Defending Democracy

On 7 May 1945, James Whitebone prepared a radio broadcast to celebrate the victory of the Allied forces in Europe. In his talk he recalled his tour of the battlefields and his conversations with New Brunswick soldiers there. When they told him about their hopes for life in Canada after the war, said Whitebone, “their chief desire was to get an unpleasant job finished and get back home as quickly as possible. They had confidence that the people back home would not fail them.” In this moment of triumph at the end of the war, Whitebone reminded fellow citizens of the challenges ahead: “We are all thankful and happy that at long last complete victory has been achieved by our forces over a bestial and ruthless enemy and we have every right to celebrate that victory; but we must not forget there is still a tremendous job to be done.” ¹
More than five years earlier, in January 1940, delegates had assembled at the Brunswick Hotel in Moncton for the first convention of the Federation of Labour since the declaration of war. There were 79 accredited delegates from nine centres in attendance, a larger number than in any year since 1921, with the exception of the 91 delegates in 1939.² At this meeting the Federation pledged full support for the war effort. Their resolution stated that union members had a big stake in the outcome: “This war is being waged against the tyranny of dictatorship and in defence of those democratic principles of life so dear to the members of Organized Labor.” In his address to the delegates, Whitebone warned that workers must protect their interests during the war and in the peace to follow: “It is no secret that the wage-earner is the one called upon to make the greatest sacrifice and bear the heaviest burdens in any war, not only during the actual days of conflict but throughout the inevitable period of depression after hostilities have ceased.”³

For the duration of the war, the Federation supported a policy of “economic peace” with employers and governments. As Whitebone repeatedly pointed out, labour was offering “full cooperation with our Government in the crushing of the Axis tyranny that is menacing our country.” Union members were enlisting in the services in large numbers and contributing generously to Victory Loans, and Whitebone pledged that the Federation would be making no “unreasonable requests” in wartime. In Whitebone’s view, the unions should be a source of stability in the wartime economy, promoting cooperation and improving efficiency, even functioning as “a medium to prevent radical and ill-advised outbreaks.”⁴

At the same time, he also warned that “we must be on guard that our readiness to lend fullest cooperation is not exploited.” “Undue profiteering” had to be controlled, and governments should be expected to enforce labour standards and protect the rights of workers. At Bathurst, in October 1941, Whitebone congratulated northern workers on overcoming the “active antagonism of the lumber barons” and establishing “the splendid labor organizations here represented.” He also praised the province’s Fair Wage Board for exposing conditions in canning factories, where, he said, “women
are paid as low as eight cents an hour and grown men fifteen cents an hour by unscrupulous and greedy employers.” And with many new workers taking jobs in wartime industry, Whitebone called for an Apprenticeship Act — in order to avoid flooding the labour market with “an army of half-trained mechanics constituting a menace to labour standards and bringing chaos to industrial and economic conditions.” As an example of progress in the right direction, union leaders welcomed the implementation of the federal government’s Unemployment Insurance Act in 1941 — even though it had been such a long time in the making and arrived too late to address the unemployment of the Great Depression.⁵

Meanwhile, the cornerstone of provincial labour law, the Labour and Industrial Relations Act, remained far from satisfactory. At their convention in Edmundston in October 1940, the Federation called for an extensive review, and a similar resolution at Bathurst a year later called for amendments to enforce union recognition and collective bargaining and to extend union rights to public employees. By 1942, in Campbellton, Whitebone was protesting the failure of governments to consult with labour leaders about wartime policy. His objections were even stronger a year later at Milltown in 1943, where he stated that the government was creating “confusion and distrust” among workers: “In spite of Labor’s splendid record during the war years and the fulfillment of every pledge of all-out support in the prosecution of the war, it is regrettable that we are still being shackled and discouraged.” The delegates called for the adoption of a federal labour code providing uniform rights and standards for workers across the country.⁶

Such protests were not unique to New Brunswick. Wartime labour policy in Canada amounted to a patchwork of orders-in-council regulating the labour market, imposing wage controls, and prohibiting strikes — but still failing to deliver the right to union recognition and collective bargaining. Across Canada in 1943 there was more labour unrest than in any year of the war to date, causing a loss of more than one million working days. In New Brunswick, twenty-three strikes were reported in 1943, though they
were short-lived and the impact was estimated at only five thousand working
days. In early 1944, the federal government finally responded to the unrest
by introducing PC1003, an order-in-council requiring that union recogni-
tion and collective bargaining be accepted in workplaces where a majority
of workers voted for a union. It was only a temporary wartime order, but it
applied to most of the Canadian economy. In New Brunswick the provisions
were administered by officials in the Department of Health and Labour.
At the 1944 convention, Whitebone noted that New Brunswick was the
first province to adopt enabling legislation and that unions were already
securing good results. In the first year PC1003 was in effect, twelve certifi-
cation orders were issued in the province, including one that finally secured
recognition for the United Mine Workers; another 117 locals were certified
between 1945 and 1947.

