of wages unless by some means or other he has an advantage over his fellow competitors. Under a system of "free competition" the one aim of all is to get some advantage, that is to be exempted from the same rules as the others. Now with government interference all participants in this competition are of equal strength. And the prin-

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ciple effect aimed at by minimum wages is this same equality.

Minimum wage regulations attempt to so determine lowest wages that it may not fall below an existence level comparable to that of the desired standard of living. First of all it puts all workers on an equal footing when competing against each other for work. Inequalities, such as workers who live with their parents, or those whose standard of living is very low, will have no effect, when all are competing in the same market for work. Now as regards the employer he too derives some benefit from a minimum wage. Thus the imposition of a minimum wage involves no restriction on the employer since his competitors are likewise affected. They are thus guaranteed against under-cutting by their rivals, in the matter of low wages. From this one will gather that minimum wages will tend to halt this cycle of events which results from the continued process of under-cutting. The fall of wages from low to lower will be halted at a point which will prove of least detriment to society. On the other -----

hand this cycle may have the upward trend due to the level of wages being so high that it is more than the industry can pay. Of course it may be objected that this is all very well on the surface but how is it possible to account for the objections to a minimum wage that are being continually put forward both by workers and employers? I can choose the easier way out of this by merely pointing to the long established fact that the majority are not necessarily the best judges of their own happiness. It is a known fact that a primary education is conducive to the best interests of the individual, yet in spite of public schools being free, the government often has to step in and enact that education be compulsory up to a certain age. Thus the state not only attempts to remove obstacles hindering the best interests of the people but also to lead them along the best paths.

The object of a minimum wage besides equalizing the competition of employers and employees, both as regards each other and among themselves, has also the betterment

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of the workers' conditions in mind. And in this respect it becomes more of a social than an economic problem.

First there is the intention of improving the lot of workers in trades in which wages are unduly low with the hope that as a consequence, the efficiency of the workers will be increased.(1) Secondly it appears as if minimum wages may have a stimulating effect upon workers to develop labor organizations among themselves. And lastly that the existence of a minimum wage may so ease the industrial unrest as to prevent industrial disputes. Any method that settles these disputes satisfactorily as regards the employee is certainly desirable. However, after I have covered the work enacted by the minimum wage boards in the different provinces in Canada, I will go further into detail regarding the complaints of both the employers and employees and hope to prove that they are ill-founded.

Before proceeding further with my topic, namely the ~

(1)It is not to be denied that both the amount of wages and number of hours worked, since they react on the health of the worker, will effect the productivity of the employee concerned.

(7)

application of minimum wages in Canada, I think that a brief survey of minimum wage legislation in some other countries may enable us to understand the Canadian situation better. In order still further to narrow the field I propose to consider only the most important differences and resemblances with other countries. The earliest evidence of minimum wage legislation is credited to New Zealand. Both in New Zealand and in Australia the aim of minimum wages is the settlement of trade disputes. And in this respect not the minimum wage in Canada but rather the Industrial Disputes Act of 1907 is modeled. However in some of the states in Australia the aim is to abolish the evils of the sweating system since the rate is a low and a flat one. This seems to have found its way into minimum wage laws to a certain extent, in that there is the aim to prevent sweated wages as regards female employment only. Then rates as fixed are far from a flat one as they vary greatly from industry to industry and from district to district. No doubt the earliest legislation in the province of Alberta may be said to be based wholly on that in usage in these

states. In most of the countries now legislating re minimum wages, with the exception of the English speaking countries, it may be said to touch a very narrow field of the work. Generally it may be said that their aim is to affect a very small class of workers, either the "home-worker" or "agricultural worker," regardless of sex. In Canada on the other hand agricultural workers are not included in minimum wages and as regards home-workers there are no special clauses dealing with them. However in the provinces of Alberta and Ontario(2) the factory acts contain special provisions for this class of worker. The aim in Great Britain and United States is practically that of Canada except that the method of enacting minimum wage principles in Canada resembles that of the U.S.A. far more than in Great Britain.

All workers in Great Britain irrespective of sex come under minimum wage regulations but only when a trade board had been set up for that particular industry. As a result only a limited number of workers come under minimum wage regulations. The regulations themselves differ for the different industries. However in Canada there is

(2) See Labor Gazette Page 1927 P5.

(9)

one board for all industries within a province that are covered by the minimum wage law there. United States is very much like Canada especially as regards the fact that it's aim is principally the female worker. Since every state is free to legislate on this subject and as a result there is much variation in the laws from state to state. Thus although the principle of minimum wages has attained practically the unanimous approval of most nations, the aim and methods of obtaining them differ. This is to be expected since economic conditions are not the same everywhere.

Under the British North American Act it is generally agreed that Minimum Wage Legislation is a matter for provincial rather than for federal enactment. There are certain obvious difficulties that arise from this. One cannot say definitely what are the minimum wage regulations in Canada, to what workers they apply and to what localities. Thus some provinces are entirely lacking in minimum wage laws and where it does exist the degree of enforcement as well as the extent of its application varies from province to province. For a comparative description of the Minimum Wage law of the several provinces refer to table facing this page. In spite of this diversity one may note a similarity linking up all minimum wage legislation in

Canada. It is directed towards female workers only but unfortunately it is not possible to add that all woman workers either within the Dominion or the provinces come under regulations of Minimum Wage Boards. In some provinces practically all women workers are covered by minimum wage regulations whereas in other, few, and in some none, as no minimum wage law exists in that province. In nearly all the provinces, domestic and farm hands are excluded. This accounts largely for the fact that legislation re minimum wages is not to be found throughout Canada as a large number of women workers are to be found among these two classes. This is contrary to the aim in some European countries where minimum wages are stipulated only for agricultural workers. That agricultural workers are excluded may be accounted for by the small number of women engaged in it. As for domestic workers, it would prove rather inexpedient because of the difficulty in enforcing it and also the expense. At any rate this type of worker receives both her board and lodging in addition to her wages, and thus no doubt obtains a living wage.

But to obtain a more accurate picture of minimum wage

legislation in Canada, a survey of each province in detail may prove to be more effectual since each province deals with minimum wages independently. Although the province of Alberta is credited with the first minimum wage in Canada, strictly speaking, British Columbia together with Manitoba should receive this credit. The first enactment in Alberta was in 1917 and incorporated in the Factory Act. It provided merely a flat rate and thus its aim was merely to abolish "sweating". Although the present minimum wage laws effect the abolition of sweated establishments, however, its primary concern is of a more human nature, being the guarantee of wages adequate to supply the necessary cost of living to every female worker who is entitled to receive wages. Thus this is the earliest aim in view of both British Columbia and Manitoba as regards their minimum wage laws. But I shall first deal with the province of British Columbia, not only was it among the very earliest to enact a minimum wage law but also to have one of the most highly developed minimum wage laws in Canada. I intend to pass over the western province first because minimum wages were enacted there earlier and also because they are more developed in the West than in the East. Then I

will pass on to Manitoba and then to Saskatchewan as the latter's minimum wage is very much similar to the one enforced in Manitoba. Before going on to the East I will then treat with Alberta, then Ontario, the province of most interest with respect to minimum wages, not because of the high minima enforced but because of its most effectual application in Canada. In the provinces East of Ontario, where minimum wage legislation is comparatively recent if at all, I will barely touch but will endeavour to point out the work effected as at the present time.

CHAPTER (2)

British Columbia, situated at the extreme west of Canada is isolated from the other provinces by the Rocky Mountains. Since communication with the three Pacific states, Washington, Oregon¹ and California is more convenient, we often find much similarity between their legislation. This is especially true of the Minimum Wage Act in British Columbia and that in the state of Washington. Apart from this, conditions between them are also quite similar hence calling for the same legislative enactments. In all probability the agitation for a minimum wage in British Columbia started when one was effected in the state of Washington. Circulars that they had issued no doubt reached British Columbia. These circulars recording the preliminary investigation carried on by the Industrial Welfare Commission showed that women workers in that state were earning extremely low wages. Since the same was true for British Columbia interested public bodies

(1) Journal of Political Economy--1922 p.155 "The Minimum Wage in Canada" by Kathleen Derry and Paul Douglass.

and union groups began to agitate for a similar enactment. The matter was brought before a Provincial Commission in 1914(2). They recommended that legislation be passed for the purpose of increasing the wages of women. They hoped to do so by means of a flat rate throughout the province. The Commission expressed themselves as not supporting the introduction of a minimum wage on the rather vague and indefinite basis then suggested. But in 1917 as the result of various reform organizations interesting themselves in the question of minimum wages for women, they pressed for further governmental investigation. Since sufficient facts were put forward to prove the prevailing need for it, the Minimum Wage Act(3) was the result. Mrs Ralph Smith(4) had this bill introduced as a governmental measure and piloted it through the Legislative Assembly until it became law in April 1918.

In the same year that the board was appointed it re -

(2) Minimum Wage Board Report 1919 H58 Members were G. parsons, A.M. Harper, J.S. McKenzie, R.A. Stonev, and J. Jardine.

(3) Minimum Wage Act B.C. Statutes Geo. V April 23rd. .

(4) Vancouver member B.C. Legislative Assembly 1917, 1921.

received an invitation from the Washington Minimum Wage Board to attend a Waw Emergency Conference? The Conference proved very illuminating on account of the wide field covered. The Washington Board proved of further assistance in that they gave a detailed explanation of office methods and records, copies of orders, printed forms and toher literature dealing with this subject. Other influence on the working of the British Columbia Board was the method used by the Oregon Board in dealing with minors and aporentices, viz. by licenses. In San Francisco the board visited the California Industrial Welfare Commission in order to compare it with the other two already visited. This board however differed from the others in that it is usually called upon to act as a Board of Arbitration in cases of industrial troubles. Hence it will be seen that the Minimum Wage Boards in the United States rather than existing legislation in Canada was influential in determining the scope and nature of the experiment in British Columbia.

By the Minimum Wage Act 1918,³ a Board, composed of three members was constituted, one of whom shall be the

(2) See note 2 page 14.

(3) See note 3 page 14.

Deputy Minister of Labour who acts as the chairman. Of the other two members, one must be a woman. They were appointed by the Lieutenant-Governor in Council and were to hold office during pleasure. Clerical and Secretarial assistants were to be paid by the Department of Labour out of the Consolidated Revenue, whereas the members of the Board were to receive no remuneration, being merely reimbursed any travelling or other expenses that they might incur on behalf of the Board. It will be remembered that their duties were not as heavy as in other provinces and hence did not call for their complete time. However it might have proven more advantageous to require their complete time and pay them, relying less on the Conferences and also providing of more assistance to them in their work. The original duties of the Minimum Wage Board is ascertaining wages paid women employees in the various occupations, trades and industries in the province in order to determine a minimum wage adequate to support the necessary cost of living. In the following year their powers were extended to include hours of labour. Specifically they were to inspect all payrolls, books and other

records dealing or bearing on the question of wages , hours of labour, conditions of work and employment.

They received full powers and rights in order to obtain access to them whenever required. As a further protection and aid it was stipulated in the Act that a Register must be kept by all firms in the province at their principal place of business. It was to contain a true and correct record of wages paid, hours worked by each employee with the names, ages and addresses of all.

When the Board found that wages were too low or that hours were too long they were to call a conference composed of three groups, Employers, Employees and members of the Public. In no case were the latter to exceed in number those of the other two parties. The Conference was to decide upon and recommend to the Board an estimate of the Minimum wage proper in the occupation and also adequate to meet the necessary cost of living and were also to recommend the maximum hours in connection with this wage. The report of the Conference was not to be binding but merely to serve as a record to the Board. Nevertheless the Board could not issue an order before it had previously sub-

mitted it to a Conference. It may accept or reject these recommendations. In the latter case part or all of the report may be recommitted to the same or a new conference. Hence it will be seen that the Board has no power to fix the rates by itself but merely acts as a supervisor to the Conferences. After all disputes have been settled, the Board issues the obligatory orders. It comes into effect and is law sixty days after it is published in the provincial Gazette. -However the Board has power to prolong this period if it sees fit. By an amendment to the Minimum Wage Act 1927 discretionary power to reopen the question is granted where the order has been in force not less than one year. It may do so without reconvening or calling a new conference and make an order in amendment of or in substitution of the existing order. This amendment⁶ has the tendency to alter greatly the previous policy of the Board in that it could not fix the rates. However this added elasticity, it is hoped, will aid the workings of the Minimum Wage Act in the province.

There were to be two minimum wages in the province,

COMPARATIVE TABLE

OF MINIMUM WAGES IN

CANADA

Province	Date	Personnel	Basis for determination	Handicapped workers	Re Learners	Penalty.	Payment of Board.	Board's Authority.	Publication and date enforced	original enquiry	Rehearings	Conferences	application
British Columbia	1918	3 members 1 shall be a woman	Wage adequate to support the necessary cost of living.	Issue License	Special scale Learners over 18 years of age require license	\$25 to \$100	None	Ascertain and fix minimum wages and hours for female employees.	B.C.Gazette 60 days after publication	Board and Conference	On petition of Board, employer or employee	Compulsory. Report not binding on the Board.	province
Alberta	1922	3 members	none	Permit to handicapped worker	Special rate Instruction certificates.	\$25 to \$100. And in default imprisonment not more than 6 mos.	No mention	Re minimum wages, hours, conditions and overtime. May vary according to locality and industry.	Alberta Gazette At date of publication. May be fixed at a later date.	Board	no mention	optional	scheduled cities
Saskatchewan	1919	5 members 2 shall be women	What wages are adequate to furnish the necessary cost of living to an employee.	Licenses	Licenses issued	\$10 to \$100 In default 10 days to 3 months imprisonment	To be fixed by the Lieutenant-Governor-in-Council.	Re minimum wages. Reasonable hours. Proper sanitary conditions.	Saskatchewan Gazette (2) 30 days after first publication.	Board	no mention	no provision	all cities
Manitoba	1918	5 members	Supply the necessary cost of living and maintenance of health.	Licenses	Licenses	\$25 to \$100 In default 10 days to 3 months imprisonment	To be fixed by the Lieutenant-Governor-in-Council	Re minimum wages. Maximum hours conditions.	Manitoba Gazette. 1 month after publication	Board	no mention	no provision	province
Ontario	1920	5 members 2 shall be women	None	Lower wage for individual cases.	Special rate.	\$50 to \$500 for each offence.	Serve without pay. May receive a per diem allowance.	Re minimum wages Maximum hours. Conditions May vary re locality.	Ontario Gazette, and notice to employer.	Board	on request of employer or employees.	optional report not binding.	province
Quebec	1919	4 members 1 may be a woman	None	Permit	special rate.	not exceeding \$50.	\$3000 per annum -chairman \$800 for the other members	Re minimum wages in industrial establishments and what it deems necessary.	Quebec Official Gazette. Notice to employer 60 days after	Board which in turn convenes a conference	on application of employers or employees.	optional report not binding	province
Nova Scotia	1920	5 members 2 shall be women	None	Lower wage	lower scale of wages.	\$25 to \$100	To be fixed by the Lieutenant-Governor-in-Council.	Re minimum wages. All necessary orders and regulations.	Date named in order.	no mention	Petition of Board, employer or employee.	no provision.	cities and incorporated towns

one for experienced workers who are over 18 years of age, the other for apprentices under 18 years of age. Licenses were to be issued by the board to handicapped and inexperienced workers over 18 years of age. This was done so that the interests of this class of worker would not be interfered with by the workings of the Minimum Wage Act. I think that much inconvenience resulted to these workers as well as to their employers since they form a large number. Besides this, the fact that these workers are required to have a licence makes them feel that they are inferior and in need of the protection afforded by a Minimum Wage Board. It will be noted that most of the orders provide a third rate for inexperienced workers who are over 18 years of age. The other provinces have only this third rate and do not require a license which I think is the better policy and also less trouble-some for all concerned. The only guarantee, when licenses are issued, is that experienced girls are not working for the low minimum permitted to inexperienced girls. There is much truth in this since the Board often had to intervene in cases where the employee was willing to work for less than

the minimum and so defeat the ends of the law. A further precaution against this practise is to limit the number of employees holding licenses in any one firm. In British Columbia they were limited at first to 1/10 of the total number of female employees but this proportion was extended to 1/7. Thirty-five (35%) percent of the employees is to be the maximum number in any one factory who either hold licenses or who are under 18 years of age,

An employer who is convicted of contravening an order of the Board and found guilty in the Police Court is liable to a penalty of not less than \$25 nor more than \$100. When an employer has been fined for not paying an employee the minimum wage to which she is entitled, he had to be sued again in the Civil Court in order that the difference owing to the employees might be recovered. In 1927 by an amendment⁶ both actions take place at the same time, hence abviating two cases of the same character.

This act applies to women only and this is also true for the other provinces. Moreover it has no authority over fruit-pickers, farm labourers, nor domestic servants.

(6) See page 19 note 6.

It was suggested in 1925 in the report of the British Columbia Employment Service⁷ that the Minimum Wage Act should be extended to include berry-pickers, both male and female. In that same year⁸ a male Minimum Wage was passed. The rates were to be fixed by the "Board of Adjustment". When this bill was originally introduced by Major R.J. Burde it was to apply to all workers but it was amended to cover only the lumbering industry. In 1926⁹ it passed its first order. However in November 1928¹⁰ this act was declared illegal and of no effect by the Canadian Supreme Court. The Trades and Labour Congress of Canada in 1926¹¹ laid before the government a resolution proposing that the Minimum Wage Act be amended to include boys under 18 years of age. However there was much opposition to this by the manufacturers, who were successful in this opposition. Hence it will be seen that the only Minimum Wage orders that are recognized in the province are those effecting females. The orders for male workers were never found satisfactory and probably will not be reissued in a form that will prove effective.

(7) Labour Gazette 1926 p. 847.

(8) Ibid page 17. (9) Ibid p. 17.

(10) Montreal Daily Star November 1928.

(11) Labour Gazette 1926 p. 23.

The Board, under the Female Minimum Wage Act, having, been duly appointed began to function immediately. It first sent forms to both employers and employees for information regarding wages paid and also estimates of a working girl's budget. Officers of the Board visited the U.S. and gathered material from other Boards in existence. Their plan was to deal with one industry at a time until they had covered all industries in which women are employed in the province. Thus the Minimum Wage as fixed by the Board is really the work of the Conference.

Having received much communication on the Mercantile Industry,¹² the Board decided to deal with it at once. Printed forms for budgets and wages were sent out. From the replies received it was found that the minimum wage in existence was \$4.00 per week; the figure for the average budget was \$16.81. It was felt that this amount was excessive and that most of the replies were rather extravagant and not in keeping with the criterion, viz., the minimum rather than the average or ideal. The Minimum wage arrived at in this instance was \$12.75 per week or an hourly rate of

(12) Minimum Wage Board Report 1918. Covering all establishments operated for the purpose of trade, in the purchase or sale of any goods or merchandise as the sales force, wrapping: auditing or checking: shopper's force in the mail order: receiving, marketing and stock room employees: sheet music etc.

26 9/16 cents per hour.¹³ For girls under 18 years of age there was another rate, whose minimum was \$7.50 but increasing every 3 months for a period of two years to the maximum, depending on the age of the employee. A third rate applied to inexperienced girls over 18 years of age who were also required to have licenses; this wage began as low as \$9.00 week, increasing every 3 months for a period of one year. Receiving in the following year power re hours except where it conflicts with the Factory Laws it enacted a working week of 48 hours,¹⁴ to take effect January 1928.

The next industry to be considered was the Laundry, Dyeing and Cleaning group.¹⁵ Objection was raised on account of competition from the Orientals. This however did not deter the Board and a minimum was accordingly passed as settled by the Conference called for that purpose. It was set at \$13.50 per week of 48 hours, for experienced workers who are 18 years of age or over. Provision was also made for inexperienced workers who are either under or over 18 years of age, as in the Mercantile Industry, but at slightly

(13) Hourly rates introduced because at the time the Board had no power re hours and by these means hoped to step around the difficulty.

)14) Order No. 18 relating to the Mercantile Industry.

(15) Minimum Wage Board Report 1919 Order effective Mar. 31.

(24)

varying rates. After this order was in operation one year it was noted that average wages increased coupled with a decrease of young girls in the trade. This was followed by a slight decrease in average wages in 1922 and in 1924 but it should be remembered that these were years of depression in the industrial field with a consequent fall in wages. The order as originally enacted is still in force to-day.

Public House-keeping Occupation¹⁶ was the next to be considered. It was decided to have only two minimum rates, \$14.00 being the minimum for those who were 18 years of age. A maximum week of 48 hours was provided. It will be noted that no apprenticeship was needed and this was the reason for the division of the rates into two only. Since employees coming under this classification often received added privileges, such as meals, lodging or both, allowance was thus made from the minimum according to value of the privilege received as put forward in the order. In case of emergencies 52 hours may be worked during a week, provided

(16) Comprises waitresses, attendants, housekeepers, ignitresses, cooks and kitchen help in restaurants, Motels, tea-rooms, ice-cream-parlors, light lunch stands, where food is cooked, prepared, and served for which a charge is made, chambermaids in hotels, lodging houses, apartments and apartments where lodging is furnished and work of female elevator operators, 1919.

time and one half is paid to the employee for all time worked in excess of 48 hours. Tips were not considered by the Conference when fixing the minimum wage as it was considered personal.

An order was passed re Office Occupations¹⁷ covering all classes of clerical help. There were three classes of Minimum wages as for the Mercantile Industry, with the exception that the rate was much higher, that is \$15.00 per week of 48 hours, for experienced workers who are 18 years of age or over. As regards the other two the graduated scale was slower but started at a higher salary. It should be noted however that any commercial education could take the place of an apprenticeship. This order does not affect Bank employees as the Minimum Wage Board has no jurisdiction over banks. This occupation attracts the greatest number of women, probably because large numbers attain highly paid positions and the hours are short. It is also noticed that the greatest lengths of service are found in this occupation. On the surface it would appear that this industry did not need the aid of a Minimum Wage. But the record of cases in

(17) Includes stenographers, book-keepers, typists, billing-clerks, filing clerks, cashiers, cash girls (not included in other orders) checkers, invoicers, comptometer operators, auditors, attendants, in physician's and dentist's offices, and all kinds of clerical help.

which violations of this order were incurred showed the necessity of the act here as well as for the other industries covered by the Board. It is usually the young girls or inexperienced workers that are benefitted by this order. However there is also the indirect effect, when there is a known minimum, of keeping wages higher in order to reward experience, dexterity or faithfulness.

