

JAY WHITE

## Pulling Teeth: Striking for the Check-Off in the Halifax Shipyards, 1944\*

IN 1937 NOVA SCOTIA CREATED A legislative precedent in the field of Canadian labour relations. For the first time a provincial Trade Union Act gave organized workers the right to have union dues automatically deducted from their paycheques, a procedure known as the check-off.<sup>1</sup> Yet many employers continued actively to oppose principles of union security. In 1944, Halifax Shipyards Limited, a shipbuilding subsidiary of the Montreal-based Dominion Coal and Steel Company, challenged the legality of the check-off, triggering a month-long walkout of 3,000 workers at yards in Halifax and Dartmouth. During the strike, an embattled Local No. 1, Industrial Union of Marine and Shipbuilding Workers of Canada (Canadian Congress of Labour), overcame worker apathy and federal government indifference to win a Nova Scotia Supreme Court decision upholding its claim to the check-off. Until this landmark ruling in early 1945, union security in Nova Scotia as stipulated in the Trade Union Act remained a hollow promise.

Case studies of labour disputes from this period are surprisingly rare given the high frequency and vehemence of wartime strikes.<sup>2</sup> Although Laurel Sefton MacDowell's study of the 1941-2 Kirkland Lake gold miners' strike shows how utterly ruthless business and government could be in resisting union recognition, those affected at Kirkland Lake represented a small group of workers in one of the few economic sectors that actually curtailed its wartime operations.<sup>3</sup> Most

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- 1 Desmond Morton with Terry Copp, *Working People: An Illustrated History of the Canadian Labour Movement* (Ottawa, 1984), p. 162.
- 2 Jeremy Webber, "The Malaise of Compulsory Conciliation: Strike Prevention in Canada during World War II", in Bryan D. Palmer, ed., *The Character of Class Struggle: Essays in Canadian Working-Class History, 1850-1985* (Toronto, 1986) offers a useful (though selective) overview of several key wartime strikes.
- 3 Laurel Sefton MacDowell, '*Remember Kirkland Lake: The history and effects of the Kirkland Lake gold miners' strike, 1941-42*' (Toronto, 1983). See also Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During World War Two", *Labour/Le Travailleur*, 3 (1978), pp. 175-96. David Moulton's examination of the 1945 Ford Windsor

Canadian workers during the Second World War were engaged in manufacturing in war-related industries, and at the height of the boom, shipbuilding was Canada's largest manufacturing employer, with a labour force of over 75,000.<sup>4</sup> While the country was busy building arms, union organizations sought to shore up their constituencies after 20 years of decline. The imposition of wage controls in 1941 politicized the collective bargaining process, since unions were now caught between satisfying government regulations and serving their own interests.<sup>5</sup> Signing up new members became more difficult with the removal of wages from contract negotiations. Gradually, government legislation winnowed out other issues as well, subjecting most disputes to lengthy investigation by third-party boards in the hopes that the process would effect a solution by simply wearing the two sides down.<sup>6</sup> But the issue of union security did not lend itself to "compulsory compromise" because there was so little room for mediation: a demand for the closed shop might be reduced to maintenance of membership,<sup>7</sup> or the check-off provision made voluntary instead of mandatory, but the range of options was unusually narrow.

It seems anomalous that although both the right and left wings of organized labour were outwardly supportive of the war effort after 1941 and took a "no-strike" pledge, two years later there were more work stoppages in Canada than ever before. The labour unrest stemmed partly from dissatisfaction with government wartime legislation that, while declaring support for essential union objectives like recognition and security, offered little protection from corporate countermeasures. Canada had no equivalent to the Wagner Act until 1944 and, except for isolated pockets of prewar activity in the auto, steel and a few resource industries, widespread organizing drives across a broad spectrum of manufacturing enterprises took hold under a regime of reluctant state control.<sup>8</sup> Just when

strike in Irving Abella, ed. *On Strike: Six Key Labour Struggles in Canada* (Toronto, 1974) barely qualifies as a wartime dispute; it began on 12 September 1945. For a first-hand account of wartime labour troubles at Ford Windsor, see the interview with George Burt in Gloria Montero, *We Stood Together* (Toronto, 1979).

- 4 Douglas Cruikshank, "Dominion Wartime Labour Policy and the Politics of Unionism: The Experience of the Canadian Congress of Labour's Eastern Canadian Shipyards Unions, 1939-45", M.A. thesis, Dalhousie University, 1984, pp. 34-5.
- 5 *Ibid.*, p. 66.
- 6 See Webber, "Compulsory Conciliation", pp. 158-9.
- 7 A maintenance of membership clause usually stipulated that workers who belonged to the union when the contract was signed, or who later joined the union, must remain members for the life of the agreement. See Queen's University, Department of Industrial Relations, *Union Security Plans: Maintenance of Membership and the Check-off*, Studies in Industrial Relations Bulletin No. 10 (Kingston, 1945), p. 4.
- 8 The U.S. National Labour Relations (Wagner) Act (1935) protected unions from discrimination by employers and legitimized the collective bargaining process. See Morton, *Working People*,

## *Striking in the Halifax Shipyards 117*

industrial unionists needed some leeway to outmanoeuvre the obstructionist tactics of hostile employers, the government installed complicated guidelines aimed at defusing confrontations between capital and labour. The result was a period of intense frustration and dissension within the labour movement, since opinions differed sharply regarding the degree to which organized labour should abide by wartime labour policy. One of the most fractious organizations was the Canadian Congress of Labour, an unlikely amalgam of Communists, CIO unionists and old-fashioned CCFers.<sup>9</sup>

The CCL organized thousands of workers in wartime shipbuilding and aircraft production, and encouraged these new unions to seek security clauses in their contracts. Intent on including all production workers, industrial unions affiliated with the CCL faced stiff competition from craft unions, which had heretofore been predisposed towards exclusivity. Craft unions affiliated with the Trades and Labor Congress, the Canadian arm of the American Federation of Labour, were forced to compromise some of their principles in order to meet competition from the CCL, but they remained committed to preserving the unique identity of craft unions.<sup>10</sup> In the Halifax Shipyards, TLC unions challenged the dominant status of the IUMSWC by maintaining a tenacious foothold in a few skilled trades, notably machinists and welders. The TLC also enjoyed considerable success at the government-run Naval Dockyard next door. For a while, an uneasy truce prevailed between the IUMSWC, which held sole bargaining rights in the shipyards, and the AFL-TLC, but with fewer contracts and the end of the war in sight, Local No. 1 began to feel even more vulnerable as AFL organizers continued to hover in and around the yards.<sup>11</sup>

An even greater threat emerged from within the left wing of Maritime shipyard labour. Disillusionment with the CCL for failing to eliminate wage differentials between East and West Coast yards and to establish a national shipbuilding federation spawned a movement in mid-1943 to create an independent Maritime

pp. 153-4. See also J. Joseph Huthmacher, *Senator Robert F. Wagner and the Rise of Urban Liberalism* (New York, 1968), pp. 190-1, 232-3, 330. On pre-Second World War industrial unionism in Canada, see Bryan D. Palmer, *Working-Class Experience: The Rise and Reconstitution of Canadian Labour, 1800-1980* (Toronto, 1983), pp. 215-21.

- 9 Morton, *Working People*, pp. 202-12; MacDowell, 'Remember Kirkland Lake', pp. 9-11.
- 10 Two prominent examples were the International Association of Machinists and the International Brotherhood of Electrical Workers. *Ibid.*, p. 170.
- 11 See, for example, Pat Conroy to Gerald McIsaac, 21 July 1942, warning him about creating too much publicity with ongoing negotiations: "it is possible that the Company will try to invite some of these Craft Unions [Machinists and Boilermakers] into the yards for the purpose of splitting your membership", MG28 I 103, vol. 64, file 14, Canadian Labour Congress [CLC] papers, National Archives [NA]. In the same file, see also a report on the Halifax Shipyards submitted to Conroy by Elroy Robson, 7 December 1942 which discusses the unsuccessful attempt of the above unions to challenge the exclusive bargaining rights of the IUMSWC.