“A Blue-Print of Peace”

Postwar reconstruction was also on the Federation agenda throughout the
war. As early as 1941, delegates adopted a resolution calling for “a blue-print
of peace” for New Brunswick — just as Britain in the midst of the Blitz was
already preparing plans “to build a greater and better Britain in the post war
period.” The language underlined the new expectations that were arising
from the experience of the Depression and the war: “No hit or miss method
is good enough for this Province as it should be able to give its boys who
are bearing the brunt of war a chance to settle down and the opportunity
of making a decent living in a Province fit for heroes to live in.” In 1942
the Federation adopted a Reconstruction Report that called for an enor-
mous expansion of public spending at the end of the war. The purpose was
to develop the province’s resources and to provide a better quality of life for
citizens, especially by improving municipal services, opening parks, clearing
slums, building municipal housing, and assisting workers in home owner-
ship. Additional resolutions called for the eight-hour day, a minimum wage
for all women workers, free schoolbooks for students to the end of Grade
8, and the prohibition of full-time work for children under the age of sixteen. By the summer of 1943, the province had appointed a Committee on Reconstruction, and the Federation submitted a brief that asked the central question on behalf of all New Brunswick workers: “Are we going to return to prewar conditions with all its privations and want amidst plenty?” The answer, said the Federation, was that the province needed “a complete new conception of social security, wherein everybody willing to work will be guaranteed a decent living.”

There was some evidence that the ever-cautious Liberal premier, J. B. McNair, was listening to labour’s concerns. In September 1943 he assured delegates at the Federation convention that times were changing: “The whole trend of the times is for greater control of social and economic activities by the people themselves through their representative institutions. Call the movement socialism, socialization or social planning, whatever you will, certainly the system is on the march.” That year the province finally proclaimed the Mothers’ Allowance Act, originally enacted in 1930, and in 1944 a new Apprenticeship Act was approved and the Workmen’s Compensation Act was amended in order to bring both programmes up to national standards.

The changing political climate in the province was also notable in the growing interest in the Co-operative Commonwealth Federation, which the Federation of Labour had originally helped organize in the province in 1933. There had been several breakthroughs in neighbouring Nova Scotia, where coal miner Clarie Gillis was elected to Parliament in 1940 and three CCF members were returned to the provincial legislature in 1941. By the last years of the war, CCF fortunes were on the rise across the country too, and in June 1944 Saskatchewan voters elected the country’s first CCF government, led by the former MP and Baptist minister Tommy Douglas. By the time of the New Brunswick provincial election a few weeks later in August 1944, there were dozens of CCF clubs across the province. Instead of the single candidate who stood for office in 1939, the CCF nominated 41 candidates, only a little short of a full slate of 48. The party platform, promoted by publications such as

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Maritime Commonwealth but rarely reported in the daily press, appealed for labour support, calling for legislation giving workers the right to unions of their own choice and for the representation of labour, farmers, and fishermen on all provincial boards. The party supported higher old age pensions and a federal system of free medical, hospital, dental, and nursing services. The “People’s Party,” as the CCF advertised itself, also called for “full development of provincial resources under public ownership for the benefit of the people of New Brunswick.”15
Among the CCF candidates in 1944 there was a notable union presence. The most prominent was the Federation’s first vice-president, Roy Myles, a machinist from Local 594 in Moncton, who was one of the CCF candidates in Westmorland. The party leader, J. A. Mugridge, was a member of Local 502 of the International Brotherhood of Electrical Workers in Saint John. The CCF candidates also included J. D. Williams of the carpenters’ union in Saint John, Moncton machinist Laurie K. MacNintch, Minto coal miner Frank Vandenbore, Atholville papermaker G. W. Yorston, and Edmundston locomotive engineer Daniel Laboissonnière. When the results were counted, the CCF had won 68,248 votes — more than 13 percent of the provincial total. In Moncton and Saint John the party received 25 percent of the vote. The biggest success was in the predominantly Acadian county of Madawaska in the northwest, where the railwayman Laboissonnière and his running mate Harry Marmen, an electrical engineer employed by the town of Edmundston, received more than 32 percent of the vote; indeed, the working-class vote in Edmundston, one of the new union strongholds in the north of the province, supported the CCF so strongly that they won majorities in five of the town’s ten polls. No CCF candidates were elected, however, and the 1944 results proved to be the high tide in the party’s history.16

In the wake of the election, the McNair government renewed its attention to labour matters. A separate Department of Labour had been approved earlier in the year, and the premier himself served as the initial minister. Soon after the election, McNair assigned the portfolio to a card-carrying union member. The Liberal MLA for Restigouche since 1939, Samuel Mooers had worked for Canadian National as a railway machinist in Campbellton and had served as a union officer. He was a member of the International Association of Machinists for more than thirty years and, he had boasted to delegates at the Campbellton convention in 1942, was “still working with the tools.”17 At the spring session of the legislature in 1945, the most important decision on labour matters was the adoption of a new Labour Relations Act. This law continued most of the wartime provisions of PC 1003 and established a New Brunswick Labour Relations Board to administer the recognition of unions
and the conduct of collective bargaining in the future.\textsuperscript{18} The new law was expected to ensure an orderly transition to provincial authority when wartime controls ended, and union leaders hoped it would at last repair the omissions and inadequacies of the 1938 laws.

