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as human beings, as collaborators in the enterprise." [3]

If we approach personnel problems with another spirit, if we do not understand this responsibility which we have, if we do not grant this place to the personnel in industry, no real education would be possible among the workers. And the evolution or the revolution of the masses would find the employers and their representatives at fault.

At the present time, we often hear that in labour relations, we are beginning to live in the era of the integration of the workers into society by their participation on a larger scale in the control and administration of industry.

The education of the employers and employees in regard to their rsepective rights and duties in the pursuit of the common good of the enterprise has brought a social and economic evolution in labour relations with corporative organizations and new conceptions, such as parity committees, employee stock-holding formulas, profit-sharing plans, conception of the enterprise as community of work, the desire expressed many times by the workers to participate fully in the life of the enterprise. Everywhere, one hears talk of obligatory structural reforms.

And, particularly in America, it is clear that we are in the presence of a vast effort on the part of all right-thinking persons to try to give a spirit and soul to existing institutions in order that they may really serve mankind. A "new look" in employer-employee education occupies the first place in this vast effort of social renovation.

A negative spirit cannot stop the mounting tide of these new ideas. It is exactly this spirit which refuses to understand the profound aspirations of the working classes, to analyse them in order to grant them what is fair in their desires, and to help them in their effort of social promotion, which has given room to the materialistic ideologies which are shaking the world at the present time.

In our country, we are on the threshold of this transformation of the industrial world. What attitude will the employers and their representatives take in this irresistible evolution of the working classes ? What will be their part in the necessity of integrating workers in the structure of enterprises, to lead them to participate really in them ? By their abstinence will they let industry founder into the proletarian revolution or will they work with all their intelligence and all their force to save, in the new world, the *rights and inalienable place of the employer in a system of free enterprise ?*

This is, in my humble opinion, the true problem which presents itself in all labour relations problems at the present time. *Evolution or revolution.* Systematic opposition to new ideas, or progressive education of the members of the enterprise and serious study of these new trends in labour relations.

Find the right solution to this problem — an acceptable and applicable solution for all — let us hope that this will be the triumph of human engineering in the troubled years ahead...

(3) Ibidem, p. 18.

LABOUR JURISPRUDENCE

Value of a union constitution — Mandamus

A member of a union local — No. 1552 of the Shipliners Union — was found guilty of harbouring stolen goods and fined $25.00. Following the sentence one of the union members proposed that the man be expelled. This the union voted down by a big majority. The president vetoed the majority decision of the members.

The Court of Appeals unanimously reversed the decision of the Superior Court. In its interpretation of the constitution of the union local the Court of Appeals decided that in the circumstances such a veto exceeded the powers granted to the president by the said constitution and that, therefore, the veto was illegal. The fact that the defendant had pleaded guilty before a criminal court did not lead automatically to the loss of his membership in the union. Since then, in meeting actions of this sort, the court must maintain a writ of Mandamus and order the defendant reinstated in the union local.

Moreover it cannot be pretended that the Mandamus is ineffective against the union local because it is not incorporated, precisely on account of articles 28 and 29 of ch. 342 R.S.Q. (Special Procedures).

(Comtois, plaintiff, versus Union Local 1552 of the Shipliners, defendant, and that of Robillard and others cited in evidence; Judges Galipault, St-Germain, Barclay, Pratte and Casey; Montreal, May 28, 1948, cf. R.J. de Q., C.B.R., Nov. 48, p. 671.)