Marine Workers' Federation.<sup>12</sup> In Saint John, a renegade labour leader, J.K. Bell, spearheaded the ginger group by forming the Eastern Marine Workers Council.<sup>13</sup> At first, Local No. 1 rebuffed overtures from Bell's organization, stating that "we are fully cognizant of the present lack of unity in the Shipbuilding Industry in the Maritimes, but...[t]he confusion which exists...is the responsibility of others than ourselves".<sup>14</sup> However, as the end of the war loomed closer and faith in the CCL faded, support grew among many shipyard workers in Halifax — including the president of Local No. 1, James O'Connell — for leaving the CCL fold.<sup>15</sup>

The lone Congress organizer in Nova Scotia, H.A. "Pat" Shea, struggled to protect the CCL's flagship local from these circling sharks. For nearly two years Shea had lobbied for the check-off in the Halifax Shipyards without much success; by September 1943 he had ruled out the possibility that Local No. 1 could win the check-off on its own, believing that the "matter will have to be fought out in the Courts".<sup>16</sup> But a court case might take months to complete. When the workers in three out of four shipyards endorsed the check-off, Shea made plans for taking a strike vote. A series of wartime amendments to the Industrial Disputes Investigation Act (IDIA) added a long list of prerequisites before any legal strike could take place in an essential war industry.<sup>17</sup> This presented another difficulty: the timing of strike action lay beyond the control of Shea or the union. Through the winter and spring of 1943-4, the government methodically laid out the ground rules; meanwhile, skepticism grew within the IUMSWC executive, HSL management prepared for the long-expected walkout and, finally, shipping operations in Halifax sank into an off-season lull. Worse still, the CCL itself lost interest in the Halifax shipyards, believing that Local No. 1 was "merely using the Congress and the service of its representatives to get the check-off". CCL national secretary-treasurer Pat Conroy advised Shea to "spend more time in outside organization".<sup>18</sup> But the latter refused to abandon

12 On the MMWF, see "Interview with Donald MacDonald", MG28 I 269, vol. 1, file 6, pp. 49-51, University of New Brunswick School of Administration, NA. The assistance of Professor Gary Chaison of Clark University, Worcester, MA for facilitating access to the above is greatly appreciated.

13 See Conroy to Shea, 31 May 1944, Shea to Conroy, 3 June 1944, H.A. "Pat" Shea Correspondence, Pt. 2, and Conroy to Shea, 20 July 1944, Shea Correspondence, Pt. 1, MG28 I 103, vol. 163, CLC, NA.

14 Moir to Dobbin, 25 August 1943, MG28 I 103, vol. 64, file 11, CLC, NA.

15 See for example Shea to Conroy, 13 May 1944, MG28 I 103, vol. 163, CLC, NA.

16 Shea to Conroy, 11 September 1943, *ibid.*

17 See Webber, *Compulsory Conciliation*, pp. 141-3 for a brief summary of wartime IDIA enhancements.

18 Conroy to Shea, 16 May 1944, *ibid.*

hope, particularly after a Board of Conciliation recommended in April 1944 that the union claim to the check-off be granted.<sup>19</sup> Though the Board had no authority to order Halifax Shipyards Limited to change its policy, this public sanction naturally strengthened the union position. Now, Shea reasoned, if the union could be dragged into a showdown with HSL, and the federal government followed the direction of its own Board, perhaps there was some hope of victory. The strategy was based on two assumptions: that Ottawa would not tolerate a protracted shutdown of the largest shipbuilding and repair facility on the East Coast and that in a dispute between an arrogant, powerful corporation on one side and a recognized union backed by a government-appointed Board of Conciliation on the other, the latter would receive favourable consideration. Shea was wrong on both counts.

Of course, Pat Shea realized that forcing the government's hand entailed a certain amount of risk. State control of "national" industries during the Second World War often appeared to be acting less in a neutral capacity than in a collaborative role with business. Douglas Cruikshank and Greg Kealey have noted that the 1941-43 "strike wave", characterized by a high proportion of third-party settlements, also included "an unusually large number of workers' losses".<sup>20</sup> Many wartime labour unions simply did not have the rank and file cohesion or financial resources necessary to outlast stronger opponents. In addition, wartime regulations enervated traditional work patterns in heavy industry by means of "skill dilution"; complicated jobs were broken down into more simplified tasks, each with its own wage. The result was a segmented labour force divided by hierarchical pay scales. Occupational classifications for shipyard workers were truly byzantine. A wage schedule drawn up for a National War Labour Board hearing in May 1944 listed no less than 92 occupations; most of these in turn were divided into journeymen, apprentices, "mechanics", "helpers" and "improvers" — intermediary positions attainable after certain periods of employment.<sup>21</sup> Tradesmen, such as machinists, welders, electricians, and carpenters, tolerated skill dilution because jobs were abundant, and experienced workers continued to receive the highest wages.<sup>22</sup> On the shop floor, the

19 "IUMSW of C Local No. 1 and Halifax Shipyards re: Jurisdictional Dispute", Correspondence 1944-45, MG30 A 94, vol. 42, file 3123, J.L. Cohen papers, NA. Dr. Phyllis Clarke of Toronto kindly permitted access to the Cohen papers.

20 Douglas Cruikshank and Gregory S. Kealey, "Strikes in Canada, 1891-1950", *Labour/La Travail*, 20 (Fall 1987), p. 118.

21 National War Labour Board, "Application of Industrial Union of Marine and Shipbuilding Workers of Canada, Locals Nos. 1 and 13...for a general increase in wages", Proceedings of Public Hearing, Ottawa, 30 January 1947, RG36 Series 4, vol. 133, file 3N-715, pp. 37-43, NA.

22 In April 1941, for example, rates of pay sought by four departments in the shipyards — machinists, pipe-fitters, blacksmiths, and electricians — were 85 cents per hour for mechanics, 75 cents for

job of administering to such a diverse work force was complicated and tedious. Union officials claimed that the check-off would give them more time to settle grievances and promote industrial harmony, an argument that seemed increasingly appropriate by the end of 1943, when industrial harmony was a commodity in short supply.

The disruptions in the wartime economy finally stirred the federal government to action. Responding to the unprecedented wave of strikes which had just swept the country, Ottawa introduced emergency legislation to facilitate collective bargaining procedures in Canadian industry.<sup>23</sup> The Wartime Labour Relations Regulations (P.C. 1003, February 1944) placed additional onus on labour organizations to build loyal, dues-paying constituencies in order to establish their right to sit at the bargaining table.<sup>24</sup> As part of its mandate, P.C. 1003 authorized the establishment of Regional War Labour Relations Boards to mediate labour disputes. Of 39 major strikes over union security between October 1944 and April 1945, 15 WLRB rulings recommended the check-off alone, while eight others included it in more comprehensive settlements. In only seven cases was the union request denied.<sup>25</sup> Other figures, however, suggest stronger resistance to the principle of union security. Of approximately 200 strikes in Canada during 1944, "union questions" were the cause in only 34 cases, but these relatively few stoppages accounted for 70 per cent of the time loss for the year, and nearly one quarter were unsuccessful.<sup>26</sup> Two strikes overshadowed all others: a massive shutdown at the Ford Windsor auto plant involving 13,000

improvers and 55 cents for helpers. Board of Conciliation Proceedings (Pt. 1) 1941-42, IUMSW of C Local 1, CCL, MG28 I 103, vol. 64, file 13, NA.

- 23 For an overview of wartime labour, including events leading up to the Wartime Labour Relations Order, (P.C. 1003, February 1944) see chs. 16 and 17 of Morton's *Working People*. On P.C. 1003, see H.D. Woods and Sylvia Ostry, *Labour Policy and Labour Economics in Canada* (Toronto, 1979), pp. 81, 261; Daniel Coates, *Organized Labor and Politics in Canada: The Development of a National Labor Code* (University Microfilms: Ann Arbor, 1973), esp. ch. 7, pp. 167-205; Stuart M. Jamieson, *Times of Trouble: Labour Unrest and Industrial Conflict in Canada, 1900-1966* (Ottawa, 1968), p. 294; Harry W. Arthurs, *Labour Disputes in Essential Industries* (Ottawa 1968), pp. 48-50; Wayne Roberts and John Bullen, "A Heritage of Hope and Struggle: Workers, Unions, and Politics in Canada, 1930-1982", in Michael S. Cross and Gregory S. Kealey, eds., *Modern Canada, 1930-1980's* (Toronto, 1984), p. 117; MacDowell, 'Remember Kirkland Lake', p. 236; A.W.R. Carrothers, E.E. Palmer and W.B. Rayner, *Collective Bargaining Law in Canada* (2nd ed., Toronto, 1986), p. 50. Useful information may also be found in the *Report of the Department of Labour for ... 1945* (Ottawa, 1945), esp. "Report of the Deputy Minister of Labour", p. 11 and chs. IV, V.
- 24 Cruikshank, "Politics of Unionism", pp. 144-5.
- 25 Queen's University, *Union Security Plans*, pp. 41ff. One quarter of the Board rulings declined to make any recommendations regarding union security.
- 26 *Labour Gazette*, 45 (March 1945), p. 387.

## *Striking in the Halifax Shipyards 121*

workers, and the walkout of 3,000 shipyard workers in Halifax. Thus winning acceptance of the check-off as an integral component of union security was one of the toughest challenges faced by labour during the Second World War.<sup>27</sup>

Because the demands of the wartime economy shifted workers both geographically and laterally into the armed forces and war production, organized labour in industries like shipbuilding often struggled to build memberships among an extremely diverse and fickle labour force.<sup>28</sup> The Halifax Shipyards was no exception. In 1938 the union was organized as Local 34 of the International Union of Shipbuilding and Marine Workers of America. Its affiliation with the All-Canadian Congress of Labour ended in September 1940, when Local 34 transferred to the newly-formed Canadian Congress of Labour, claiming 200 members.<sup>29</sup> On 28 April 1941, the union received a new charter as Local No. 1 of the Industrial Union of Shipbuilding and Marine Workers of Canada. In the interim, attempts to implement a check-off card system in the yard were frustrated. Union officials complained of “strong opposition...from the A.F. of L.” and much “dissatisfaction among our... members”.<sup>30</sup> Nevertheless, Local No. 1 was “the first industrial union in the country to have sole bargaining rights for all occupations in a single shipyard”.<sup>31</sup>

From the outset Halifax Shipyards Limited flatly refused to consider any form of automatic dues deduction.<sup>32</sup> Negotiations for a new contract completely broke down in July 1941, partly because management insisted that the union “take no steps whatsoever to compel the Company to check-off for Union dues”. With the help of a Board of Conciliation, an agreement was signed in August which contained an unusual clause:

If it be determined that the provisions of the Trade Union Act of Nova Scotia relating to check-off for Union dues apply to this Company and the Union establishes its legal position, the Company agrees to conform with the relevant provisions of the legislation. The Company, however, contends that such provisions of the statute have no application to this Company....<sup>33</sup>

27 The Rand Formula contains an enlightened discussion of the check-off and the issues surrounding it. See *Canadian Labour Law Cases: Canada Wartime Labour Relations Board 1944-1948* (Don Mills, 1966), pp. 159-68.