During the later years of the war, delegates to the Federation meetings were encouraged by reports of increases in membership and affiliation. Whitebone had correctly predicted that membership would be rising during the war: “Every worker needs the union and will need it more than ever in the critical times following the war.”\textsuperscript{19} Union membership in the province increased from 13,936 in 1939 to 18,659 in 1946, and the Federation’s affiliated membership almost doubled from 5,500 members in 1939 to 10,477 in 1946. Whitebone pointed to the strong representation of workers from unions in the pulp and paper mills in Edmundston, Atholville, Dalhousie, and Bathurst and from the textile mills in Moncton and Milltown. And in Fredericton in 1944, he welcomed Merelda Bourque and Lily Boudreau, both from the United Textile Workers of Canada in Moncton, the first women delegates to attend the convention since 1922. The presence of women delegates, however, did not become permanent until 1951, when women from a local of the Laundry Workers International Union attended, joined in 1952 by women telephone operators from Saint John who belonged to a local of the IBEW.\textsuperscript{20} In 1946 Whitebone also noted that returned veterans were joining the union movement in large numbers, and he commended the unions that had kept members on the books in good standing while they served in the war.\textsuperscript{21}

\textit{Industrial Unionism}

For the Federation, there was also a challenge in the rising support for unions. Much of the growth was due to the expansion of new industrial unions not associated with the Federation. The final break between the Trades and Labour Congress and the Congress of Industrial Organizations in 1939 left some older unions, including the United Mine Workers, no longer eligible for membership in the Federation; they now belonged to a new body, established
in 1940 as the Canadian Congress of Labour. The CCL’s provincial branch, the New Brunswick Council of Labour, originally created by the All-Canadian Congress of Labour in 1935, was again active, and as a result there were now two rival labour centrals seeking to speak for the workers in the province. In 1947, for instance, the Federation reported that two large textile union locals had been lost to the rival federation and its Textile Workers Union of America, which caused a small net loss in Federation membership for the first time since the 1930s.22

The new industrial unions were led by dedicated and aggressive organizers who wanted to expand the union movement as never before. One of the leading figures was Angus MacLeod, who would later be a president of the Federation itself. Born in 1899, and only a few years younger than Whitebone, he had grown up within sight and sound of the Sydney steel plant in industrial Cape Breton in Nova Scotia. Unlike many working-class youth of his generation, MacLeod received a relatively good formal education and graduated from Sydney Academy. He started work at the Sydney Foundry at sixteen years of age, where he learned his trade as a machinist and joined the International Association of Machinists. In 1921 MacLeod came to Saint John, where he worked as a machinist and mill operator at several industrial establishments, including the Saint John dry dock. By the 1930s, MacLeod was emerging as a local leader in Saint John who was never at a loss for a few salty words to defend fellow workers, on one occasion leading a delegation of unemployed workers to City Hall even though his employer threatened him with dismissal. During the war years, when the Saint John waterfront was busy with ship repairs and plans for vessel construction, MacLeod helped to build

ANGUS MACLEOD A pioneer of industrial unionism in Saint John in the 1930s and 1940s, MacLeod (1899–1980) was a founder of the Maritime Marine Workers Federation: “Organized Labor refuses to believe that after this war we are going to be faced with the same conditions which existed before the war.” Source: Courtesy of Judith Glover.

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up the Industrial Union of Marine and Shipbuilding Workers of Canada. This union, committed to the principle “One Industry — One Union,” represented hundreds of workers of different skills and trades in the Saint John shipyards.23

As the war came to a close, MacLeod articulated workers’ expectations for the future at least as well as Whitebone: “Organized Labor refuses to believe that after this war we are going to be faced with the same conditions which existed before the war. We know that if the vast energies now used to wage war is [sic] utilized in the post-war period in the building of a permanent peace and in providing everyone with a decent standard of living, nothing will be impossible.”24 In March 1945 the union helped to found the Maritime Marine Workers Federation, which represented shipyard workers in both New Brunswick and Nova Scotia. Under the leadership of individuals such as J.K. Bell, who left Saint John for Halifax to become secretary-treasurer of this regional union, the Marine Workers became known for taking strong stands on issues such as the preservation of a Canadian merchant marine at the end of the war. MacLeod himself became president of the Marine Workers Federation later in 1945, and president of the New Brunswick Council of Labour when it was reorganized in 1946. As a regional representative for the CCL for the next several years, MacLeod was an enthusiastic organizer, issuing charters throughout the province to new groups of workers neglected by existing unions.25

As unions turned their attention to preserving wartime gains and shaping the peace, the wave of strikes across Canada in 1946 and 1947 reached levels not seen since the end of the First World War. In New Brunswick, however, the unrest was more limited than elsewhere. The province accounted for only 11,000 of the 4.5 million strike-days in Canada in 1946 and 73,000 of the 2.4 million strike-days in 1947.26 There were local strikes of carpenters in Saint John and St. Stephen and truck drivers and freighthandlers on the Miramichi, but the two largest disputes involved New Brunswick workers in interprovincial campaigns. From February to June 1947, the 600 miners-workers at Minto and Chipman, as members of District 26 of the United Mine Workers, took part in a strike that included coal miners in both New
Brunswick and Nova Scotia. Although the union officers originally hoped to receive the same $1 a day increase that Dominion Steel and Coal agreed to in Nova Scotia, the New Brunswick miners were satisfied to accept a 75-cent increase from the local operators.27 Later in 1947, some 150 employees of the Swift Canadian plant in Moncton participated in a strike by the United Packinghouse Workers of America that involved more than 14,000 workers across the country. The Moncton plant was one of the first to go out at the end of August, in a conflict that lasted until late October. This proved to be a successful example of industry-wide bargaining. The settlement established union security in the industry and reduced the working week to forty-four hours; it also achieved an increase of 10 cents an hour in wages, with some plants, including Moncton, receiving an additional 3 cents an hour.28