The Manufacturing Industries were also dealt with in 1919¹⁸ but in a cursory manner. A minimum of \$14.00 per 48 hour week was effected for those experienced workers who are 18 years of age or older. It is as regards the inexperienced workers that great difficulty arose. At first it was arranged to have one term of apprenticeship for two years on a graduated scale, which was to apply to all factories. There was much discussion re the learning period and as a result the clause respecting apprentices was recalled. In factories where apprentices were not usually employed, beginners were to be admitted at \$12.00 per week for three months and then they were entitled to the full minimum. The Conference dealing with this industry desired a 44 hour week but found it impossible to enforce as many factories came under the Factories Act which

(18) Those engaged in the making, preparing altering, repairing, ornamenting, printing, finishing, packing, assembling and adapting for use or sale any article or commodity excepting fish, fruit and vegetable drying, canning, preserving or packing.

required a maximum of 48 hours a week. They attempted to deal with piece rates and unemployment insurance. Both however were left in abeyance. Following the agitation on behalf of the British Columbia Manufacturers in 1922 a new Conference was held in 1923 when the question was reopened. However the weekly minimum of \$14.00 was retained in spite of their request for one of \$12.50. As regard the apprentices they were divided into four sections according to the length of the learning period. Each section was further divided according to whether the employee was under or over 18 years of age, the latter serving half the time that the former was required to serve. The demand that the minimum be lowered was due to the lower wages paid by the Eastern Manufacturers who competed with those in British Columbia.

The Minimum Wage for Personal Service Occupation¹⁹ was to be \$14.25 per 48 hour week; a graduated scale of wage for those under 18 years of age was to extend over a period of two years. As regards apprentices²⁰ where it was usual to employ them, one year was provided. Included in this order there was a special provision relating to ushers' work-

(19) Comprising manicurists, hairdressers, attendants at shooting galleries, other public places of amusement, garages and drivers of motor cars etc.

(20) Apprentices mean inexperienced workers who are over 18 years of age. There were to be none re shooting galleries and other public places of amusement, garages, gasoline stands and drivers of motor cars.

ing hours. By having different rates, according to whether the work was consecutive or not and in what manner it was broken, it was hoped that broken hours of work might be lessened. It was learned that this was an obstacle in this class of work, for if the employee received a definite schedule of work, she could obtain part time employment elsewhere and so supplement her inadequate earnings.

In the Telephone and Telegraph Occupation there were three minima. For those who were experienced and over 18 years of age the rate was to be \$15.00 a week. The working week was to be 48 hours with a stipulation that not more than 8 hours a day was to be worked. Employees were entitled to one full day off each week. As regards night operators 10 hours was to count as 8 hours for this purpose. In case of emergency however provision was made for a maximum of 52 hours but time and one half was to be paid for all time worked in excess of 48 hours. This order was amended April 1920 to contain only two minimum rates, namely for experienced and inexperienced workers, the latter rate being on a graduated scale for a period of one year. The reason for the change was that it was unusual for the third class of workers to be employed. By the same amendment the

emergency hours were extended to 56 hours. This order does not affect the C.P.R. as they do not come under the jurisdiction of the Minimum Wage Act and have refused to comply with the orders. Previous to the amendment there was much dissatisfaction on both sides but all these points were cleared up when the question had been reopened.

The Fishing Industry²¹ has two classification of rates as fixed by the Minimum Wage Board. The rate for experienced workers is \$15.50, and for inexperienced workers it is to be a graduated scale extending over a period of one year. The high minimum rate in this industry is due to the hardships accompanying the work and also the necessary dexterity and technical knowledge required.

The Minimum in the Fruit and Vegetable Industry²² has been classified according as to whether the employees are experienced or inexperienced; the former at \$14.00 per 48 hour week and the latter at \$10.00, \$11.00 and \$12.00 per week covering a period of three months in all. The maximum hours allowed a week were to be 60, but hours in excess of 48 were to be paid at the rate of 30 cents. As regards hours exceeding 60 per week, the rate was to be 15 cents an

(21) 1920 for those engaged in the preparing, preserving, drying, curing, smoking, packing, or otherwise adapting for sale or use, or for shipment any kind of fish except in the case of canned fish.

(22) Comprising those employed in the canning, drying, packing or otherwise adapting for sale or use any kind of dried fruit or vegetable.

hour. To prevent excessive overtime in this industry it was stipulated that overtime was only allowed during 90 days in any 12 months, but that the Board might extend this at their discretion. In 1922 a movement was started to effect a reduction in the minimum²³, accordingly circulars were sent out to gather the necessary information on this topic. The result showed the cost of living at \$16.97 whereas in 1919 it was reported as \$ 15.57. The Conference confirmed the existing rate. In 1926 at the instigation of the employees this question was reopened a second time. It resulted in increasing the minimum wage to \$14.40, and further changes re hours and a reduction of the period of experience, to two months instead of three.²⁴

Even as early as 1919 resentment was noted as regards the working of the minimum wage board from different sources. From one side there was the threat of dismissing girls and women and substituting oriental labour in order to get around the minimum rate, a very undesirable situation to both employee and employer, since it might also lead to the oriental employer who might be a greater menace than the necessity for paying a minimum wage. Had the Board

Note 22 continued. dried fruit or vegetable.

(23) Minimum Wage Board Reports for 1922.

(24) Ibid. 1926.

power over all women workers in the province this movement against it would have been much more noticeable. Those excluded from the workings of the board are farm laborers, fruit-pickers, domestics, banking houses, C.P.R. and Postal authorities.

Throughout the History of the board it will be noticed that there were always attempts at evasion. To obviate these difficulties the Minimum Wage Act was amended from time to time in order to get around these loop-holes. When prosecuting an employer it was found necessary to bring the original order to court in order to prove his guilt. To meet this difficulty the Act was amended so that the publication in the B.C. Gazette would become conclusive evidence in such cases. However most evasions were directed against the rate of the minimum wage, rather than at the maximum hours worked, although there were many instances of the latter. A great difficulty in bringing delinquents to court was the women's unwillingness to make themselves known by their appearance in a witness box. They felt that in the future, when looking for a position, the fact that they gave evidence against an employer would prove a handicap. The Board helpless in this matter, but with the scope and stringency of the orders, more confidence has been placed with the board, and women are becoming less afraid to give-----

evidence. Another innovation of importance was the introduction of women inspectors²⁵ for the purpose of effecting a more complete observance of the orders. The "school" problem is a method in vogue as regards getting around the minimum wage orders. That is certain firms profess to be schools rather than industrial organizations. But upon further investigation it was learned that these supposed "schools" are not really such since their products were sold on the open market and often in competition with that of industrial firms. In this instance the board has no power, as these designated schools profess to teach and give no wages, occasionally even charging for the supposed course. Since the girls are not technically employees, not being in the receipt of wages, the Board as yet cannot prevent this exploitation. A very similar instance to the above was brought into the Police Court.²⁶ In this case the manufacturer charged \$1.00 a month for tuition and gave his students a bonus of \$10.00 a month. Judgment rendered did not consider this a school in the legal sense and defendant was liable for his arrears. A very frequent plea on the part of employers re their failure to pay the established minima was that they were in arrears-----

(25) Minimum Wage Board Reports for 1923.

(26) " " " " " 1925.

fortunately the courts did not accept this and fined them.

During the first year the Board felt greatly hindered because it was unable to enforce maximum hours. When the first orders under the original Minimum Wage Act was passed it was feared, that if it meant raising wages to a firm, their working hours would immediately be lengthened in order that they would be enforcing the same hourly rate as before. On the other hand, it was put forward that this was a matter outside the scope of a Minimum Wage Board, since its duties were merely to ensure a living wage. Due to the fact that it was shown by means of a technical observance in the silk industries that longer hours did not necessarily entail more productive work, e.g. for a 100 minutes work at long hours was found to be equivalent to 80.5 minutes work at short hours.²⁷ It was conceded advisable for the Board to legislate re maximum hours as well and this was granted in the following year.²⁸ Hence the question of a minimum tends to pivot around that of a minimum pay for a definite amount of work and that is more or less a form of equal pay for equal work in all firms under the same order. It should be remembered that the shorter hours that a girl works the

(27) Minimum Wage Board Reports for 1920.

(28) Ibid 1919.

more time she has for personal services that would otherwise have to be paid. In fixing hourly maxima for the day as well as the week an equal distribution of the work throughout the week is provided, and this meets the undesirability of having women work very long hours at a stretch which is too much of a strain for them. Hence it will be noted that the minimum wage in this province is concerned with obtaining for women a fair wage and also proper working conditions. Thus a minimum for women is more necessary than men because the former are weaker in this respect, viz. as wage bargainers. The Board however does not give night work very much attention nor broken time, waiting on the premises, docking for lates etc. as is noted in ushers. But in this instance I do not think that it will prove of value since these workers will be restricted when competing with male ushers for the same position. This can easily be obviated by having the same rates apply to men in the same circumstances, for since this rate is merely a living guarantee, and men cannot live for less than women, no great hardship will be placed on them. As yet no complaint has reached the Board re this and no doubt this is because the rate fixed is so much lower than that paid to male ushers that it

is not sufficient to prove a disadvantage.

The question of apprentices and young girls proved a difficulty to the Board in fixing their rates. In most cases the rate has been very gradual so as to allow the girl sufficient time to obtain the necessary experience. When it came to fix the rate for the Manufacturing Group it witnessed a great deal of trouble because there is included in this group the most divers type of factories. In 1922²³ the Manufacturers Association for the province of British Columbia petitioned for an opening of the question on the ground that adequate apprenticeship was not provided by the order nor was the same scale necessarily suitable for every form of manufacturing industry. In 192²⁵ an amendment took place which was approved both by the employers and the employees.¹⁰ The principle for this adjustment rested not solely on that of the learning period for that trade but also in that long periods of apprenticeship should be allowed only in those occupations which ultimately promise the competent worker promotion and adequate wages. It is hoped that with the establishment of technical schools for millinery etc. there will be less need for a learning period.

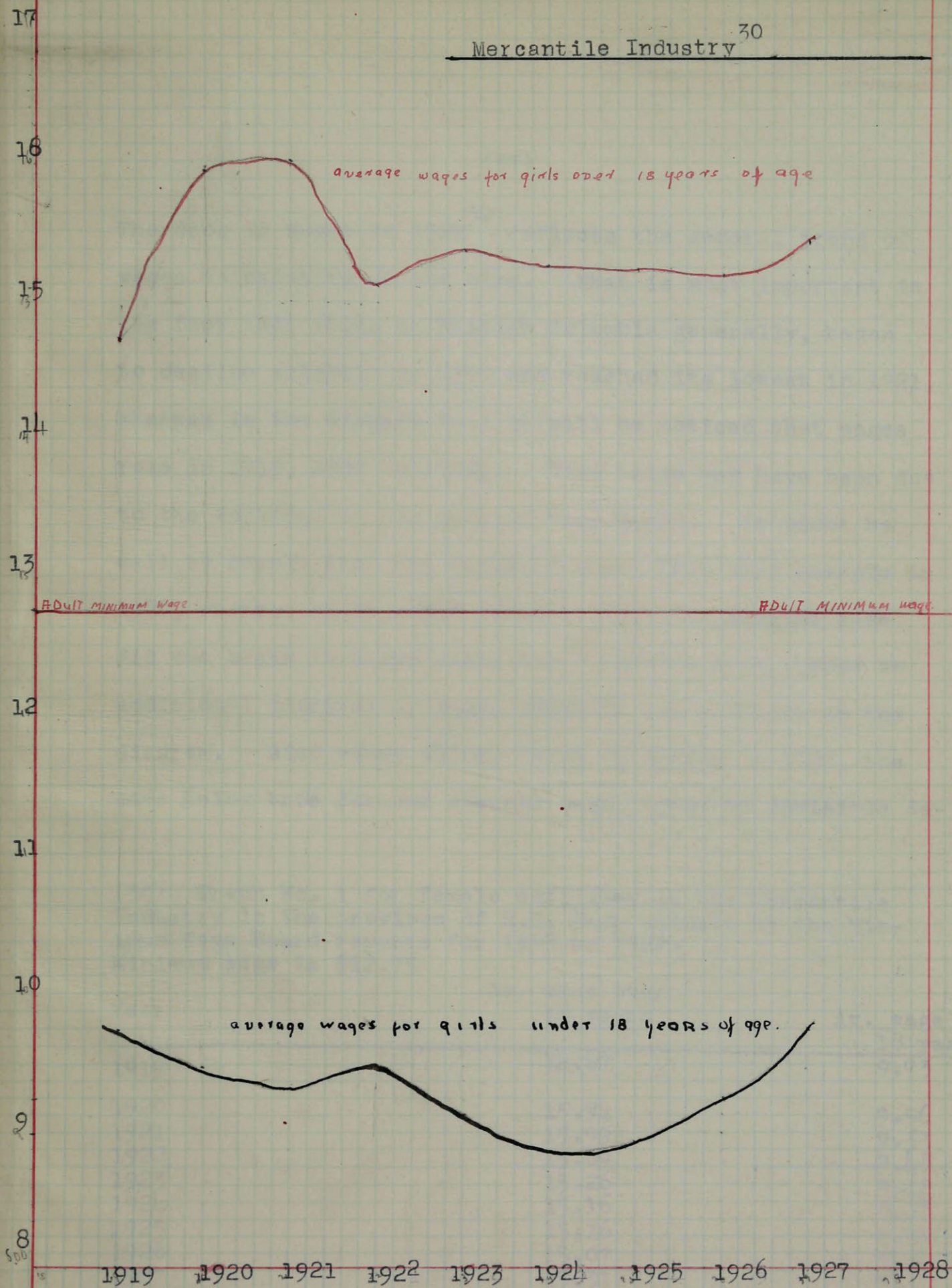
(23) See Note 23 p. 30.

(25) Ibid p. 32.

(10) See note 10 p. 21.

Precaution was also taken lest the scale of advance prove too low, having the tendency to discourage workers and encourage them to pass from shop to shop, and trade to trade in an endeavour to find more rapidly some industry where they may obtain a more suitable wage. On the other hand employees must be given sufficient time to acquire reasonable experience before their employer may, in fairness, be required to pay the minimum wage. If the rate is too high there is also another difficulty that many young girls will be encouraged to leave school too early because of the glamour of a high beginner's wage.

From Graph No. 1 it will be noticed that the average wage is well above the maximum and hence no danger that the minimum will become the maximum. Even if the two divisions, that is, average wages for those who are over and those who are under 18 years of age, were to be considered as one average, it would not even cause this average to fluctuate around the minimum. The proportion of the employees under 18 years of age is not sufficient to pull the average wage for the other division down to a degree to warrant this, in spite of the fact that the distance of the former to the average is also the greater.



The drop in wages in 1921³⁰ reflects the general trend of wages as existing at the time. What is most important is the fact that wages in British Columbia generally, began to decline slightly in 1919 and reached its lowest in 1921, whereas in the diagram No.1 it will be noticed that wages rose in 1919, 1920 and 1921. This raise may have been due to the workings of the Minimum Wage Board. It might be well to recall that the value of money fell very sharply in 1920, whereas it is noted (diag.1) that the average wage did not begin to slump until the following year, hence an additional increase in wages which is not apparent in the diagram. Also money values began to ascend in 1922, the same being true for our average wage, hence no invisible de-

(30) Graph. No. 1 for female employees in the Mercantile Industry in the province of B.C. from reports by the Minimum Wage Board reports for 1918 to 1927.
Minimum wage is \$12.75

Year	Av. wage over 18 years	Av. wage under 18 years
1919	14.67	9.73
1920	15.94	9.56
1921	15.99	9.33
1922	15.09	9.48
1923	15.26	9.12
1924	15.16	8.88
1925	15.16	9.05
1926	15.07	9.26
1927	15.31	9.84

This average is compiled from reports received by the Board for the week of greater employment during the year. Not accurate because replies are not always from the same persons.

crease. The second slump was in 1925 and so accounting for our second drop in the average wage. Accordingly to this it would appear as if real wages generally did not decrease and that average women's wages in the Mercantile Industry has tended to increase out of proportion to wages generally in the province. Another point of interest is the fact that hours worked have tended to decrease so pointing to a still further increase in the real wage. This may be a direct influence of the Minimum Wage Board since they now regulate hours. However it is well to remember that this increase cannot strictly speaking be credited entirely to the working of the Board. There were other influences at work tending to increase the wages of women. Previously women as compared to men did not receive an equal pay for equal work, hence this increase may be due to a lessening of this discrepancy. There is also a growing tendency for the previous opinion that women were mere transitory characters in the industrial field to diminish. This may be due to the increase in the number of women and also their longer periods of service. From statistical records kept by the B.C. Minimum Wage Board much light was thrown on

(39).

this subject. It was shown that women stay for long periods with the same employer, in cases as long as twenty years; the number of women who work for these long periods are increasing every year; marriage does not interfere with a women's work as much as previously since many married women are found in industries.

The Minimum Wage Board considers each woman worker as dependent wholly on her salary and hence entitled to live on her work; thus indirectly boosting her position in the industrial field as a permanent figure.

Previously it had been felt that women were dependent on others, who worked only for short periods and merely for pin-money. This idea is fast fading and with its gradual disappearance the position of women workers is becoming more definite in the business world. How much has been due to the workings of the Board we can only surmise but we cannot help but feel that their immediate work has helped; where it may lead to in the future we can only conjecture.

CHAPTER 111 : The Province Of Manitoba.

With the continuous increase in prices of food and clothing, public opinion began to favour a minimum wage for women in the province. During the early months of 1918 this same public agitation made for the enactment of a minimum wage act similar to¹ that in the province of British Columbia.

The Act which was adopted provided for the creation of a minimum wage board consisting of five members, of whom two were women, one representing the employers and the other employees; further two members in all represented the employer's group and two the employees,² the remaining member being a disinterested one. It is gratifying to note that members of the Board are to be remunerated for their services, which remuneration is to be fixed by the Lieutenant-Governor in Council. The duties of the Board are to ascertain and declare a minimum wage based on the cost of living and suitable

1.Sessional Paper, Manitoba Legislature. p.50 1918.

2.Minimum Wage Act. Manitoba Statutes 1919 c.38.

to maintain an employee in health. In addition it has the power to fix maximum hours and conditions of labour. The jurisdiction of the Board extends to mail order houses, shops and factories, but by a later amendment³ was extended to include both offices and places of amusement. Thus domestics and farm labourers do not come under the minimum wage Act. Orders that the Board passes will deal with cities but may be extended throughout the province at its discretion. Then there were the usual clauses dealing with Penalties, Licenses for handicapped employees, and the keeping of a Register. An employer who defaulted his fine imposed under the rulings of the Minimum Wage Board is liable to a term of imprisonment extending from ten days to three months. But if he should be unable to pay arrears of wages, his goods and chattels may be seized and sold to liquidate this debt. Orders passed by the Board are to become effective thirty days after publication in the Manitoba Gazette. In carrying out its duties the Board is to be aided in every way possible by the material available by the Bureau of Labour.

The Minimum Wage Act makes no provision for the holding of Conference for each industry. Nevertheless they

(3) Amendment Minimum Wage Act 1919 ch. 54.

are seen working in the province. The Board, being free in this manner, calls together representatives of both employers and employees in conference with themselves. The members of the Board preside and thus because of their previous experience and expert knowledge, are able to direct the Conference in all their investigations. As the result of coming together and thus learning each others' views, it is hoped that a better understanding of each other will thus result and make for their co-operation in the matter of minimum wages. This method of carrying out an investigation proved both inexpensive and speedy. Had the Board attempted to gain the information requisite by the examination of individual witnesses, and the visitation of plants, it would have made less progress.

It will be remembered that the Board has power to legislate re maximum hours as well as for minimum wages and conditions of labour.⁵ In this case of hours the Manitoba Factories Act and Shops' Regulations had dealt with this subject previously.⁶ The former had enacted a maximum day of 9 hours and a maximum week of 54 hours, the latter one of 14 per day and 60 per week. These hours were

(4) Sessional Papers Minimum Wage Board Report 1919 p.50.

(5) See page 1 re hours in the Minimum Wage Act.

(6) See "Labour Legislation in Canada 1920" pp.458,468,489,491.

very long but since the Board has power to enforce a lower maximum it did much to remedy the situation. In fact in 1920 it made its aim the 48 hour week and if you glance at its orders it will be noted that it has almost attained this end.⁷

Early in April the members of the Board were appointed⁸ and began to carry out their duties at once. As was natural the Board began to investigate the cost of living and did this by drawing up a budget. Note that the Board did not inquire at the same time what wages were being paid in the industries under review. The first budget arrived at was very low being \$9.48.⁶ If you will glance at the items making up this figure you will see that many are too low. As regards sickness there is only the provision of \$15.00 for dentists' and doctors' fees. This is hardly sufficient in the case of even a slight illness. Nothing is mentioned re life insurance, unemployment or for dependents. From this one will rightly gather that it was one on which an employee can exist rather than live. Fortunately in the preseding year the budget was raised to \$12.00 per week and as a result the orders already fixed by the board were amended as regards the in-

(7) Sessional Papers: Minimum Wage Report 1920.⁵

(8) Manitoba Gazette. 1918 p. 32.⁵

(6) See note 6. p 42.

(LH)

creases minima. During the first year the Board dealt with the majority of women employed in Winnipeg and St. Boniface and in 1921 had practically covered the whole field and had revised some of the orders in the meantime. Thus the Board passed orders, at the beginning in the larger cities as an experiment. This was also the case in Ontario but more pronounced in that every order was first applied to its largest city, namely Toronto.