28 By lateral movement I mean from other economic sectors, such as agriculture, fishing and mining, as well as the integration of formerly unpaid workers — unemployed males, married women, etc. — into the industrial labour pool.

29 Millard to Dowd, 9 September 1940, Industrial Union of Marine and Shipbuilding Workers of Canada (IUMSWC), Local 1, 1940-41, MG28 I 103, vol. 64, file 11, CLC, NA.

30 Meech to Dowd, 28 November 1940, *ibid.*

31 Cruikshank, “Politics of Unionism”, p. 64.

32 Meech to Dowd, 14 May 1941, MG28 I 103, vol. 64, file 11, CLC, NA.

33 IUMSWC Local 1, 1941-42, Board of Conciliation Proceedings (Part 1), file 13, *ibid.*

This 12-month contract was renewed in November 1942. Negotiations reopened the following year but soon bogged down over the same demands: the check-off and a union shop.<sup>34</sup> Finally, in February 1944, an application was once again made for a Board of Conciliation under the Industrial Disputes Investigation Act. At a hearing in early April, the Conciliation Board, consisting of Judge John S. Smiley, C.B. Smith, K.C., legal counsel to HSL, and labour representative D.W. Morrison, upheld the union demand for the check-off, but not the closed shop.<sup>35</sup> HSL management ignored the majority recommendation of the Board; indeed the company was under no legal obligation to abide by the ruling. Worse still, HSL began to employ tactics designed to incite worker discontent. Pat Shea complained that “they [HSL] are changing conditions of work and closing canteens and doing everything they can to agitate the workers, deliberately. I have been trying to keep the workers quiet and have them stay on the job...but...the agitation by the Company [is]...making the workers very restless and difficult to handle”.<sup>36</sup>

Shea knew well in advance that Dosco company policy opposed the check-off. During contract negotiations in October 1943 at another Dosco subsidiary, the Clare Shipbuilding Company in Meteghan, Nova Scotia, he had been given a rude shock, when after first agreeing to a check-off-clause, “the Company sent me a wire withdrawing the Check-off and stating they would agree on the rest of the contract.... There seems to be no sincerity on [their] part...to promote Industrial harmony in the plant and only a desire...to do everything in their power to create trouble”.<sup>37</sup> The misunderstanding at Meteghan arose when the president of Clare Shipbuilding briefed his superiors in Montreal about the settlement. Corporate lawyers balked at the inclusion of the check-off, because it would set a precedent “not heretofore recognized by Eastern Shipyards”.<sup>38</sup> Local No. 1 thus approached the prospect of battling HSL with no illusions.

The attitude of Dosco toward the check-off probably stemmed from its desire to undermine the authority of an industrial union which sought across-the-board concessions on behalf of all shipyard trades. As long as HSL continued to negotiate with distinctive trades, it could keep labour costs down by piecemeal

34 Canada, Department of Labour, *Report and Findings of the Board of Conciliation and Investigation in re a dispute between Halifax Shipyards Limited...and members of the Industrial Union of Marine and Shipbuilding Workers of Canada, Local No. 1* (Ottawa, 1944), p. 18.

35 Mr. Smith dutifully recorded a dissenting opinion in the Conciliation Board ruling. J.L. Cohen papers, MG30 A 94, vol. 42, file 3123, NA.

36 Shea to Conroy, 6 May 1944, H.A. “Pat” Shea Correspondence, 1942-44, part 2, MG28 I 103, vol. 163, CCL, NA.

37 Shea to Conroy, 9 October 1943, H.A. “Pat” Shea Correspondence 1942-44, part 3, *ibid.*

38 Clark to Shea (telegram), 8 October 1943, *ibid.*



## *Striking in the Halifax Shipyards 123*

bargaining and preserving the division between the skilled and unskilled. From Dosco's point of view, the check-off was an unwelcome harbinger of its labour troubles in the Cape Breton coalfields, where, many years before, miners had secured the check-off. When the general manager of Dosco's coal operations appeared before a Royal Commission investigating the Canadian coal industry in January 1945, he stated that deducting union dues from company payrolls "was of debatable value and it had not resulted in building up a union membership which accepted responsibilities nor had it tended to provide the union with the best leadership".<sup>39</sup> This supercilious pronouncement was typical of a managerial mindset that always blamed unions and workers for corporate setbacks. In fact, Dosco mining interests did not perform well during the Second World War, whereas HSL was one of the few credits on the company ledger.<sup>40</sup> It is thus conceivable that Dosco viewed the check-off not as a panacea for poor labour relations, but as a dangerous viral infection threatening to spread to healthier regions of the body corporate.

Not to be dissuaded, Shea convinced the negotiating committee of the Halifax local that a strike over the check-off issue was necessary as both a guarantee of financial security and a badge of credibility.<sup>41</sup> But the local was wracked with political turmoil. Charley Murray, business agent for Local No. 1 and the only Communist on the union executive, supported Shea but angered others by encouraging friendly relations with HSL management.<sup>42</sup> The Communist Party of Canada "adopted an official policy of cooperating with the government and promoting the war effort.... Strikes, slowdowns, and absenteeism were considered the weapons of fascism".<sup>43</sup> Communist shop steward Alex "Scotty" Munroe opposed resorting to strike action on those grounds, according to one witness.<sup>44</sup>

39 *Herald*, 23 January 1945.

40 The combative CCF Member of Parliament for Cape Breton South, Clarence Gillis, claimed that the corporation received more than \$40 million from the government from 1939 to 1944, even though Dosco still showed a loss of \$2,225,000 on coal operations in 1942 alone. See *ibid.*, 15 August 1944. The extraordinary corporate insensitivity of Dosco was never more evident than in a full page advertisement which appeared in the *Halifax Chronicle* on 8 April 1942. The notice — directed at the "miners of Cape Breton" — contained an itemized list of shortfalls in total productive capacity for the previous month. Among the causes enumerated were "Mines knocked off due to fatal accidents", and "Mines idle on day of funeral of victims of fatal accidents". Dosco accused miners of "not pulling their weight in Canada's war effort".

41 Interview with Doug Margerson, a former IUMSWC shop steward, by Michael Earle, 9 July 1986, p. 2. I am indebted to Michael Earle for kindly furnishing me with a transcript of this interview.

42 This was ironic, since Murray himself had been interned in 1940 for his labour activism. See William Repka and Kathleen M. Repka, *Dangerous Patriots* (Vancouver, 1982), p. 128.

43 Cruikshank, "Politics of Unionism", p. 108.

44 Margerson interview, p. 22.

Yet he was acknowledged by Shea as being the “spark plug inside the Yard”.<sup>45</sup> In a letter to CCL president A.R. Mosher, Shea confirmed that Munroe “may have some connection with the Reds, this I know to be the truth...but...he can and will perform valuable work for us, for when he was working [at HSL]...he did not let his political ideas come before Union Duties”.<sup>46</sup> Regardless of his feelings or politics prior to the walkout, Munroe staunchly supported the strike with militant rhetoric like this excerpt from a West Coast labour publication:

We, as workers of the Halifax Shipyards Limited, are not on strike for higher wages or better working conditions, but to retain the democratic right of the trade union movement to play its part in bringing about a new era in which workers in this country and all over the world shall have the right to full employment and decent wages.<sup>47</sup>

As chief shop steward in the yard, Munroe routinely criticized wasteful company procedures. For his trouble, HSL management labelled him an “undesirable” and barred him from returning to work in the aftermath of the strike.<sup>48</sup> Pat Shea’s CCF leanings did not carry him quite so far to the left, but he, like Munroe, willingly softened his political stance when necessary. Though respected by union stalwarts, some were suspicious. “You couldn’t help but like [Shea], no matter what side you were on”, remembers Doug Margerson, an IUMSWC shop steward, “[though] you never knew where he was going to stand at meetings, or what kind of a policy he would take. But he was the most persuasive type of man that I ever saw at a union meeting”.<sup>49</sup>

On the afternoon of 24 July 1944, Pat Shea and 13 other union and HSL officials sat in the board room of the Halifax Shipyards. A last-ditch effort to avert a walkout had been convened by Horace Pettigrove, formerly a Fair Wages Officer for the New Brunswick government, and now with the federal Department of Labour. Pettigrove, an imposing physical presence at six feet seven inches, had a reputation for being pro-labour — likely a product of 15 years working in the Whittaker cotton mill in Marysville, New Brunswick.<sup>50</sup> At the meeting, the

45 Shea to Conroy, 18 November 1944, IUMSW of C Local 1 Correspondence 1944-46, MG28 I 103, vol. 65, file 1, CLC, NA.

46 Shea to Mosher, 24 November 1944, *ibid.*

47 Newspaper clipping: *B.C. Lumber Worker*, 21 August 1944, in Department of Labour, Strikes and Lockouts, No. 134, RG27, vol. 437 (Micro T-4070), NA.