Workers in smaller establishments also fought hard for their gains. The fifty-two workers at the Chestnut Canoe factory in Fredericton, for instance, had a particularly difficult round of conflicts. When they formed a union local in April 1946, their main goals were to achieve pay for public holidays and one week’s vacation. Once they had followed the procedures for certification, they ran into resistance from the employer. In February 1947, conciliation officer Charles Hughes gave his opinion that “the employers have no intention of ever reaching an agreement and are unwilling to compromise on even the smallest matters.” By April the workers had nonetheless won an increase of 10 cents an hour, but the following year they were out on strike from May to August to win another raise. That summer, company president Maggie Jean Chestnut repeatedly attempted to ship canoes from the strikebound factory on York Street, and police were called out to assist. Meanwhile, in a demonstration of local solidarity, union workers from the Marysville cotton mill turned out in force to help block the gate. One local resident recalled a protest march in which strikers marched through town and burned an effigy in front of the Chestnut home on Waterloo Row. By July, organizer Angus MacLeod was calling on Premier McNair to intervene personally in the dispute, and in the end, after ninety-four days on strike, the workers received 8 cents an hour — the same amount recommended by a conciliation board prior to the strike.29
Industrial Legality

The new labour relations system at the end of the war, sometimes referred to as the “postwar compromise” between workers and employers, had definite limits. From the point of view of the provincial Department of Labour, employers and unions had to learn to work within the provisions of the Labour Relations Act, which came into effect in May 1947. It required them to “negotiate in good faith with one another and make every reasonable effort to conclude a collective agreement.” This was not always easy to achieve. As the conciliator in one case noted, the employer stated flatly that “he would sign no agreement” and that “while he was paying the wage bills, he would have the final say on what they were to be . . . if this was not satisfactory to his employees, they could go elsewhere.” For their part, unions also faced restrictions: even after they applied for certification and held government-supervised votes to achieve recognition, there were no guarantees of reaching a successful collective agreement. If they wanted to pursue strike action, unions were required to proceed through a long conciliation process before they were in a “legal” position to go on strike; otherwise, union officers faced penalties under the act. Nonetheless, the compromises embedded in the new labour laws were taking hold and gaining acceptance. A study in the 1950s noted that from 1947 to 1951, 17 of the 25 strikes that took place under provincial jurisdiction were illegal; but from 1952 to 1956 there were fewer strikes, and only 3 of the 12 strikes were considered illegal.

The Federation also found the new system less comprehensive than they had hoped. When the Labour Relations Act was in preparation in February 1945, Whitebone heatedly objected to the most significant omission — the definition of “employer” excluded provincial and municipal governments as well as the agencies, boards, and commissions they appointed. As a result, public employees would not be entitled to the same rights as other workers. In 1946 Whitebone used some of his strongest language to attack the “ridiculous and stupid policy” of excluding public employees: “It is difficult to understand why the Provincial Government persists in refusing to recognize and bargain with legitimate Unions of its own employees while enacting and attempting to
enforce laws which required private employers to do so.”\textsuperscript{34} In 1948 the Federation’s presentation to the cabinet went so far as to point out that there was good precedent for the “Crown” to be considered an “employer,” as even His Majesty the King had “signed an agreement with employees of Buckingham Palace and Windsor Castle.”\textsuperscript{35} Resolutions objecting to the inferior status of public employees were adopted repeatedly at Federation conventions.\textsuperscript{36}

There were additional exclusions when the provincial law was amended in 1949, although at the time these were not considered alarming to organized labour: the definition of “employees” excluded workers in domestic service, agriculture, hunting, or trapping, as well as managers or superintendents and members of the medical, dental, architectural, engineering, or legal professions.\textsuperscript{37} Meanwhile, as one student of this period has explained, the achievement of “industrial legality” in postwar labour relations was accompanied by a shift to a form of “low-intensity conflict” in which workers’ rights were subject to a variety of ad hoc designations, rulings, and judgments.\textsuperscript{38} In one case in 1947, a Saint John company argued that 30 of their 60 office employees were engaged in “confidential” duties and should be excluded from the bargaining unit represented by Local 207 of the Office Employees International Union, which 51 of the workers had already joined; in situations such as this, Federation Secretary-Treasurer George Melvin noted, “the real desire of the company” was “to reduce the unit to a non-effective organization.”\textsuperscript{39}

Soon the Supreme Court of New Brunswick was also making decisions related to the new laws. When workers at the Gorton-Pew fish plant in Caraquet joined a union, they were among the first to fall victim to such rulings. In 1951, after a long set of manoeuvres about the definition of bargaining units and an attempt by the company to establish a company union, the Labour Relations Board finally certified Local 4 of the Canadian Fish Handlers Union to represent workers who had voted by a margin of 169 to 30 in favour of the union. However, a year later the court accepted an appeal by the company and reversed the certification on a number of procedural grounds, thus depriving the workers of the right to be represented by the union of their choice.\textsuperscript{40} Another controversial decision applied to the members of the police force in
Fredericton, who had been represented since 1953 by the Fredericton Police-
men’s Federal Protective Association and had signed two collective agreements
with the city after their certification by the board; during the bargaining pro-
cess in 1955, however, the city appealed to the Supreme Court, which came
to the conclusion that members of the police force in Fredericton could not
be considered “employees” within the meaning of the act. As a result, their
certification was also revoked.41

