

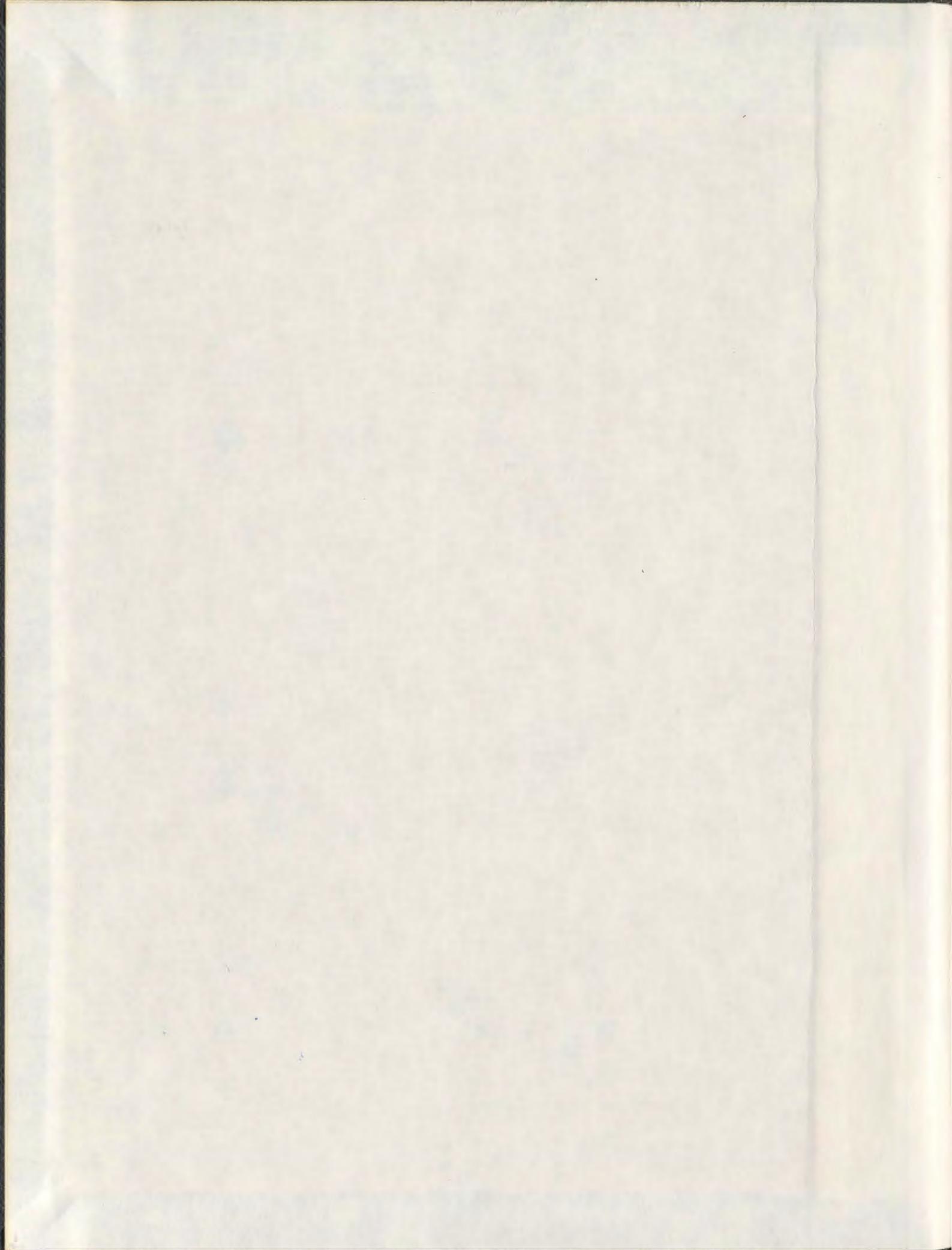
"AND THERE'S NOTHING GOES WRONG":
INDUSTRY, LABOUR, AND HEALTH AND SAFETY
AT THE FLUORSPAR MINES,
ST. LAWRENCE, NEWFOUNDLAND, 1933-1978"

CENTRE FOR NEWFOUNDLAND STUDIES

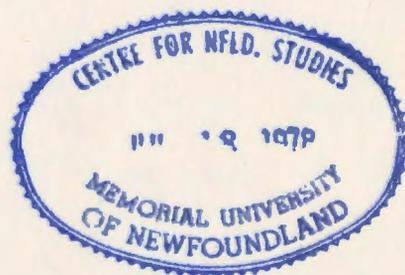
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Canada

**“‘And there’s nothing goes wrong’: Industry, Labour, and Health and Safety
at the Fluorspar Mines, St. Lawrence, Newfoundland, 1933-1978”**

by

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A thesis submitted to the
School of Graduate Studies
in partial fulfilment of the
requirements for the degree of
Doctor of Philosophy

Department of History
Memorial University of Newfoundland

September 2001

St. John’s

Newfoundland

Abstract

In 1933, an American entrepreneur offered the people of St. Lawrence, a small town on the south coast of Newfoundland, the prospect of escaping rampant unemployment and meager public relief by starting a mine to extract the area's vast deposits of fluorspar, which is used in the manufacture of steel, aluminum, and various chemical products. Coming in the context of the Great Depression and the collapse of the fishing industry, the mining industry was eagerly embraced by residents of St. Lawrence and surrounding communities. Several mines were subsequently established, by both the original American company, the St. Lawrence Corporation of Newfoundland, and later by the Aluminum Company of Canada (Alcan). The fragile prosperity that accompanied the industry from the 1930s until closure of the last Alcan mine in 1978, however, exacted a heavy price. Many St. Lawrence workers lost their lives to industrial diseases caused by dust and radiation in the mines.

This thesis explores the history of industry, labour, and health and safety at the St. Lawrence mines. This study focuses on the struggle by workers and their union for recognition of workplace hazards, improved working conditions, and adequate compensation for industrial disease victims and their families. The thesis argues that, rather than being passive victims of an unavoidable tragedy, workers at St. Lawrence were aware of the adverse health impacts of their work from the very early years of mining, and

fought constantly over several decades to have their concerns addressed. Furthermore, the thesis argues that the disaster which ultimately unfolded at St. Lawrence was primarily the result of industry and government authorities ignoring or downplaying legitimate concerns and thereby shirking their moral and legal responsibilities.

Acknowledgments

Many organizations and individuals have assisted in the completion of this thesis. I would like to acknowledge the support of the Social Sciences and Humanities Research Council of Canada, the Institute of Social and Economic Research, the J.R. Smallwood Centre for Newfoundland Studies, the School of Graduate Studies, and the Department of History.

Thanks to those who facilitated access to archival sources. Gregory Quirke of the Town Council of St. Lawrence and Beth Oberholtzer were instrumental in providing access to the archival collection of the St. Lawrence Memorial Miners' Museum. The staff at the archive of the Aluminum Company of Canada in Montreal and at the Newfoundland Department of Mines and Energy were also very cooperative. Thanks also to Father John Maddigan of St. Thomas Aquinas Parish, St. Lawrence.

Special appreciation is due to my co-supervisors, Gregory Kealey and Shannon Ryan. In supervising my comprehensive reading fields, in reading and responding to various drafts of the thesis, and in many other capacities they have been constant sources of advice, encouragement, and constructive criticism. Thanks also to W.J.C. Cherwinski, for supervising my comprehensive reading field in Canadian history and for providing criticism of an earlier draft of the thesis.

Many thanks to the former miners who welcomed me into their homes and shared their stories with me, and to my sister Carmel (Edwards) and my brother Cyril and their

families, who provided accommodation and other assistance during my fieldwork.

Many others have assisted, in a wide variety of ways, with this thesis. Thanks to Fran Warren and Beverly Evans-Hong of the Department of History, to the staff at the Centre for Newfoundland Studies, and to Joan Butler at the Department of Women's Studies. Thanks also to Dwight Botting, Karen Botting, Richard Clarke, James Hiller, Barend Kiefte, Elliot Leyton, Richard (Bud) Loder, Iris Power, William Reeves, Allen Seager, Herbert Slaney, Jerome Spearns, the late Stuart Pierson, and the late Adrian Slaney.