48 Murray to Conroy (telegram), 23 November 1944, IUMSW of C Local 1 Correspondence 1944-46, MG28 I 103, vol. 65, file 1, CCL, NA.

49 Margerson interview, p. 27.

50 “An Interview with Horace Pettigrove”, 10 July 1974, p. iv, MG28 I 269, vol. 1, file 1, University of New Brunswick School of Administration, NA.

## *Striking in the Halifax Shipyards 125*

company was represented by R.J.R. Nelson, general manager of the Halifax Shipyards, C.B. Smith, legal counsel to HSL, and five other executives. On the union side were Shea, Silby Barrett, veteran Cape Breton labourite and Maritime director of the Canadian Congress of Labour, Local No. 1 president James O'Connell, Scotty Munroe, Charley Murray, and two others. Pettigrove began by appealing to their sense of duty: "You all know what [the ship yard]...means to the war effort of this country, and...to the future of this industry. Everyone has something vitally at stake in this decision".<sup>51</sup> Neither side voiced any concern about possible repercussions of a strike, but in the presence of the enemy, that would have been a sign of weakness. When Nelson indicated that no compromise was in the offing, Barrett responded that the union would stand on the majority report of the Conciliation Board. "You cannot get to heaven in one gasp", Nelson chided the union representatives. "We will wait a long time to get to heaven", Barrett exploded, "if we wait for Dosco to hand us the Union Shop and the Check-off on a silver platter. I have not worked for them for twenty seven years and walked the rods and picket lines for ten without knowing what kind of chaps they are. This is Dosco policy... [and] you are not looking for peace in this industry...[Y]ou are going to...force us into a fight".<sup>52</sup> Shea pointed out that the Union had demonstrated its readiness to compromise by accepting the Conciliation Board recommendation that the demand for a union shop be modified to the less rigid maintenance of membership. With the two sides agreeing to disagree, Pettigrove had no alternative but to adjourn the meeting. Two days later, 3,000 men and women at the Shipyards in Halifax and the Marine Slip and Windmill Pier on the Dartmouth side of the harbour failed to report to work for the morning shift.<sup>53</sup>

Prior to the walkout the union was beset with internal problems. In January 1942, charges of peculation rocked the local when it was discovered that nearly 900 dollars were missing from union coffers. The treasurer narrowly escaped prosecution when the membership decided at the last minute to let the culprit repay the money at the rate of \$20 per month, "the limit he could afford".<sup>54</sup> That same year, the accounts of Local No. 1 were in such disarray that a bookkeeper from another union was sent in by the CCL to balance the ledger.<sup>55</sup> In late 1943 union finances virtually collapsed. Pat Shea glumly informed his superiors that the

51 "Minutes of the Meeting held in the Board Room, Halifax Shipyards...July 25, 1944", Department of Labour, Strikes and Lockouts files, No. 134, RG27, vol. 437 (Micro T-4070), NA

52 *Ibid.*

53 *Labour Gazette*, 45 (March 1945), p. 383.

54 Eighteen to Dowd, 23 January 1942, IUMSW of C Local 1, 1941-42, MG28 I 103, vol. 64, file 14, CLC, NA.

55 Conroy to Moir, 15 November 1943, *ibid.*, file 12.

local was “in very bad shape and...getting worse all the time. The members...will not pay dues...and frankly I am at a loss to know how to handle it. There is no money in the treasury and...we cannot go on like this any longer.... P.S. Frankly I feel like throwing up my hands in disgust”.<sup>56</sup> Three weeks later, Shea wrote again to express his frustration at being unable to find suitable candidates for the upcoming election of officers, because of the “continuous unfair sniping and unjust accusations hurled at [the executive]”.<sup>57</sup>

The tribulations of the CCL’s flagship Maritime local bewildered Congress leaders in Ottawa. Given the troubled state of affairs within the union, it seemed a rash desire even to consider a direct challenge to the company. Pat Conroy had profound misgivings about the “queer state of affairs” whereby “members are trying to destroy their own union and also claiming to be able to fight a large corporation on the check-off question”. He also criticized the bargaining strategy of the Halifax executive: “making an issue of a new contract one centring around the check-off is not the best policy...the local committee should try and find out how much the company will agree with and not try to select, right away, the things the company will not agree with”. Conroy concluded that unless Local No. 1 changed its strategy, “the Company is going to win the issue hands down”.<sup>58</sup>

Notwithstanding these difficulties, by the fall of 1943 union leaders were confident enough to adopt a more aggressive posture. In September, a union ultimatum threatened strike action unless the National War Labour Board gave shipyard workers vacations with pay.<sup>59</sup> Horace Pettigrove hurriedly arranged a meeting between HSL management and the union, resulting in an agreement that Pat Shea called “the best plan so far worked out for any shipyard”.<sup>60</sup> Perhaps the time was ripe, Shea added, to tackle the check-off question with “vigour and determination”. A vote taken at the plant a few weeks earlier strongly endorsed the check-off: 1,750 voting in favour versus 87 against, with 500 “not voting”.<sup>61</sup> But when IUMSWC officials actually sat down with man-

56 Shea to Conroy, 16 October 1943, H.A. “Pat” Shea Correspondence, 1942-44, part 3, MG28 I 103, vol. 163, CLC, NA.

57 Shea to Conroy, 6 November 1943, *ibid.*

58 Conroy to Moir, 28 October 1943, IUMSW of C Local No. 1 Correspondence, 1943, file 12, MG28 I 103, vol. 64, CLC, NA.

59 Douglass to Conroy, 29 September 1943, *ibid.*

60 Shea to Conroy, 9 October 1943, H.A. “Pat” Shea Correspondence, 1942-44, part 3, MG28 I 103, vol. 163, CLC, NA.

61 McDonald to Conroy (telegram), 3 September 1943, IUMSW of C Local 1 (1943), file 12, MG28 I 103, vol. 64, CLC, NA. Among the number “not voting”, the percentage of wilful abstentions as opposed to those merely absent on the day of the vote is unknown.

## *Striking in the Halifax Shipyards 127*

agement on October 20, Shea himself expressed disapproval of their bargaining style:

NEGOTIATING COMMITTEE VERY ANTAGONISTIC IN PRELIMINARY DISCUSSION WITH COMPANY TODAY STOP DETERMINED TO FORCE CHECK OFF AND UNION SHOP AND THEY WILL USE ANY METHOD TO OBTAIN [them] STOP SITUATION VERY CRITICAL STOP SUGGEST ROBSON COME EARLY NEXT WEEK IN INTEREST OF CONGRESS RETAINING GOOD RELATIONS WITH COMPANY.<sup>62</sup>

Shea was clearly worried that a premature standoff might escalate into an illegal walkout, thus prejudicing the union's chances of winning over a Board of Conciliation should one be appointed. In addition, this intriguing message implies the existence of a relationship between Congress and HSL management that excluded local union leaders. Shea distrusted Local No. 1 president, James O'Connell, and knew that a renegade faction existed within the local.<sup>63</sup> But the CCL did not respond to Shea's plea; the national was shifting its attention away from shipbuilding toward workers in other industries. The Congress saw better organizing prospects elsewhere than in a declining wartime enterprise, and had virtually given up on unions like Local No. 1 that were hopelessly behind in their per capita payments.<sup>64</sup> Whether the local executive was cognizant of this CCL policy is uncertain, but the Congress was certainly aware of the discontent within many Maritime locals and the gathering support for J.K. Bell's rebel forces in Saint John.

The mood of shipyard workers in general was difficult to assess. Since its inception in May 1941, the local experienced wide fluctuations in numbers of paid-up members, even though the union reported steady growth overall. When concessions from management or a favourable ruling from a government Board resulted in material benefits for workers, general satisfaction with the local tended to rise. By the summer of 1943 active recruitment had stabilized, but low numbers of paid-up members continued to plague the local (see Table I).<sup>65</sup>

62 Shea to Conroy (telegram), 20 October 1943, *ibid.* Elroy Robson, an official of the Canadian Brotherhood of Railway Employees and Other Transport Workers (CCL), had been sent to Halifax in late 1942 to help Local No. 1 sort out its finances and combat the incursions of AFL unions.

63 Cruikshank, "Politics of Unionism", p. 94.

64 *Ibid.*, p. 134.

65 Cruikshank claims 1,900 members in October 1942 out of a total labour force of 6,000. These figures are rather high, but he does confirm that less than 800 were paying their dues on a regular basis. *Ibid.*, p. 82.