In carrying out its orders the Board endeavoured to protect the interests of the women workers of the province and at the same time stimulate the productive efficiency of the industries as a whole and thus create good-feeling between the employers and employees. They did this in placing the minimum at a moderate rate and in dealing with all industries employing women, even if only a few were employed, and thus the Act would apply to all women workers. Then too the Board kept its expenses down by calling together the representatives of both employers and employees into conference with themselves. But in doing this they were unable to get at a true estimate of average wages nor were they able to obtain minute details of each industry that they investi-

gated. And it was also noted that the results of reports were mathematically inconsistent with each other due to the manner of collecting same, namely by these conference. But it was felt that these slight errors would correct themselves, due to the practice of submitting every order previous to its publication to a public enquiry. At these meetings anyone whatsoever may express an opinion regarding the proposed regulations. After, any objections that had been put forward, if any were carefully weighed, and the Board would then issue the order or the amended order if this had been necessary. Although it is true that average wages are not always accurate and often expensive to compile, it must not be forgotten that it enables one to compare one period with another much more satisfactorily than by any other method. However it appears as if in this case the question rests around that of expenses, for in 1923³¹ there was a plan afoot to reduce public expenditure by combining the duties of existing provincial boards, among which was that of the Minimum Wage Board.

Before glancing at the regulations of the Board in the different industries it may be well to note the type of the

(30) See appendix 6.

minimum wage enforced. Above all it endeavours to effect ideal working conditions, even more than very high wages. This it effects in various measures, such as the provision that wages be paid weekly and within three days after earned. Then there is the provision for at least one day off during the week and in some orders a half day holiday besides. Re statutory holidays, employees are entitled to same without any reduction from the minimum. Then there is the ten minute interval where a session consists of four hours or more which, should prove of advantage both to employees and to employers. The necessity of "notice" before dismissal or leaving appears to have been badly needed by both. Previously employees never knew when they would be laid off and this uncertainty did not make for their security nor happiness. The employer in spite of his obvious advantage in dismissal also suffered. He was never certain which or how many employees would turn up the next day. Needless to say his handicap was the lesser of the two. There were other similar clauses such as provision for lunch hour, shortening of the hours of work, definite overtime provisions, the prohibition of night work in most factories, and the fixing of the entrance age in some occupations. A uniform register was pro-

vided to employers for keeping the information required by the Board, and this in turn was to be an aid to the inspectors. A noted tendency of the minimum was towards that of a flat rate. It will be noted that the rate for experienced adults is usually \$12.00 per week. It however differs from a flat rate in that there is a special rate for minors and adult learners. As for apprentice rates, there are as many schedules as there are orders.

The laundry, dry-cleaning, and dyer's group was dealt with as follows. First an order (the very first of the Board) was issued dealing with laundries only for the province.⁹ The order contained three sections, one dealing with the conditions of work, the second with hours, and the third with wages. The labour conditions were similar to the factories' enactments of the other provinces, that is it dealt with the cleanliness of the factory, drinking water, natural and artificial lighting, the ventilation of the work-room, its heating, separate toilets and wash-basins for both sexes, shields and guards for machinery and a first aid kit. Hours were stipulated at 9 per day and 52 per week. On Saturday the closing hour was at 3 P.M. unless the preceding Thursday or Friday had been a holiday. There was

(9) Manitoba Gazette. 1918 p.325.

(48)

to be no work on Sunday. Overtime was permitted for a period not exceeding 36 days per year. All hours in excess of 52 per week was looked upon as overtime and to be paid at a rate not less than the minimum. However by an amendment it stipulated the amount of time an employee may work overtime in one day, in one week and in one year. For the first 6 months after the order came into force, the minimum was to be lower than that stated in the order.

Brandon and St. Boniface had different rates and in either case lower than for the rest of the province, also the class of workers were either experienced or inexperienced, for the two cities, Brandon and St. Boniface but for the remainder of the province it was the usual three classes, namely, experienced adults, inexperienced adults, and minors. The minimum for experienced employees was placed at \$9.50 per week which is rather low but there are no figures to show what they had been previously. As it is, it is in keeping with the budget drawn up by the Conference. Inexperienced adults were to work 3 months at \$8.00 per week and a further 3 months at \$9.00 after which time they became entitled to the full minimum wage. Young girls had to serve an apprenticeship period of 18 months, starting at \$7.00 and increasing every 6 months at the rate of

\$.50 per week. In either case the maximum number of inexperienced adults or girls was not to exceed 25% of the total number of female employees. In the following year there was an amendment to this order increasing the rate for Brandon. The minimum for experienced adults rose to \$10.50 and that for learners and minors by a flat rate of \$1.00 per week. Also in this same year another order was passed¹¹ dealing with Dyeing and Dry-Cleaning Establishments within the province. The hours were shorter than in the previous order in that they were 9 per day and 50 per week and a stipulation that there was to be no night nor Sunday work, also weekly pay and a notice of one week required in case of dismissal or leaving. Besides the usual classification of the workers into the three groups there was an additional one according to the type of work and in this instance there were three grades of work. The minimum for adults being \$12.00 and \$11.00 per week. It will be noted that the rates for laundries were rather low at the beginning. This was partly due to the concessions granted them on account of their competition with the chinese laundries and further wages previously had been very low. On June 1st. 1925¹² all existing orders

(11) Manitoba Gazette 1919 p.164

(12) Regulation No. 3 see Manitoba Gazette 1925 p.362.

dealing with this group were repealed and a new order issued. It stipulates hours at 9 per day and 50 per week, no night work, nor Sunday, nor between the hours of 10P.M. and 7A.M. A minor under 17 years of age was not permitted to work overtime. The minimum for experienced adults was increased to \$12.00 per week. Learners and young girls' minima were placed on the same footing and raised to \$9.00 per week for the 1st. 6 months and \$10.50 for the next six. All employees were entitled to the statutory holidays and with no reduction from the minimum wage. These were the rates for Brandon and Winnipeg, as regards the rest of the province, the rates were on the same basis but slightly reduced.

The Mercantile group needed the regulation Minimum Wage Board in respect of hours to a greater extent than re wages. The first order was passed during 1918 and dealt with all forms of retail shops.¹³ There were the three classification of workers. But in fixing the minimum for girls it varied according to the age at which she began work.¹⁴ In this order the minimum for experienced adults was placed at \$12.00 per week. Hours of work varied .

(13) Manitoba Gazette 1918 p.1087. Department stores, 5. 10 & 15¢ stores, standard and retail stores, and those stores that are open in the evenings.

(14) It is probably this order that influenced Ontario in a similar stipulation re the mercantile group in Toronto.

according to the type of store as classified but in no case were hours per week to exceed 50, except during the month of December. There was also a provision providing seats for the salesladies. By an amendment¹⁵ the working hours during the summer months were shortened and overtime other than during December was regulated by the Board. It was required to be reported to the Board within 7 days. There was a provision for a vacation of one week to all employees during the year with pay.¹⁶ There was a further alteration in respect of the apprenticeship of adults in that it was increased.¹⁷ In 1919 Mail-Order Houses were separated from this group and its working hours shortened, namely 9 per day and 48 per week. Since these establishments have rush seasons special provision for overtime during these periods was provided. As regards wages they remained approximately the same as for the first order. This order was later extended to include Departmental Stores and any manufacturing department attached, thereto.¹⁸ It will be noted that since the minimum for experienced adults is the same for both orders, namely, \$12.00 per week, the necessity for two orders

(15) Manitoba Gazette 1919 p. 141.

(16) It is unusual to find a Minimum Wage Board making stipulations re vacations.

(17) No record, whether due to agitation or on the initiative of the Board. In all probability complaints must have reached the Board since it considered one year an insufficient length of apprenticeship.

(18) Regulation No. 2 effective Sept. 1, 1924.

lies mainly as regards apprenticeship and to a certain extent re hours. Since no application of the orders is stated, it is presumed that it extends only to the cities of the province.¹⁹

The manufacturing group contains the greatest number of orders but the Board has made some attempt to consolidate these. It would be very tedious to enter into detail of these orders and the result would be exceedingly clumsy and hard to grasp. At present there are 12 orders dealing with this group since in 1919 the Board consolidated several orders into one. Most of the orders provide for a 9 hour day and a 48 hour week, but there are a few cases where it is longer and in no case exceeding 50 hours per week. As regards the minimum wage for experienced adults it is \$12.00 in most of the orders except in a very few when it is less due to the experience requirements being lower. These slight differences (in no case more than \$2.00 per week from the minimum) may in part be due also to the policy of the Board to vary wages according to the need of the employees in that trade, the difficulty of the work and lastly the ability of the industry to pay.

(19) Act specifically stipulates that its application is to the towns but may be extended to the remainder of the province if expressly so stipulated by the Board. And since there is no such stipulation in the orders it is presumed that the former is meant.

As regards apprenticeship, there are many variations, in some cases adult and minor learners coming under the same regulations, and in others they are separated. Then the period varies, being as low as 3 months, but not exceeding two years in any instance. There are also occasional stipulations re the minimum age of entry into the trade, that is at 15 years of age. Apart from this and other clauses common to all the orders of the Manitoba Minimum Wage Board nothing further may be obtained by dealing with orders in more detail.²⁰

The order affecting offices²¹ originally dealt with the three cities, Winnipeg, St. Boniface, and St. James but later on it was extended to include Brandon.²² The hours are low being fixed at 44 per week and 8 per day, but where the office staff works in connection with the selling force the hours may be governed by that of the Mercantile group. The working day must take place between 7am and 7 pm. This is the only group where wages are not required to be paid weekly, this being stipulated in the first order but later amended allowing wages to be paid either weekly or semi-monthly,²³ but in both cases

(20) In the appendix there is a more detailed survey of this group. See appendix 5.

(21) July 26, 1919 Manitoba Gazette p.746.

(22) Manitoba Gazette 1919 p.951, Nov. 6th.

(23) Ibid 1920 Feb. 28.

within three days of being earned. Adults with six months²⁴ experience are entitled to \$ 12.50 per week. As regards a minor her wage varies according to her age and when she reaches the age of 18 she comes under the status of an adult and is governed by the regulations for adults. A commercial education exempts an adult from the apprenticeship and credits a minor with one years experience. Further casual workers are defined as one whose length of employment is for less than two months. Her remuneration is to be on an hourly basis and at a rate not lower than the minimum stipulated in the order.

The group that may be classified as Public Service at present comes under the order known as Regulation No. 5 and comprises employees in Hotels, Restaurants, Clubs, Victualling Houses and Refreshment Stands, for all portions of the province. In dealing with this group the Board encountered more trouble than with any other order, first as regards the tips in fixing a minimum wage and secondly as regards the hours. Further a greater amount of inspection is required as a result of frequent infringements of the orders, especially as regards hours. and the task is made harder by the lack of co-operation on behalf²⁵ of employees. As a result this is the only group which

24. Note that it is higher than for the manufacturing and laundering groups.

25. Minimum Wage Board Report . 1919

is required to keep a record of all time worked in a manner convenient for examination by the inspectors. The minimum was fixed at \$12.50 per week, which was made applicable to learners. No girl under 16 years of age may be employed in this type of work. Because of the irregular hours, no work may finish between the hours of 1 and 6 A.M. although night work is allowed. An employee may work 10 hours per day or 48 per week but if she lives on the premises she may work as long as 50 hours per week. There is also a provision regarding one day off during the week or in the alternative two half days. Previous to this order there were two, one dealing with hotels (which excluded the city of Brandon for a short time) and the other with Restaurants.

And finally there is the Personal Service group comprising two orders, one dealing with " Beauty Parlours and Hairdressing Establishments including all schools and colleges teaching these trades" and the other with places of Amusement in Winnipeg, St. Boniface and St. James. The latter order deals with Ticket Sellers (A), Ushers (B) and Cleaners (C). The minimum for A and B is \$12.00 per week and that for C on a basis of \$.35 per hour. All work less than 40 hours per week may be paid by the hourly rate of not less than \$.30 and in no case is a "trick"

26. Sec. 1 Regulation 5

27. Manitoba Gazette 1919 pp.381, 383, and 925.

28. Regulation No. 4, June 15 1925. Manitoba Gazette 1925p.525.

29. Manitoba Gazette. 1919 p.746 July 26th.

to be less than 2 hours. Minors are not permitted to be employed. In the former order known as Regulation No. 4 the minimum for experienced adults is \$12.00 per week. The other class of workers is learners whose period of apprenticeship is to extend over a period of 18 months unless an employee has attended a school or college teaching this course, and in that case she receives credit for all time spent in training. The entrance age was fixed at 16 years. Learners at the end of their apprenticeship are entitled to a diploma. From the heading of this order it will be seen that "schools and colleges" are included. As regards these it stipulates that they must furnish the Board with a list of the subjects taught, the length of the course, fee charged and a copy of the diploma issued. In this way the Board is able to avoid the difficulty of the "school" question as it is experienced in the other provinces.

The orders of the Minimum Wage Board are enforced by the strict inspection that takes place. All infringements of the orders are carefully investigated and corrected as soon as possible. The Board also receives numerous complaints from employees themselves, and these receive

prompt attention, and are adjusted in a manner satisfactory to all concerned.³² From both these sources the Board feels that it is able to keep close watch over the enforcement of its orders and that it is also able to learn about any problems confronting the employees or employers.

The Minimum Wage in Manitoba is humanitarian in character and as such attempts to grant employees steady work and eliminate part time work as much as possible. In very few orders are there provisions regarding slack times when full time cannot be worked. However beneficial this may be from the social point of view it is not so as regards the economic. For the maladjustment that occurs and which makes for irregular work rests outside the influence of an employer, being due to seasonal and cyclical fluctuations in industrial prosperity. The Board found this out, when in 1921³³ certain firms sought temporary exemptions from the orders of the Board on this ground and later the employees themselves petitioned the Board for short time permits.

Upon investigation it was found that there was difficulty to find jobs and that the majority of the particular workers interviewed were willing to work short hours rather

(32) Minimum Wage Board Report 1921 p.215.

(33) Labour Gazette 1922 p.266.

than have any of their number laid off. As a result the Board issued permits for a period not longer than 30 days during which less than the full minimum wage might be paid. The existence of short hours is a very important question requiring as much regulation as that for wages in obtaining a living wage to the workers. Another instance where employees asked for concessions to their employers was in the case of the Woolworth Store. According to the order governing this particular store there was a stipulation to the effect that during the summer months employees were to receive half holiday each week. The employees asked that their firm be exempted from this provided the store closed on Saturday at 5P.M. and that the maximum hours worked per week did not exceed 48. This does not mean that the Board is obliged to make concessions because the employees demanded them, as they themselves are not necessarily the best judges of their own comfort, despite the teachings of the laissez-faire economists.

The Board in carrying out its orders have come across many infringements of them but have been rather fortunate in having them corrected with very little trouble. They have had recourse to law in very few cases, for as a rule they have been able to adjust these misunderstandings with

the employers concerned. Unfortunately the Board has been hampered from time to time by girls who are willing to work for less than the minimum. This the Board explains by the fact there are more girls looking for work than there are vacancies.³⁴ Of course this is just what one would expect since the minimum wage if properly enforced tends to cut down the numbers looking for work at the wages enforced. The natural outcome of these circumstances would naturally lead one to believe that some employees would be out of work. But this should not occur since the demand for production has in no way diminished. The province of Ontario claims that as a result of a minimum wage being placed on certain classes of employees there has been no noticeable increase in unemployment as regards these particular employments. But coming back to the question of infringements to their orders it will be noted that the greatest number occur within the order dealing with hotels and restaurants, on account of wages being paid below the minimum and excessively long working hours occurring. Thus accounting for the majority of prosecutions of the Board being on account of this order.

Early in 1925 a bill was introduced in the Legislature

(34) Year 1922-23 from correspondence with Board.

amending the minimum wage act.³⁵ The supporters of the bill alleged that some employers were circumventing the provisions of the Act by discharging their female employees and engaging boys in their places. Thus the amendment proposed hoped to extend the act to boys as well as to girls under 18 years of age. When the bill went to committee opposition came from employers and representatives of the Manitoba Boy's Works. As a result the bill was dropped on the ground that many of the boys who would come under it are apprentices working under special conditions and further that boys would lose the initiative for better advancement because of the lure of higher beginner's wage.³⁶

As regards the effects of the orders very little can be said with any amount of precision. First there are no figures with which to compare wages from year to year and hence we must rely on the conclusions contained in the minimum Wage Boards Reports. These usually claim that the regulations are having a stimulating effect upon wages, because it directly raises very low wages and because the publications of the budgets for the cost of living in conjunction with the orders have played their part on the employers in the advancement of wages. It was noted that in many instances that employers enhanced the wages of their employees

(35) Labour Gazette. 1925 p.331.

(36) Ibid 1926 p.450.

even before the order was passed. As a result of the enforcement of weekly payment, its applications soon followed as regards men. Payment by the week is a very desirable practice since most of the employees obtain merely a living wage and would naturally suffer from a longer delay in receiving their wages. If pay day stretches over a long period or is not promptly paid the employee has to resort to credit, if available. This "credit" habit is not a very desirable one and does not lead to the best allocation of what income is earned. The Minimum Wage Board settles their rates on a budget which assumes that employees spend their money in the most advantageous way, but this does not necessarily happen and the Board is helpless in teaching them how to spend their money wisely. However in thus assuring the worker of a weekly pay the Board is doing something in this direction.

Although the Board has attempted to raise wages in so far as is compatible with the ability of the industry to pay, it may be safely said that what it has accomplished has been mostly of a social character, namely the betterment of working conditions and thus tending to make the position of the working woman the best in Canada, even though wages are not necessarily so high. Perhaps wages too are high if we could obtain a true index of the standard of living in order to compare the cost of living in the different provinces and localities.

CHAPTER LV)

SASKATCHEWAN.

The Minimum Wage Act in Saskatchewan was passed February 15th 1919¹ and somewhat similar to that in Manitoba enacted the previous year. This act provided for the appointment by the Lieutenant-Governor in Council of a Minimum Wage Board, consisting of five members, two of whom shall be women. The members of the Board are to hold office during pleasure and to be compensated for their services and expenses. The jurisdiction of the Act applies to female workers who are employed in a shop or factory in any city in the province and who work for hire. This Board has authority to declare what wages are adequate to furnish the necessary cost of living to employees.

Further may determine what are reasonable hours and also proper sanitary conditions.³ Orders issued by the Board

(1). Royal Statutes Province of Saskatchewan 1920 c.186
and amendments 1921-1922 c. 72,
1925-1926 c. 54,
1927 c. 59.

(3) Subject to the provisions of the Public Healths Act.

are to be published in two successive issues of the Saskatchewan Gazette and to become effective on the expiration of 30 days from the date of the first publication. Although the Act is to apply to the cities of Saskatchewan it may be extended at the discretion of the Board to any other portion of the province. By an amendment⁴ the jurisdiction of the Act was extended to include hotels and restaurants----to determine the number of apprentices in any shop or factory and also to compel employers to keep a record of the number of hours worked by their employees each week.

On May 3, 1919 the Lieutenant-Governor appointed a Minimum Wage Board consisting of five members. After holding meetings in various cities, the Board decided that a girl dependent on her earnings requires \$15.00 a week in order that she may live in reasonable comfort. After this conclusion had been reached the Board began to issue orders but did not convene any conference prior to this. Upon referring to the orders it will be noticed that the minimum was not as high as this in all of them. In 1924 the Board was reorganized and its opinion re the budget

(4) Statutes of Saskatchewan 1920 c. 78 amending the minimum wage act.

(64)

arrived at in 1919 may be judged from the fact that new orders were issued shortly reducing most of the previous ones by a flat rate of \$1.00 per week.⁵ Whether the budget at \$15.00 a week is too high is hard to judge as there is no itemized account of the budget available. But the fact that in the following year these reductions from the minima were repealed, leads one to believe that it is probably the correct figure, in so far as it is not too high. That it is not too low is very hard to say, but judging from the budgets submitted by the Minimum Wage Boards from the other provinces it does not seem so.

The minimum wage in Saskatchewan follows the lines of the Manitoba Minimum Wage to a marked degree. First there is the section dealing with conditions of labour, then there is the aim of the 48 hour week (also noticed in Alberta), and overtime by permit only. Then in the act there is the fact that in neither province provision is made for the calling of a conference, the payment of members, the same number of members on the Board, its application to the cities with proviso that it may be extended further at the discretion of the Board. From this it will be gathered that at the commencement there

was a great deal of similarity in the minimum wages of the two provinces. This may be accounted for by the fact that the provinces are contiguous and somewhat similar in both economic and social life. Further Saskatchewan being the later to enact a minimum wage, would naturally look to the work of an existing minimum wage board dealing with conditions as near as possible to its own. The Act however is not as extensive as that in Manitoba since it is amended from time to time in order that its scope may be extended, such as, to include beauty parlors and barber shops,⁶ or hotels and restaurants,⁷ or limit the number of apprentices or compel employers to keep a record of the number of hours worked⁷ etc. However in carrying out its work the Board has not strictly followed that of Manitoba.

The minimum wage rate in Saskatchewan is a double one, that is there are two classifications of employees. They are either experienced or inexperienced. I think that this is the better method and but for a few exceptions, the wage rate should depend not on age as much as on experience. Then the scope of the orders are limited to the cities only, thus not affecting the wages of all women within the province. The orders

(6) R.S. Saskatchewan 1927, c.59.

(7) R.S. 1921-22 c.72.

nevertheless do not cover all employments of women in the province, such as office workers, telephone workers and employees in public places and those of amusement. There is no protection as regards lost time. It was understood in the early orders and later explicitly stated that for time worked less than 48 hours per week there is to be a proportional reduction from the minimum wage stipulated. Perhaps this is the better method. On the other hand the province of Manitoba had attempted to regulate this "short-time" work by requiring full pay. It proved unsuccessful in that both employees and employers complained. The minima for this province is much higher than in Manitoba and next to British Columbia. The rate does not vary according to the locality, thus it appears as if the Board presupposes that the cost of living is similar throughout the cities of the province. The orders of the Board show a clumsiness in treatment similar to Manitoba, and, also the same spirit re social legislation, but not to such a great extent.

Order No.1 deals with shops and stores as also with dress-making, millinery, tailoring and furriers in connection with stores.⁸ The order as originally passed in

(8) See Saskatchewan Gazette 1919, 1920, 1925 and 1928 for orders and amendments.