One person deserves very special mention. My wife, Ingrid Botting, has been a constant source of help, inspiration, and advice, for which I am forever grateful. My daughter, Marianne, has also been with me through it all, growing from an unknowing source of motivation to become an open supporter. Her little brother, Charlie, has recently taken over in the former capacity.

This thesis is dedicated to my parents, the late Albert Rennie and the late Mary B. Rennie (Clarke) of Little St. Lawrence, two of the many who lived the reality I have had the privilege to try to describe.

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List of Abbreviations

| | |
|-------------|---|
| AA | Archive of the Aluminum Company of Canada |
| AECB | Atomic Energy Control Board |
| AECL | Atomic Energy of Canada Limited |
| AFL | American Federation of Labor |
| Alcan | Aluminum Company of Canada |
| Alcoa | Aluminum Company of America |
| ANF | American-Newfoundland Fluorspar |
| BWPU | Buchans Workers Protective Union |
| CCL | Canadian Congress of Labour |
| CIO | Congress of Industrial Organizations |
| CMA | Canadian Manufacturers Association |
| CNS | Centre for Newfoundland Studies |
| CNSA | Centre for Newfoundland Studies Archive |
| CNTU | Confederation of National Trade Unions |
| COLA | Cost of Living Allowance |
| Corporation | St. Lawrence Corporation of Newfoundland |
| CSD | Confédération des syndicats démocratique |
| CSN | Confédération des syndicats nationaux |
| CTCC | Confédération des travailleurs Catholiques du Canada |
| DME | Department of Mines and Energy |
| DOSCO | Dominion Steel and Coal Company |
| FLU | Federal Labour Union |
| FPT | Fédération provincial du travail |
| FSSA | Fédération des syndicats du secteur de l'aluminium |
| IDIA | Industrial Disputes Investigation Act |
| INCO | International Nickel Company |
| LSPU | Longshoremen's Protective Union |
| MTF | Metal Trades Federation |
| MUNFLA | Memorial University of Newfoundland Folklore and Language Archive |
| MWF | Mine Workers Federation |
| NAC | National Archive of Canada |
| Newfluor | Newfoundland Fluorspar Limited |
| NFFAWU | Newfoundland Fishermen, Food, and Allied Workers Union |
| NFL | Newfoundland Federation of Labour |
| NTLC | Newfoundland Trades and Labour Council |
| QFL | Quebec Federation of Labour |
| SLMM | St. Lawrence Miners' Museum |

List of Abbreviations (cont'd)

| | |
|---------------|---|
| SLMLPU | St. Lawrence Miners and Labourers Protective Union |
| SLWPU | St. Lawrence Workers Protective Union |
| SWL | Safe Working Level |
| TLC | Trades and Labour Congress |
| TLV | Threshold Limit Value |
| UIC | Unemployment Insurance Commission |
| USWA | United Steelworkers of America |
| WCB | Workers' Compensation Board |
| WL | Working Level |
| WLM | Working Level Month |
| WMWU | Wabana Mine Workers Union |
| WPB | War Production Board |

Glossary

| | |
|-------------------------------|---|
| assay lab | laboratory where ore samples are tested to determine grade |
| auxiliary fan | underground fan positioned to convey air through the mine |
| cage | elevator car used to transport workers |
| cross-cut | horizontal tunnel connecting two shafts or drifts |
| drift | horizontal tunnel running perpendicular to the shaft and parallel to the vein, used to access ore |
| dryhouse | building at top of shaft where workers change clothing and store equipment |
| flotation | a refining process in which crushed ore is immersed and stirred in a chemical solution |
| headframe | building at top of shaft which covers hoist and other surface works |
| heavy media separation | a refining process in which crushed ore is immersed in a chemical solution |
| hoist | device located at top of shaft used to raise and lower workers, ore, and supplies |
| level | any designated point along the shaft, usually where a drift is established |
| loading pocket | underground area where ore is accumulated before hoisting |
| manway | vertical opening between levels through which workers move, usually on ladders |
| mechanical ventilation | ventilation produced by a system of fans which blow air in and out of the mine (also known as “forced air ventilation”) |

Glossary (continued)

| | |
|----------------------------|---|
| mill | surface plant where ore is crushed and refined |
| muck | broken ore and debris created by drilling and blasting |
| mucking | removing broken ore and debris from a mined area |
| natural ventilation | ventilation produced through openings from the underground to the surface where no mechanical means, such as fans, are used |
| ore pass | chute through which ore is dropped to the level below |
| raise | vertical opening between levels in a mine |
| rockburst | sudden shifting of rock caused by an accumulation of pressure within mine walls |
| shaft | vertical opening from the surface to the underground |
| slusher | mechanical device used to remove broken ore and debris from a mined area |
| skip | bucket or other container used to transport ore up the shaft to the surface |
| stope | opening created when ore is removed from the vein at points along the drift |
| timber | wood posts and beams used to support walls and ceiling of mined area |
| trammer/tramcar | rail car or other vehicle used to transport ore |
| vent tubing | flexible pipe used to convey air in and out of the mine |

Chapter 1: Introduction

Though heard less often as the last of the old miners die and the lyrics fade from memory, the “Miners’ Alphabet” is still sometimes sung at kitchen parties in St. Lawrence, a small town on the south coast of Newfoundland.¹ Composed by a group of local men half a century ago, the song says much about the daily rhythms and hazards of a miner’s life, the hierarchies of the workplace, and the humor that sustains workers through trying circumstances. Perhaps the most poignant of the song’s lyrics, however, are the words, “Give a miner good pay and there’s nothing goes wrong.” These words speak to the tension underlying the relationship between the worker and his employer: the miner depends on his wages just as the employer depends on the cooperation of the miner, and this relationship hinges on the threat of resistance should the employer renege on his end of the bargain. Set against the backdrop of the history of the St. Lawrence mines, these words are also tinged with a dark irony that is palpable whenever they are sung. In St. Lawrence, much *has* gone wrong.

In 1933, an American entrepreneur offered the people of the community an opportunity to escape the poverty and degradation of unemployment and public relief by mining and exporting the vast quantities of fluorspar buried in the barren hills around the town.² The fragile prosperity that accompanied the mining industry during the subsequent

¹See map, Appendix A.

²Fluorspar is used in the manufacture of steel, aluminum and various chemical products.

decades exacted a heavy toll. Scores of men from St. Lawrence and surrounding communities have lost their lives to industrial diseases associated with the mines. In many cases they left financially destitute widows and children with little support from the state and none from the mining companies. Though there is little left of the mines but a network of gravel roads connecting patches of rusty steel, the town still bears reminders of its grim past. Atop the Memorial Miners' Museum sits a giant miner's hat, whose light shines into a nearby cemetery, which is replete with the headstones of dead miners, many of them in their fifties, forties, and even their thirties.

In both popular discourse and official accounts, the St. Lawrence tragedy is shrouded in controversy and misconception. It is often portrayed as the result of an unfortunate convergence of unforeseen forces, and its victims as unwitting and passive. This thesis aims to challenge that view by examining the history of mining, labour, and occupational health and safety in St. Lawrence from 1933 to 1978. This thesis argues that miners at St. Lawrence were aware even in the industry's formative years that conditions at the mines were hazardous to their health, and tried repeatedly over several decades to have workplace hazards recognized and addressed. The thesis demonstrates that any improvements made in working conditions and protective legislation came about not as a result of concern on the part of industry and government authorities, but as a response to a persistent struggle on the part of workers, their union, and others in the community, including miners' wives. By analysing the St. Lawrence case as a history of struggle, resistance, neglect, and exploitation, the thesis contends that the tragedy which unfolded

at St. Lawrence was neither unpredictable nor unpreventable. Rather, it was the result of industry and government ignoring and downplaying workers' concerns and thereby shirking their legal and moral responsibilities.