TABLE 1: SELECTED IUMSWC LOCAL NO. 1 MEMBERSHIP STATISTICS

		<i>reported</i>	<i>paid up</i>
1941	May		172
	June	870	239
	July	888	231
1942	May	605	494
	June	759	648
	July	855	769
1943	May	1250	633
	June	1250	635
	July	1250	428

Source: IUMSW of C Local 1, "PER CAPITA STATEMENT", files 12 (1941-42), 14 (1943), MG28 I 103, vol. 64, CLC, NA.

Obviously the temporary nature of wartime contracts discouraged worker expectations of long term employment. Postwar prospects looked bleak in an industry that had previously experienced slumps in peacetime.<sup>66</sup> Neither did the city have a reputation for being a crucible of militant labour. A recent illuminating analysis of labour activism (or, more accurately, the lack of it) among an earlier generation of Halifax shipyard workers notes the virtual collapse of the trade union movement locally in the interwar period.<sup>67</sup>

Despite less than ideal conditions, the strike opened with optimism running

66 A pessimistic, if partisan appraisal of Ottawa's attitudes regarding the Maritime shipbuilding industry appeared under the heading "Review of Possibilities in Shipping Industry" in the *Herald*, 17 February 1945. See also Ernest R. Forbes, "Consolidating Disparity: The Maritimes and the Industrialization of Canada during the Second World War", *Acadiensis*, XV, 2 (Spring 1986), pp. 3-27.

67 Suzanne Morton, "Labourism and Economic Action: The Halifax Shipyards Strike of 1920", *Labour/Le Travail*, 22 (Fall 1988), pp. 99-137. In a similar vein, Ian McKay paints a picture of Halifax workers in the construction industry in the period 1920-50 as being essentially powerless, controlled by 'absentee' business unionism, and increasingly regulated by legal statutes. See Ian McKay, *The Craft Transformed: An Essay on the Carpenters of Halifax, 1885-1985* (Halifax, 1985), esp. ch. 4.

## *Striking in the Halifax Shipyards 129*

high. On the second day of the walkout, the regular monthly meeting of Local No. 1 turned into a high-spirited strikers' rally. Hundreds crammed into the Oddfellows' Hall on Agricola Street on a steamy midsummer's evening to hear speakers proclaim that the walkout was just "a prelude to post-war Canada" and that "other union organizations were behind them".<sup>68</sup> Proof of the latter came from the Sydney Steelworkers Union, which forwarded a resolution supporting the strike to Prime Minister Mackenzie King and Minister of Labour Humphrey Mitchell. Marine and ship repair workers in Cape Breton promised financial aid. In Glace Bay, the Cape Breton Labor Council and Local 11 of the United Mine Workers of America, District 26, sent telegrams to the Prime Minister, the Minister of Labour and the Minister of Munitions and Supply, calling for immediate federal intervention.

"The union has shown its strength and the company has shown its teeth", Pat Shea declared to the meeting. "Our strike will pull out those teeth".<sup>69</sup> Shea also assured the rally (somewhat prematurely as it turned out) that the American Federation of Labor was behind the strike. This surprising revelation was based on the fact that two executives from the Allied Trades Council, the AFL organization in H.M.C. Dockyard, had visited Shea and privately pledged their "full support".<sup>70</sup> But only a few Halifax unions, CCL affiliates all, publicly endorsed the strike — mainly in the form of sympathetic resolutions and good wishes. The Halifax District Council of the C.C.F. also declared "solidarity with the workers and their objectives".<sup>71</sup> With this statement duly placed on the public record, little more was heard from the CCF, although H.L. MacIntosh, president of the new Dockyard carpenters union, and future CCF candidate, urged the AFL and CCL to "forget past differences and stand together in the strike".<sup>72</sup> On the whole, however, labour in Halifax was dominated by cautious craft unions, and most organized workers seemed as reluctant to get involved as the federal government.

Strike activity in the first week was confined to "hurling taunts and insults" at the 30 or so men and women who continued to report for work. At the outset, Halifax Mayor J.E. Lloyd and Police Chief Judson Conrod had announced that police protection would be provided to workers crossing the picket line. In Dartmouth, the strike was 100 per cent effective, including four foremen.

68 *Herald*, 29 July 1944.

69 *Ibid.*

70 Shea to Conroy, 22 July 1944, H.A. "Pat" Shea Correspondence, Part 1, MG28 I 103, vol. 163, NA.

71 Newspaper clipping: *Herald* 1 August 1944, from Department of Labour, Strikes and Lockouts, No. 134, RG27, vol. 437 (Micro T-4070), NA.

72 *Herald*, 2 August 1944. See also McKay, *The Craft Transformed*, pp. 98-9.

Strikebreakers congregated at the Halifax yard — one was a woman labourer who had been given the honour of christening the destroyer H.M.C.S. “Nootka” the previous April. On the other hand, another woman addressed her fellow strikers at the mass meeting, telling them that her job at the shipyard supported herself and four children, “and if I can stay out and get along somehow you should be able to also”. Events at the shipyard gates soon escalated to cat-and-mouse harassment as striking workers milled about on the roadway, looking for scabs being smuggled in and out by automobile and surreptitious routes. Some strike breakers walked along the railway line into the yard; others were transported by water in company boats. One fellow was hauled from a foreman’s car and hounded by a hostile throng. After he took refuge in a street car, someone “plucked the trolley from the wire, cutting off [its] power”. Eventually, the man was “whisked away in a police car”. The next day, a Sunday, 500 workers normally would have reported for work, but not a single employee entered the yards in either Halifax or Dartmouth.<sup>73</sup>

“The spirit is very high”, Shea wrote optimistically on the third day, “and the men are determined to win this strike come Hell or high water”.<sup>74</sup> But soon there were signs of wavering solidarity. Many workers sought permission from National Selective Service officials to take temporary jobs; others left the area to find employment elsewhere.<sup>75</sup> The strategy of the strike leaders — ironically calling themselves the Action Committee — was to do nothing. If a prolonged strike ensued, then Ottawa would simply take over the shipyards in the interest of the national war effort.<sup>76</sup> The latter course of action was in fact taken by the government just a few weeks later in the Montreal Tramways strike.<sup>77</sup> Numerous precedents existed for the federal government to intervene: the Hamilton Steel Car Company dispute in early 1941, the takeover of the Quebec Shipyards by the Department of Munitions and Supply after a huge strike in June 1943, and federal control of Dosco’s own Sydney Foundry and Machine Company.<sup>78</sup>

73 Details of strike activity are drawn from the *Herald*, 28, 29 and 31 July 1944.

74 Shea to Conroy, 29 July 1944, Shea Correspondence 1942-44, part 1, MG28 I 103, vol. 163, CLC, NA.

75 Created in March 1942, the NSS strictly regulated the mobility and allocation of labour, particularly in war-related industries. MacDowell, ‘Remember Kirkland Lake’, p. 17.

76 *Ibid.*, 28 July 1944.

77 On 12 August 1944, Minister of Labour Humphrey Mitchell announced that an Order-in-Council had been authorized giving two federal civil servants absolute control over the Montreal public transportation system. Ironically, one of those controllers was E.L. Cousins, former Toronto Harbour Commissioner appointed by C.D. Howe as Wartime Administrator of Canadian Atlantic Ports. Cousins was in fact based in Halifax, and nearly all his duties were concentrated there. See *ibid.*, 15 August 1944.

78 Cruikshank, “Politics of Unionism”, pp. 30, 52. See also Roberts and Bullen, “A Heritage of Hope and Struggle” in Cross and Kealey, eds., *Modern Canada*, pp. 113-4, and R.B. Mitchell,



## *Striking in the Halifax Shipyards 131*

Undoubtedly the closest parallel occurred in a dispute between the Electro-Metallurgical Co. of Welland, Ontario and Local 523 of the United Electrical, Radio and Machine Workers of America. The circumstances and issues involved virtually mirrored the Halifax situation, except for one crucial difference — a strike was successfully averted due to the persistent efforts of Department of Labour officials (including the Minister himself, Humphrey Mitchell, in whose riding the company was located).<sup>79</sup>

But the government would not interfere at Halifax. Unbeknownst to them, the strikers at HSL were caught in the ebbing tide of the war. The four Tribal class destroyers then building at the yards added to the political prestige of the Minister for Naval Services, Angus L. Macdonald, but there was little urgency attached to their construction. The earliest estimated completion date for the first destroyer was March 1945, the second was due the following August, and the last two were not anticipated until 1946. As it happened, none were completed before the war ended.<sup>80</sup> Moreover, the most important function of the shipyards — the repair of damaged vessels — had fallen off considerably over the Summer of 1944. By October, HSL employed more workers on new construction than on ship repairs — the first time this had occurred during the war.<sup>81</sup> In sum, the operations in Halifax were no longer a first priority with the Navy or the government. After weeks of fruitless effort, CCL officials who lobbied in Ottawa on behalf of Local No. 1 conveyed the discouraging news that “the Government is...not prepared to adopt any conciliatory process unless the men first return to work. The outstanding fact seems to be that there is not the demand for ships that prevailed prior to the strike, and the Government appears to be unconcerned about the whole situation”.<sup>82</sup>

“Sydney Harbour — The War Years, 1939-1945” in R.J. Morgan, ed. *More Essays in Cape Breton History* (Windsor, 1977), pp. 42-8. When the government chose not to intervene, as in a notorious dispute at the Peck Rolling Mills (yet another Dosco subsidiary) in Montreal, the effect on the union had been devastating. See *ibid.*, p. 54.