1919 contained provisions for conditions of labour⁹, hours at 48 per week and minimum wages. In the case of the latter employees were grouped into experienced workers and learners, the former receiving \$15.00 per week. The learners' rate was a graduated scale of 6 months periods for 18 months. Amendments during 1920 and 1921 occurred when it was found that the apprentice rates were not applicable in that they were too high as regards the millinery, dress-making, tailoring and furrier trades. In all the amendments, four in number, every one is the result of a different conference. Then in 1925 followed an amendment to the whole order, which increased the working hours to 51 per week, decreased the minimum wages for experienced adults by \$1.00 per week and re apprentices, a further division with a special reference to those in the millinery, tailoring, fur-sewing and florist trades. However in the same year the apprentice period for the remaining trades in this order was increased to 2 years, instead of the previous 18 month period. The next year contained an order of the board amending this one with respect to hours, reducing same to 50, re overtime, stipulating that it was to be allowed by permit only and that employees were to be paid for all time

(9) Very much like the provisions in the orders of the Manitoba Minimum Wage Board.

worked in excess of 50 hours per week. As regards experienced adults and apprentices excepting those under the customs regulation, their position in this order was altered to conform with the same regulations as enforced by the first order. By the very latest amendment to this order it is specified that for 8 specified cities the hours per week are 49 and for the remainder it is 51. Then for the first time, this amendment divides the apprentices (excluding the custom workers) into two classes, adult learners and minor learners.

The orders affecting the laundries group are to be found under Order No. 2¹⁰. The first one affecting this industry was issued in October of 1919 and was amended from time to time, amounting to 5 in all to present date.¹¹ In the original order there were the usual divisions¹² but no stipulations re maximum hours worked per week, excepting that it was to conform to the provisions of the Factory Act. However this was altered by an amendment to read at 48 hours per week,¹³ and at which figure it rests at the present day. By the same amendment the clause re hours further stated that the working day was not to end later than 6.30 P.M. , unless by a special permit

(10) This order deals with both laundries and factories.

(11) Amendments Nov. 15, 1921, Jan. 1, 1925, Feb. 10, 1925 Sept. 21, 1926 and Sept. 1, 1928. Published in the Saskatchewan Gazette.

(12) See previous order.

(13) Amendment 1921.

a firm was exempted from this ruling. There is no mention made re overtime until a later date¹⁴ when it stipulates that all time over 48 hours is to be looked upon as overtime and to be paid for as such and at a rate not less than the minimum. As regarding minimum wages, workers were divided into 2 classes, experienced workers at \$11.00 per week, and the remainder being learners whose wages were according to a graduated scale during 3 periods of 6 months each and which started at \$9.50. But that for experienced adults was reduced to \$12.00 in 1925,¹⁵ but within the same year increased to \$13.00 and in the following to \$14.00 (the first rate). The stipulation re learners was altered in that the learning period was reduced to 12 months. Thus it will be seen that although there had been several changes to the order it practically remains at the first figures. The amendment containing the greatest change was in 1925 and which reduced the minimum wage for adults (see above). But then this decrease was hardly due to that of a revised budget but rather to that of the new policy of the Board.¹⁵

In treating of Factories, the Saskatchewan Board did so in conjunction with Laundries.¹⁶ Previous to the

(14) Amendment 1926.

(15) Probably as a result of the reorganized Board which had taken place in 1924 and which had followed the policy of reducing wages.

(16) Order No.2.

1925 amendment this group was regulated by the same terms as those for laundries.¹⁷ But in this amendment there was a deviation as regards learners but only affecting those in the photographic trades. In this instance the beginners' wage was as low as \$5.00 per week and the apprenticeship period longer than for the remaining apprentices as fixed by this order. Then in 1926 a new apprentice rate was fixed for learners in the knitting and hat factories, being an intermediate one to the two existing previously. And in 1928 apprentices "wearing apparel" factories were also included in this new group, (created in 1926), and at the same time this rate was lowered slightly. Thus it will be seen that there is the adult minimum, an apprentice minimum extending over a period of 12 months and 2 special apprentice minima, differing from the standard rate, only with respect to the extra 3 months of apprenticeship. Since this order therefore is very much the same as that for laundries, excepting as regards apprentices, it appears as if the aim of the Board in fixing both these minima, is one rather based on the cost of living since it makes no attempt to vary the minimum according to the different industries. The few exceptions were due to the extra learning period required whilst not entitled to the adult minimum.

(17) For exact figures to 1925 see the preceding paragraph which deals with laundries.

After this there were no differentiations.

Mail order houses were treated separately to the mercantile group¹⁸ and comes under Order No.3 which has also been amended from time to time.¹⁹ The amendments that have occurred have followed the same trend as seen in the orders dealt with previously. The stipulations re hours and conditions followed according to the policy of the Board in enacting the other orders. Minimum wages were divided into 2 groups, \$14.00 for an experienced woman and \$8.00 for a learner, but the latter increases by \$2.00 per week every 6 months, during a period of 18 months. These regulations were varied by the amendments such as reducing the minimum for adults and then later gradually increasing it back to the old level, or in reducing the apprenticeship to 12 months.

The public Housekeeping Group or as it is called in this province, "hotels, restaurants and refreshment rooms"²⁰ was dealt with by the Board in an order issued during 1920 and amended seven times, thus reaching its present form. The first order stipulated maximum hours of 48 per week, later 10 per day, and finally 50 hours for a 6 day week

(18) This also true for Manitoba. Probably due to the prominence of mail order houses and these provinces.

(19) Original order Oct.1,1919. Amendment Nov.15, 1921. Jan.1, 1925. Feb.10, 1925. Sept.21, 1926. Sept.1, 1928.

(20) Order No. 4 May 1, 1920.

and 56 for a seven day week. There is also a provision that no work may end between the hours of 12 P.M. and 7 A.M., since it is inconvenient for an employee to return home during these hours. No female under 18 years of age may be permitted to work after 8 P.M. Where meals are provided on the premises, employees are entitled to at least twenty minutes²¹ for it. If this is strictly enforced it should prove a very wise measure in safe-guarding the health of the employee. I have often noticed in refreshment rooms, where only one or two waitresses are employed, that a waitress, whilst having her meal is often called upon, during same, to wait upon a customer. Should uniforms be required, they must be furnished, laundered and repaired by the employer. An allowance of \$7.75 per week was stipulated if the employer furnished board and lodging to the employee. Workers with at least three months experience are entitled to the minimum at \$14 per week, otherwise the minimum is fixed at \$12 per week. By a later amendment workers were further subdivided, according as to whether they worked six or seven days.²² Kitchen employees, under the same amendment, were placed under a separate rate. Later apprentices were also changed to this, that is their minimum depended on whether they worked a six or seven

21. Amendment September 1, 1928.

22. Amendment June 30, 1922.

day week, but no change was made as regards their ap-
²³prenticeship. There were also the variations in wages
 as noted in the other orders during the years 1925 and
 1926. By means of these fluctuations in the minimum, it
 is hoped that the true figure has been found.

Of the Personal Service Group, only employees in
 beauty parlours and barber shops in the cities of Sas-
²⁴katchewan are affected. The hours in this group are
 10 per day and 50 per week. All overtime is allowed
 by permit only and in no case to exceed three hours per
 day, nor six per week. Remuneration for overtime is to
 be according to the rate of the employees' wages, where-
 as in the other orders it is at the rate of time and a
 half. The minimum wage for experienced employees is
 \$15 per week. For learners there is a three months pro-
²⁵bationary period followed by a year's apprenticeship.
 But there is no provision re ushers in amusement places.
²⁶Since this order is comparatively new it is probable
 that by a later amendment to the Minimum Wage Act Amus-
 ement Places will be included in the scope of the Act.

From the Reports of the Board it appears that by
 means of inspection and complaints directly received
 from employees, the Board learns about cases where its

- 23. Amendment March 16, 1923.
- 24. Order No. 5 August 29, 1927. Amended September 1, 1928
- 25. Previously it was only 3 months.
- 26. R.S.S. 1927 c.59 when the Act was extended to include
 barber shops and beauty parlours.

orders are not being enforced. As the object of the Board is not altogether one to prosecute employers in case of breaches in its regulations, it therefore tries to obtain an adjustment of the wages and hours of employment by persuasion.²⁷ In the majority of cases this has been

possible. But in spite of its strict inspection the Board claims that there are still many employers who are not paying the rate of wages as set by the Board.²⁸ That this happens is often due to the fault of the employees themselves, for there are many instances where they have been due to inaccurate information re their wages given to the inspectors. One probably has noticed that the Board has not called any conferences, this it is claimed was due to the diffidence of both employers and employees in co-operating with the Board to the degree that it had a right to expect. When taking evidence it was found almost impossible to have female employees appear before it and give evidence. Thus it usually happened that the workers were represented by delegates from unions,³⁰ charitable institutions or women's organizations. As was expected the evidence given was naturally for the most part theoretical or from hearsay. From the employers very little additional knowledge was gained.

27. Seventh Annual Report of the Bureau of Labour and Industries. 1927 p.43

28. Ibid. p.44.

29. Direct communication with the Saskatchewan Board.

30. Frequently these unions were not the ones affected by the Act.

It is not surprising therefore to learn that this attitude of the employer is also reflected in the observance of minimum wage. But the board has always attempted to act diplomatically in all cases where infringements of their orders occurred, in the hope that more confidence may be instilled in the minds of both employers and employees. Upon looking over the cases where infringements occur it will be noticed that they are found usually in the smaller places of business where records are indifferently kept or not at all. In Saskatchewan as elsewhere the class of employment presenting the most difficulties is that in connection with hotels, restaurants, especially as regards chambermaids who have no definite hours of work, since it is governed by the amount of business of each particular day. Then too the employees in restaurants and small stores are not only willing to accept less than the minimum but are also willing to assist in deceiving the inspectors as to the actual conditions of their employment. Thus makes³¹ it more difficult to enforce.

In a report of the Board it was stated that the effects of the orders have been most beneficial to female employees.³² It will be seen that the maximum has not

31. Report of the Department of Labour 1927. p.49. It will be seen that out of 567 inspections only 48 recommendations were necessary.

32. Labour Gazette 1926 p.453

tended to become the minimum wage. The criterion for this statement lies in the comparison of employees earning the minimum or more, with the number obtaining less than the minimum. Of course this does not mean very much since it is impossible to gather how many were earning more than the minimum. It is seen however that there are a large number of employees who are earning less than the minimum,³³ . With respect to laundries there are more earning less than the minimum than there are employees obtaining more than the minimum. This is no doubt due to the fact that the number of learners are not limited by the Board, but this can easily be remedied as the Board has express powers to do so. In the report stating that³⁴ the effects of the orders in 1925 have been beneficial to the female employees, it is also said that in the previous year wages had tended to fall to the level of the minimum as fixed by the Board. This the Board attributes to a greater amount of unemployment due to the industrial slump of that year. From this and the previous statement it is to be gathered that the minima are rather high in the province. Thus it appears as if the principle of the Board has been to keep the minima as high as possible so as to prevent the exploitation of female labour as much

(33) Report of Bureau of Labour and Industries 1927.pp45

46, 46 & 48.

(34) See p.75 note 32.

as possible.

When the minimum wage board passed its first orders, it will be remembered was a time of raising wages and thus a suitable time to enforce it. But with the drop in wages during 1921 and 1922 employers found it difficult to decrease wages to a very great extent due to the enactment of a minimum wage. As a rule at a time like this profits tend to be very low and lead employers to exploit their employees in order to pull through the crisis with as little loss to themselves as possible. In this manner the workers usually bear the greater burden of periods of industrial depression. However the minima of \$14.00 and \$15.00 per week was maintained throughout the whole time. Changes that occurred were mostly due to the new policy of the reorganized Board. Since Saskatchewan is more of an agricultural rather than industrial province, it is natural that the number of employees covered by the orders of the Board are small³⁵, thus the scope of the act would be limited as a result. But in comparison with its circumstances to those of the other provinces, the Board has accomplished much during its existence.

(35) See appendix 8.

CHAPTER V

PROVINCE OF ALBERTA.

As early as 1917 Alberta had enacted legislation which imposed minimum wages, and at that time they were applicable to both women and men.¹ Thus in the Factory Act of 1917 there was inserted a clause to the effect that "no person shall be employed by an employer at a wage less than \$1.50 per shift except in the case of an apprentice who may be paid at a wage not less than \$1.00 per shift." There was also a provision incorporated in the act requiring that certificates for length of service be given to employees upon leaving. The Minister of Labour supplied a special form of certificate on request. This, the first minimum wage provision that we find in Canada was probably based on similar legislation in Utah and Arkansas.² In the same act a maximum working day of ten hours is incorporated and it stipulates further that a day shift was to take place between the hours of 7am and

(1) Factories Act 1917 c.20 sec.24 ss.2; sec.25, sec.26; sec.63.

(2) Journal of Political Economy 1922 p.156.

6pm., and that there was to be no night for women.³ A night shift was to be not longer than 8 hours, and no more than one shift was to be worked in the same day.⁴ Thus it will be noted that the minimum wage for experienced workers was fixed at \$9.00 per week, which is very low and, as far as men are concerned, quite innocuous. Thus existing minimum was not one directed towards guaranteeing to the worker a wage upon which they can live but rather one to prevent the exploitation of them in the sweated trades and establishments. This is just what one would expect to find in a factory act which aims primarily at protecting the health of the worker. But since their health depends on the wages they earn even more attention than this is permissible in a factory act. Until 1923, when the first orders of the Board were passed, these rates remained in existence.

A further amendment to the Factory Act⁵ on this subject, stipulates that "where there is a population of five thousand or more, the chief inspector may, upon the recommendation of the advisory committee appointed for that city, make such regulations as may be deemed proper respecting the number of hours per day or per week, or re a minimum wage at which any

(3) 1918 amendment to Factories Act c.32.

(4) In telephone companys it is often seen especially in Quebec that this regulation is widely broken.

(5) 1919 Royal Statutes for Alberta Factories Act c.4 s. 29 p.9.

female person may be employed, or both----- it may also differ for different employments-----and may be varied repealed etc. by subsequent regulation on recommendation of the advisory committee". It was stipulated that this advisory committee was to be appointed in each of the four cities, by the cabinet. Each committee was to be composed of three members, one representing employers, another the employees and the third the province at large, the latter to be appointed by the attorney general. These four committees held a joint meeting. It was ruled by the chairman that they had no power to deal with any question unless definite complaint was made. As a result of this no further action was taken.² However it led to a new amendment the following year.

The 1920 amendment repealed the former one, created only one committee and increased the number of the members on the Board to five. It also defined the duties, power, payment of members, protection of employees giving evidence and empowered the cabinet to make additional regulations for carrying out the provisions of the Act.⁶ The committee was to determine maximum hours per day or per week, maximum number of apprentices and minimum wages for females and minors. In case of conflict of the orders with the Factory Act, orders under this section were to have priority. Without the consent of the Lieutenant-Governor in Council these orders

(2) See note 2 page 78.

(6) 1920 amendment to Factories Act, c.40.

were of no effect. Hence it will be noted that the findings of the Advisory committee were to serve as mere proposals whose application depended on the approval of the government. Upon the committee being appointed, it began investigations and was able to give its report in January 1921. Among the recommendations were minimum wages for females at \$13.00 per week and of \$8.50 for apprentices. The committee further advised that all hours of labour be fixed by legislation rather than by an order in Council, and further that legislation be speedily enacted providing for minimum wage Boards similar to those in the other provinces. It is well to note in this connection that Mr. Alexander Ross, the only Labour member in the legislature, prepared a minimum wage bill which he withdrew upon the promise of the government to introduce a similar measure.² These recommendations were not put into force, the only attempt being the introduction of a measure calling for the appointment of a minimum wage board. This bill was criticized on many grounds, especially by the Labour element.⁷ and as a result was withdrawn. During the

(2) See note 2 p.78.

(7) Criticism on the following grounds.

(a) Board had no power re hours--regulation in Factory Act of 1917 not sufficient as it was liable to be repealed.

(b) Touched cities and towns--of no effect re outskirts of cities.

(c) Effective on proclamation of cabinet and hence no guarantee that it will be put into practice.

year however, pending the appointment of the Minimum Wage Board the government was urged to put into effect the recommendations of the committee, especially those relating to wages for female employees.⁸ A further amendment to the Factory Act⁹ made provision for the classification of employees according to locality and occupation. Thus the committee need not fix wages on the basis of a flat rate. The application of minimum wages to minors was repealed. As a result boys would not come under a minimum wage requirement but girls would. Power to determine the length of apprenticeship for any occupation was also granted the Committee.

Thus in spite of these ample provisions for a female minimum wage act in Alberta, little or nothing was done until the commission became independent of the Cabinet. In 1922 this was enacted when the Farmer-Labour Alliance¹⁰ passed the Minimum Wage Act for all female employees, excluding domestics in the twelve specified cities and towns,¹¹ having a population of one thousand five hundred or more. Incidentally this would exclude farm hands as well. This Act was amended twice, once in 1925 and the other time in 1928, both due to unfavorable decisions in the Law Courts because of matters purely technical.

- (8) Labour Gazette 1921 p.126.
- (9) Alberta Statutes 1921 c.41 Factory Act amended.
- (10) Journals of the Legislature 12 Geo.V 1st. session,
5th. legislature Bill No.10.
- (11) Schedule A sec.7 of the Minimum Wage Act.

The Minimum Wage Board, as provided for in the Act, was to be comprised of three members who were to be appointed by the lieutenant-governor-in-council. One was to represent the employers, another the employees and the other the province at large. From among these the lieutenant governor in council would nominate the chairman of the Board. There was provision for holding conferences to be composed of an equal number of employers and employees.¹² The conference was to submit both the majority and minority reports but neither was of necessity to be binding on the Board. The Board was at liberty to fix minimum wages at any time by issuing an order, regardless of whether a conference had been called or not. Until an order is issued the provisions of the Factories Act still hold good for that particular industry. In any instance of conflict the orders of the Minimum Wage Board precede that of the Factories Act. The Board was free to vary the minima according to locality, occupation, fix it on a weekly or hourly rate, (the latter was by the 1925 amendment which calls for maximum hours per day.) Deductions were allowed from the minima on account of board, lodging or both given to an employee or because the time worked was less than that fixed by the Board. Further the Board had power over apprentices' rates, the securing of their necessary instruction, permits for handicapped employees and regulations re overtime. In carrying out its duties the Board has full power

(12) Sec. 5 Minimum Wage Act.

under the Public Enquiries Act. From this it will be seen that the new Minimum Wage Act presents a striking resemblance to the previous enactments with the exception that the Board became an independent commission and thus receiving the added freedom for the necessary working of the Act. It will be noted that the province of Alberta is contiguous to that of British Columbia yet it did not derive its minimum wage act from it, this may be noted especially as regards the method of treatment with regard to conference.

After the passing of the Act and its effect in practice was noted, much dissatisfaction was shown on all sides. First the Alberta Federation of Labour¹³ at its annual convention recommended various changes, such as an extension of the Act to include not only cities and towns but the whole province, and the inclusion of boys under 18 as well as girls. Further they did not consider the probationary periods as included in the orders of the Board as necessary, nor the remuneration for apprentices or adults sufficient. Finally they requested that Mercantile Orders include a clause fixing maximum hours. On the other hand the committee of the Calgary Board of Trade¹⁴ considered it an inopportune time to put into effect a minimum wage, especially since it had the effect of increasing wages at a time when the cost of living was falling. They predicted increased unemployment for girls. Evidently this committee misunderstood the aim of a minimum wage, namely to guarantee to every worker

(13) Labour Gazette 1923 p.139.
 (14) Ibid p.223.

the right to live on her work. The fact that this may mean increased wages only goes to prove its necessity. Quite opposed to this complaint was that of the Trades and Labour Council¹⁵ alleging that the minimum of \$14.00 per week in the book-binding industry was being used as a lever for reducing wages. This last, in all probability would result if the minimum proved too high. However in spite of contrary opinion the Alberta Federation of Labour continued to advise that the minimum be increased since it was fixed too low. The recommendations of the Federation of Labour seem to have had considerable effect on the Board, it passed six orders touching upon all the industries affected by the Minimum Wage Act. It will be noted as a characteristic of each order that there are only two classes of workers, namely experienced and inexperienced. As regards the latter, the minimum wage varied according to rates and length of apprenticeship for the different industries. Hence it will be noted that the minimum is practically a flat rate. Employers in three of the orders, that is in the manufacturing, laundry and mercantile group, claimed that the minima were too high and that unless changes were made, business in the province would be handicapped. As a result of this complaint the enforcement of these orders were delayed until further investigation had taken place. During the hearing of the Conference and until the matter was settled it was arranged that a minimum rate of \$12.00 per week

be in effect. On this subject a total of sixteen conferences¹⁶ were held. But only in a few cases did the Board receive a report from the Conference, in the majority of the cases, the parties interested were satisfied to leave the evidence submitted to the Board's consideration. As a result of this the Board found difficulty in coming to a decision concerning the findings of these conferences. In most cases the evidence proved to be mis-leading. In view of this and for other reasons the Board decided that the holding of conference was not necessary.¹⁷ The Board finally decided that the enforcement of a \$14.00 minimum was inadvisable on account of the competition of industries in Alberta with those in Manitoba and in the Eastern provinces and the new minimum for these orders was placed at \$12.50 per week. In fixing this rate the Board claims that they did not lose sight of the principle of a minimum wage, namely the provision of a living wage, but had to consider at the same time the ability of the industry to pay. In the following year,¹⁸ due to an adverse decision rendered by a judge of the Supreme Court in connection with the Hudson Bay Co., the Board immediately revised all its orders to meet the situation. That is they stated in each order specifically the municipalities intended to be covered by the orders. Besides this a supplement was issued with each order dealing with hours only, and providing

(16)1923 Report of the Commissioner of Labour, Alberta. p.23

(17)1925 Ibid p.32

(18)1924 Ibid p.31

for a maximum week of 48 hours. Another point of interest in connection with the application of the minimum wage was its extension in 1926, under the Factories Act¹⁹ to include men. That is in so far as the minima are concerned for the same class of work, the rates of men's wages were also to be governed by them.

The Manufacturing order bears a striking resemblance to the one in force in British Columbia.²⁰ It includes five division of factories, based on the length of the apprentice period. For the A class it is 9 months, and the B class it is 12 months, 18 months for C class and for the D class 12 months including 1 month probation (this is the dress-making, fur-sewing and tailoring trades), then the E class has a 12 months apprentice period including the one months probation but in which the scale of wages is more gradual (the millinery trades.) Overtime is permitted in excess of 48 hours but not to exceed 52 in any one week. Permission to work employees overtime must first be obtained from the Board. There is also a clause re maximum number of apprentices, namely 25% of the entire female staff. In the case of a firm working on a 44 hour week the minimum was to apply just the same.