1.1 Literature Review

This thesis builds upon and contributes to several themes within the historiography of both Newfoundland and Canada. In the Newfoundland context, it represents the first long-term, detailed study of the union movement in the context of the mining industry. Despite the fact that mining has long been a feature of the Newfoundland economy and miners' unions have been at times the most organized and militant in the province, this topic has received little attention apart from some popular or folkloric treatments.³ As such, this thesis contributes to the emerging historiography of the Newfoundland labour movement and sheds light upon a little known aspect of that history.⁴

³On Bell Island, see Gail Weir, *The Miners of Wabana* (St. John's: Breakwater, 1989), which grew out of her MA research. On Buchans, see Derek Yetman, *Riches of the Earth: The Story of Buchans* (St. Johns: Tenax, 1986); and Red Indian Lake Development Association, *Khaki Dodgers: The History of Mining and the People of the Buchans Area* (Grand Falls: The Association, 1992). While as yet unpublished, Peter Narvaez's "The Protest Songs of a Labor Union on Strike Against an American Corporation in a Newfoundland Company Town: A Folkloric Analysis with Special Reference to Oral Folk History," PhD thesis, Indiana University, 1986, is also worth noting.

⁴Newfoundland labour history emerged as a distinct area of inquiry relatively recently, during the 1980s, which is attributable in part to the fact that in 1980, the journal *Labour/Le Travail* moved, with its founding editor, Gregory S. Kealey, to Memorial University. This had an important impact upon, among other things, research within the graduate program. The first general survey dealing specifically with the Newfoundland

This thesis therefore represents both a continuation of the ongoing effort to uncover the history of Newfoundland workers and their struggles, and the first long-term study of the union movement within the Newfoundland mining industry.

Because it focuses on occupational hazards and industrial disease, this thesis also contributes to our understanding of the history of occupational health and safety policy in

labour movement was published in 1986. William Gillespie's *A Class Act: An Illustrated History of the Newfoundland Labour Movement* (St. John's: Creative, 1986) is a useful summary of the major trends and events in the Newfoundland labour movement since the early 19th century. It should be noted that while Gillespie's was the first such published account, much of the same historical ground had already been covered by Rolf Hattenhauer in an unpublished manuscript, a condensed version of which appeared as "A Brief Labour History of Newfoundland," prepared for the Royal Commission on Labour Legislation in Newfoundland and Labrador, 1970. Important subsequent works include Briton Cooper Busch, "The Newfoundland Sealers' Strike of 1902," *Labour/Le Travail* 14 (Fall 1984), 73-101; Ian D.H. McDonald, "To Each his Own": *William Coaker and the Fishermen's Protective Union in Newfoundland Politics, 1908-1925*, J.K. Hiller, ed. (St. John's: ISER, 1987) and Gordon Inglis, *More Than Just a Union: The Story of the NFFAWU* (St. John's: Jespersion Press, 1985). A significant event in the evolution of Newfoundland labour history as a sub-discipline was the 1990 publication of a Special Issue of *Labour/Le Travail* devoted to the subject. Articles in that issue included Linda Little, "Collective Action in Outport Newfoundland: A Case Study From the 1830's," *Labour/Le Travail* 26 (Fall 1990), 7-35; Jessie Chisholm, "Organizing on the Waterfront: The St. John's Longshoremen's Protective Union, 1890-1914," 37-59; Peter McInnis, "All Solid Along the Line: The Reid Newfoundland Strike of 1918," 61-84; Dufferin Sutherland, "Newfoundland Loggers Respond to the Great Depression," 83-115; and Sean Cadigan, "Battle Harbour in Transition: Merchants, Fishermen and the State in the Struggle for Relief in a Labrador Community in the 1930s," 125-50. See also, Dufferin Sutherland, "Newfoundland Loggers Respond to the Great Depression," *Labour/Le Travail* 29 (Spring 1992), 81-116; Sutherland, "A Social History of Pulpwood Logging in Newfoundland During the Great Depression," MA thesis, Memorial University of Newfoundland, 1988; Sutherland, "'We are only Loggers': Loggers and the Struggle for Development in Newfoundland, 1929-1959," PhD thesis, Simon Fraser University, 1995; and Ingrid Botting, "'Getting a Grand Falls job': Labour Markets, Migration, and Women's Paid Domestic Work in the Pulp and Paper Mill Town of Grand Falls, Newfoundland, 1905-1939," PhD thesis, Memorial University of Newfoundland, 2000.

Newfoundland and the role workers have played in that history. While there have been a number of studies on contemporary occupational health and safety issues in various industries, there has been little historical analysis of the issue in the Newfoundland context.⁵ This thesis therefore represents the first long-term analysis of this neglected area of Newfoundland history and the first attempt to combine an emphasis on health and safety with that on the labour movement.

Just as labour within the mining industry has received scant attention in the Newfoundland context, it also has not figured prominently in the broader Canadian context, despite the fact that the Canadian mining industry has long been the site of

⁵One important exception is Fred Winsor, "The Newfoundland bank fishery: government policies and the struggle to improve bank fishing crews' working, health, and safety conditions, 1876-1920," PhD thesis, Memorial University of Newfoundland, 1996. Contemporary studies include Mark Shrimpton and Keith Storey, *Work-related Stress in the Newfoundland Offshore Oil industry: Implications for Health and Safety* (St. John's: ISER, 1991); Shrimpton and Storey, *Workers in Remote Areas: The Petroleum, Mining and Forestry Industries* (Geneva: Occupational Health and Safety Branch of the International Labour Office, 1995); Shrimpton and Storey, eds. *Social, Psychological and Cultural Aspects of Health and Safety in the Offshore Oil Industry* (St. John's: ISER, 1993); J.D. House, *But Who Cares Now?: The Tragedy of the Ocean Ranger* (St. John's: Breakwater, 1987); Barbara Neis, "Can't get my breath," in *Invisible: Issues in Women's Occupational Health* (Charlottetown: Gynergy, 1995); and Susan Williams and Barbara Neis. *Occupational Health in Newfoundland's Deepsea Fishing Industry: Stress and Repetitive Strain Injuries Among Plantworkers; Accidents on Board Trawlers, Final Report* (St. John's: ISER, 1990). The only work to explore the health impacts of mining in Newfoundland is Elliot Leyton's *Dying Hard: The Ravages of Industrial Carnage* (Toronto: McClelland and Stewart, 1975). Based on interviews with former miners and widows in St. Lawrence, *Dying Hard* was, by Leyton's own account, a work of social advocacy rather than of academic analysis and contained little discussion of the way in which workers and others had fought for improved working conditions over the years, or of the specific role which government and industry played in the St. Lawrence case.

frequent and militant labour unrest.⁶ There are important exceptions to this general lack of attention. A collection of articles dealing with the famous 1949 strike at the asbestos mine and mill in Asbestos, Quebec, edited by Pierre Trudeau and first published in 1956, was one of the earliest attempts to analyze the many facets of a miners' strike in Canada, including its political, economic, religious and public relations aspects.⁷ Unionism, labour radicalism, and occupational health and safety among coal miners, especially in Nova Scotia, have received a lot of attention.⁸ The history and activities of international

⁶According to figures provided in Gregory S. Kealey and Douglas Cruikshank, during the first half of the 20th century there were more strikes in mining than in any other industry sector, per total number of workers, and strikes in the mining industry involved more workers and were almost invariably longer in duration than strikes in other sectors: "Strikes in Canada, 1891-1950," in Gregory S. Kealey, *Workers and Canadian History* (Montreal and Kingston: McGill-Queen's University Press, 1995), 402.

⁷Pierre Elliott Trudeau, *The Asbestos Strike*, translated by James Boake (Toronto: James Lewis and Samuel, 1974). First published in 1956 as *La Grève de l'amiante*.