79 See Webber, “Compulsory Conciliation”, pp. 148-9.

80 “Return of vessels building in Canada, U.K. and U.S.A. to Canadian account, 1 June 1944. Fleet Tribal Class Destroyers”, file COAC 13-1-6 (a), vol. 2, RG24, vol 11,028, Department of National Defence, NA. The first two destroyers were laid down in May, 1942. Hull No. 278 was christened H.M.C.S. “Micmac” on 18 September 1943; Hull No. 279 (H.M.C.S. “Nootka”) was launched on 26 April 1944. They were in the water undergoing “fitting out” when the strike took place; the other two remained on the slips. For more information on the Canadian-built Tribals, see J.H.W. Knox, “An Engineer’s Outline of RCN History: Part 1”, in James A. Boutilier, ed., *The RCN in Retrospect, 1910-1968* (Vancouver, 1982), pp. 108-9, 114.

81 National War Labour Board, “Application for review of the Board’s decision of May 2, 1944...”, Proceedings of Public Hearing, Ottawa, 15 February 1945, p. 54, RG36 series 4, vol. 132, file 2N-488, NA.

82 Conroy to Shea, 21 August 1944, IUMSWC, 1944-46, MG28 I 103, vol. 65, file 1, NA.

The stalemate dragged on with no end in sight. A strike fund committee was formed to “seek financial assistance from other unions across Canada”.<sup>83</sup> Messages of encouragement continued to pour in from shipbuilding locals and workers in other war industries, but promises outnumbered actual contributions to the union war chest.<sup>84</sup> Hundreds of applications for temporary work permits were now being processed by the National Selective Service — an indication perhaps that few workers thought a swift resolution was likely. NSS officials also authorized about 100 workers of Central Canadian origin to leave their jobs at the shipyards and return home permanently.<sup>85</sup> While momentum gathered for calling a provincial work holiday, the strikers continued to meet with lukewarm support closer to home. In a stormy debate at the Labor Temple, a motion backing the strike was voted down by the Halifax Trades and Labor Council (AFL) when six delegates, including the president of the Longshoremen’s Union, threatened to resign if the resolution went through.<sup>86</sup> The Council decided to postpone a decision pending advice from national headquarters. They faced a dilemma because the AFL in the United States pledged its unions to refrain from striking for the duration, and there was a similar understanding among Canadian craft unions.

In contrast, militant exhortations emanated loudly from the mining and steelworking communities of Nova Scotia, where memories were still fresh of the “largest work stoppage in Nova Scotia history” — a one-day protest over the closing of the rolling mill at Trenton steelworks — the previous December.<sup>87</sup> Among an estimated 20,000 workers across the province, at least half of the 3,000 shipyard workers at HSL stayed off the job. Now, two representatives of the United Steelworkers of America had arrived in Halifax from Trenton to assist shipworkers in their hour of need. Discussions were held with the IUMSWC Action Committee to consider whether another general strike in Nova Scotia was necessary.<sup>88</sup> Meanwhile, Local 4481 of the United Mine Workers in Stellarton announced that they would participate in a work holiday if it were called. In Glace Bay, the executive of District 26, United Mine Workers of America also notified both Local No. 1 and the CCL president in Ottawa that mine workers in Cape Breton would give “very favorable consideration to any proposed work holiday of a national character”. And in Sydney, the Industrial Union of Foundry and Machine Workers recommended increasing the holiday to two days in the second week, three days in the third, and so on until the government was forced

83 *Herald*, 5 August 1944.

84 *Halifax Citizen*, 4 August 1944.

85 See *Herald*, 5, 8, 9 August 1944.

86 *Ibid.*, 10 August 1944.

87 *Ibid.*, 29 December 1943. See also Forbes, “Consolidating Disparity”, pp. 22-3.

88 *Herald*, 9 August 1944.

## *Striking in the Halifax Shipyards 133*

to act. Shipyard workers in other parts of the province were not as forthcoming in their support, probably because the smaller yards engaged in wooden shipbuilding and were thus more craft-oriented. A notable exception was the Pictou shipyard (which built 4,700-ton steel cargo vessels), where the IUMSWC Local leapt to the strikers' defence, appointing delegates to attend an upcoming conference of labour organizations in Halifax, and authorizing the delegation "to commit their local to [take] strike action on behalf of the Halifax workers".<sup>89</sup> The conference was ostensibly called to muster support for Local No. 1, and to decide whether to go ahead with the one-day sympathetic strike.

Held on August 16, the meeting of trade unions turned out to be a much smaller affair than anticipated. Delegates were supposed to attend from all three Maritime provinces, but in the event only about 40 representatives of "mine workers, steel workers and shipyard workers throughout Nova Scotia" participated. CCL organizers had promised as well that Halifax affiliates of the Trades and Labor Congress would send delegates, but only one showed up — from the Dockyard carpenters' union (Local 1405). While making it clear that he was there unofficially, the AFL representative declared that his union was "100% behind Local No. 1".<sup>90</sup> If the conference had hoped to present a united and militant labour front to the public and, more importantly, the government, it certainly fell short of the mark. The marathon seven-hour session at the Canadian Fishhandlers' Union Hall exposed the underlying conservatism of the strike leaders. Backing away from the idea of a provincial "work holiday", the conference instead decided to send a delegation to Ottawa to meet with the Minister of Labour. Any further consideration of a work holiday was postponed indefinitely. The strike committee was also promised that one day's pay would be deducted from each of the 21,000 workers represented at the conference to bolster the union's dwindling strike fund. It was suggested that the deductions continue on a weekly basis until a settlement was reached. I.D. MacDougall, a former Conservative M.P. for Inverness, Cape Breton, gave a rousing report of the conference proceedings to a mass meeting of strikers that night. A representative of IUMSWC Local No. 7, MacDougall hailed the conference as the "exemplification of [a]...new frame of mind", and predicted that defeat for the shipyard union would mean "organized labor will be through in Nova Scotia.... The United Mine Workers will support you to a man, not only financially but when and if the time comes that labor must show its strength". If the Ottawa delegation was unsuccessful, MacDougall warned, then "the fight will become the fight of every organized man from Cape Breton to Vancouver".<sup>91</sup>

89 Quotations from *ibid.*, 11, 12 and 17 August 1944.

90 "Minutes of joint conference held Aug. 16th, 1944, to discuss the best method of settling the strike at the Halifax Shipyards Ltd.", p. 2, MG28 I 103, vol. 65, file 1, CCL, NA.

91 Quotations and conference details from the *Herald*, 17 August 1944. See also 10 August 1944, *ibid.*

Although Silby Barrett, Pat Shea, and others saw the strike as a potential test case which might set a precedent for granting the check-off in other shipyards, the stamina of Local No. 1 was not sufficient to withstand the rigours of a lengthy deadlock. Back on the picket line the number of strikers continued to fall — after three weeks, nearly half the workers had taken part-time work elsewhere. Some of them reported being turned away from job assignments by hostile employers when it was discovered they were strikers. In an effort to maintain union leadership in the face of mass desertion, an employment committee was formed to aid those whose straitened circumstances forced them to seek employment.<sup>92</sup> At the same time, the strike fund committee mailed appeals for financial assistance to 700 unions across Canada, promising to use any proceeds to help needy strikers, provided, of course, that they were members in good standing of Local No. 1. The monetary aid promised by other unions did not materialize, however. Following the conference, canvassers went door to door in Halifax collecting donations for the strike fund — further evidence that the union was desperate for funds and time was running out.<sup>93</sup> Strike leaders advised the public to verify that the canvassers were authorized union members with proper identification. Some money did trickle in — \$50 from the Vancouver Labour Council, \$14 from the C.C.F. Riding Association of Ottawa West, and so on. A substantial sum of \$250 arrived from the national CCL office, but in the main contributions were meagre.<sup>94</sup> Any lingering expectations of support from the rival labour federation were also quashed once and for all on August 23. Percy Bengough, president of the Trades and Labor Congress, declared: “There is no reason why the [TLC]...should get behind the shipyards strike”.<sup>95</sup> The next day, Halifax Mayor J.E. Lloyd warned that the city was being hurt “irreparably” by the strike, and “the future economic welfare of [the] Port...is now being threatened”. He recommended that a government administrator be appointed to run the shipyards until better relations between management and labour could be worked out.<sup>96</sup> Lloyd was sympathetic to the strikers — he even offered to go to Ottawa with the labour delegation — but his belated jump onto the union bandwagon had negligible impact. All hope of resolving the dispute was now invested with the Ottawa delegation.

92 *Ibid.*, 12, 14 and 15 August 1944.

93 *Ibid.*, 19 August 1944. On 18 August 1944, the Halifax *Chronicle* carried a notice that canvassers would have credentials signed by the president of the union.