In the order dealing with Hotels, Restaurants etc.²¹ there are two minimum classifications applicable to a six and a seven

(19) Labour Gazette 1926 p.421

(20) Orders 1, 1a & 1b.

(21) " 3, 3a & 3b.

day week. Employees working on a six day week were to receive no less than \$14.00 per week and \$16.50 for a seven day week. This principle was also applied to the minimum for apprentices. But in both cases the apprenticeship was to be three months. There was an allowance of \$5 per week for board and \$2 for lodging when supplied by the employer. The maximum hours were 48 for a six day week and 56 for a seven day week. In no case however was overtime permitted that exceeded four hours in any one week, than the maximum stipulated, nor oftener than during three weeks of any calendar month.

22

The Personal Service Orders applies to hairdressing, manicuring establishments, beauty parlours, barber shops, theatres, motion picture houses, shooting galleries, joy parlours, dance halls, cabarets, garages, gasoline service stations or any establishments where business of a similar nature is carried on, or as elevator operators. The rate is \$14 per week of 48 hours, but with the exception that ushers were to receive this minimum for a period of twenty-eight to forty-eight hours per week. As regards the hairdressing establishments etc., there is a provision for a learner's period of twelve months. In all the other trades covered by the order there is no provision for learners.

As regards ushers, where the performance is not continuous, an hourly rate of fifty cents is stipulated with the proviso that no payment is to be for less than two hours re work between the hours of nine in the morning and six in the evening and an additional two hours for any work between six in the evening and midnight.

The remaining orders, with the exception of a few variations are very much alike. In both the orders, dealing²³ with laundries and retail stores, the minimum was set at twelve dollars and fifty cents, and the apprentice period was fixed at twelve months. But for the latter the scale of increase in wages was more gradual than for the former. In²⁴ the Office Order, the rate was fixed at fourteen dollars and the apprentice period at one year, which is rather long for²⁵ this class of work. Thus after having enacted the six orders and having revised them twice, the first time because it did not stipulate any specific application and the second time as maximum hours and overtime, the Board's work has thus become nearly completed and so reducing the amount of its work. The main work of the Board consists in meeting requests for permission to work their employees over-time, to employ greater number of apprentices and to fix rates for handicapped employees.

(23) Orders 2, 2a and 2b.

(24) Orders 5, 5a and 5b.

(25) Note order in the other provinces re offices.

During its existence the problems of the Board have been few and not of an important character. The inspection of places of business to see that its orders are being enforced is effected by the inspection department. Throughout its work it was found that the greatest number of contraventions as regards the underpayment of employees, are mostly in connection with hotels etc. Infringements re hours occurred often yet it is not of a serious character. With the fixing of a maximum day and week, it is hoped that there will be a better observance of this ruling. Since the Act applies only to certain localities, it cannot be said that the working of a minimum wage in Alberta has obviated all low wages.

Although the use of conferences is similar to that in vogue in Ontario, it is disappointing to learn that in this province the Board not only looks upon it with disfavour but has not called one for some time. On the contrary the Board in Ontario has not only obtained much valuable advice but also good-will of the employers and also as a result has been able to link the employers more closely to the employees. The cause for this difference in results is not known although the Alberta Board has put forward various suggestions. There is the supposition that the employees not wishing to prejudice themselves in their relations with their employers might not express their true views of the question under discussion. Another difficulty lay in the selection of employees' representatives when

the industry concerned was unorganized. And if their representatives were chosen there was no method of informing the remainder of the employees concerned what was going on at these conferences and also of learning through these representatives the views of the employees themselves. However this does not point to the fact that conferences should be eliminated but rather that undue weight must not be placed on the findings of their investigations. I should imagine that the Board in Ontario came across these difficulties too. No doubt the lack of success in Alberta must have been due to the fact that the existing spirit was different, perhaps due to the method of the Board, system of inspection or that the minimum was too high. Whatever the cause it is to be deplored that the Board is not afforded the co-operation of employers.

As there are no figures available regarding wages of female employees before and after the orders were put into force, it is impossible to say whether wages have risen or fallen as a result. Complaints reaching the Board from time to time, either claim that the minima are too low and should be increased, or that it is too high with the resulting increase in unemployment. As none of these complaints have been backed up by further evidence nothing very much may be accredited to them, especially since they are of a contradictory character. If either were true the effect would be shown by the

reaction on the female labour conditions in Alberta, but which has continually shown favorable reports as well as for the unemployment bureau. As regards the employees themselves no complaints have been received as regards low wages. And after all the success of a minimum wage depends primarily on the satisfaction given to the workers. But the fact that women have not complained is no criterion for judging their satisfaction, for it must be remembered that women are unorganized workers and so not likely to complain, unless their conditions become extremely unbearable. That little work appears to have been done in this province may be accounted for by the fact that the number of female employees are ²⁶ few in number, being approximately about 4,800 in 1927. In the Eastern provinces of Canada, under these circumstances, little if anything would be done.

CHAPTER VI

PROVINCE OF ONTARIO.

The Minimum Wage Law of Ontario was in all probability a direct result of the recommendations of the National Industrial Conference, held in Ottawa in September of 1919¹. Although Ontario is the leading industrial province and usually the foremost in legislation of this type it is surprising that it was not the first to legislate in this instance. It might here be added that the need for it had been repeatedly urged previous to its enactment.² In 1920, after being introduced by Mr. Rollo, it was passed by a Farmer-Labour Alliance.

Its Constitution provided a board comprising five members in number.³ The chairman of the Board, who was to hold office during the pleasure of the Lieutenant-Governor in Council, was the only permanent member of the Board. He was not to be the Deputy-Minister of Labour as was often the case,⁴ this was done in order to ensure the Board, being, and functioning as an independent commission to the government. The remaining

(1) Labour Gazette 1923 p.1397.

(2) Journal of Political Economy, 1922 K.Derry and P.Douglass p.178

(3) Minimum Wage Act. Statutes of Ontario 10 Geo. V and amendments 1921, 1922 and 1925.

(4) SEE Manitoba and SASKatchewan for similarity and B.C. for difference.

(93a)

Distribution of Female Workers in the

Province of Ontario. (appendix iv)

Province

OFFICE WORKERS
RETAIL STORES

TEXTILES

NEEDLE

TELEPHONES

Confectionery
and
Paper Trades

four members were to hold office for five years. Of this number two represented the employers and included one woman among their rank; the two representatives of the employees were also to include a woman member. No member of the Board was to receive any remuneration but may obtain a per diem allowance as fixed by the lieutenant-governor in Council. All necessary travelling expenses incurred on behalf of the Board was to be reimbursed to them. In carrying out their duties they were not to be hampered or aided as the case may be, by the necessity of having to have recourse to a Conference. Thus the Board was the initiating force and not a revising power over the recommendations that were submitted to it in the case of a Conference. Since the chairman has no vote, he acts as a medium of conciliation and persuasion. Thus the need for a third party in the case of an arbitration will be obviated and thus throwing all the work wholly within it, which in turn is only comprised of interested parties to the subject.⁵ And in this case there will be no majority nor minority report.⁶ Its connection with the Bureau of Labour lies in that its regulations are governed by the Lieutenant-Governor in Council.

The Minimum Wage Board was to investigate, in all industries employing women, wage conditions only but later extended to include hours.⁷ In fixing the minimum rates they can so vary them as to differ according to locality or industry. Handi-

(5) Seen in B.C. but with the 1927 amendment that this difficulty will be obviated.

(6) This follows the practice of the Whitley Councils of Great Britain.

(7) Amendment Minimum Wage Law Ontario Statutes 1922.

capped employees, part-time workers and apprentices were to be exempted from the minimum wage but not from the authority of the Board, and hence must obtain a license from it. If the Board saw fit, because of a provision enabling it to do so, it may convene a conference composed of an equal number of employers and employees. Their findings were to serve as a source of information and a means to public opinion. At these conferences the Board endeavoured to bring about the good-will and a better understanding of each other, so hoping to obtain their co-operation in their work. As a result of this policy public opinion,⁸ and that of employers and employees have always been in favour of the principle of a minimum wage. The last two have afforded much valuable assistance in the gathering of data etc.⁹ This assistance afforded by the Labour Department¹⁰ and that of governmental publications, whose purpose was to make known to the public, especially those contemplating leaving school, the conditions of work and also wage conditions.¹¹ Since the Board had full power under the Public Enquiries Act, it can investigate the books, payrolls etc., of any firm employing women and thus obtain further information re hours, wages and working conditions of women within the province.

(8) Board of Health Hamilton: Labour Gazette 1921 p.1442. Claims that much sickness was due to the inability of poor people to buy the necessities of life.

(9) Employers' Association returned as much information as possible and co-operated with the Board. Due to the lack of employees organizations in this field not much assistance was forthcoming here. Minimum Wage Report 1921.

(10) Factory Inspection department and Workmen's Compensation Dept.

(11) J.W. McMillan. Journal of Commerce 1920 p.9 June 1 st.

Having collected this information from various sources, none of which was to be binding on the decision of the Board, it was then to determine whether an order was necessary for the particular industry under investigation, and if found necessary, then the required order was passed and became law. The publication of all orders in the Ontario Gazette was essential to the validity of these orders, further notice of same was to be given to the representatives of both employers and employees. In that all female employees would make themselves familiar with their proper rates, and if any divergency was found, they were to notify the Board. Any violation of the orders of the Board is subject to a fine of \$50.00 to \$500.00 for each employee affected.²

The Minimum Wage Law in Ontario was to apply to all women who worked for wages,¹² but did not include farm-hands nor domestics. At times it was urged that the application of this act ought to be extended to include boys under 18 years of age.¹³ But this proposal was opposed at a meeting of the committee of the Ontario branch of the Canadian Manufacturer's Association¹⁴ and as a result this legislation was withdrawn. Similarly in British Columbia this proposal had also been put forward, inclu-

(12) Note that in Quebec this law does not apply to all women but only to those employed in factories.

(13) Labour Gazette 1923 p.1349, By the Women's Industrial Federation of Ontario and also to include an 8 hour day and a 44 hour week. By the Hamilton Branch of the U.W. Federation of Ontario see Labour Gazette 1925 p.7.

(14) Labour Gazette 1926 p.664. Their reason for this being that
 a. there was no demand or need for it since the labour turnover in the case of boys was greater than with any class of worker.
 b. might prove harmful by attracting boys from apprenticeship jobs to which the minimum would not apply, that to blind alley jobs
 c. no such innovation should be made until the situation had been thoroughly surveyed.

ding men as well. Personally I do not think that it is necessary for young boys to be protected by a minimum wage during the learning periods since they will be exempted from it as soon as they are 18 years of age. Legislation re apprentices is a direct result of the application of a minimum wage because it does not wish to interfere with the learning period of those incapable of yet earning the full minimum wage. The Policy followed in Alberta seems to be more desirable. If there is to be any restrictions re the wages of men, that the minima applying to women should automatically cover the employment of men as regards the same class of work.¹⁵ But not until a men's minimum wage is enforced will it be desirable or advisable to enforce same as regards youths.

The Board, Being duly appointed began to operate immediately by gathering the necessary information. In spite of the fact that they were ably assisted¹⁷ much difficulty was witnessed. They had no previous statistics dealing with this problem, no definite basis on which to classify the industries, and were unaware of any special problems appertaining to any one industry. Their first action, after having collected much data, was to draw up a budget for an average working-woman in the city of Toronto,¹⁶ since the first orders were to deal with industries in this place. On the whole the budget was quite satisfactory

(15) See . Alberta

(17) See p.95 notes 9. 10 and 11.

(16) See appendix No 1.

and able to support only the working girl herself. There is no consideration for the fact that the worker may have to support or help towards the support of others than herself. Also as regards insurance nothing is mentioned but there is an allowance of \$20.00 in case of illness which is not ample. After having first applied an order in Toronto and before extending it to a smaller city, (over 30,000 population) the Board revised the budget previously prepared. When it came to small towns a different type of budget was drawn up. In order that they might arrive at an equitable rate a budget for a family of five was formulated, and then considered this family as equivalent to 3.75 adult females. In this manner the actual cost of board to a girl living at home or with relatives was found. Upon adding to this her weekly expense re clothing and sundries, it was found that the figure rested at \$8.82. But since, in these districts, it was found that 23% of women workers do not live at home and pay on the average of \$5.50 per week board, the figure was finally adjusted at \$9.00.

The first industry to be dealt with was that of Laundries, Dry-Cleaning and Dye-work Establishments.¹⁸ It was composed of three rates, one for experienced workers who were 18 years of age or over,¹⁹ another for inexperienced workers,²⁰ and a third

(18) Minimum Wage Order No.1 May 1, 1921.

(19) \$12.00 per week.

(20) Three months at \$10.00 and three months at \$11.00.

for apprentices.²¹ There was a stipulation to the effect that the maximum number of inexperienced workers was to be 25% of the total number of female employees of an establishment, the same holding true for apprentices. Then, should an employee receive additional to her money wages, lodging,²² board²³ meals,²⁴ a fixed reduction from the minimum was stipulated. Later on this order was made to apply to the cities with a population over 50,000 excluding Toronto, and at slightly lower rate than the first order.²⁵ Also there was passed at the same time an order covering the remainder of the province, but at a still lower rate.²⁶ As the Board in 1922 received power to legislate re maximum hours, the laundries' orders were consolidated into one²⁷ but still maintaining the same division re population as before. The maximum hours were 50 and the minimum 44 for which these rates were meant to apply. Overtime was to be paid on a pro rata basis of the minima on a 50 hour week basis. Provision was also made for part-time and short-time workers.

The Retail store group governs the selling force and incl-

(21) Those under 18 years. --- 6 months at \$9, 6 months at \$10. and 6 months at \$11.00.

(22) \$2.00 per week.

(23) \$5.00 per week

(24) 25cents each.

(25) Order No. 4 Sept. 1, 1921.

(26) Order No. 5 \$11 per week 18 years and over, experienced.
 \$9 " " " " " inexperienced for 3 mo
 \$10 " " " " " " " "
 \$7 per week under 18 years for 6 months
 \$8.50 " " " " " "
 \$10 " " " " " "

(27) Order No 31 March 31. 1924

udes cashiers, messengers, and other employees working with the saleswomen and not on the office staff. The order²⁸ affecting the city of Toronto has three classifications of employees as in the previous group, with the exception that in the third class, namely young girls who are under 18 years of age. In this instance there are different beginners rates according to the age at which employee began to work, also taking into consideration the amount of her experience. Those²⁹ whose youthful appearance prevented them obtaining the same rates as older girls, with the same amount of experience, are not handicapped. This is the only instance in which this deviation from the general rule occurs. In all the orders dealing with retail stores, in the case of girls reaching the age of 18 years whose has been working in a store but without previous experience in selling, there is a clause shortening her apprenticeship to 6 months. It is doubtful whether these provisions re rate according to the age at which she begins work, will prove of any effect. In all probability since wages were extremely low in this group it was not felt expedient to effect a very high beginners' rate. Most girls will lie about their age in order to command the higher salary, on the other hand, because of too much competition a girl will lower her age in order to get the job. But then, to a certain extent this may be true for the other orders, since there is a differentiation in age, according to whether the employee is over or under 18 years of age. Since there

(28) Order No 3 August 1, 1921

(29) 18 years of age.

have been no complaints on this score there cannot be any visible objections to this clause. Any employee working less than 36 hours a week may be regarded as a part-time employee whose minimum is to be reckoned on an hourly basis, equivalent to the minimum for that class of worker in proportion to the normal working week in vogue in that establishment. The order³⁰ for cities over 50,000 population is very similar to the Toronto order. A difference follows in the order³¹ affecting the rest of the province in that there are 4 groupings according to the population, apart from this it is similar to the others but with a slight change in the rates. Hence it may be said that this order has six divisions based on population.

In the Telephone group there are two orders, one dealing with urban population³² the other with rural.³³ The city order is as No. 1.¹⁸ Re the rural order there are four divisions according to the number of subscribers rather than that of population.³⁴ But the classification of workers is according to whether they are experienced or inexperienced.³⁵ Provision is made in all cases so that it may apply to part-time workers but at a reduced rate.

The Manufacturing group comprises three well defined divisions,

(30) Order No. 6 Nov. 15, 1921.

(31) Order No. 10 April 17, 1922.

(32) Order No. 11 May 15, 1922.

(33) Order No. 12 Aug. 1, 1922.

(34) This seems to take into consideration the ability of the industry to pay.

(35) Accountable to the fact that the beginners wage could not be much lower than the lowest set forth viz. \$5 and also not very much difference in the amount between the two classes to permit of a third rate.

of industries, namely, ³⁶factories, Jewellery, and Custom Millinery. In the first division there is a vast number of orders dealing with each different type of factory. At a later date it was found not only convenient but also possible to compile the rates in one table. In this consolidated order there is four population groups and in each group three classes of workers.³⁶ The Jewellery order³⁷ is very much like the factory group except that the learning period for young girls and inexperienced workers, is slightly longer. Other clauses included in these orders are provisions re, maximum number of apprentices,³⁸ piece-workers,³⁹ deductions for absence⁴⁰ and waiting.⁴¹ The order for Custom Millinery⁴² is of a more recent date, and its application is in four groups according to population. In all

(36)Includes Textile, garment, drugs, chemicals, boots and shoes, electrical trades, food trades, tobacco, rubber, paper, and all other factory trades not included. Totals 18 orders in all. Probably the result of applying order to each type of factory, one after another as an experience, and when it proved satisfactory decided to standardize the orders in one group.

(37)Order No. 38 Oct. 1, 1924

(38)1/3 of each or 1/2 together. Note that more apprentices are permitted the case of either type but not as regards the total.

(39)Their wages for the 1st. 6 months employment to conform to the rates as set forth in the order. Re other piece-workers sufficient if at least 80% receive wages conformable to this order.

(40)No deduction below the minimum line to exceed the value of time lost.

(41)An employee required to wait on premises shall be paid for time thus spent.

(42)Order No. 43 Aug. 1, 1927, Order No. 41 Jan. 1, 1926 and Order No. 45 Aug. 1, 1927.

cases a three year period of apprenticeship is provided and in every case, excepting Toronto, there is no stipulation for the first year of employment. Hence with the exception in the two cases where the learning period was lengthened, the manufacturing industry can be said to have the same rates for the same district. In British Columbia it varies according to differences in the learning period.

The Office group consists of two orders, one dealing with offices in the city of Toronto,⁴³ and the other with the remainder of the province. The latter order has five divisions⁴⁴ according to population and the wage scale varies accordingly. The minima for office-workers are the same as for the other orders, regardless of the fact that an office worker's standard of living is on a higher scale than for those employed in factories or mercantile establishments. As regards the stipulation re period of learning, it is not essential to girls holding diplomas from either accredited business colleges or the commercial department of a high school. Clauses re classification of worker, deductions for absence, and pay for "waiting," are the same as in the other orders.⁴⁵ An additional clause refers to temporary workers, namely, those whose term of employment is for less than two months, stipulating that their wages must not be less than the adult minimum. In calculating the hourly rate of wages, for part-time

(43) Order No. 25 June 1, 1923
 (44) Order No. 26 July 1, 1923.
 (45) See note 38, 40 and 41.

workers, forty-eight hours constitutes a working week.

In dealing with hotels, restaurants and refreshment rooms it appears as if the Board was lax in passing an order affecting same. The first order⁴⁹ dealt with Toronto. A second order, excluding hotels, applied to all cities with a population over 30,000, with the exception of Toronto.⁵⁰ In a later order⁵¹ these were revised and its scope extended to include hotels and to deal deal with towns of a population over 1000. There were three districts in this order, excluding Toronto. Apprentices were not deemed necessary and accordingly no minimum was set for this class of worker. The working week for which the minimum was stipulated varied from thirty-six to fifty hours. For time worked in excess of fifty hours or under thirty-six, there was to be an hourly rate, which varied according to the district. Other clauses were the usual stipulations and included an allowance for board and lodging.⁴⁷

The group that may be classified as Personal Service comprises two sets of orders, one dealing with "Hairdressing, Manicuring Establishments and Beauty Parlours" and the other dealing with "Theatres and Amusement Places". Of the former set there are two orders, one dealing with the city of Toronto⁵², and the other with cities of a population of 30,000 or over.⁵³

(47) See Notes 38, 40 and 41.

(48) Note shorter hours than for factories but no clause re maximum hours for which the minima are to apply.

(49) Order No. 27 September 1, 1923.

(50) Order No. 10, September 15, 1925.

(51) Order No. 46, December 1, 1927.

(52) Order No. 42 August 1, 1926.

The rates in both varied slightly. An apprenticeship periods of one year is provided and which includes a three month probationary period for which no wage is stipulated. In the case of an employee having three months or more previous instruction in a school which teaches any of the occupations governed by these orders, she shall be exempt from the probationary period. The maximum number of inexperienced employees is not, to exceed one quarter of the total number of female employees except where there are less than four employed.⁵⁴ As regards the other act of orders there are also two, one affecting the city of Toronto⁵⁵ and the other the rest of the province not touched beforehand.⁵⁶ There are two rates one weekly and one hourly, but which varies according to the district. No maximum work week is provided but there is one as regards the minimum, namely forty hours. Time worked under this is to be calculated by the hourly rate. In that no work period is to be less than two hours there is here an attempt to provide consecutive hours of work.

The Ontario Minimum Wage Board co-operates with the department executing the inspection of factories and thus avoiding the duplication of some of its work. It should be remembered that the Board attempts to gain the good-will of the employers and has always to consider them as well as their own convenience.

(53) Order No. 44 July 1, 1927

(54) Note that there is here a diviation from the three classes of workers in that they are divided into the experienced or inexperienced class.

(55) Order No. 32 April 14, 1924.

(56) Order No. 33 June 1, 1924.

Thus if the employers are troubled with twice as many inspections as previously, not only will they become irritated but also "fed-up" with the principle of a minimum wage. More so, if it so happened that they were visited on the same day by two inspectors. Additional benefit lies in the cost of a separate inspection. Every fortnight there is a factory inspection meeting of the Minimum Wage Board when the work of the period is reviewed and thus kept up to date. The main duty of the inspectors is to note whether the orders of the Board are being kept posted. The additional inspection necessary is the inspection of employers records of wages, hours, conditions of work, age of employees and their names.