⁸These include: Don McGillivray, "Military Aid to the Civil Power: The Cape Breton Experience in the 1920s," *Acadiensis*, III, 2 (Spring 1974), 45-64; Paul MacEwan, *Miners and Steelworkers: Labour in Cape Breton* (Toronto: Samuel Stevens Hakkert, 1976); David Frank, "Class Conflict in the Coal Industry Cape Breton 1922," in Gregory S. Kealey and Peter Warrian, eds., *Essays in Canadian Working Class History* (Toronto: McClelland and Stewart, 1976), 161-84; Ian McKay, "The Provincial Workmen's Association," in W.J.C. Cherwinski and G.S. Kealey, eds., *Lectures in Canadian Labour and Working-Class History* (St. John's: CCLH, 1985), 127-34; Ian McKay, "The Realm of Uncertainty: The Experience of Work in the Cumberland Coal Mines, 1873-1927," *Acadiensis*, XVI, 1 (Autumn 1986), 3-57; Michael Earle, "'Down with Hitler and Silby Barrett': The Cape Breton Miners' Slowdown Strike of 1941," *Acadiensis*, XVIII, 1 (Autumn 1988), 3-26; Ron Crawley, "Off to Sydney: Newfoundlanders Emigrate to Industrial Cape Breton, 1890-1914," *Acadiensis*, XVII, 2 (Spring 1988), 27-51; Michael Earle, "The Coalminers and their 'Red' Union: The Amalgamated Mine Workers of Nova Scotia, 1932-1936," *Labour/ Le Travail*, 22 (Fall 1988), 99-137; Michael Earle and H. Gamberg, "The United Mineworkers and the Coming of the CCF to Cape Breton,"

organizations in Canada, such as the Western Federation of Miners and the International Union of Mine, Mill and Smelter Workers, have also been the subject of study.⁹ Laurel Sefton MacDowell's analysis of the 1941-42 Kirkland Lake miners's strike is a useful case study on the impact of war upon the industrial relations regime in Canada.¹⁰ Apart from these works and brief coverage in surveys or in histories of particular mining industries and communities, the consideration given to labour within the mining industry has been minimal considering its long and active history.

In addition to being the site of frequent labour unrest, the mining industry has long been recognized as among the most dangerous in the world, a distinction it has held since its ancient origins and which has drawn comment and criticism from many observers down

Acadiensis XIX, 1 (Autumn 1989) 56-90; David Frank, *J.B. McLachlan: An Autobiography* (Toronto: Lorimer, 1999); David Frank "Class Conflict in the Coal Industry, Cape Breton, 1922," in Gregory S. Kealey and Peter Warrian, eds., *Essays in Canadian Working Class History* (Toronto: McClelland and Stewart, 1976), 161-84"; and David Frank, "Industrial Democracy and Industrial Legality: The UMWA in Nova Scotia, 1908-1927," in John H.M. Laslett, ed., *The United Mine Workers of America: A Model of Industrial Solidarity?* (Pennsylvania: Pennsylvania State University Press, 1996), 438-55.

⁹Mike Solski and John Smaller, *Mine Mill: The History of the International Union of Mine, Mill and Smelter Workers in Canada Since 1895* (Ottawa: Steel Rail, 1984) is a popular history but contains much useful information. *Hard Lessons: The Mine Mill Union and the Canadian Labour Movement*, Mercedes Stedman, Peter Suschnigg and Dieter K. Buse, eds. (Toronto: Dundurn Press, 1995) is a collection of articles on a variety of topics and events associated with the Mine-Mill. On labour radicalism in British Columbia and Alberta, see, Allen Seager, "Socialists and Workers: The Western Canadian Coal Miners, 1900-21," *Labour/Le Travail*, 16 (Fall 1985), 23-59.

¹⁰Laurel Sefton MacDowell, "*Remember Kirkland Lake*": *The History and Effects of the Kirkland Lake Gold Miners' Strike, 1941-42* (Toronto: University of Toronto Press, 1983).

through the ages.¹¹ The relationship between labour unrest and occupational hazards within the mining industry has seldom been explored in detail.¹² One influential study has suggested that one of the reasons for this is that occupational health and safety struggles are often fought not in the formal arena of contract negotiations and authorized strikes, but through more informal channels – in everyday relations between workers and their supervisors or fellow workers, and through unofficial and unauthorized job actions such as wildcat strikes or other forms of protest.¹³ The authors of this study also argued that

¹¹See, for example, George Rosen, *The History of Mining Diseases: A Medical and Social Interpretation* (New York: Schuman's, 1943), which documents mining hazards from Neolithic times to the end of the 19th century. Georgius Agricola's landmark work *De Re Metallica*, first published in 1556, contains a discussion of the various dangers to which miners at that time were exposed and the methods devised to deal with them. See the Herbert Clark Hoover translation (New York: Dover, 1950), especially 200-18. Bernardino Ramazzini's *A Treatise of the Diseases of Tradesmen* (London 1746) was also an important work in documenting the hazards of the mining industry. Through the 1980s, the fatality rate in the mining industry was over seven times the average for all industries: Labour Canada, *Employment Injuries and Occupational Illnesses, 1985-87* (Ministry of Supply and Services, 1990), Table 6.

¹²For brief references to important developments in the pre-1970s literature, see Harold Logan, *Trade Unions in Canada: Their Development and Functioning* (Toronto: MacMillan, 1948), 69, 166. It mentions attempts by the Trades and Labour Congress and the Nova Scotia Provincial Workmen's Association to reform in occupational health and safety in Canadian mines during the late 19th and early 20th centuries. See also Charles Lipton, *The Trade Union Movement of Canada, 1827-1959* (Montreal: Canadian Social Publications, 1967), 58-75, 323-5, for references to union demands for health and safety improvements in British Columbia's mines in the 1930s and Quebec's asbestos mines in the 1940s.

¹³Charles E. Reasons, Lois L. Ross, and Craig Patterson, *Assault on the Worker: Occupational Health and Safety in Canada* (Toronto: Butterworths, 1981), 239-42. To illustrate, the authors point out that of 46 disputes over occupational health and safety issues in British Columbia from 1973 to 79, nearly all were very short in duration and were

while health and safety concerns may not be the official, explicit issues at stake in job actions, they can often be an underlying cause of labour unrest. The result, they concluded, is that a lot of labour unrest which results from occupational health and safety issue is not reported as such or is not reported at all, making it a difficult area for historical inquiry.¹⁴

This thesis seeks to overcome some of the common difficulties in researching the relationship between labour unrest and health and safety by going beyond the standard historical sources, such as official strike reports, and delving into the details of the daily relations between workers, management, and government, thereby revealing the effects of health and safety concerns on the general labour relations climate and on specific labour disputes.

In addition to the difficulty created by the marginalization of health and safety issues within standard labour history sources, there is also the problem of actually identifying occupational illnesses. This points to an important distinction between job-related injuries and illnesses. As one Canadian researcher put it in reference to the available data from the 1960s and 1970s,

staged during the term of a collective agreement.

¹⁴Reasons, Ross, and Patterson, *Assault on the Worker*, 236-9. Richard Hyman, in his sociological analysis of strikes in Great Britain, makes a similar point in a more general way, pointing out that in Great Britain, the United States, and France many work stoppages have gone unrecorded because they were “unofficial” in one way or another – brief, wildcat strikes or strikes unauthorized by the union executive, and staged while a collective agreement was in place: *Strikes* (London: Fontana, 1972), 42-3.

Unfortunately, our knowledge about industrial disease, its measurement and prevention, is very limited. The statistics on industrial diseases have not been assembled in a fashion to permit analysis. Accidents and fatalities can be counted; industrial exposure to noise, fumes, heat, cold and chemicals may result in illness at a later date, or illness which may not be attributed to the work exposure either because of multiple causation or because of individual or medical ignorance.¹⁵

Because injuries are more easily identifiable and quantifiable than are illnesses, much historical research has tended to focus on the former. Furthermore, workplace accidents causing multiple injuries or fatalities tend to be dramatic in nature and to therefore attract more media and public attention. As one historian studying occupational hazards in Ontario mines has pointed out, when workers are killed slowly, one at a time, as they are by industrial disease, it tends to provoke little public interest or outrage.¹⁶ Given these factors, it is not surprising that much research on occupational health and safety in the Canadian mining industry has focused on workplace accidents as opposed to the more surreptitious causes of disablement and death.¹⁷ While workplace injuries and

¹⁵G.B. Reschenthaler, *Occupational Health and Safety in Canada: The Economics and Three Case Studies* (Montreal: Institute for Research on Public Policy, 1979), 2. See also Harry J. Glasbeek and Susan Rowland, "Are Injuring and Killing at Work Crimes?" *Osgoode Hall Law Journal*, 17 (December 1979), 509; and Terence Ison, *The Dimensions of Industrial Disease*, Research and Current Issues Series, N. 35 (Kingston: Industrial Relations Centre, Queen's University, 1978), 2.