94 O’Connell to Conroy, 25 August 1944; Murray to Conroy, 8 September 1944, IUMSW of C Local 1, 1944-46, MG28 I 103, vol. 65, CLC, NA.

95 Newspaper clipping: Washington *Labor*, 26 August 1944, from Department of Labour, Strikes and Lockouts files, No. 134, RG27, vol. 437 (Micro T-4070), NA.

96 *Herald*, 24 August 1944.

## *Striking in the Halifax Shipyards 135*

The union representatives met with Labour Minister Mitchell in Ottawa on 24 and 25 August 1944. The atmosphere was not congenial; one unionist referred to the introductory meeting as a “dog fight”.<sup>97</sup> Some progress was made — at the union’s expense. The inclusion of a maintenance of membership clause in the new contract fell by the wayside; but the strike leaders would not budge on the check-off. Since it was clear that the Department of Labour had no intention of forcing Dosco’s hand by taking over the company, the whole ceremony of lobbying the government seemed to be tinged with futility. Suddenly, at a meeting of the Nova Scotia Cabinet on 24 August, the idea came forward of submitting the check-off question to the newly-formed Regional War Labour Relations Board, and then — should the board fail to settle the dispute — referring it to the courts.<sup>98</sup> The proposal did not surprise strike leaders: Pat Shea had predicted that the question would eventually go before the courts, although he hoped that government intervention would obviate this necessity. Indeed, when the strike began the company had proposed that the question of the check-off should be referred to the Nova Scotia Supreme Court for an interpretation of the 1937 Trade Union Act. The union had rejected that initial offer, calling it “an empty gesture” that HSL would circumvent by “appeals” or “legal technicalities”.<sup>99</sup> The difference now, of course, was that the strike leaders had been told by Mitchell and Deputy Labour Minister Arthur McNamara that no government intervention would occur. Even though the strike would probably be deemed a failure, there seemed to be no other way to obtain a ruling upholding the check-off. To be sure, due process would entail months of deliberation and delay, thus giving Dosco ample time to undermine the authority of Local No. 1, but at the same time the salutary effect of P.C. 1003 would presumably cast the whole issue of union security in a more sympathetic light in the eyes of the court.

Even though the plan was forwarded to federal officials for their consideration and approval, Nova Scotia’s Minister of Labour Lauchlin D. Currie — who all along had claimed that the province had no jurisdiction in the matter — received the credit for ending the strike.<sup>100</sup> Curiously, only one newspaper mentioned that the *deus ex machina* was also the chairman of the War Labour Relations Board that would review the case.<sup>101</sup> This fact does not seem to have

97 *Ibid.*, 25 August 1944.

98 *Ibid.*, 25, 26 August 1944. Not to be confused with War Labour Boards formed much earlier, the Regional War Labour Relations Boards were separate entities created under P.C. 1003, and thus just beginning to operate by the fall of 1944.

99 *Ibid.*, 29 July 1944.

100 *Ibid.*, 25, 28 August 1944.

101 *Citizen*, 8 September 1944.

unduly upset strike leaders at the time, except that two months later Charley Murray, harbouring an old grudge against Currie,<sup>102</sup> bitterly denounced the Labour Minister's "union busting tactics" in the aftermath of the strike and accused Currie of "consultation with the Company [HSL] as to the best way to smash us [Local No. 1]".<sup>103</sup> Murray had his reasons for disliking Currie; however the union had little choice but to accept the provincial intervention. The Ottawa delegation returned to Halifax relieved, if not triumphant. A mass meeting was called for 27 August, exactly one month after the strike had begun. The Action Committee presented the Currie plan to the assembled workers and recommended adoption. The majority of workers were not at all pleased with the proposed settlement, and neither were Shea's enemies on the Local No. 1 executive. President James O'Connell — who did not make the journey to Ottawa — denounced the CCL and Shea for engineering a "sell out" of the union.<sup>104</sup> The mood of the meeting "was one of uncertainty whether to return to work...until Charles Douglas, [Local No. 1] executive member, told the workers frankly that the finances of the union were insufficient to carry on the strike". Douglas "explained that the day's pay promised by a number of locals in the province had not materialized", and referenda would have to be held in every plant "before a day's pay from each worker could be checked off".<sup>105</sup> It was ironic that the strike (the object of which sought to free unions from that very chore) should end on such a note.

Predictably, the Regional War Labour Relations Board failed to resolve the issue when it convened early in September.<sup>106</sup> Besides chairman Lauchlin Currie, the Board consisted of Ralph P. Bell, a wealthy Halifax businessman, Sidney Miffen, a Dosco official from Sydney, Doane Curtis, a Cape Breton steelworker, and Hugh Henderson, vice-president of the Halifax Trades and Labour Council.<sup>107</sup> Although the provincial government had promised an answer within 60 days, nearly four months went by before the Supreme Court heard the case (argued on the union's behalf by a brilliant Toronto labour lawyer, J.L. Cohen) and it was not until February 1945 that the judgment was handed down in the

102 Currie had been Labour Minister in 1939, when a protracted dispute over recognition of the Canadian Fishermen's Union paralyzed the tiny community of Lockeport, Nova Scotia. He was convinced, along with then-Premier Angus L. Macdonald, that "outside agitators" were responsible for labour unrest among the Lockeport fishermen. One of the "agitators" (i.e. organizers) singled out by Currie was Charlie Murray. See Sue Calhoun, *The Lockeport Lockout* (Halifax, 1983).

103 Murray to Conroy, 9 November 1944, MG28 I 103, vol. 65, file 1, CLC, NA.

104 Shea to Conroy, 12 September 1944, *ibid.*, and *Herald*, 25 August 1944.

105 *Herald*, 28 August 1944.

106 *Ibid.*, 8 September 1944.

107 *Citizen*, 21 July 1944.

## *Striking in the Halifax Shipyards 137*

union's favour.<sup>108</sup> The decision reinterpreted the clause in the 1937 Nova Scotia Trade Union Act which stated that "In any industry in which by statute or by arrangement between employer and employees deductions are made from the wages of employees for benefit societies, hospital charges, or the like, deductions shall be made by the employer...for periodical payments to a trade union".<sup>109</sup> Under conditions stipulated in the Act, a majority vote of employees was needed to ratify a check-off plan, and "a signed written request" from each worker was also required.

At first the company argued that Halifax Shipyards Limited was not an industry within the meaning of the Act. This ridiculous assertion was quickly dismissed by the court. HSL then claimed that union dues could only be deducted if similar payments were taken for benefit societies. The court heard that deductions on behalf of the "Halifax Shipyards Employees' Mutual Benefit Society" had been made from December 1922 to 7 July 1941, whereupon they were discontinued by the company "without notice to the trade union or the employees".<sup>110</sup> Since the union application for the check-off followed the cessation of benefit society deductions, the company contended that the obligation to withhold union dues was no longer valid. Mr. Justice C.J. Chisholm and two other judges ruled otherwise. In their opinion, the rights conferred upon employees in the 1937 Act "could not be divested by unilateral action by the company". It did not go unnoticed that the company ended the benefit society deductions at the precise moment when the check-off question was being considered by a Board of Conciliation — the strategy of the company was too blatant to ignore. One judge, Mr. Justice Emmett Hall, did register a dissenting vote, but the premise of his argument was overly technical and convoluted, hence less convincing than the majority opinion. Even so, the court could easily have decided in the company's favour, since the legislation was by no means clear on precisely when the check-off was warranted. Upholding the union claim showed that, in a close legal fight between labour and management, the former might now receive the benefit of the doubt.

The Supreme Court decision vindicated Local No. 1, but the ordeal had been costly. The failure to procure an outright concession from the company seriously damaged the credibility of the union and the CCL. One month after the strike ended, a dejected Charley Murray informed Pat Conroy that "the Local is in a very definite crisis with a large section of the membership looking for a scapegoat.

108 *Herald*, 28 August, 8 September 1944. For arguments presented to the court on 21 December 1944, and its decision handed down on 10 February 1945, see *Maritime Provinces Reports* (Toronto, 1946), pp. 230-53.

109 *Maritime Provinces Reports*, p. 233.

110 *Ibid.*, p. 251.

There has been a strong tendency [sic] to accuse the delegation that went to Ottawa, Pat Shea, and the Executive of the C.C. of L. for making a deal which was not too favourable to the Local". Murray then revealed the reason why the local was so far behind in remitting per capita dues to the national office:

[S]ome of us became suspicious of the actions of Moir, the Secretary-Treasurer, during...the strike, at a time when it could not possibly be made public that there was even a fear of irregularities in the finances...quite a sizable amount of money — sufficient to have paid *all* per capita taxes — appears to be missing. The method seemed to be that shop stewards' collection lists were destroyed after the amounts were credited up on [sic] the members' accounts.<sup>111</sup>

Moir was forced to resign, promising, like his light-fingered predecessor, to make up the missing funds. But for Congress officials, the limit of their toleration had been reached. In October 1944, the union received word that it was not entitled to send a delegate to the upcoming CCL convention in Quebec City because no per capita dues had been submitted for four months.<sup>112</sup> A stern lecture was delivered to the membership in late December, when a CCL official "told them very plainly" to begin regular payments "from now on without any fooling".<sup>113</sup>

As mastermind and protagonist, Pat Shea was bitterly disappointed in the outcome, attributing the fiasco to the hasty retreat of Silby Barrett in the early days of the walkout.<sup>114</sup> But Shea must share some of the blame for insisting on strike action even though the timing was not right and the likelihood of a settlement

111 Murray to Conroy, 27 September 1944, IUMSW of C 1944-46, MG28 I 103, vol. 65, file 1, CLC, NA. Murray did not specify the amount missing, other than to state that \$500 "does not begin to cover the suspected shortage".