Together with the complaints reaching the Board from the inspection squad, it receives many from other sources, such as employees, outsiders, members of parliament and at times, even employers themselves.⁵⁷ In almost every case the cause for the report proves to be well-founded and deserving of the attention of the Board. Since the Board has direct access to the particularized wage-sheets dealing with female employees of a firm, it can keep very close watch to see whether its orders are being obeyed. In very few instances the Board had to have recourse to the Law Courts. In many cases due to the fear of publicity on

(57) A firm voluntarily called in the Board to help them determine their arrear payments and which amounted to \$2,211.95

the part of the employer, the case is settled out of court.

An interesting case ⁵⁹ was that in connection of a young girl who, was employed in the status of an apprentice. Then about to become entitled to the minimum wage of an experienced adult, she was discharged for the very purpose of being re-engaged for a new term as a learner. Through the mediation of the Minimum Wage Board the sum of one hundred and forty-two dollars was paid her in arrears. This trouble could have been avoided by requiring, as in Alberta, that the employer be required to give each employee upon leaving, a letter re her length of service, especially re apprentices. A noted case ⁶⁰ in the Ontario Law Courts was that against a certain firm having falsified their records so as to underpay their employees. After a minute inspection of the rates paid to piece workers and others the firm was vindicated of this charge but was nevertheless required to pay the fine and arrears due to the employees. ⁶¹ As elsewhere the problem of "home-work" has also troubled the Board but nothing has been done to alleviate it. Nevertheless, there has been less resistance to the orders of the Board in this province, compared to the amount of inspection enforced, than elsewhere in Canada.

The problem of the apprentices has not caused much inconvenience to the Board, in spite of the fact that the ap-

(58) Minimum Wage Board Report for 1924; 33 firms paid arrears to 165 employees, amounting to \$7,296.75

(59) Labour Gazette 1924. p.913

(60) Minimum Wage Board Report 1925 "Willards Co."

(61) In this instance it was due to the fault of the company's agent and as such the company was held liable for his acts.

prenticeship period, with a few exceptions is the same in most industries. This may be due to the fact that the apprentice rates are low and that they vary greatly from district to district according to population. The latter seems to be the more satisfactory solution and thus points to the advantage of a minimum wage based on the cost of living and varying from district to district. The only recorded instance of difficulty re the apprentice rate was in the Custom Millinery, Jewellery and Hair-dressing trades. Upon lengthening the apprentice period in all these cases the matter was settled without much trouble.

When it came to the question of working-hours, Ontario as the other provinces, was baffled but powerless to remedy the situation due to the fact that it had no power re hours, originally. But by an amendment to the minimum wage Act, the Board obtained power to fix the maximum work week for which the minimum rate was to apply. Thus if the wages of a firm are increased as a result of an order, the firm if it wishes may extend the working week in order to reduce wages to that in existence prior to the enforcement of the order. It was due to this fear that the Board obtained its power re hours. After the amendment if a firm desired to increase the hours of work, it was prevented to a certain extent as it cannot increase the hours per week beyond a certain maximum. In the case of restaurants etc., where working hours are

Needle Trade —————
 Mercantile
 Boot and shoe —————
 Textile
 Laundry - - - - -
 Paper Box - - - - -
 Confectionery ooooooo

A- experienced workers
 B- inexperienced "

\$18

17

16

15

14

13

Minimum

12

Minimum

11

10

9

8

7

6

Graph No. 2(see appendix 2)

1921

1922

1923

1924

1925

1926

1927

very long, in some instance as long as seventy-two hours per week. This clause in the Act has proved useful in keeping down the hours of work per week. However it must be remembered that in regulating hours, in case of conflict with those of the Factory Act, the Board's Orders will be superseded by them. The maximum hours stipulated in the orders are rather long, (due to the lack of freedom on the part of the Board) but as a rule the hours are not as long as this and usually less.

Graph number two deals with the trend of average wages, both for experienced and inexperienced female employees in the city of Toronto, throughout the life of the order. The greatest improvement noticeable seems to be in the Mercantile Industry, nevertheless there are also wide improvements in the other industries. In the reports of the Board each year it is stated that the effects of its orders were to raise wages generally. But from the graph this does not seem to be the case, for it must be remembered that at 1921 wages had fallen and then shortly began to raise again, and this is the same period as covered by the orders. Hence the upward tendency as depicted in the graph may be merely a reflection of this tendency. As regards laundries it will be noticed that average wages are not very much above the minimum and in 1926 coming very close to it. Average wages for the inexperienced employees

are not very much below the adult minimum wage, especially as regards the Mercantile, Textile and Needle Industries. It appears as if apprentices have benefitted mostly. There is little to be feared as regards the minimum becoming the maximum. That the worker at the foot of the wage scale is finding shelter behind the working of a minimum wage law is shown by the following concrete case.⁶² "A big boarding house in Toronto maintained as a charity for girls whose wages would not permit them to pay the commercial price for board, has been closed down and sold because such assistance was no longer needed." Of course this may be attributed to the success of the Board's work but there may have been other causes at work, such as poor management, lack of freedom to the girls or that it stood for pauperism in the eyes of the working girls. Whatever the cause, no girl can afford to be independent as regards these things if she does not earn enough to support herself.

In summing up the work of the Minimum Wage Board in this province, ones attention is called to the fact that all low wages have been cut out, greatly due to the fact that the Board may fix wages for all women wage-earners in the province, regardless of employment, with the exception of domestics and farm-hands.⁶³ Secondly it has achieved the goodwill of the employers as noted by their readiness to comply with the orders of the Board. Thirdly the minimum rate in

(62) Minimum Wage Report 1926 p.5
 (63) Ibid 1925 p.16

Ontario may be ascribed as a flat rate, that is, in the same locality the minima for the different industries are approximately the same. Fourthly the aim of the Minimum Wage in Ontario has been strictly one of the Cost of Living Type rather than "what the industry can pay" and hence based on the result of budget figures. Finally the Board having dealt with all classes of workers in the province (female) must be credited with the fact that it was able to avoid many controversies re correct rate.

CHAPTER VII

PROVINCES EAST OF ONTARIO.

After we pass the province of Ontario going east, we note the diminishing importance of the minimum wage enactments and at the extremem east, not at all. Of these four provinces, Prince Edward Island, New Brunswick, Nova Scotia and Quebec , the first two named have none whatsoever on this subject and as regards Nova Scotia only the mere enactment of the Law, which has never been put into force, but Quebec may be credited as being the only one with a Minimum Wage Board. That Prince Edward Island has shown no tendency even to the present as regards this, can easily be gathered from the fact that it is mostly agricultural and thus few women workers would come under the scope of the Act.¹ For this province I would suggest a flat rate as being the most suitable under these circumstances.

(1) See note 35 chapter on Saskatchewan for comparison of employees in the manufacturing industry for the different provinces. The greatest number of employees in Prince Edward Island are found in the "fishing-curing and packing industries." See Canada Year Book 1928 p.431 Table 10

But when we come to New Brunswick² there is no apparent excuse as regards its lack of machinery to affect minimum wages in the province. The province of Saskatchewan, with an industrial class smaller by far in number, has a minimum wage Board that does very satisfactory work. In New Brunswick, public opinion favours the adoption of this law as also the Federation of Labour³. In 1924 a commission was appointed to investigate minimum wages and mother's allowances.⁴ From the report of this commission it will be gathered that the situation of the province certainly called for the enactment of a minimum wage, since it was felt that something should be done to alleviate the working conditions and hours of female work in a large number of industries, and shops, also the setting up of adequate machinery for inspection of establishments with regard to this. The Commission also favoured the adoption of Minimum Wage principles and suggested that any enactment in this respect be modeled on that of Ontario, since it was considered the most desirable due to the fact that it won the support of representatives of both employers and employees. However the government did not consider it necessary to set up a minimum wage at the time, due to the small number of employees affected and also the expense involved in carrying out the provisions of such a law. In spite of all these requests for a minimum wage in New Brunswick nothing has yet been done. But it is gratifying to note that as a result of this report, the

(2) No. of employees in the manufacturing industry 17, 674. See note 35 re Saskatchewan.

(3) Labour Gazette 1921 p.207, 1925 p.379, 1926 p.345.

(4) Labour Gazette 1925 p.754 and 379.

Factory Act was revised with respect to the conditions of work, sanitation, hours for women and girls⁵ and the limitation of industries where girls under 18 years of age may be employed.

Previous to the enactment of a minimum Wage Act in Nova Scotia⁶ a commission was appointed to make a study of the situation regarding women employees in the province and the necessity for such a measure.⁷ Since the enactment of this law came as a direct result of the report submitted by the committee, it may prove of some interest to review the contents of this report.⁸

After its due appointment the Commission (consisting of four members) carefully examined the scope of its enquiry and decided to obtain the necessary information by the following methods:-⁸

- 1) inspection of factories etc., for first hand information.
- 2) Policy of open hearings in different centres so as to come in contact with employers, employees and persons who made a study of matters relative to the enquiry.
- 3) Mailing questionnaires to employers.
- 4) Review legislation along these lines in Canada and elsewhere.

As a result of the first method the commission learned that working conditions in the province were unsatisfactory although there

(5) 60 hours maximum week.

(6) Nova Scotia Statutes May 15, 1920.

(7) Labour Gazette 1920 p.866 for July.

(8) Report of Commission p.6

were several establishments where working conditions were ideal. Most objections were due to over-crowding, poor ventilation, indifferently lighting etc. From the second method the Commission learned from employees themselves re their working conditions. The results corresponded largely with those of their personal investigation. But in addition much was learned re long hours and low wages.⁹ As regards the work itself, it was found that a large number of women suffered from fatigue as the result of having to stand all day at their tasks. As regards low wages, they were found, very often, to be lower than the amount necessary for board and lodging.¹⁰ This was felt to be due primarily, to the large number of girls who were living at home and who worked in near-by factories. Girls like these especially when they are the majority of the employees, are the cause of low wages being paid to women workers. If all workers were in the same positions as regards a home, it would still be unfair to the workers themselves to work for mere pin-money. Actually this all boils down to the transient character of women in the business world that has always existed with regard to their work but which is beginning to show signs of disappearing. By the third method, not very much time was permitted for the return of replies, however, the results proved very satisfactory. After compiling the answers received, the result was in keeping with

(9) Usually employees worked 10 hours per day but only in one case were hours as long as 60 per week.

(10) A large number of women earned from \$5 to \$8 a week. Where-as board ranged from \$4 to \$6 a week. But in Halifax, Miss Palmer of the Y.W.C.A. claimed that their institution had been charging \$6.50 per week and losing money. Report of Commission p.14

the previous findings of the commission.¹¹ The majority of employers appeared to favour a 48 hour week but not a minimum wage. And re the last method everything seemed to point to the success of minimum wages elsewhere.

The conclusions reached by the commission upon this enquiry were that :-

- 1) a large number of women are not earning wages sufficient for their support.
- 2) hours in many industries are too long.
- 3) The factories Act should be amended to improve working conditions.

Although the Commission was not authorized to investigate conditions other than industries, but from facts brought to their notice, they were convinced that any legislation enacted should also include shops, offices, restaurants and hotels. The unanimous recommendation of the commission was the necessity for a minimum wage act and suggested that it be modeled on the acts in force wither in Manitoba or Saskatchewan. The probable reason for this choice lies in the fact that these acts contained clauses re working conditions as well as re minimum wages and hours of work, also there were very few Minimum Wage Acts in existence at the time thus limiting the scope of their choice.¹²

As regards the minimum wage the Commission did not deem it ad-

(11) See appendix 9.

(12) B,C. being the other province.

visable to have a flat rate, its inexpediency being due to the varying cost of living throughout the province.

In April 1920 a bill providing for minimum wages was introduced into the Nova Scotia legislature and became law on May 15, 1920.¹³ This Act has been amended once since then.¹⁴ It provided for a Minimum Wage Board composed of five members, two of whom shall be women. Members are to be appointed by the Governor-General-in-Council, and with the exception of the chairman are to hold office for a stated period of time. (this to be fixed by the Governor-General-in-Council) They are to be remunerated both for their services and travelling expenses. The duty of this Board will be to establish after due enquiry a minimum wage adequate to furnish the necessary cost of living and also maximum hours. In order to carry out the provisions of this Act the Board is clothed with all powers under the Public Enquiries Act of 1919. No employee as a result of testifying before the Board may be discriminated against by her employer. An employer not complying with the regulations of the Minimum Wage Board is liable to a fine of not less than \$25 nor more than \$100.

Further a Register setting forth information regarding names, ages, residence, hours and other conditions of employment the employers may be required to keep by the Minimum Wage Board. Handicapped employees, upon permit may be exempted from the minimum wage. All regulations passed by the Board shall be published in two consecutive issues of the Royal Gazette, and are to

(13) See Nova Scotia Statutes 1920 ch.11

(14) N.S. Statutes 1924 ch.57.

come into force on a date specified therein. The jurisdiction of the Act applies only to cities and incorporated towns of Nova Scotia but may be extended to apply to any other portion of the province. Thus the Act as passed was due to the necessity of it as reported by the commission, and should have been put into force immediately. But since it is to come into effect only by an order in Council and this has not been done, therefore, there are no regulations re minimum wages in the province of Nova Scotia.

But when we come to the province of Quebec, the second most industrial province in Canada with its large number of female employees, we expect to find minimum wage regulations developed to a very high degree. Unfortunately this is not the case. As early as 1919 Quebec passed its first minimum wage act,¹⁵ and which was supposed to become operative without any further delay. Nevertheless the Board was only appointed in 1926 and its first orders became effective early in 1927.

The Act¹⁶ provides for the appointment of a Board consisting of four members (reduced to three by the 1925 amendment), of whom one may be a woman. But this is not the case in practice as there are no women on the Board at present. In all probability there will never be any women on it according to the trend of opinion in this province. This seems to be a rather unfortunate state of affairs as a woman on the Board might have proven

(15) Amended 1925 and 1926.

(16) S.Q. 1919 c.11.

more enlightening in many respects, especially as regards the cost of living budget. However Quebec is not denitely un - progressive as we see that members of the Board are remunerated for their services.¹⁷ The jurisdiction of the commission shall extend to all industrial establishments within the province.¹⁸ Hence although the Act is limited in scope with regards to the number of women's employment covered by it, nevertheless all regulations of the commission extend throughout the whole of the province. But nevertheless the scope of the Act is very limited and even more so than in any other province. The commission is to investigate conditions of work and wages paid to women workers. If after, as a result of this enquiry, the commission deems wages paid in an industry or establishment (coming under the jurisdiction of this act) are insufficient it may convene a conference. The members of which are to be chosen as follows, an equal number representing both the employers and the employees, further to this number will be added by the Commission several disinterested members. One member of the commission is to preside over the conference and to direct it. The majority report of the conference is to be submitted to the commission but whose suggestions are to have no effect whatsoever until assented to by that committee. The latter may amend, reject, approve or order the calling of a new conference. But the decision of the

(17) Amendment 1925 S.Q. c.9. Salaries fixed as follows: chairman \$3000p.a. as he was required to devote all his time, all the other members at \$800 p.a.

(18) Note farm workers, domestics, office-workers, restaurant, hotel and amusement places employees are exempted.

Commission shall be binding upon employers and employees and comes into effect 60 days after publication in the Quebec Official Gazette. Nevertheless the commission is free to extend such delay as circumstance may require. Besides this the decision shall be forwarded by registered mail to the employers concerned. Other powers are also granted, delay with that of revising orders, issuing special permits to apprentices or handicapped employees and that of fixing special scale of wages for girls under 18 years of age.

Early in 1922 delegates from the Quebec branch of the Trades and Labour Congress of Canada submitted a request for legislation on various subjects, of which was the establishment of minimum wages for women.¹⁹ There were other demands of a similar nature,²⁰ coupled with the extension of the present minimum wage act to include women employed in commerce. Included in this request was also demand for a working week of 48 hours for women and girls in the textile industry and cotton mills. At length it was decided to appoint the Commission during the 1925 session. Due to an undue amount of criticism the appointment was delayed until the Minimum Wage Act was amended in 1925 and which led to its further amendment in 1926. This appeased part of the criticism on the subject.²¹ In the meanwhile pending the appointment of the Commission occasion was given for employers and employees to

(19) Labour Gazette 1922 p.1149.

(20) Labour Gazette 1925 p.999 and 1926 p.980.

(21) Labour Gazette 1925 p.647.

voice their objections. The former claimed that the powers conferred on the Commission were too drastic. On the other hand, "La Vie Syndicale", whilst approving the principle as meeting a real social need, considers the powers of the Board as not sufficiently great to make it effective.²²

On July 24, 1925 the Commission was duly appointed by an Order-in-council.²³ It immediately began to organize itself by making regulations re procedure of meetings etc., and then proceeded to gather information regarding minimum Wage Boards in other Canadian provinces and in some of the states of the U. S.A. In this manner the Commission hoped to obtain a working knowledge in case it should be called upon to make investigation, For it must be remembered that the Commission was helpless to act unless a complaint reached them. When this occurred they were empowered to call a conference to go into this matter. In the meantime the commission sent out questionnaires, enumerating weekly or monthly budgets of a working woman, principally to the women's organizations within the province.²⁴ This questionnaire was drawn up on lines similar to that in use by the province of Ontario in connection with the minimum wage board enquiries. In compiling replies to these questionnaires it was found that few were under \$12 week and the majority placed the minimum as between \$14 and \$16 a week. The figures making up this bud-

(22) This is quite true especially when one remembers the limitation of the act to industrial establishments only.

(23) Labour Gazette 1925 p.753

(24) Labour Gazette 1926 p.3.

get, especially re board and lodging did not vary very much, it was mostly as regards the other requirements of an employee that caused the major diversity in the figures.

The first order passed by the Commission dealt with "Laundries, Dye works and Dry Cleaning Establishments" and which was enacted early in 1927. This group comprises two orders. One is for the "City and Island of Montreal and a radius of 19 miles around and beyond the island." The other order deals with the remainder of the province. In this group there are three classifications of workers, namely, experienced adults, inexperienced adults and girls under 18 years of age.²⁵ By an amendment²⁶ the classification was reduced to two in number, namely experienced and inexperienced workers. The minimum for the former in the instance of Montreal is \$12 per week and \$9 for the remainder of the province. The apprentice period was formerly 18 months but by the same amendment it was reduced to 12 months, begin the time required previously for an inexperienced adult. On the other hand the maximum number of apprentices allowed per establishment was increased from 35% to 50% of the total female employees of that establishment. Re overtime it is any work in excess of the regular working week of the particular establishment and be paid for at not less than the regular rates. If an employee does not work a full week her wages are to be in proportion to the time worked during the week.

(25) Orders 1 and 11 effective April 16, 1927.

(26) Orders 1a and 11a effective Jan. 1, 1929.

As regards the remaining orders, they touch upon the manufacturing group²⁶ with respect to the "Book-binding, printing, lithographing and Envelope-making establishments"²⁷ and to the "Textile Trades".²⁸ The minima for these orders varied both as to locality (whether in Montreal or outside) or as to the classification of the employee. In the case of adults in Order No. 3 dealing with the printing trades the minimum is \$12.50 for the city of Montreal and \$9 for the remainder of the province. As regards textile trades, the minimum for adults is \$12 in Montreal and \$10 for the remainder of the province. The apprentice period being two years for all the orders in this group on a graduated scale of wages, according to the length of employment. But in no case is the minimum less than \$6 per week. The other clauses in these orders are the same as for the Laundries Group. Before passing these orders the Commission held a considerable number of meetings both public and private. Information gathered at these meetings were further supplemented by investigations of the commission themselves. At the meetings prior to the enactment of the orders dealing with the textile trades, one noticed the co-operative spirit and the good understanding that existed between the employers and the labour representatives. This, it is hoped will lead to the effective working of these

(29) March 16, 1929 an order for the city of Montreal was passed in the Shoe Manufacturing Industry. Adult Minimum fixed at \$12.50. Learners at \$7 and increasing every six months for the year.

(27) Orders No. 3 and 4 March 1, 1928.

(28) Orders No. 5 and 6 Sept. 1, 1928.

orders.

From the spirit engendered in both the employers and the employees, the Commission feels that it will not have much difficulty in enforcing their orders. The employees are only too anxious to obtain their rights and the employers, afraid of unfair competition, are only too willing to see that their competitors are conforming to the regulations of the Minimum Wage Commission.

With everything in favour of minimum wages in the province of Quebec, nothing should hinder the Commission from expanding its orders and of the legislature from extending the scope of the Act. At the present time only laundries, printing and textile, and shoes manufacturera are covered by orders of the Commission. It will be noticed that minimum wages are classified according to two types of workers, namely experienced and inexperienced. This I believe to be the better method as regards the alternative in use in some of the provinces, namely the three types. As regards maximum hours nothing has been said re the Commission's lack of power on this matter. Yet the manufacturers previous to the appointment of the Commission complained that too much power was being conferred upon it. However when notices of infringements of the orders start to come in, probably the Commission will feel the necessity for power re hours of work if it has not done so already. At the present time the Board

is studying the Garment Trades with a view to a minimum for that industry.³⁰

The Commission seems to be following the principles of the Minimum Wage Board in Ontario but in a rather conservative manner. Orders are few and far between, considering that the Commission has been in existence two years and orders affecting only four industries have been enacted during this time. In the other provinces most of the orders have been issued within the first two years of its existence. The method in use in this province as regards the compiling of data is that of Ontario and a wise measure as it is very valuable for purposes of comparison and an index of the success of minimum wage enactments within the province. As the orders have been in existence a very short time little can be judged from them as yet. The only available figures are for the Laundries Group. It shows that in 1927 average wages in Montreal were \$11.75 and in 1928 \$12.65. But even this increase is not very satisfactory as it shows that wages are not very much higher than the minimum. However I can suggest a reason for this low figure, in that apprentice wages are not separated from those of experienced workers, also the proportion of apprentices to experienced employees is rather large. On the other hand the minimum is not very high but in comparison with that of other provinces considering the standard of living in this province, the minimum is in keeping with that of the other provinces. As regards average wages

(30) Montreal Daily Star, April 11, 1929.

"for the remainder of the province" it was \$8.16 in 1927 and \$9.36 in 1923. This also denotes a raise but slightly above the minimum for experienced adults. Nevertheless very little can be said either for or against the minimum wage in Quebec except as regards its limited scope and application.