¹⁶Doug Baldwin, "A Study in Social Control: The Life of the Silver Miner in Northern Ontario," *Labour/Le Travailleur*, 2 (1977), 94.

¹⁷Examples of the former include: David Jay Bercuson, "Tragedy at Bellevue: Anatomy of a Mine Disaster," *Labour/Le Travailleur*, 3 (1978), 221-32; Ian McKay, "Springhill 1958," *New Maritimes*, 2 (December 1983/January 1984), 4-16; Bryan D. Palmer and Robert Lunn, "The Big Sleep: The Malartic Mine Fire of 1947," *Labour Le Travail*, 39

fatalities caused by accidents are discussed in this thesis, the focus is on industrial diseases. The thesis therefore adds to our understanding of a topic that has received little attention, from a historical perspective, even in the occupational health and safety literature. It also explores the relationship between industrial accidents and industrial diseases, showing, for example, how the two are portrayed for public relations reasons.

While factors such as those discussed above may have inhibited research in these areas, industrial diseases and workers' occupational health and struggles within the mining industry have drawn some attention from historians over the years. The 1970s was a time of heightened interest in such issues in Canada, for a number of reasons. Occupational hazards associated with such industries as copper, asbestos and uranium mining were generating intense public scrutiny and criticism during this time. As one commentator noted in the late 1970s, "There has been rarely a week in the past two or three years when some major Canadian newspaper did not contain at least one story related to occupational health."¹⁸ From 1969 to 1976, four major studies on occupational health and safety in Canada, three of them dealing with the mining industry, were released.¹⁹ There was also

(Spring 1997), 225-40; and Christopher McCormick, ed., *The Westray Chronicles: A Case Study in Corporate Crime* (Fernwood: Halifax, 1992).

¹⁸Robert Paehlke, "Occupational Health Policy in Canada," in William Leiss, ed., *Ecology versus Politics in Canada* (Toronto: University of Toronto Press, 1979), 97-98.

¹⁹These three were: the Royal Commission on Radiation, Compensation and Safety at the Fluorspar Mines, St. Lawrence, Newfoundland (Newfoundland 1969), the Royal Commission on the Health and Safety of Workers in the Mines of Ontario (Ontario 1976), and the *Comité d' étude sur la salubrité dans l' industrie de l' aminante* (Quebec 1976).

some concern during the 1970s that despite apparent legislative progress throughout the 20th century, mining continued to lead all industries in work-related fatalities.²⁰ Increased concern about the environmental impacts of industrial contaminants, as well as increased education levels among industrial workers, have also been credited with raising awareness about occupational hazards around this time.²¹

Coinciding with these historical factors was shift taking place in the study of Canadian history, characterized by an increased emphasis on the labour movement and the working class. The convergence of these trends gave rise to increased attention to the history of workers' occupational health and safety struggles dating back to the late 19th

Similar developments were taking place in other countries. In the United States, major changes to occupational health and safety legislation were introduced through the federal Mine Safety and Health Act of 1969 and the Occupational Safety and Health Act of 1970, generating a lot of public and academic debate, while in Great Britain, the Robens Committee on Safety and Health at Work released its report in 1972.

²⁰Reschenthaler, *Occupational Health and Safety in Canada*, 2. According to Labour Canada figures, the mining industry had an average fatality rate of 121 per 100,000 workers from 1969 to 1978. Government of Canada, Department of Labour, Occupational Health and Safety Branch, *Fatalities in Canadian Industry, 1969-1978*.

²¹N. Ashford, *Crisis in the Workplace: Occupational Diseases and Injury* (Cambridge: MIT Press, 1976), 3-4. For a brief discussion of how these developments influenced the study of occupational health and safety in Canada, see Reschenthaler, *Occupational Health and Safety in Canada*, 1-3. This increased attention was reflected in the publication of G.W. Gibbs and P. Pintus, *Health and Safety in the Canadian Mining Industry* (Kingston: Queen's University Centre for Resource Studies, 1978), the first comprehensive survey of the various health and safety hazards associated with the mining industry in Canada, including asbestosis, cancer, and silicosis.

and early 20th century.²²

Since the 1970s, however, occupational health and safety have declined in prominence as a theme within the Canadian literature.²³ Some important contributions

²²A 1974 collection by Irving Abella contained accounts of several labour disputes in which occupational hazards were a major consideration, including S.D. Hanson's account of a bitter and violent strike at Estevan, Saskatchewan in 1931: "Estevan 1931," in Irving Abella, ed., *On Strike: Six Key Labour Struggles in Canada, 1919-1949* (Toronto: James and Lewis, 1974), 33-78. The Estevan strike and accompanying riot prompted a Royal Commission on wages and working conditions there, the report of which can be found in the *Labour Gazette*, XXXII (1932), 262-70. See also Jack Scott, *Sweat and Struggle: Working Class Struggles in Canada*, Volume 1, 1789-1899 (Vancouver: New Star, 1974), 149-84, which described occupational health and safety struggles among British Columbia coal miners during the 1850s, and Stuart Jamieson, *Times of Trouble: Labour Unrest and Industrial Conflict in Canada, 1900-66* (Ottawa: Task Force on Labour Relations, 1968), 163, which described how nearly 1,200 British Columbia coal miners staged a month-long strike in 1918 to demand improved ventilation in the mines. The inaugural issue of *Labour/Le Travail* (published in 1976) contained a piece by Stanley Scott exploring the role of occupational hazards in labour unrest in the copper mining and smelting industry in Cominco, B.C., during the First World War, as well as an account by Doug Baldwin of working conditions and workers' struggles in the mines of northern Ontario during the early 20th century. Stanley Scott, "A Profusion of Issues: Immigrant Labour, the World War, and the Cominco Strike of 1917," *Labour/Le Travailleur*, 2 (1977) 54-78; and Doug Baldwin, "A Study in Social Control: The Life of the Silver Miner in Northern Ontario."

²³Wallace Clement's *Hard Rock Mining: Industrial Relations and Technological Changes at INCO* (Toronto: McClelland and Stewart, 1981), while it focused on work processes and industrial relations, also examined the effects of technology, workers' compensation regimes, the collective bargaining process, and other factors upon occupational health and safety issues. Jeremy Mouat's, *Roaring Days: Rossland's Mines and the History of British Columbia* (Vancouver: University of British Columbia Press, 1995), touches upon health and safety issues, but does not explore them in any detail. Mouat states, for instance, that the miners of Rossland had "their own reasons" for forming a union and affiliating with the Western Federation of Miners in 1895, including "certain expectations regarding working conditions," 69, but does not explore whether or how the union acted upon those expectations.

have been made, however, by non-historians, such as those in the fields of law and journalism.²⁴ Two key works by non-historians that have informed this thesis are Lloyd Tataryn's *Dying for a Living*, and *Assault on the Worker*, which was coauthored by Charles Reasons, Lois Ross, and Craig Patterson.²⁵ Tataryn, a journalist, took several case studies from the Canadian mining industry to support an indictment of how governments and corporations have turned a blind eye to the known health impacts of industry in Canada. His analysis also included the important roles which such factors as media coverage and economic dependence play in this process. *Assault on the Worker* touched upon a wide range of historical and contemporary topics, including employers' strategies for divesting themselves of responsibility and the occupational hazards of

²⁴See, for example, Harry J. Glasbeek and Susan Rowland, "Are Injuring and Killing at Work Crimes?" *Osgoode Hall Law Journal*, 17 (December 1979), 506-594; Robert Sass, "The Underdevelopment of Occupational Health and Safety in Canada," in William Leiss, ed., *Ecology versus Politics in Canada* (Toronto: University of Toronto Press, 1979), 72-96; and Doug Smith, *Consulted to Death: How Canada's Workplace Health and Safety System Fails Workers* (Winnipeg: Arbeiter Ring Publishing, 2000), 36-43, 147. A work which combined an attention to historical detail with a legal perspective was Eric Tucker's *Administering Danger in the Workplace: The Law and Politics of Occupational Health and Safety Regulation in Ontario* (Toronto: University of Toronto Press, 1990). While not dealing specifically with mining, Tucker's was the first full-length study devoted to the history of occupational health and safety in a Canadian setting. It explored the issue from a variety of perspectives, including the impact of industrial hazards, workers' struggles for improvements, and the political and economic forces which shaped occupational health and safety policy during the period in question.

