
Should Conciliation Boards be Abolished?

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Article abstract

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SHOULD CONCILIATION BOARDS BE ABOLISHED ?

Should Conciliation Boards be abolished? This is an interesting question raised up in the contributed editorial of the 1952 winter issue of "Public affairs"¹ and presented in the following way.

"The Conciliation Board going back to 1907 is, by Canadian standards accepted as part of the law of industrial relations, federal and provincial. But it is no longer by any means universally accepted by the people who has to work the machinery and live under it. Why?

First the "law's delay" in the various steps leading to a solution, or to no-solution, from certification of the union, to negotiation, to conciliation, providing the hearings of the Board of Conciliation, the reports, the "cooling off period" (which, if too long may become a "hotting up period"). The delaying tactics often used as an excellent method of killing very weak unions by employers who are determined to remain monarchs of all their survey can be used against really strong unions to postpone any decision till mid-winter or till a slack season when the unions' bargaining power is severely reduced.

And on the whole, Conciliation Boards are bad for the unions. But, what about the employers? What about the public? The employer particularly a small employer in a competitive industry, may be driven nearly crazy by months of uncertainty whether his plant is going to operate at all, and if so, at what level of labour costs.

But the public is more important than labour or employers, and Conciliation Boards may stop strikes, but do they? . . . they may postpone them, but only at the cost of making them worse when they do come and they may not even postpone them. Wildcat strikes mean disrespect for the law. Is this sort of thing in the public interest?"

Besides all these arguments against Conciliation Boards, the editorial underlines at the end new ideas, which constitute a weighty case against them: "They promote irresponsibility in both parties, and so undermine collective bargaining and they tend to put the settlement of disputes in the hands of those who know least about the industries concerned.

What often happens now when the parties start negotiations is something like this: no need to pay any attention to the realities of the situation. "The higher we start, the higher we'll end; the sky's the limit. Meanwhile, we'll have shown our members (or directors) just what tough, militant negotiators we are; and if the settlement seems an awful come-down, we can blame it all on the Board. How much pleasanter than starting in with something reasonably near practical and really negotiating and then having to shoulder all the blame for any result our people don't like".

So each side goes in and slaps down on the table a whacking list of demands. Each side says "No" to the other's proposals, dramatically, even flamboyantly; each set of negotiators proclaims to its constituents, and perhaps to the public as well, its determination to resist to the last breath the outrageous demands of the other, and to insist on its own unassailably just, reasonable and moderate proposals.

Then the Minister sends in the Conciliation Officer. No result. Then he appoints a Board, in most cases, the two Boardmembers and the chairman necessarily know much less about the industry than the parties themselves. They may recommend things which are utterly impracticable; and then the parties must get

(1) Canada's National Quarterly published by the Institute of Public Affairs, Dalhousie University, Halifax, Canada.

together and try to work out something that is practicable, in an atmosphere which has been poisoned by the preposterous nonsense they have been talking at each other for months.

The editorial concludes in this way: This kind of thing is becoming increasingly common. It is not healthy. It does nobody anygood. It is positively dangerous at a time when one of the most imperative needs is that everyone should understand as fully as possible just what are the limits within each bargaining can take place without disastrous effects on society as a whole. When responsibility, reason, tolerance and understanding are essential if western democratic society is to survive, let alone advance, the Conciliation Board puts a premium on irresponsibility, unreason, intolerance and ignorance.

What is the alternative? To let the parties slug it out, without public intervention of any kind? No, to provide a large enough body of expert, full-time Conciliation Officers, and leave the rest to straight collective bargaining, strikes and all, with only such further "ad hoc" intervention by public authority as the national health and safety may demand, it may sound risky, but it isn't, it will encourage both parties to act like grown-up men, instead of spoiled children. In the long run, that will mean fewer strikes, better industrial relations, and a more genuinely democratic society.

SOCIAL DOCUMENTS

CREDIT

The following text is an English translation by the National Catholic Welfare Conference of the discourse given in the French language by His Holiness Pope Pius XII on October 24, 1951, to delegates from 46 nations attending the International Congress on Credit Questions. In his discourse, the Pontiff discussed the moral and social importance of credit and encouraged its fruitful extension.

Your conduct of which we are well aware, Gentlemen, is a convincing proof of the lofty conception you have of your profession and your role. Above intelligent handling of funds, above even the mere financial interest of your banks and their clients, you place moral and social utility. You mark the border or, to be more exact, the crossroads where capital, imagination, and labor encounter each other.

When those who fish in troubled waters stress and exaggerate opposition, (between capital, imagination and labor) your task consists in putting them in touch with one another, in making them useful one to the other. Especially in what concerns credit, the chief object of your International Congress, you are councillors more than executives or agents of banking operations.

PROPER USE OF FUNDS

How much capital is lost through waste and luxury through selfish and dull enjoyment, or accumulates and lies dormant without being turned to profit! There will always be egoists and selfseekers; there will always be misers and those who are short-sightedly timid. Their number could be considerably reduced if one could interest those who have money in using their funds wisely and profitably, be they great or small. It is largely due to this lack of interest that money lies dormant. You can remedy this to a great extent by making ordinary depositors collaborators, either as bond or share-holders, in undertakings whose launching and thriving would be of great benefit to the community, such as industrial activities, agricultural production, public works, or the construction of houses for workers, educational or cultural institutions, welfare or social service.