Judges were also prepared to issue court orders to assist employers who
wanted to use replacement workers and break unions during strikes. One
notable example arose from a picket-line confrontation in east Saint John,
where one of the new industrial unions, Local 15 of the United Oil Workers,
was seeking to negotiate a first collective agreement for some forty-five workers
at the Irving Oil distribution plant. The workers had voted for the union in
January 1948, and the union was duly certified in February; but by April
there was still no contract, and after a conciliation board had proposed a
draft agreement in September without success, the workers went on strike in
November. On the second day of the strike, the workers were holding the line
and blocking access in and out of the plant. When one truck driver refused
to drive through the picket line, the employer himself took the wheel and
ploughed through the line. While the rest of the strikers scrambled for safety,
he was followed by two more vehicles that hit several pickets. According to
one Department of Labour official, the employer in question, K. C. Irving,
received a warning from the RCMP not to engage in reckless driving in the
future. Two days after the incident, company solicitors obtained a court
injunction that declared the picketing illegal and prohibited workers from
continuing to obstruct operations at the plant. The strike ended in defeat
soon afterwards.42

The new system of industrial legality was put to its most dramatic test
on the waterfront in Saint John. At the centre of the story was the Canadian
Seamen’s Union, which had been organizing sailors since 1936 and was affili-
ated to the Trades and Labour Congress of Canada and in due course the
New Brunswick Federation of Labour. The CSU came of age during the war,
when hundreds of members served in the dangerous North Atlantic waters on merchant vessels that crossed the ocean in convoys to supply the Allied effort. With more than 1,100 sailors lost at sea, they were often described as Canada’s “fourth fighting force” for their contributions to the war effort. The CSU was considered to be one of the more militant unions of the day, bringing in reforms such as the eight-hour watch and the union hiring hall; they were also notable for accepting black members in their ranks, demanding better foods, and challenging the petty tyrannies of shipboard officers. At the end of the war their union continued to bargain hard for the sailors. The CSU’s militancy did not sit well with the shipping companies, who invited the American-based gangster-ridden Seafarers’ International Union to enter Canada and sign “sweetheart” contracts.43

For the Federation of Labour, as for its parent body the TLC, this was a case of an outside union “raiding” a legitimate affiliate. In 1947 the Federation endorsed a resolution against admitting the SIU, and the following year a resolution offered financial and moral support to the CSU. The situation was complicated by the claim that many of the CSU leaders were Communists, and in 1948 even the conservative Whitebone felt obliged to defend himself (“I am not a communist and never have been”) and to state that “if there are communists in our Labor Movement in New Brunswick as represented by this Federation, I do not know it.”44 Another complication was the desire of many shippers to transfer ownership of the fleet to offshore registries, effectively avoiding Canadian unions and labour standards and threatening the survival of a Canadian-owned merchant marine — a strategy fiercely opposed by the CSU and allies such as the Marine Workers Federation.

All this came to a head early in 1949, when the union’s attempts to negotiate a new contract were fatally stalled, and the shipowners started signing agreements with the SIU and forcibly replacing existing union crews. The CSU members retaliated by adopting a form of direct action — refusing to abandon their ships and “sitting-in” on vessels as they tied up in ports around the world. In April 1949 there were 3,000 men on strike on 90 ships around the world — one New Brunswicker has recalled that he was

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in Capetown, South Africa, when the strike started — on what has been described as the world’s longest picket line. The three ships that were tied up in Saint John during the strike were the Ottawa Valley, Federal Trader, and Cotterill, which had just arrived from ports such as Jamaica and South Africa with about 100 union men on board. The Saint John Trades and Labour Council pledged “all out support” for the CSU, as did Local 273 of the International Longshoremen’s Association, led by Vice-President Frank Crilley and President William Carlin, who declared: “Cross a legal picket line? Never!” For more than a month the longshoremen respected the sailors’ picket line and refused to unload the strikebound ships. The tide turned when large gangs of strikebreakers were delivered to the docks by
train, boat, and seaplane, and it took scores of outside police to fight their way onto the ships with baseball bats and pickhandles in order to expel the union members and replace them with scabs. Meanwhile, the ILA international headquarters had ordered the longshoremen to return to work and supported the election of new officers.\textsuperscript{45}

This was an extraordinary outcome in which, contrary to the provisions of the new labour laws, unionized workers lost their right to be represented by an established union of their own choice. Few CSU members ever worked on the boats again, and the episode is remembered as one of the most shameful betrayals of union workers in Canadian history. At the 1949 meetings, Whitebone reported that the Federation’s support for the CSU had been “rescinded” since the previous convention and that the Trades and Labour Congress had suspended the union. The Federation lost some 500 members as a result. It had been a “difficult period,” Whitebone explained, but he argued that the fault was with the CSU, who stood accused of unlawful and violent tactics and interfering with the obligations of other unions: “Leaders of this union created a situation most injurious to the Labour Movement.”\textsuperscript{46}