²⁵Lloyd Tataryn, *Dying for a Living: Occupational Health and Safety in Canada* (Deneau and Greenburg, 1979), Charles E. Reasons, Lois L. Ross, and Craig Patterson, *Assault on the Worker: Occupational Health and Safety in Canada* (Toronto: Butterworth's, 1980).

various industries, including mining, forestry, and farming.

This thesis aims to integrate the thematic concerns of conventional labour history, such as union formation and the collective bargaining process, with other perspectives not often found in the traditional approach, such as legislative regimes and the role of the media. In doing so, it aims not only to shed light on the St Lawrence case itself and on a neglected area of the history of both Newfoundland and Canada, but also to offer an innovative approach to understanding the history of occupational health and safety and the relationship among workers, employers, and the state within that history.

1.2 Methodology, Scope, Sources and Organization

While labour relations and health and safety are the central concerns of this thesis, such issues as industry developments and government policy are also important considerations. These are treated as interrelated elements, influencing and shaping each other as the saga unfolds. Fluctuations within the mining industry, for example, are analyzed in light of their effect on the labour relations climate and on attitudes toward occupational health and safety, just as labour relations and government policy are viewed as influencing each other.

Nor is occupational health and safety the only issue given consideration within the labour relations context. Union formation, shifting union priorities, contract issues, affiliation versus independence, and other industrial relations concerns are also addressed. The thesis also sets labour relations in St. Lawrence within the wider context of major

developments in Newfoundland and in Canada. Including these elements helps to outline the various phases through which the union and the labour relations regime in St. Lawrence passed, and to establish the context for the discussion of specific collective bargaining issues.

Viewing health and safety concerns within a wider labour relations context also helps illustrate how health and safety is treated as a labour relations issue. It highlights, for example, how the union attempted at various times to make health and safety a central concern within the collective bargaining process, and how that issue was marginalized or downplayed by employers and policymakers. Occupational health and safety is thus viewed as part of a broader history of struggle and conflict. This perspective also illuminates the way in which labour disputes that were ostensibly about such issues as wages or hours were in fact informed and motivated by long-standing grievances over working conditions and industrial disease. Viewed in this way, the analysis presented in this thesis has wider implications, beyond the specific case of St. Lawrence, for our understanding of occupational health and safety as a labour relations issue.

Though the first St Lawrence mine was established in 1933, the historical account offered here begins before that, with a summary of major developments in industry, labour, and occupational health and safety in Newfoundland mining and a brief history of the community of St. Lawrence up to the 1930s. This provides the historical context for the issues under consideration. Though the impacts of the mining industry, such as the health, social, and economic impacts did not cease to be felt with industry closure in 1978,

that is a logical cut-off date for the thesis, as the union, which is central to the analysis, ceased to function at that point. However, a brief account of major developments in the community from 1978 to the present is included.

While this thesis encompasses a variety of themes, some of these figure more prominently and are dealt with in more detail than are others. While it addresses major industry developments, especially in light of their effect on labour relations and health and safety, the thesis is not a business history. Likewise, while the nature of ore bodies and work processes are discussed when relevant to the main issues under consideration, they are not analyzed in a detailed, technical fashion. Similarly, the medical and pathological dimensions of various occupational illnesses are described in basic terms, but a detailed description is outside the scope of the thesis and the expertise of the author.

While the thesis considers the relationship between mining and other economic activities (such as the fishery), fluctuations in population, involvement by the non-mining population in industry-related protests, periodic intervention by the clergy, and other developments at the community level, the community itself is not central to the thesis. A community study of St. Lawrence, one examining these issues in more detail, and including such considerations as gender relations, social hierarchies, leisure activities, housing, religion, and education would be a valuable contribution to our understanding of the interactions among industry, labour, health and safety, and community. Within the limitations of this thesis, however, and considering the diverse and complex issues already under consideration, it would be impossible to explore these themes in depth.

To facilitate the integrated approach outlined above, the thesis makes use of a wide variety of sources. A key source is a collection of archival documents, pertaining mostly to the miners' union, housed at the St. Lawrence Miners' Museum. While this collection does not have an official title, it is referred to in the thesis as the "Archival Collection of the St. Lawrence Miners' Museum", and designated by the acronym "SLMM". The SLMM documents date from 1939 to 1978 and are arranged chronologically in the museum collection. They have been referenced as such in the thesis, but in cases where a duplicate of a museum document exists in a more central and accessible location, such as at the Provincial Archives of Newfoundland and Labrador (PANL) in St. John's, the latter reference is provided. Documents from PANL, in particular the files of the Commission of Government (GN38) dating from 1934 to 1949, are also used extensively throughout the thesis. Other crucial PANL sources are a collection of Department of Health files dating from the 1950s to the 1970s (GN78) pertaining to industrial disease, health surveys, and workers' compensation in St. Lawrence, and a collection of files relating to a Royal Commission conducted from 1966 to 1969 (GN6). The Centre for Newfoundland Studies Archive (CNSA), especially the papers of late Premier J.R. Smallwood, were an important source of information on government policy in the post-confederation era. Documents from the National Archives of Canada (NAC), especially those in the Labour Canada collection (RG27), were also utilized. The files of the Newfoundland and Labrador Department of Mines and Energy (DME) were crucial in providing information on mining operations and mines inspections.

An archival collection held at the Maison d'Alcan in Montreal was instrumental in providing details on that company's mining operations in St. Lawrence. While there was no local newspaper in the St. Lawrence area during much of the period under study, the major St. John's newspapers were surveyed for relevant material. Other newspapers were consulted for information on specific issues. The author also conducted a number of recorded interviews with former miners in St. Lawrence, which were instrumental in providing insight into working conditions, labour relations, worker attitudes toward health and safety, and other issues. These have been supplemented with other interviews on file at the Memorial University Folklore and Language Archive (MUNFLA).

The thesis is arranged chronologically, which not only helps to organize a mass of archival and other material, but also allows for an exploration of what the level of knowledge about certain workplace hazards was at given points during the period in question, and whether various interests acted appropriately given this knowledge. In other words, the chronological approach is best suited to examining how the actions or lack of action by various parties contributed to the disaster which ultimately unfolded.

Chapter Two describes the historical background to the establishment of the first St. Lawrence mine in 1933 and explores the history of mining, labour, health and safety, and government policy up to 1939. Chapter Three covers the war years, from 1939 to 1945, describing union formation, attempts to improve working conditions, labour relations and industry fluctuation during that period. Chapter Four covers the period from 1946 to 1956, and thus encompasses the post-war slump in the mining industry, the

impacts of Newfoundland's confederation with Canada in 1949, and increasing awareness of the health impacts of the St. Lawrence mines. Chapter Five covers the crucial period from 1957 to 1962, when one of the St. Lawrence mining companies entered a decline culminating in closure, federal and provincial authorities undertook the first detailed investigations of health concerns at the St. Lawrence mines, and workers staged a walkout to demand improvements in working conditions. Chapter Six examines developments from 1963 to 1969, including the union's decision to affiliate with a Quebec-based organization, labour unrest, public relations, and the proceedings and findings of a Royal Commission appointed in 1967. Chapter Seven covers the period from 1970 to 1978. It deals with reaction to the Royal Commission's report, escalating labour and public unrest throughout the 1970s, and industry closure in 1978. The Conclusion recapitulates the evidence and arguments presented in the main body of the thesis and presents the conclusions reached in light of that evidence, and includes a brief "Epilogue" covering major developments up to the present.