All in all it might be more advisable for the Eastern provinces to interest themselves more in a minimum wage and thus make Canada a nation where minimum wage regulations for women are enforced throughout the country. That Prince Edward Island has none is easily understood, that Nova Scotia and New Brunswick have none in operation is unsatisfactory but that the province of Quebec has one but of very limited scope is deplorable. If any province in Canada should have a minimum wage it is Quebec, for a large number of female employees in this province work for low wages. And thus the Minimum Wage Commission in Quebec should have been appointed several years ago. Minimum Wages are found to be developed usually where working conditions are satisfactory and wages high. This is seen to be the case in Canada, for the provinces with the better working conditions are the ones with the more highly developed minimum wages.

Sub-note to work of the Quebec Minimum Wage Commission

The Commission passed in April orders re the Boot and Shoe Industry to come into effect on July 1, 1929. In this order there is the deviation from the usual population classification. There is the additional section which applies to municipalities with a population less than 3000. This was as a result of a study having been made of these districts, where it was found that the employers had to train practically all their own labour. The Commission favoured decentralized industrialization in Quebec as a means to healthy little industries in small centres. In this respect the Commission seems to have been influenced by the Ontario Board. The rates fixed were as follows:-

<u>District</u>	<u>adult</u>	<u>Learners (2 years)</u>
Montreal and within 10 mile radius -----	\$12.50	\$7, 8, 9.50 and 11
Municipalities with a population exceeding 3000 ---	10.00	6, 7, 8 and 9
Municipalities with a population less than 3000----	8.00	5, 5.50, 6 and 7

Statistics gathered in studying these orders as follows:-

<u>District</u>	<u>No. firms</u>	<u>No. Employees</u>	<u>Weekly wages</u>	<u>Av. Wage</u>
<u>Is. Montreal and 10</u>				
<u>within a 10 mile radius</u>	52	2,219	\$31,869.65	14.36
<u>With pop. more than 3000</u>	37	1,151	10,871.02	9.44
<u>With Pop. less than 3000</u>	20	302	2,509.40	8.30

From this one will gather that the average wage is not necessarily a true average and most likely lower. At any rate wages appear to be in need of a Minimum wage due to its lowness.

CHAPTER 8.

THE EFFECTS OF A WOMEN'S MINIMUM WAGE ON THE WORKING
CLASS.

In noticing the effects of a minimum wage upon workers, we must consider the women employees as directly governed by Minimum Wage regulations to be of the greatest interest. Are we able to tell them that they are free from worry, that no longer need they worry about their living expenses? Indeed not for they must work and worry as before. But there is the one satisfaction that if they do obtain work, and that as long as they can keep it, their very existence will be guaranteed. No longer need they suffer from bitter feelings against an employer and that all this has resulted from his exploitation of their services. That this may still exist in spite of minimum wage orders, is due to the make up of the present economic system. We find it in all markets and for all commodities. As yet labour is still in the category of free exchange in the labour market. That there are restrictions as regards the labour market have been due to social rather than economic enactments, yet the economic life of

society is being advanced by this very interference in the free play of exchange. Both employee and employer is benefited.

Minimum Wage principles apply to all workers alike, yet in Canada we find the law primarily a woman's law. Assuredly there must be some reason for singling out women-workers. If it is because women's remuneration is very low, then it should be made to apply to men and boys as well. But in spite of repeated requests for a minimum wage applying to them none has resulted. Thus it appears as if there must be certain reasons for this.

A minimum wage, being a form of governmental interference is looked upon with suspicion. Instead of rallying to the aid of it, opposition is evinced from all quarters. Accordingly a minimum wage affecting only a section of the workers¹, would naturally feel the brunt of the criticism to a lesser degree. The industrial unrest during and following the war urged for some alleviation to the situation. At such an opportune time, consideration was given the plea for a women's minimum wage, but that for men and boys was left in abeyance. Then, to ascertain a living wage for woman is far simpler than for men workers. Women are only supposed to support themselves. Actually there are many examples where women not only support themselves entirely but often others and even a large family. Nevertheless the

(1) Canada Year Book 1927-28 p.729. According to the census of 1921 there were 490,150 female employees and 2,683,019 male employees. Female employees comprise 15% of the total number of workers.

concession that women are self-supporting and therefore wholly dependent on their earnings is an advance on the old supposition, namely that women are usually dependent on some male earner and whenever she works, she does so, merely for pin-money.

As the dependence of women on their earnings has had considerable influence in the enactment of a minimum wage for them, it may be well to pause here and note the reasons for this. Women, previously were very much underpaid, probably as a result of their transient character. But then it was not even considered necessary to intervene on their behalf as it was supposed that these workers were not wholly dependent on their earnings. But gradually it became evident that women were really so. This is confirmed by an interesting research in 1923 that took place in the United States.² The Women's Bureau of the United States Department of Labour made an investigation in the shoe industry in Manchester N.H.³ It was found that although the greater number of women lived at home, the majority contributed the greater part of their wages to the family. But from the figures available there were not sufficient data to prove that women supported others besides themselves to the same degree as do men. At any rate it was found that 100% of both male and female workers were self-supporting. Further proof of this was noted in the present independent attitude of women. Also by the large number of

(3) In this manufacture women are found doing the same work as men to a greater extent than in any other form of manufacture.

(2) Labour Gazette 1923 p.892.

middle-class girls who work not only to be independent and self-supporting but even to augment the family earnings and so maintain a higher standard of living. This latter probably is a stronger urge for women to work since there is a definite goal in view. Perhaps the enhanced standard of living after the war may be attributed to the increased number of women among the ranks of the working class.

A minimum wage based on the cost of living to one person seems to be the better basis when fixing a rate for women workers. Needless to say this is easier to calculate and was probably one of the causes favoring women in the introduction of minimum wages. Also there is only a small number of women workers, that is, about 15% of the total, thus making it easier to deal with this class of worker. Further they are quite unorganized and so their labour organizations are not likely to interfere with the operation of a minimum wage. At the time of its imposition, it was hoped that a minimum wage would encourage the organization of labour among women workers. Further most women's work may be classified as unskilled. It is usually among the unskilled workers that wages are very low. Competition here is the greatest since it is the lowest rank and to which those from the ranks above may drop down in cases of emergency. Then women are still further handicapped because men may still further swell their numbers. Besides low wages there is also the difficulty in dealing with apprentices in skilled occupations. Although the learning period for women workers is not as important as for men, yet the Minimum Wage Boards

in Canada witnessed much difficulty in dealing with apprentices.

A minimum wage for women doubtlessly appears to be of greater need and also easier to effect than for men workers. But this does not mean that it is beneficial to women alone. Men too might derive some benefit through the workings of a minimum wage. At any rate they receive an advantage from the workings of a women's minimum wage. Women have tended towards lowering men's wages and to prevent this, men have endeavoured to keep women out of many classes of work.⁴ But since the minimum wage has had the effect of bettering working conditions and raising wages of women, it may be said to have, as a result of this, a beneficial effect on men workers. But the feminists do not want this added restrictions placed on women as it will restrict the employments open to them. The fact that as a result of minimum wages, women's wages have tended to rise more to the level of men's. In doing so this prejudice against women workers will gradually be removed and will increase the number of employments open to women.

Most of the provinces supply inadequate figures to show any definite result of its work on the employees. The province of Ontario affords the most complete data, for it supplies us with number of women covered by each order; the number that is under 18 years of age; the wages paid to all, to those over 18 years of age, to those under 18 years of age; also average wages for those who are over 18 years of age, and those under 18 years of age.

(4) In the Quebec Legislature 1929, bill amending charter of the Chartered Accountants Association to admit women, was defeated on this ground.

They also give you the number of establishments. These records are kept from year to year. First you will note that the number of establishments varies each year since it depends rather on the number of firms reporting than on the actual number in existence. Thus the very first year when the order went into force the information would not be nearly so accurate as during the later years. Now for purposes of comparison it is essential that the same amount of accuracy be shown. Then too, the first year is the most important year (that is the year just before the order was put into effect) and the only means of indicating the increase in wages. And in this respect we have taken the average wages quoted to be correct. A true average wage is very difficult to obtain and an inaccurate one tells us very little. I have attempted to work out the average weighted wages for some of the figures given and was unable to arrive at the same ones. Usually I obtain a higher average. But when glancing at the figures I notice in every order that the majority of employees are to be found around the minimum wage. Upon glancing at the figures for the very first year I notice that there were many more employees working for wages below the minimum than there were after the minimum was enforced. And further that as regards the numbers receiving wages above the minimum there are more even after the minimum was enforced than previously.

According to the figures available from the Ontario Minimum

Wage Board I am able to come to certain definite conclusions.⁵

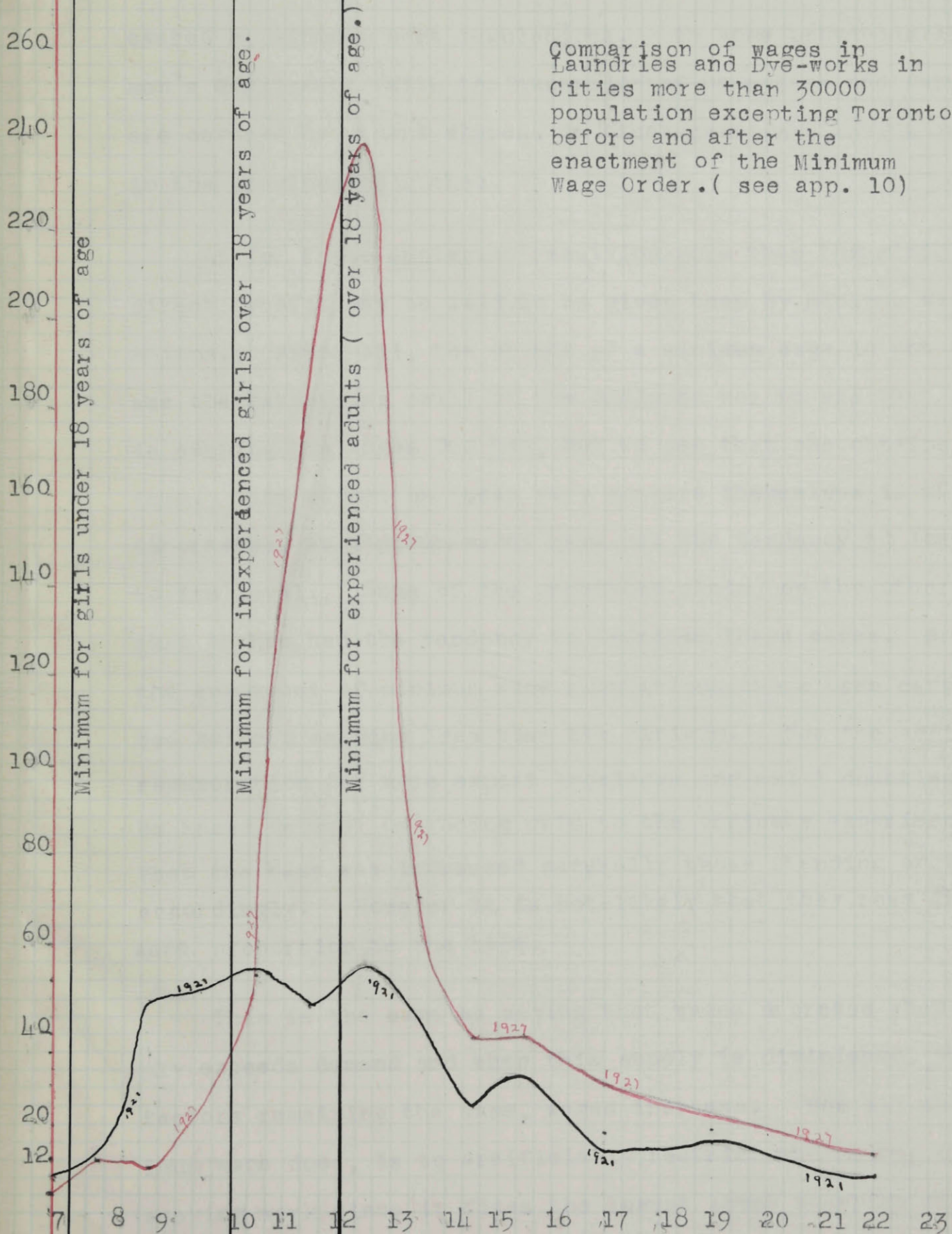
First, the majority of female workers earn approximately the minimum wage. Secondly there are very few, now as compared previous to the enactment of a minimum wage order, who earn less than the minimum. Those earning less are usually girls under 18 years of age, apprentices or handicapped employees. Thirdly the minimum wage has not tended to become the maximum since the numbers receiving more than the minimum have increased. But it is well to keep in mind that this increase may be due to increased numbers of employees considered or to reports from additional firms whose wages are higher than in those industries previously considered. Too much weight must not be placed on these results. Nevertheless I feel quite certain that they give quite a near approach to actual conditions. As for the remaining provinces they do not give us sufficient data to form as definite a conclusion. But from the figures that they do publish and from the personal opinion of the Board's personnel the above seems to be true as regards them as well.

But now let us consider how far the employees are benefitted by this minimum wage regulation. The most important effect is noted among the great number of workers at the bottom of the wage scale. Large numbers of women previous to minimum wage regulations earned less than this minimum and in some instances, received a mere pittance. All these now receive the minimum at the very least and on which they should be able to live. This is only true for the employees in those industries that are co-

(5) Refer to graph opposite this page.

Ontario

Comparison of wages in
Laundries and Dye-works in
Cities more than 30000
population excepting Toronto
before and after the
enactment of the Minimum
Wage Order. (see app. 10)



covered by minimum wage regulations. In some provinces all women's employment (with the exception of domestics and farm hands) are covered by orders whereas in other provinces only a few notably in the province of Quebec.

As for those employees receiving more than the minimum wage no direct benefit may be said to be given them by minimum wage regulations. After all, the object of a minimum wage is not to increase the bargaining skill of the employee nor to see that an employee is earning the wages due her, but to see that she obtains the minimum. The effect on these very workers themselves is of great importance, as Minimum wages have not the tendency to lower wages to its level. Some of the provinces claim, on the other hand, that it has had the tendency to increase these wages. Previous to the enactment of minimum wage regulations there were many experienced workers earning less than the minimum. Now the additional remuneration for more expert knowledge and skill doubtlessly would be based on what was being paid to the ordinary experienced worker. When the base was increased naturally those standing on it rose accordingly. However it is not likely that they rose in the same proportion to the base.

This is the same as saying that wages decrease when the supply exceeds demand and when this supply is diminished, the other factors remaining the same, wages increase. Now all that a minimum wage does, is to artificially restrict the number of employees seeking work since it fixes the lowest level to which wages may fall.

Those workers not entitled to the minimum are inexperienced adults, inexperienced minors and handicapped employees. The Canadian Minimum Wage laws contain special provisions for these. In most orders there are three minimum rates stipulated, one for experienced adults, a second for inexperienced adults and a third for minors. Though in some orders only two rates are provided, namely for experienced and inexperienced workers. As regards the handicapped employees no rate is fixed but determined according to the particular circumstances, when the license or permit is issued. The Minimum Wage Boards show few licenses issued to handicapped workers. This special rate for the young and inexperienced may sound all very well but when we consider the difficulties that have been encountered with respect to it we will then begin to feel a keener interest in it. Needlessly the cost of living to an inexperienced worker or minor is about that for an experienced adult yet a lower rate is stipulated for them. They are expected to obtain aid from another source until they have obtained the necessary experience. Had the minimum been enforced for them at the same rate as for experienced adults then their chances of employment would indeed diminish. As it is when fixing the minimum for these workers there is the fear that the wages are too high and on the other hand, too low. If it is too high may prove too alluring to school girls who will leave school too soon and overcrowd the industry. When the minimum is fixed too low the number of beginners that the industry will attract will accordingly be lessened. Beginners will be discouraged by the lowness

of the pay and will rush flightily from one industry to another and also from one establishment to another.

Not only is it in the interests of the apprentices alone, that undue weight must be exercised in fixing the minimum rate, but also in that of the employer and experienced employees. In spite of the fact that minimum wage legislation is treading on dangerous ground when it begins to deal with beginners wages, the action may, nevertheless, be justified. True, all proposals extending the minimum wage to boys under 18 years of age have been "quashed" on the ground that the boys are nearly all apprentices and so any interference in the wages paid them would prove harmful. But this argument cannot be used for female beginners. First their work does not require as much training, second a vocation is not so essential for them as for man, and third, there is also a minimum wage for female experienced workers and this is not true as regards men. It is essential to the effective working of the minimum wage laws that both experienced and inexperienced workers come under its regulations.

In order to do this the minimum wage authorities should also consider the handicapped employee, especially as the result of a sub-normal mind. When a minimum is fixed for apprentices it is usual for the rate to be on a graduated scale, with the result that we have a definite period of learning allowed every worker. Whether they are able to gather the necessary experience in a shorter or longer period is immaterial. The employer is at liberty to grant the more efficient worker more than the stipulated minimum

but is not free to pay the inefficient worker less. The consequent result is that the slow learner is "fired". No matter how careful the minimum Wage Board is in determining the learning period it will always come up against this difficulty. The minimum wage authorities, when their attention has been called to it, and not before, will be able to help the slow worker or "sub-normal" girl by granting a permit. It is advisable that these "sub-normal" workers be thrown out of employment by the enforcement of a minimum wage since their very existence in the industry has had the affect of lowering the wages of the average worker. Though the end in view of minimum wages in Canada is desirable, it does not follow that it is the best method. At present the minimum wage has the tendency of gradually sifting out the "sub-normal" girl by a slow and indirect process. Something quick and definite is more to the point rather than the indefiniteness of the laissez-faire principles. Since there are numbers of sub-normal girls among the ranks of beginners, employers will feel as if they are being compelled to pay for apprentices at a too high rate. Thus a reason for some of the discontent re minimum wages. Surely we can deal with this phase of the discontent in a more suitable manner.

Why not undertake to train these sub-normal girls and when efficient set them free in the labor market. By means of an intelligence test it is likely that we can distinguish this class of worker from the others. Then according to the result of their Intelligence Quotient decide whether it is advisable to train them and if so in

what trade. There are many openings in women's work of a semi-skilled nature that would fit this type of worker so there need be no fear of placing them at the minimum when trained. There are many disadvantages in putting this into practice on account of the cost involved. If this were undertaken by the dominion instead of the provinces the cost would be lessened. Not only is there an advantage in training these girls, to the other employees but to the nation as well, for instead of dependent citizens we have as a result workers who can at the very least support themselves. As for those who cannot obtain the necessary skill we can leave them go into the industrial field with licenses permitting them to work for a lesser wage according to their ability. It is still possible to do this under the old system, by requiring every girl when entering the industrial field to pass an intelligence test. If she is below normal then she can work for a lesser rate or for a longer apprenticeship. From time to time inspectors will enquire into these girls' work and when they obtain the necessary skill, cancel their licenses. But the difficulty in this lies in that these workers are sub-normal and thus require special industrial attention, which they are not likely to obtain in most establishments. The era of training, even apprentices, on the plant is fast fading. There is nothing better than the training received at a school for it. And in this respect we can extend the argument to all beginners.

The training of apprentices both male and female, normal and sub-normal, should be further undertaken by the state rather than by the individual establishments. Thus not only will there be

more skilled workers but industries will be more productive as a result of more efficient labour. The reduction of unskilled workers will therefore make it possible for wages naturally to rise to the minimum level or higher. There will also be a possibility, with this greater interest in apprentice training that more attention will be given to those leaving school. Much of the hardship of the working class may be due either to the lack of a trade or a trade that does not bring out the best of the employee. It has been said that a minimum wage in practice will not be able to alleviate the worker's conditions but will only tend to increase the ranks of the unemployed. But a minimum wage board with additional supervision over the training of all apprentices will not only prevent wages falling below the stipulated minimum but will also enable the industries to afford it.

Whenever a minimum wage law was placed on the statutes of any province there was anxiety on the part of the employers and labour organizations. Although they all felt that it was a good cause they did not have enough confidence in it. For the most part they feared an increased number of unemployed. Legislation outside of Canada has shown this to be the effect to a certain extent until the adjustment gradually took place. But these were cases where the minimum wage was for men as well as women, whereas here in Canada it affects women only. From the annual reports of the different Minimum Wage Boards one will gather that unemployment has not increased. In some cases however there has been shown a slight displacement of young girls for older ones. (See

appendix 11) This probably exists other than in Ontario, but is not possible to see as there are no figures. The reason for this may be that at the higher rates it is more profitable to employ the older and experienced girls. Previously young girls worked at extremely low wages and often for nothing whilst learning. Thus it was cheaper for an employer to employ several young girls than one experienced hand. If this displacement of young girls is really due to the minimum wage, can we justify this result? Much can be said for minimum wages in this respect. A minimum wage by artificially preventing the fall in wages, may at the same time throw out of work those who cannot earn this minimum. No doubt, these young girls were probably very young and of not much benefit as yet to the industry. Thus in increasing the level of wages, there is less opening for beginners and accordingly they do not tend to leave school too early. If it should happen in a case of emergency that a very young girl had to go to work but because of her youth could not command the minimum then she could by a special permit be exempted from it for a certain length of time. But apart from girls under 18 years of age there has been no very noticeable effect on the employment of women. This is merely a supposition gathered from the opinion of the Boards reports. Although the same number or more may be employed, they may only work part time. In this manner decreased employment may not be shown but in Ontario it is seen that this is not likely as it may be detected from the effect on the payroll.

If, after the enactment of minimum wages, there is no not-

iceable effect on employment we can easily gather the reason. Evidently the employers were being exploited since the industry can afford to pay the higher wage and still employ the same number of women. No doubt this was the reason for the enactment of the minimum wages for women in Canada as it was felt that they did not receive their true worth in the industry and since there was little organization among them a governmental intervention might correct the situation. On the other hand the minimum may be rather low and thus not much higher than the wages previously paid. In this case it would at the very least prevent the sweated establishments.