\textbf{Power and Politics}

There was a more promising conclusion to the test of industrial legality in the 1952 provincial election campaign. The issue arose prior to the election, when Premier McNair declared that the government-owned New Brunswick Electric Power Commission would not negotiate an agreement with some four hundred employees who had joined the International Brotherhood of Electrical Workers. McNair insisted that public servants were not entitled to union rights under the law: “If the laws of New Brunswick are to be changed to permit the public servants of this province to join with an international union, and go out on strike when ordered, it must be done under a government representing some other political party.” Although the workers might join an independent association, he stated, they were not entitled to the protections of the Labour Relations Act, and if any workers went on strike, they...
would be considered to have given up their employment. McNair warned that he was prepared to call an election on the issue: “The election will be the first in Canada with recognition of a government employees’ union as a major issue. The nearest similarity occurred in 1937 when Mitchell Hepburn opposed entry of the C.I.O. into Ontario.” Meanwhile, the IBEW members voted not to pursue strike plans immediately but to wait for the election, which McNair announced almost at once. As the reference to Hepburn’s 1937 showdown with the automobile workers implies, McNair’s reading of “liberalism” was now at odds with his earlier support for labour legislation in 1938. McNair now argued that the claim to bargaining rights for public employees was a challenge to the democratic way of life as he understood it: “In my view, no issue of such importance has arisen since the days when our forefathers fought for and won the right to responsible and representative government. It is a cardinal feature of Liberalism that the authority and power of the State — meaning the people — should be used to promote the common welfare.”

On such a fundamental issue, a full-scale confrontation with the government was unavoidable. Unlike the Oil Workers (who belonged to the rival New Brunswick Council of Labour) or the Canadian Seamen’s Union (who had been judged by the labour establishment to be less than respectable), the IBEW was one of the most successful and influential unions of skilled workers in North America. Although only Saskatchewan had fully accepted the unionization of public employees, unions were a fact of life at power commissions in most Canadian provinces. By the time of the Federation meetings in Fredericton in September, the election campaign was in full swing, and the government was accusing the unions of working hand in glove with the Progressive Conservatives. There was some truth in this, as one of the IBEW leaders stated in July that the threat of a strike would be postponed “at the sincere request” of Hugh John Flemming, which enabled the Opposition leader to present himself as a moderating influence in labour relations. Moreover, a leader of the bricklayers’ union was one of the party’s candidates in Saint John and was said to be slated to become minister of labour in a new government.
In addressing delegates at the 1952 convention, Whitebone stated that the government’s refusal to recognize the IBEW was “a form of dictatorship as to what organization labor may belong to.” He urged members to take this issue into account in the provincial elections the following week and to remember an old principle often applied by the American Federation of Labor: “Elect your friends and defeat your enemies.” Meanwhile, the Trades and Labour Congress of Canada, meeting in convention in Winnipeg, had also condemned the McNair government for “its red herring tactics in having made union recognition an election issue” and for statements “to the effect that employees of his government would not be permitted to hold membership in any organization having affiliations outside the province.”

When the returns came in, the Liberals had elected only sixteen members, and the Progressive Conservatives, with thirty-six seats, formed the government. In this highly polarized contest, in which a labour question was one of the central issues, the twelve CCF candidates received little more than 1 percent of the vote. Within months after the election there was a collective agreement covering IBEW locals with members working for the Power Commission, signed and approved by the cabinet in February 1953. At the first session of the new legislature, the Labour Relations Act was amended to allow employees of government boards or commissions to be brought under the Act by order-in-council. The Progressive Conservative government later allowed municipalities and their boards to make similar provisions but failed to introduce recognition of union rights for all public employees.

The new government acknowledged its debt to the unions when they named a new minister of labour. As predicted, Premier Flemming gave the position to an experienced labour leader who was elected as an MLA from Saint John. Art Skaling was a longtime leader of Local 1, New Brunswick, of the Bricklayers, Masons and Plasterers International Union; he had also served as president of the Saint John Trades and Labour Council for many years and was a familiar figure at Federation meetings. Under Skaling’s administration, the new government also acted on several of the Federation’s other legislative demands. A Fair Wages and Hours Act, which applied to
standards on government contracts, was adopted in 1953. The next year, two new employment standards laws were enacted, again responding to concerns that the Federation had advanced. The Weekly Rest Period Act required that employees be given at least one day’s rest in seven, thus giving “the weekend” statutory recognition as an employment right; in addition, the Vacation Pay Act provided that employees were entitled to one week of paid vacation time per year. The province in 1956 also adopted a Fair Employment Practices Act to protect workers against discrimination on the basis of “race, national origin, colour or religion.” When the province’s Supreme Court ruled against the recognition of police officers as “employees,” the Federation secured an amendment to the Labour Relations Act in 1956 that confirmed the power of municipalities to act as “employers” with respect to the police.