Chapter 2: Mining, Working Conditions, and Government Policy in the 1930s

Introduction

The primary aim of this chapter is to describe the establishment of the first St. Lawrence mine in 1933 and developments in industry, working conditions, labour relations, and government policy up to 1939. To provide the historical background to this account, however, the chapter begins with a summary of the major developments in industry, labour, and health and safety in Newfoundland mining up to the 1930s. This is followed by a description of the political and economic situation in Newfoundland in the early 1930s and a brief history of the community of St. Lawrence in the pre-mining era. The remainder of the chapter describes how, alongside industry expansion throughout the 1930s, workers, lacking alternatives, exploited by their employers, and abandoned by a government fixated on fiscal restraint, were forced to toil under primitive and extremely hazardous conditions.

2.1 The Historical Background: Mining, Labour, and Health and Safety up to the 1930s

The first major mines in Newfoundland were the copper mines established in the 19th century in Notre Dame Bay, on the island's northeast coast.¹ The three main sites were at Tilt Cove (established in 1864), Little Bay (1874), and Betts Cove (1875). The

¹On earlier developments, see Wendy Martin, *Once Upon a Mine: Story of Pre-Confederation Mines on the Island of Newfoundland* (Montreal: Canadian Institute of Mining and Metallurgy, 1983), 1-10.

Notre Dame Bay copper mines were Newfoundland's first experience with the boom-or-bust cycles characteristic of the mining industry. Mining industries sprang up practically overnight, followed by influxes of people seeking employment.² So sudden was this growth, that the Notre Dame Bay mines were heralded by some as an indication of the potential of the mining industry to break Newfoundland's dependence on the fishery, and a sign of vast, untapped resource wealth of the island.³

²For example, by 1869, just 5 years after the mine opened there, the population of Tilt Cove was 768, or 45 times its 1857 level: Colonial Secretary's Office, *Census of Newfoundland and Labrador, 1857* and *Census of Newfoundland and Labrador, 1869*. A visitor to Bett's Cove in 1878 estimated the population to be around 1,800: Reverend M. Harvey, *Across Newfoundland with the Governor: A Visit to our Mining Region*, (St. John's, 1879), 75-6. If that is an accurate figure, it represents a very large increase in such a short time, since a decade earlier no one was living at the site. Harvey's estimate must be viewed in light of the fact that he was more than a disinterested observer; James Hiller has described Harvey's assessments of the island's resources as a "Niagara of propaganda." James K. Hiller, "Newfoundland Confronts Canada, 1867-1949," in E.R. Forbes and D.A. Muise, eds., *The Atlantic Provinces in Confederation* (Toronto and Fredericton: University of Toronto Press and Acadiensis Press, 1993), 357.

³For example, according to one commentator at the time, the Tilt Cove mine was proof of the industry's potential to provide "an employment which would relieve the fisheries from a pressure which at present they cannot support": *The Courier*, 24 November 1866. The debate over land-based industrial diversification versus the fisheries was a prominent one at the time, and has become central to the Newfoundland historiography. See David Alexander, "Development and Dependence in Newfoundland, 1880-1970," *Acadiensis*, IV, 1 (Autumn 1974), 3-31; Alexander, "Newfoundland's Traditional Economy and Development to 1934," *Acadiensis*, V, 2 (Spring 1976), 56-78; Alexander, "Economic Growth in the Atlantic Region, 1880 to 1940," *Acadiensis*, VIII, 1 (Autumn 1978), 47-76; Steven Antler, "The Capitalist Underdevelopment of Nineteenth Century Newfoundland," in Robert J. Brym and R. James Sacouman, eds., *Underdevelopment and Social Movements in Atlantic Canada*, (Toronto: New Hogtown Press, 1979); Gerald Sider, *Culture and Class in Anthropology and History: A Newfoundland Illustration* (Cambridge University Press 1986); Ian McDonald, "To Each His Own": *William Coaker and the Fishermen's Protective Union in Newfoundland Politics, 1908-1925*, James K.

The enthusiasm with which these enterprises were greeted masked some of the grim realities of life and work in these places. A visitor to the Bett's Cove mine in 1878, for example, described climbing steep ladders and negotiating narrow tunnels by the dim light of candles, where "a false step would be instantly fatal." The deepest workings at that time were 400 feet below the surface, but descending to just the 150-foot level left this visitor exhausted from the heat and longing for fresh air.⁴ Another observer noted in reference to Little Bay in 1891 that,

A drearier looking place it would be hard to find. The sulphur smoke [from the copper smelters] went up in great volumes, and when the wind drove it inland, and the heavy atmosphere prevented its rise, those who were obliged to pass through it were almost suffocated. It gave the buildings a shabby appearance, and, of course, destroyed vegetation.... The men formed a dismal procession coming out of the pit, their clothes wet with mire, and a candle sticking in their caps. We can never forget one poor

Hiller, ed. (St. John's: Institute of Social and Economic Research, 1987); William Reeves, "Alexander's Conundrum Reconsidered: The American Dimension in Newfoundland Resource Development, 1898-1910," *Newfoundland Studies* 5, 1 (Spring 1989), 1-37; Sean Cadigan, *Hope and Deception in Conception Bay: Merchant-Settler Relations in Newfoundland, 1785-1855* (Toronto: University of Toronto Press, 1995), esp. vii-xii; James K. Hiller, "The Railway and Local Politics in Newfoundland: 1870-1901," in James K. Hiller and Peter Neary, eds., *Newfoundland in the Nineteenth and Twentieth Centuries* (Toronto 1980), 123-47; Hiller, "The Origins of the Pulp and Paper Industry in Newfoundland," *Acadiensis* 11, 2 (Spring 1982), 52-64; Shannon Ryan, *Fish out of Water: The Newfoundland Saltfish Trade, 1814-1914* (St. John's: Breakwater, 1986); and Ryan, *The Ice Hunters: A History of Newfoundland Sealing to 1914* (St. John's: Breakwater, 1994).

⁴Harvey, *Across Newfoundland with the Governor*, 82-4.

fellow, the victim of an explosion, carried home blinded and disfigured beyond all recognition.⁵

There was at that time no legislation for the protection of workers in Newfoundland mines. A bill introduced in 1877, calling for the inspection of Newfoundland mines for the safety of workers, does not appear to have gotten past First Reading.⁶ The issue surfaced in the House of Assembly again in 1887, when a committee appointed to investigate matters relating to the railway, agriculture, and mines noted with respect to mining that,

In view of the numbers who are likely to be engaged in the prosecution of this industry, we shall be glad to give prompt attention to the placing of measures on the Statute-Book which will afford to operative miners protection from injury to life and limb whilst engaged in their avocations.⁷

Again, however, nothing came of the recommendation.

The optimism which the Notre Dame Bay mines initially generated was quickly overtaken by harsh realities. Market forces, mismanagement, and depletion of reserves

⁵Brenton Symons, "The Mineral Resources of Newfoundland," *Engineering and Mining Journal* (August 1910), 361.

⁶*Journal of the House of Assembly of Newfoundland*, 1877, 123. Such regulations were in place in some other jurisdictions, such as Great Britain. The first legislation governing safety and inspections in British mines was passed in 1842, and was aimed specifically at coal mines. The legislation was refined and expanded over the ensuing years, and in 1872 an act was passed governing non-coal mines. See P.W.J. Bartrip and S.B. Burman, *The Wounded Soldiers of Industry: Industrial Compensation Policy, 1833-1897* (Oxford: Clarendon, 1983), 83-96. Canadian legislation came somewhat later. This issue is discussed in more detail later in Chapter Two.

⁷*Journal of the House of Assembly of Newfoundland*, 4 March 1887.

soon led to the collapse of these industries and the communities associated with them. While several Notre Dame Bay mines would be reopened in the 1950s and 1960s, the initial phase of mining ended with the closure of the Tilt Cove mine in 1916.