Secondary benefits derived by women employees from the workings of minimum wages are shorter hours and better working conditions. As regards the former it may really be said to form part of the minimum wage. Thus the Minimum Wage Board of British Columbia, Nova Scotia, Saskatchewan and Manitoba have jurisdiction re hours. In Alberta the Board may fix hours provided it does not conflict with the Factory Act, similarly true for Ontario. Thus when a minimum wage regulation was put into effect there was no fear that employers could get around it by lengthening the working day. This had the additional tendency of even reducing the working week for many employees. Several of the Boards even attempted to provide continuous work to the employee but were not very successful in this respect since this is due to circumstances beyond the scope even of an employer.

Thus the Minimum Wage Boards in Canada have probably achieved their end with respect to women. Not only have they cut off the unsocially low wage in order to protect the workers but have also endeavoured to increase wages generally by improving industrial conditions. They have protected women wage-earners from their own competition in looking for work, By preventing women working for very low wages they have indirectly benefitted men employees. But what is most important they have shown that it is possible for a women's minimum wage to have been successful in its operations as regards the workers.

CHAPTER IX.

The Economic Effect of a Women's Minimum Wage on Industry.

In the preceding chapter it was shown that the position of the woman worker in Canada may be said to have been bettered as a result of the intervention of Minimum Wage Laws. What I propose to consider here is the probable effects on the industry as a result of this betterment to the working class.

According to the reports from the Ontario Minimum Wage Board, wages of women have risen at a time when men's wages did not, and even tended to fall. Therefore it is supposed that this noticeable increase in women's wages has in great part been thrown on the industry. If it has not rested there it has at any rate been shifted to the consumer. Even if this is true it is justifiable if it is able to pay its workers a living wage. We are considering female workers, who because of their unorganized position and consequent weakness in bargaining power, were not able to command their true worth. The evident increase in wages after the enactment of minimum wage laws only affected wages below the minimum level. In many cases did not affect establishments of the same industry. Therefore if one firm could pay this price why consider the resultant increase to the

other firm as an added burden. At any rate there does not seem to have been any shifting of this burden to the consumer. The Ontario Minimum Wage Board found this to be the case. Thus in the Laundries' Group there were no increased rates as a result of the minimum wage, this is also true for restaurants, amusement places and in others where it was possible to note the effect. And I think we are safe in assuming this to be true for the other provinces.

Alongside of the very low wages of female labour there also is to be found inferior management, and lack of executive ability. Thus the unbusiness like and incapable heads of these poorly managed establishments were able to maintain themselves in the industrial field through the exploitation of female labour. It is on firms such as these that the pressure of minimum wages was brought to bear. If other factories in the same enterprise can and do pay the minimum, why should not the others be able to do this? Surely it is not desirable to maintain plants that have to be subsidized in this manner? For the employees, in this instance, are being made to bear the mistakes originating from incompetent employers.

Then we have the mis-management due directly to the fact that female labour is very cheap. And thus it is found more profitable to have an undue proportion of learners and inexperienced workers placed on the pay-roll for the sake of this lower wage. Among them there were probably many sub-normal workers. The result of these circumstances proved very unjust and cruel and certainly did not help towards better management. This inefficient use of female labour is, in this case, not due to poor management but a

result of the very conditions that encouraged this type of establishments namely cheap female labour. Minimum wages in Canada have attempted to cut out all these very low wages. The result of this endeavour has tended to bring about a pressure on the poorly-managed firms. This increased efficiency on the part of the entrepreneur tends to make female labour more productive and as a result enabling them to pay the minimum wage. Previously girls worked mechanically at trivial jobs, but with the higher wage the employer began to utilize her services more economically. And this may in part account for the fact that there was no noticeable increase in price of the goods produced or services rendered by female workers after the enactment of minimum wage regulations.

Besides the unproductiveness of female labour due to inefficient management that prevented the entrepreneur from paying higher wages there is also the fact that the employee's work may be influenced by other conditions. A satisfied and contented employee is an important factor in industrial success. For a woman harassed by the difficulties of making both ends meet or undernourished for lack of sufficient food can hardly be expected to give good or efficient service. Under these circumstances the labour is not worth more than is being paid for it. But outside intervention can prevent this situation. The minimum wage does not permit the employment of women workers at a wage less than is consistent with their cost of living.

Then there is the argument put forward that the increased

wages only tends to increase the standard of living¹ and that the additional cost to the industry is not benefitted by this increased standard of living. As for the standard of living point, I endeavoured myself to show that a minimum wage tended to bring this about. That it does happen is very reassuring. Considering that the increased standard of living was such as just enabled an employee to live without being worried about debts etc, her labour as a result will be more productive. As for further and further increases in this standard of living, the effect on the productiveness of her labour will accordingly increase but in diminishing return. But there are other results from this, that have their effect on the industry. There is the increased demand for commodities and resultant increase in business. Also the contented, instead of the discontented, antagonistic employee, works side by side with her employer for their common good. Thus the spirit engendered by minimum wages not only tends to improve the management of firms but also tends to make the employee herself wish to give more productive services as a result of her increased standard of living.

Thus far it has been shown that the minimum wage does not tend to work any hardship on the employer. It also may be said that there is a beneficial effect on the employer as a result of minimum wages. There was always the fear on the part of the employer that his rivals were under-cutting in the matter

(1) Industrial Canada March 1927, by A. Mitchell.

of wages.² But now there is the guarantee that they at least pay a wage not lower than the minimum. Now an employer cannot say that he would be willing to pay his workers a higher wage, but because of his competitors he is not able to do so. Yet in spite of this there is now the fear among the manufacturers that their competitors in the other provinces are paying less wages because the minimum is lower or does not exist. But in this respect the Minimum Wage Boards are not free to act since the provincial Boards act independently of each other. However there is a movement afoot to have a Conference of all the Minimum Wage Boards in Canada in order to obtain a better understanding of each other and also to make towards some concerted action on their part. Due to the fact that the standard of living varies from province to province and that it is very difficult to measure it, much difficulty would be encountered in fixing minimum wages to correspond throughout the Dominion. Then too there is the consideration that besides the standard varying, then there is the cost of living too and it varies also.³ But in the meantime nothing has been done in this direction and so employers are only protected against each other within the province. On the other hand this competition from manufacturers need not necessarily cause much fear. The establishments within the province are closer at hand, know more readily what is required,

(2) That is what actually occurred previous to the enactment of a minimum wage. The boards upon making investigations found wages very unstandardized among establishments in the same enterprise. Variations are reported as very great and at unbelievable percentages of differences.

(3) See appendix No. 7.

can supply their customers more quickly and save transportation charges. Thus this advantage counteracts in part any outside competition. When it comes to the trade outside the province, the minimum wage affords them no protection. But there is the satisfaction that the industry is not being carried out at a loss to the community since the workers are obtaining wages compatible with the standard of living. Also this is no great hardship on the employer since this applies similarly to all manufacturers when it comes to foreign markets. From this we may gather that the greatest competition to be feared is that near at hand and this the minimum wage can and does look after.

The existence of a minimum wage for women may have the additional tendency to discourage the growth of manufacturers accustomed to employ a large number of female help. I have overheard manufacturers in the Textile Industry in Montreal claim that in order to get nearer to their trade in Ontario and Manitoba they would have liked to open a branch there and thus save the transportation in the manufacturing cost and also have the added facility of being closer to the market and so producing more in accordance with the demand. They feel that this advantage would be off-set by the higher minimum wages. But the minimum in this industry with the exception of Toronto is \$.50 lower per week and Toronto is \$.50 higher per week than for the city of Montreal. As for Manitoba the minimum is the same as in Montreal. But there is a noticeable difference in the beginners rate being in some cases about \$2.00 higher a week. This is quite a difference

in the payment of a beginners wage. Upon further enquiry I learned that the number of beginners employed in this industry is very large and thus the difference in wages would amount to a large sum. In this industry there is a great deal of hand labour,¹ and accordingly the cost of labour plays an important part in the cost of production. And if by going further west it is only to gain the transportation of the finished product (and not the raw material) as also the advantage of the proximity to the markets, this increased labour cost would certainly not tend to encourage it. In this instance the minimum wage is at fault but not as much as it seems. Previous to minimum wage enactments the same complaint about the high wage cost existed but now it is attributed to the Minimum Wage Act. At any rate this opinion re minimum wages is certainly not advancing its cause. This inter-provincial objection may be obviated by dominion or, even provincial legislation when all the provinces work together. Then there is still the objection to a minimum wage account of foreign capital and trade. This may be solved by international legislation on minimum wages. At present however there is a tendency towards this.

In all the provinces, the Minimum Wage Acts have some regulation re the keeping of a register by the firm. This record must show the names of female employees, age, addresses, wages, and hours worked per week. From this many people gather that the industry is further handicapped in that it is obliged to keep additional records. As a matter of fact this is usually required under

(1) In Manitoba the number of apprentices is limited to 25% whereas in Ontario and Quebec it is 50%.

the Factories Act for all employees. Perhaps, the only extra work is due to the report that has to be handed in once a year. But when we consider the benefits that may be derived from these reports it is surely not asking too much from a firm. If it keeps proper books it should not find any difficulty in filling these reports. Thus it will only prove of any noticeable disadvantage to the employer who is slovenly in his book-keeping. Since this is one of the conditions making for poor-management, it ought not to be encouraged. Because of a little additional time and effort required from employers, a far greater benefit to the community is expected.

Thus the minimum wage in Canada, in its endeavour to bring about socially desirable wage conditions, may be said to interfere with no particular person nor class, neither with industry or worker. Its operations on the other hand, may be even said to benefit all of these to some extent. Since the minimum Wage in Canada is still in its infancy, it is too soon to lay much stress on its results. Its present operations has had the tendency to benefit the interests of both the worker and the employer. The provincial Minimum Wage Boards report that a better understanding has arisen as a result of minimum wage operations. The employer begins to feel the need of a living wage to his employees, and they on their part, learn when they are being exploited (when paid less than the Minimum.) This added knowledge to the employees has done much to calm the industrial unrest of women workers. For with the knowledge that they are not being exploited

they begin to lose their antagonistic attitudes to the employing class. As a result of this better understanding, the divergent interests between employer and employee gives way to a unity of interest, with their endeavour working together instead of pulling away from each other, not only will it be possible to ensure the minimum to all workers but probably more. But once this has been achieved there is still a necessity for the existence of Minimum Wage Boards and that is to maintain this unity of interests by keeping any employer from stepping away from the "straight and narrow path."

Elsie Lepore

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A P P E N D I C E S

Number 11.

Average wages in Toronto for experienced workers.

Trade	1921	1922	1923	1924	1925	1926	1927
Needle		14.06	15.00	15.13	15.62	15.69	15.85
Mercantile	13.74	14.74	14.58	16.61	17.02	16.44	16.27
Boot and Shoe	-	-	15.64	15.68	15.88	15.07	15.63
Textile	-	14.04	15.82	15.11	14.92	15.13	14.95
Laundry	12.93	13.21	13.91	13.41	13.71	12.54	13.13
Paper Box.	14.24	14.48	14.87	14.31	14.15	15.08	15.27
Confectionery	12.86	14.04	14.29	14.20	13.86	13.46	13.79

Average for inexperienced workers in Toronto.

Needle	-	7.95	10.51	10.11	10.46	10.47	10.37
Mercantile	11.57	11.62	9.87	11.09	11.57	11.44	11.59
Boot and Shoe	-	-	10.31	9.98	9.38	9.90	9.79
Textile	-	10.10	12.08	11.26	11.23	11.43	10.54
Laundry	9.33	10.07	10.30	10.47	10.09	9.68	10.24
Paper Box.	10.86	10.21	10.53	10.06	10.07	10.42	11.11
Confectionery	9.62	9.71	9.54	10.14	9.96	12.24	10.19

Number 111.

Cost of Living Budget for working girl in the city of Toronto
October 1927 Minimum Wage Report 1927 p.5.

Items.

Board...at \$7 per week

364.00 yr.

Clothing

Footwear etc. including repairs.....	19.25
Stockings	10.00
Underwear	8.50
Nightgowns	4.00
Costume slips	5.00
Corsets and Brassiers	5.50
Kimona	1.00
Hats	11.00
Suit $\frac{1}{2}$ cost	11.25
Winter Coat $\frac{1}{2}$ cost	8.25
Dresses, winter & summer	22.00
Shirtwaists and sweater	10.50
Aprons	2.50
Handkerchiefs	2.00
Gloves	4.00
Scarf	1.00
Umbrella	1.25

127.00 yr.

Sundries

<u>Laundry</u>	39.00	
Doctor, dentist, optician	20.00	
Carfare	39.00	
Reading Matter	6.00	
Postage and stationery	5.00	
Recreation and amusement	23.00	
Church and charity	10.00	
Incidentals	<u>20.00</u>	<u>162.00</u>
		653.00

Number 1V

Minimum Wage Report 1925.

Classification of Working women in Ontario according to work.

Laundries-----	1,487	
Confectionery		
and Paper Box	5,888	
Retail Stores	39,942	
Telephones	7,377	
Textiles	11,872	
Needle	10,727	
Drugs etc.	1,302	
Office workers	40,000	Approximately
Hotels	3,440	
Boots & shoes	1,541	
Mail order House	1,406	
Electrical	896	
Amusements	575	
Printing and		
Book-binding	900	
Tobacco	280	
Rest	1,000	
Grand Total.....	129,372.	

Number V.

Orders of the Manitoba Minimum Wage Board dealing with the Manufacturing group.

1. Seed-packing and Fireworks in Brandon. Mar. 4, 1919
wages inexperienced adults \$9-\$11 during 9 months
" minors \$9-\$10 "
2. Paint and Broom Factories Dec. 30, 1918
Hours 9 per day and 50 per week.
Wages. adult learners \$9-\$11 during 18 months.
" minors according to the age at which
employee started. 18 months.
3. Regulation No. 8 Auto Tops, Caskets, Gloves, Knitting, Leather.
Goods, Tents and Awnings. April 2, 1927 (consolidates 3 previous
orders
All learners \$8-\$11 during 12 months.
4. Bag Factories. August 1, 1928.
Wages. Press feeders, sewing machine operators, minimum
wage adults \$12, all others \$11.00

6 months experience necessary for adult learners.
girls start at \$9 per week and increased \$.50
every 3 months.

5. Regulation No. 6 dealing with Brick yards and in Seasonal and Casual employment in industries in Province not already covered by other regulations. July 24, 1926, amended June 7, 1927, to include the Bag Industry.

Hourly rates at \$.30 per hour for part time employees and casual workers.

Wages: Minimum \$12.00

no apprenticeship

no girls under 17 to be employed.

6. Tailoring Establishments Feb. 9, 1919.

inexperienced \$6.00 beginning, increasing every
4 weeks at the rate of \$1 per week.

7. Millinery Establishments. Feb. 9, 1919

Hours. $8\frac{1}{2}$ per day and 50 hours per week.

Wages. Inexperienced starts at \$5 and increased each season, full minimum at the end of one year.

8. Furriers' Establishments. June 3, 1919.

6 months experience required for an adult.

18 months " " " a minor.

9. Dress-making. June 3, 1919.

Hours. $8\frac{1}{2}$ per day 50 per week.

One years experience necessary for an adult.

Minors 4 weeks probation then \$6 and increasing every
6 months by \$1.00

(for further information see Departmental Store in
Mercantile Group.)

10. Printing, Lithographing, Book-binding, Envelope Manufacturing and other manufacturing operations of wholesale stationers.

Nov. 15, 1921

2 years apprenticeship required.

11. Regulation No. 1. Abattoirs, Cigars, Confectionery & Biscuits, Creameries, Drug, Groceries, Macaroni, and Vermicelli, Paper Box, Pickles, Soaps, Yeast and Canning Industries.

(consolidates 7 previous orders.)

Wages. Experienced adult \$11.00

Adults require 6 months experience and minors 12 months.

12. Regulation No. 7. Artificial Flowers, Bedding, Ladies' wear Caps, Embroidery, Jewellery, Regalia, and Garments. which include all clothing trades except custom work. July 31, 1926 (consolidates 4 previous orders.)

6 months experience required in a garment factory

12 " " " in others.

no girl under 15 years of age to be employed.

Number VI.

Labour Gazette 1918 p.537.

First Budget compiled by the Manitoba Minimum Wage Board.

Consider 9.48 the estimated cost of living for a girl.

Items as follows:

Board and Lodging.....	286.00	
Footwear & Repairs.....	20.00	
Stockings	4.00	
Underwear & negligees,,.....	10.00	
Petticoats	4.25	
Suits $\frac{1}{2}$ cost	12.50	
Coat $\frac{1}{2}$ cost	12.50	
Dresses & Aprons	15.00	
Shirtwaists	6.00	
Handkerchiefs	1.25	
Corsets	4.00	
Gloves	2.25	
Corset waists	3.00	
Neckwear	1.00	
Hats	10.00	
Umbrella	1.00	
Sweater $\frac{1}{2}$ cost	2.25	
Laundry	15.00	
Doctor & Dentists	15.00	
Street Car	20.00	
Magazine and Postage.....	5.00	
Association dues etc.....	8.00	
Recreation	18.50	
Church	5.00	
Incidentals	12.50	493.25

Number VII.

Cost of Living (Labour Gazette January 1929 supplement)
 From year 1914 began to rise speedily; (peak 1920) and
 then dropped quickly for a year (1922). Cost of living
 approximately same with slight variations between 150-160.
 (see page 8)

Family Budget per Province. 1928.

Province	Food	Fuel & Light	Rent	Total
Nova Scotia	10.98	2.91	5.60	19.49
Prince Edward Is.	9.86	2.91	6.63	19.40
New Brunswick	10.94	3.09	6.67	20.61
Quebec	10.22	3.34	5.83	19.39
Ontario	11.08	3.38	7.27	21.73
Manitoba	10.69	3.53	8.75	22.97
Saskatchewan	11.18	3.51	8.75	23.44
Alberta	11.09	2.07	7.21	20.37
British Columbia	12.08	2.81	6.56	21.45

Number VI11

Canada Year Book 1928. pp.408, 409 and 419,
figures for the employment of workers in the Manufacturing
industry in the province of Saskatchewan.

1919	7,240
1920	7,182
1921	4,343
1922	4,196
1923	4,105
1924	4,151
1925	4,002
1926	4,904

also p.419 number of employees in the Manufacturing
industry for the year 1926 by provinces.

Prince Edward Is.	2,261
Nova Scotia	16,782
New Brunswick	17,647
Quebec	180,659
Ontario	280,351
Manitoba	21,201
Saskatchewan	4,904
British Columbia	47,462

Number 1X

49 employers reported dealing with 2032 employees.
Shows average hours as 50.4 per week. But the 3 largest
industries employing 1,007 females shows average week as
55 hours.

Wages as follows:

\$5 and under----	110
5.01 to 6.00----	107
6.01 " 7.00----	172
7.01 " 8.00 ----	213
8.01 " 9.00----	248
9.01 "10.00----	316
10.01 "11.00----	215
11.01 "12.00----	163
12.01 "14.00----	186
14.01 "16.00----	152
16.01 "18.00----	71
18.01 "22.00----	60
22.01 "25.00----	20
Over \$25.00-----	8

f

Number X.

Weekly rate of wages in Laundries and Dye-works in cities of Ontario with a population over 30,000 and not including Toronto.

	1921	1927
Wages under \$7 per week.	7----	4
7-8 " "	13----	12
8-9 " "	47----	10
9-10	50----	7
10-11	54----	54
11-12	46----	11
12-13	56----	283
13-14	43----	70
14-15	24----	35
15-16	30----	35
16-18	14----	18
18-20	16----	19
22 up	8----	14
	412	475

Percentage of young girls employed, before and after the enactment of a Minimum Wage Order in that particular industry. (Ontario Minimum Wage Board Report 1927.)

		<u>Percentage</u> <u>before order</u>	<u>1927.</u>
<u>Laundries and</u>	in Toronto	9.6	10.9
<u>Dye-Cleaning</u>	" Cities over 30,000 p.	12.8	7.6
	" " 5000 to 30,000	28.07	10.8
<u>Retail Stores</u>	" Toronto	10.7	14.3
	" Cities over 30,000	17.1	3.5
	" 5000 to 30,000	10.0	5.3
	under 5000	6	5.5
<u>Department Stores</u>	Toronto	14.6	11.2
<u>Textile Factories</u>	in Toronto	16.4	9.7
	Cities over 30,000 p.	28.4	15.3
	" 5000 to 30,000	26.2	22.6
	" Under 5000	18.9	17.2
<u>Needle Trades</u>	In Toronto	7.1	6.3
	Cities over 30,000 p.	7.2	4.9
	" 5000 to 30,000	17.5	12.2
	under 5000	6.5	13.9
<u>Drugs, Chemicals etc.</u>	in Toronto	19.5	14.6
	Cities over 30,000	19.09	15.1
	" 5000 to 30,000	15.9	6.3
	" less than 5000	16.09	5.8

		g	Percentage before order	1927
<u>Boot & Shoe</u>	in Toronto		21.5	18.2
	" Cities over 30,000		9.3	7.3
	" " 5000 to 30,000		18.5	17.3
	" " under 5000		17.9	23.0
<u>Ellectrical Goods</u>	" Toronto		17.87	9.7
	Cities over 30,000		27.8	8.05
	" " 5000 to 30,000		34.4	10.05
	" " under 5000			3.9
<u>Confectionery</u>	Toronto		15.7	16.5
	Cities over 30,000		12.1	13.5
	" " 5000 to 30,000		17.8	18.8
	" " under 5000		10.5	16.7
<u>Miscellaneous Factories</u>	Toronto		14.2	13.6
	Cities over 30,000		10	14.1
	" " 5000 to 30,000		17.7	14.1
	" " under 5000		14.6	14.5
<u>Tobacco Goods</u>	Toronto		2.7	8.5
	Cities over 30,000		7.5	7.5
	" " 5000 to 30,000			6.2
	under 5000		15.4	25
<u>Rubber Goods</u>	Toronto		4.4	3.6
	Cities 5000 to 30,000		22.2	22.5
	" " under 5000		21.6	23.3
<u>Jewellery</u>	in Toronto		12.83	7
	Cities over 30,000		21.4	4.5
	" " 5000 to 30,000		16.10	10
<u>Paper Trades</u>	Toronto		12.6	12.1
	Cities over 30,000		9.3	8.7
	" " 5000 to 30,000		12.1	14.1
<u>Hotels, Restaurants</u>	in Toronto		1.2	1.06