In the years after the 1952 election, there was a new level of satisfaction in Whitebone’s speeches to the Federation. Minister Skaling’s continued attendance at the annual Federation meetings, and the equally frequent presence of federal Minister of Labour Milton Gregg (the former University of New Brunswick president who was the senior cabinet minister for New Brunswick), were indications that the voice of labour was being heard in government. In 1954, Whitebone reported “a very substantial increase in membership” and claimed that in proportion to population “New Brunswick is one of the most highly organized Provinces in Canada.” However, there was still work for the Federation to do. The Federation boasted 140 affiliated locals, but there were another 80 local unions eligible for affiliation that had not taken the step towards greater solidarity: “Some local officers appear to believe that membership in the Federation does not offer any benefits or advantages to their members and they cannot see any advantage in recommending affiliation to their membership. This line of reasoning is directly in opposition to the fundamentals of Trade Unionism. We are banded together for the common good, not for the benefit of a few, and if as some maintain, there is no direct benefit to an individual or a single local union, surely such individual or union would not be so selfish as to withhold support to those who may not be so fortunate themselves.”
The Federation leaders also addressed the challenges of protecting and promoting economic development in the province. There was support for mining development in the north and for new electric power developments. One common theme was the need to build a Chignecto Canal, a project much discussed in the history of the region, that would strengthen the regional economy by allowing ships to pass between the Bay of Fundy and Northumberland Strait. The St. Lawrence Seaway was expected to benefit Central Canada handsomely, and the Chignecto Canal was considered an equivalent project for the Maritime provinces.\(^5^9\) The most aggressive responses to regional underdevelopment came from the new industrial unions associated with the New Brunswick Council of Labour. From the end of the war onwards, the Marine Workers Federation called repeatedly for stabilization of the shipbuilding industry and protection of the Canadian merchant fleet, which they considered to be matters of local, regional, and national interest; they criticized employers for failing to seek new contracts for shipyard work at the end of war and called for a national policy for shipbuilding and shipping to build a new deep-sea Canadian fleet.\(^6^0\)

A notable struggle to protect local employment took place in Milltown, where Local 858, Textile Workers Union of America, led community opposition to the closure of the cotton mill, which was one of the largest mills in the country and had been at the centre of the local economy since the time of the National Policy in the 1880s. As the government removed tariff protection for the industry and the Canadian market faced new competition, companies such as Canadian Cottons were closing down mills all across eastern Canada. In Milltown, however, the union helped to undertake an innovative experiment in industrial democracy. With full support from the union, the Milltown Textile Cooperative took over production in 1954. Three years later, however, the mill was still in trouble. Without support from provincial or federal governments for such efforts in community-based economic development, the mill was finally forced to close.\(^6^1\)
House of Labour

Meanwhile, there were efforts to set aside rivalries in the house of labour in order to strengthen the union movement in Canada. A “no-raiding” pact was concluded between the TLC and CCL unions in 1954. This was a first step, said Whitebone, towards “one great Labor Centre” that would repair existing divisions. “It is not natural that rivalry should exist in Labor’s family,” he said, “and I am sure we would all be most happy to work together in complete unity in the common cause.” The Federation and the council also cooperated in calling on the province to support the federal government’s plan to cover hospital and diagnostic services for all citizens, an important stage in the establishment of medicare in Canada. Although the merger was approved at the TLC convention in June 1955, Whitebone still remained cautious at the time of the Federation meetings in September that year. He reported that amalgamation of the two labour centrals was well underway but that there was no need to be “stampeded into regrettable actions,” and he did not recommend any further action until the merger was completed at the national level.62

A year later, when delegates assembled in the ballroom of the Brunswick Hotel in Moncton at the end of August 1956, it was in many ways the end of the “old” Federation of Labour originally chartered by the TLC in 1914. On the first day, the only living past president of the Federation, Céline Melanson, was briefly introduced (and mistakenly referred to as the first president of the Federation); he received “an enthusiastic welcome” from the delegates — but for all but a few he was a relatively unfamiliar figure from the past.63

The delegates in attendance at this forty-fourth convention in 1956 seemed to represent a new level of maturity for the Federation. There were 179 accredited delegates from 20 different locations in attendance, and there were 83 locals represented, more than double the number in 1940.64 This was the first convention at which Moncton delegates outnumbered (by one) those from Saint John. Although 65 percent of the delegates came from the three largest cities, workers from the north were strongly represented, including 13
delegates from Dalhousie, 10 from Bathurst, and 7 from Edmundston. There were also a rising number of delegates from the public sector, who accounted for one in five delegates, an early hint of their future importance in the Federation. Most of them were from the TLC’s directly chartered federal labour unions, an organizational form used to organize “new” workers in situations where there were no existing affiliates for them to join. The public sector representatives came from all three levels of government: they included 21 delegates from the province’s Department of Public Works and 9 delegates from municipal employees (and 4 from the Policemen’s Protective Association in Saint John) as well as 3 delegates from a storage depot operated by the Department of National Defence. There were also a larger number of Acadians, who accounted for a total of 30 delegates, most of them from northern communities. The most prominent was Rolland Blanchette, one of the leaders of the pulp and paper workers union at the Fraser mill in Edmundston. Although women had been present at the meetings every year since 1951, they remained significantly under-represented. They accounted for only five of the delegates (three from the telephone operators and two from the laundry workers), less than 3 percent of the total.

By the time of the August convention, changes were well underway in the world of organized labour in Canada. The TLC had entered the new Canadian Labour Congress at a founding convention in April that year (and Whitebone was elected one of the regional vice-presidents). However, Whitebone was careful to reassure delegates that the Federation was not going out of existence. There would be continuity, and the merger would simply heal a split “which never should have occurred in the first instance.” Now, Whitebone told delegates, “we may plan to go forward, in full united effort, in pursuit of the purposes to which we are dedicated, promotion of the welfare and protection of the interests of the working men and women of New Brunswick, of the Province as a whole and of the communities in which we live and work.”