112 Dowd to Murray, 6 October 1944, IUMSW of C Local I (1944-46), MG28 I 103, vol. 65, CLC, NA.

113 Shea to Conroy, 23 December 1944, *ibid.*

114 Shea to Conroy, 29 July and 16 September 1944, H.A. "Pat" Shea Correspondence, 1942-44, part 1, MG28 I 103, vol. 163, CLC, NA. Shea felt betrayed by the sudden departure of Barrett from Halifax only a few days after the strike began, but he probably overestimated the latter's influence. In fact, Barrett's credibility with Cape Breton miners had evaporated during a protracted work slowdown in 1941, resulting in his eventual ouster from the executive of the United Mine Workers. See Paul MacEwan, *Miners and Steelworkers* (Toronto, 1976), pp. 225-38. By April 1944, George McEachern, Communist president of the IUMSW of C Local in Pictou, opined that Silby Barrett had "no more prestige with the shipyard workers here than he has with his own union". See also Cruikshank, "Politics of Unionism", p. 130 and Morton, *Working People*, p. 174. The dependence on Barrett for moral support reflected the difficulty Shea experienced in getting other militant unionists to back the HSL strike.



## *Striking in the Halifax Shipyards 139*

being reached through direct confrontation was decidedly slim. Knowing that adjudication was the logical eventuality in resolving the dispute, Shea nevertheless led Local No. 1 in a futile assault on the corporate bulwarks. George Smith, president of the Halifax Trades and Labor Council, rubbed salt into the wound during an AFL organizing drive at the Halifax Shipyards in November 1944. Shipyard workers, he declared, had taken “an awful licking” that would never have occurred if they “had been in A.F.L. unions”. Smith claimed that two years before, he had suggested to Shea that the check-off should be taken to the courts. “Had they done so [then]”, he added, “I think we would have been able to help them out with funds”. Shea was present at the meeting, but his spirited response was not recorded — although it is known that the word “liar” was “hurled across the floor as the altercation reached fever pitch”.<sup>115</sup> Once the Supreme Court decision was announced, Shea recovered his composure somewhat, but he still advocated cutting CCL losses in Halifax and cultivating greener pastures across the harbour:

[The Dartmouth workers] are the most stable members of the Industrial Union [and] they should be granted... a Charter and be in a position to take care of their own affairs. The feeling in Halifax is running very high against Bro. Silby Barrett and his wild promises which he neglected to try and carry out, and there is considerable talk against the Congress as the result of his actions. The Dartmouth workers are staunch in support of the C.C. of L. so [we should]... separate [sic] the good apple from the bad one and save at least the Dartmouth membership.<sup>116</sup>

The Dartmouth branch of Halifax Shipyards Limited was soon rewarded for its loyalty, receiving a charter as Local 13 of the IUMSWC. Not long after, however, the CCL conceded that it alone could not hold the Eastern shipyards together, and in 1945, Congress reconciled with J.K. Bell. The Maritime Marine Workers' Federation became the parent body for yards in Nova Scotia and New Brunswick, joining three other regional federations chartered by the CCL to manage its affairs in the troubled shipbuilding industry. It was to be the first step towards the long-heralded establishment of a nation-wide industrial union of Canadian shipbuilders; however, in the cold light of postwar regional disparities and the

115 Newspaper clipping: *Chronicle*, 13 November 1944, in Department of Labour, Strikes and Lockouts, No. 134, vol. 437, RG27 (Micro T-4070), NA. On George Smith, see McKay, *The Craft Transformed*, pp. 95-6.

116 Shea to Conroy, 16 September 1944, H.A. “Pat” Shea, Correspondence 1942-44, part 1, MG28 I 103, vol. 163, CLC, NA. Conroy replied on 26 September that to grant a charter to the Dartmouth Local would “weaken the position of all concerned”, and advised Shea to “await the decision of the Supreme Court of Nova Scotia on the check-off question”.

gradual disintegration of the CCL, this wartime dream quietly faded away.

Five years of economic prosperity, rapid industrialization and increasingly rigid state regulation forever altered the relationship between labour, business and government. The campaign for union security focused public attention on the grievances of workers at a time when the cooperation of labour was an essential component of the war effort. Although business and government frequently alleged that strikes of any kind were subversive and unpatriotic in wartime, episodes like the walkout at Halifax projected an image of orderly worker protest: there was little violence, no overt radicalism, and union security issues appeared to be relatively innocuous and less selfish than the typical wages/benefits dispute. In November 1946, a national Gallup poll asked Canadians, "In a factory which has a union, should the workers who are not members be obliged to pay the regulation union fees [i.e. dues] if they are getting union rates of pay" ? Among the general population, 52 per cent of the respondents said yes, 33 per cent said no. With the sample split according to political affiliation, the CCF naturally registered a strong 70 per cent affirmative, but a sizable 48 per cent of Liberals and 43 per cent of Progressive Conservatives also replied yes.<sup>117</sup> While hardly conclusive, these figures do reflect generally softening public attitudes towards organized labour. By the end of the Second World War, it seemed to many that the unions wore the white hats.

On the other hand, the ordeal of Local No. 1 and Pat Shea's quixotic quest for the check-off belie the notion that P.C. 1003 transformed the conventions of labour-management relations overnight. The whole thrust of federal labour policy had always been to manage and minimize labour strife; yet here was a case where the government completely abandoned its supposed obligation to promote, in Mackenzie King's bland phraseology, "the partnership of management, of workers and the community".<sup>118</sup> Even though the government indirectly stimulated unions to press for the check-off and other security clauses, it also failed to establish a policy with regard to union security. When the Executive Council of the Canadian Congress of Labour convened early in 1945 to discuss the merits and flaws of P.C. 1003, they expressed concern that the grudging toleration by employers of union security provisions would vanish when the nation was no longer at war. The Council recommended that government boards set up to administer P.C. 1003 be given the authority to impose union security clauses in collective agreements, and "failure to comply with any such order or direction...[would] constitute an unfair labour practice".<sup>119</sup> However, when the

117 Jeremy Taylor, "The Rand Formula", *The Quarterly Review of Commerce*, XIV, 2 (1950), p. 154.

118 From an address to the American Federation of Labor in October 1942. See the *Toronto Globe and Mail*, 10 October 1942.

119 "Report of Special Committee of the Executive Council on P.C. 1003 and P.C. 9384", 15 January 1945, p. 4, MG28 I 103, vol. 195, file 5, CLC, NA.

## *Striking in the Halifax Shipyards 141*

government finally completed the conversion of the emergency Order-in-Council into peacetime legislation in 1948, there was no legislative endorsement of union security. Incorporating the rights of workers into postwar public policy was largely left to the discretion of provincial legislation.<sup>120</sup> To that end, at least, the Halifax Shipyards strike had not been staged in vain: it clarified an important section of the 1937 Trade Union Act, and it probably saved the Local No. 1 from annihilation at the hands of AFL organizers as well. Indeed, the union turned out to be a hardy perennial, outliving the CCL, Dosco and even Halifax Shipyards Limited.<sup>121</sup> Local No. 1 continues to represent shipyard trades in Halifax to this day.

But the episode also illustrated the hazards of launching a strike action with no reasonable expectation of a compromise settlement. Exercising the option of last resort had been an ill-conceived ploy to probe weaknesses in the government's hastily-erected wartime labour policy, rather than a bargaining tactic intended to put pressure on recalcitrant managers. The outcome clearly shows that the conciliation process formulated by the federal government during the Second World War seemed poorly designed to establish ground rules for future labour-management relations. It was simply a collection of expedient statutes which channelled labour strife into a bureaucratic labyrinth. A "damage control" approach to labour relations in war production had the ironic side effect of encouraging labour to undertake measured doses of damage — i.e. work stoppages — as one means of securing basic concessions. This was the impetus behind scores of wartime strikes where union security was the central issue — not because wartime workers were overly militant, but because the legal framework created by the government to deal with labour strife left few other avenues open to settling disputes of that kind. The Halifax Shipyards case illustrates how easily that conciliation process could collapse, and how unwilling the government was to accept responsibility for the consequences of that breakdown.

120 Morton, *Working People*, p. 197.

121 The TLC and CCL merged in 1955. Dosco was dismantled in 1968, and HSL became Halifax Industries Ltd., a consortium of CN Marine, Hall Steamships and AMCA International. HIL declared bankruptcy in 1985, and was acquired by a group of Halifax businessmen. See *Hamilton Spectator*, 12 June 1985.