Officers of the Federation and the council had already agreed that the combined organization would retain the name of the New Brunswick Federation...
of Labour. It was also agreed that there would be no promises of executive positions in the newly renovated NBFL; officers would be chosen by delegates to the first merged convention the next year. These considerations went some distance towards allaying any worries that the Federation was in danger of losing ground in the merger. In fact, there was little to fear from numbers. In response to a delegate’s question, Secretary-Treasurer Ralph Evans of the New Brunswick Council of Labour reported that their organization had an approximate membership of 4,000 people in 28 locals. This confirmed the fact that the Federation, with a membership of more than 15,000 at this time, was much larger than its rival.68

When New Brunswick Council of Labour President Angus MacLeod was invited to address the convention, his remarks were reassuring. He stated that the council had agreed to the merger without any special concessions and only the hope that “past differences will be forgotten and that the working people we represent will benefit from the merger.” Nonetheless, he made no apologies for the part they had played in provincial labour history: “We admit we are smaller and do not have the same history in this Province as your Federation, but I think our record stands up well with regard to efforts to better the conditions of

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**MR. LABOUR** James Whitebone was president of the Federation longer than any other individual. By the 1950s, he was known to many New Brunswickers as “Mr. Labour”: “He was a doer, not a shouter, although he could shout with the best of them if the circumstances demanded it.”

Source: Provincial Archives of New Brunswick, New Brunswick Federation of Labour fonds, MC1819, box 192.
workers. There is an old saying that it is not the size of the dog in the fight but the size of the fight in the dog that counts. I think our organization, though young in comparison to yours, has proven itself worthy.”

On this basis, delegate John Simonds of the Sugar Refinery Workers Union in Saint John presented a motion to approve the merger. Simonds was an interesting choice for the occasion. Delegates were aware that only a few months earlier, he had been walking a picket line in subzero temperatures along with seven hundred other workers at the huge industrial site on the south end of the harbour. His union, a direct charter local of the TLC affiliated to the Federation, had gone through several incarnations since the early days of the Atlantic Sugar refinery in the 1910s and then as an ACCL union in the 1930s. When negotiations for a contract broke down in August 1955, a conciliation board unanimously supported the union’s call for a 44-hour week and a union shop, and the workers went out on strike at the start of December. Carpenters and other construction workers refused to cross the line, and retailers worried about the supply of sugar from the region’s only refinery. This was an impressive demonstration of labour solidarity, but it was not enough to fully win the day. The workers went back with small raises in pay and reductions in hours, but the cause of union security (in this case a requirement that workers become union members after four months on the job) was not achieved. Clearly there were still battles to be won, but the support for the refinery workers was evidence that the “old” Federation, following the example of the Council of Labour, was prepared to take up the cause of industrial unionism.

The unity motion was adopted by a unanimous vote, and Whitebone invited the President of the new Canadian Labour Congress, Claude Jodoin, to address the convention. Welcoming the Federation into the CLC, Jodoin asserted (not entirely correctly) that the New Brunswick Federation was the oldest provincial federation of labour in existence in Canada. He paid tribute to the courage and perseverance of the founders of the union movement in Canada — as well as “younger” pioneers such as Whitebone. New Brunswickers could be proud of their place in Canadian labour history,
said Jodoin, including their part in achieving workmen’s compensation, unemployment insurance, and other social legislation: “Not so long ago in this country of ours, Organized Labour was considered in many spheres of our society as being just a plain conspiracy. All kinds of legislation that was suggested in those days was considered preposterous.” He also had a message of reconciliation for delegates, in which he appealed to the metaphor of the family: “If we have differences of opinion and differences of principal [sic] on certain matters, let us discuss our own problems in our own home, in one single house of Labour.” With more than one million union members, Jodoin declared, the Canadian Labour Congress would continue to “organize the unorganized” and fight for “full employment, and the highest possible standard of living.”

Although Whitebone would remain president of the Federation for several more terms, the humorous references to his “youth” in 1956 hinted that the Whitebone era was coming to a close. As Whitebone sometimes recalled, he had joined his first union in 1912 — a year before the Federation of Labour was organized. Much had happened since then, and an older generation of leaders was withdrawing from the scene. The loss of George Melvin, who had served as secretary-treasurer of the Federation almost without interruption from 1918 until his death in 1954, weighed heavily on Whitebone. He paid tribute to Melvin with words from the Bible — “well done thou good and faithful servant” — which were later inscribed on the memorial erected by the unions at Fern Hill cemetery in Saint John. Melvin and other pioneers were given a minute’s silent tribute at the 1956 convention.

At this time Whitebone was still looking ahead, certain that the Federation had need of his long experience and cautious leadership. At the closing session, he announced that the 1956 convention was “the finest convention we have ever held” and expressed his belief that “decisions arrived at here would have far-reaching effect on the working people of New Brunswick whom we were here representing.” Meanwhile, Henry Harm, a veteran unionist from the Dalhousie paper mill who was now the CLC’s director for
the Atlantic Region, predicted big increases in union membership in the years ahead: “In the Atlantic Provinces we are making great progress in organizing the unorganized. . . . With continuance of the support and assistance we have had from your Federation, and the co-operation of Federations in the other Maritime Provinces, we will set an example for the people in the rest of Canada.”
NEW FACES  There was a new level of confidence among delegates to the annual meetings in the years after the formation of the Canadian Labour Congress. The level of union membership more than doubled between the 1950s and the 1970s. The Federation represented a majority of union members in the province and was a force to deal with in provincial affairs. Source: Provincial Archives of New Brunswick, New Brunswick Federation of Labour fonds, mc1819, box 192.