Following the Notre Dame Bay copper mines, the next major mining industry established in Newfoundland was at Bell Island, a short distance from St. John's. Established in 1895, the Bell Island iron ore mines were originally owned by the Nova Scotia Steel Company (usually known simply as "Scotia"), which used the iron ore to supply its Nova Scotia steel mills. The Bell Island mines went through many changes of ownership during their long life (from 1895 to 1966). In 1921, the Dominion Iron and Steel Company (DISCO), which owned a portion of the enterprise, merged with Scotia to form the British Empire Steel Corporation (BESCO). When BESCO went into receivership in 1926, the mines were taken over by the mortgager, National Trust, which ran the mines until 1930, when the Dominion Steel and Coal Company (DOSCO) took over.⁸

By 1901, there were about 1,100 workers employed at the Bell Island mines. The population had doubled in the decade from 1891 to 1901, and by 1935 was nearly eight

⁸See Gail Weir, *The Miners of Wabana: The Story of the Iron Ore Miners of Bell Island* (St. John's: Breakwater, 1989), Martin, *Once Upon a Mine*, 52-65; John W. Hammond, *Wabana: A History of Bell Island from 1893-1940* (New Brunswick: Print'n Press, 1982); and David Frank, "The Cape Breton Coal Industry and the Rise and Fall of the British Empire Steel Corporation," *Acadiensis* VII, 1 (Autumn 1977), 3-34.

times the 1891 level.⁹ Many Bell Island workers were native to the island or were from nearby outports around Conception Bay. These men worked under very dangerous and difficult conditions. By 1905, the ore bodies near the surface were exhausted and workers began tunneling out under the sea. By 1909, they were working a mile out under the ocean, more than 400 feet below sea level, with only an 85-foot ceiling between them and the ocean floor.¹⁰ There was no protective clothing and the mines were notoriously hot and wet. Candles or seal-oil lamps provided the only light until carbide lamps were introduced in 1911. Until the 1930s, there were no proper eating or toilet facilities. The bunkhouses were crowded and dirty, with up to thirty men sleeping on hay mattresses. Miners worked ten hours a day, six days a week.¹¹ Approximately 100 men were killed over the life of the Bell Island mines, by rockfalls, explosions, rail car accidents, and other accidents.¹²

Bell Island miners did not passively accept these conditions. In 1896, only eight months after the first shipment of ore left the island, 180 men struck for an increase of two cents on their wage of ten cents per hour. The men were not unionized at that time and

⁹The population went from just over 700 in 1891 to over 6,000 in 1935. Newfoundland. Colonial Secretary's Office, *Census of Newfoundland and Labrador, 1891*; *Census of Newfoundland and Labrador, 1921*; Newfoundland. Department of Public Health and Welfare, *Eleventh Census of Newfoundland and Labrador, 1935*; and Weir, *The Miners of Wabana*, 18.

¹⁰Martin, *Once Upon a Mine*, 55-56.

¹¹Weir, *Miners of Wabana*, 65-69.

¹²Weir, *Miners of Wabana*, 94.

they returned to work after several days, following the intervention of the local priest.¹³ In 1899, a St. John's journalist reported seeing the words "I am killing myself for 10 cents an hour" written on the side of an ore car at the Bell Island loading dock.¹⁴

In 1900, the Bell Island workers formed their first union, the Wabana Workmen and Labourers' Union (WWLU), and shortly after, 1,600 men walked off the job to demand a five-cent-per-hour increase. The 1900 strike was bitter and sometimes violent. There were clashes between strikers and replacement workers as well as between strikers and St. John's police who had been called to the scene. After five weeks, and the arrest of several strike leaders, the company agreed to a two and one-half-cent raise.¹⁵

Within the history of the Newfoundland labour movement, the 1900 Bell Island miners' strike was significant in a number of respects. While the history of the labour movement in Newfoundland can be traced back to sealers' strikes during the 1830s, and workers in various sectors organized during the nineteenth century,¹⁶ the formation of the

¹³*The Evening Herald*, 25 August 1896.

¹⁴From a collection compiled by Addison Bown, entitled "Newspaper History of Bell Island," n.d., unpublished document, CNS.

¹⁵For a brief account of the formation of the WWLU and the 1900 strike, see William Gillespie, *A Class Act: An Illustrated History of the Newfoundland Labour Movement* (St. John's: Creative Publishers, 1986), 36.

¹⁶Skilled workers associated with the fisheries and other marine occupations (such as coopers, shipwrights, seal skimmers and sailmakers) formed protective associations and engaged in various struggles throughout the nineteenth century, as did St. John's craft and clerical workers. For an account of the major developments in labour history during this period, see Little, "Collective Action in Outport Newfoundland"; Busch, "The Newfoundland Sealers' Strike of 1902"; Ryan, *The Ice Hunters*, 329-353; and Gillespie, *A*

WWLU and the 1900 strike were indicative of a new industrial and labour relations climate emerging at that time. For many of the workers involved in the 1900 strike, this was their first experience of open confrontation with a large, foreign employer. These men were primarily fishermen unaccustomed to this new industrial climate and especially to concerted, hostile resistance from their employers and from the state. The formation of the WWLU and the 1900 strike can thus be viewed as an early instance of a broader shift in the industrial and labour relations climate taking place at that time.¹⁷

Though the WWLU was partly successful in the 1900 strike, the union dissolved shortly after the agreement was reached. In 1912, however, about 150 Bell Island workers walked off the job demanding 16 cents per hour and an 8-hour day. Wages and working hours were not the only issue at stake in the 1912 dispute; there were also ongoing concerns over health and safety. One of the miners who walked out in 1912 claimed that the conditions which existed at Bell Island, including dangerous blasting practices and insufficient ventilation, would not be tolerated in any mine in Canada or the

Class Act, 13-24.

¹⁷In 1902, longshoremen in St. John's formed the Longshoremen's Protective Union (LSPU) to control waterfront labour and to standardize what had until then been haphazard and exploitative hiring and work practices; in 1912, pulp and paper workers at the Grand Falls mill (opened in 1909) unionized under international organizations; and in 1917, the Newfoundland Industrial Workers Association (NIWA) was formed by workers employed by the powerful Reid Newfoundland Company in the railway, foundry, drydock, and other sectors. See Chisholm, "Organizing on the Waterfront"; Gillespie, *A Class Act*, 38; and McInnis, "All Solid Along the Line."

United States, where some Bell Island miners had worked.¹⁸

An Act respecting mine safety and inspections had been passed in 1908, perhaps partly in response to the accident rate at the Bell Island mines. The 1908 Act established standards in such areas as ventilation, explosives, hoisting, signaling devices, and tramways, and required inspections by the Government Engineer in cases of a fatal or serious accident.¹⁹ According to one striking Bell Island worker in 1912, however, these regulations were useless because workers were not aware of them and did not know whether they were being followed, and inspections were only conducted when another “mangled corpse” was brought out of the mine.²⁰

While Bell Island workers obviously had many grievances regarding wages and working conditions, they did not, through the first few decades of mining, form a stable and lasting union. In 1922, for instance, curtailments and layoffs associated with the

¹⁸*Daily News*, 19 February 1912. It is unclear what the outcome of this strike was; it is not followed up in the newspapers or in any published source.

¹⁹An Act Respecting the Regulation of Mines,” No. 6, 1908.

²⁰*Daily News*, 19 February 1912. The 1908 Act also allowed operators to establish “Special Rules” subject to government approval. In 1908, DISCO introduced a set of such rules, outlining specific responsibilities of managers and of workers occupying certain positions within the mine. These rules were updated in 1916. See “Special Rules for the Conduct and Guidance of all Persons Employed in the Management and of All Persons Employed in or about the Mines of the Dominion Iron and Steel Company Limited at Wabana Mines, Bell Island, Newfoundland.” Unpublished document, CNS; and “Special Rules for the Conduct and Guidance of All Persons Acting in the Management and of All Persons Employed in or about the Mines of the Dominion Iron and Steel Company Limited, 1916.” Unpublished document, CNS.

postwar slump, and the hostile labour relations atmosphere which marked the BESCO years, prompted workers to form the Wabana Mineworkers' Union (WMWU), an affiliate of the powerful International Union of Mine, Mill and Smelter Workers.²¹ While the WMWU won some key concessions in such areas as hours of work and method of payment, by 1926 it too had dissolved.²²

The next major Newfoundland mining centre to emerge after Bell Island was at Buchans, in the island's interior. The Buchans Mining Company (BMC), a joint subsidiary of the Anglo-Newfoundland Development (AND) Company and the American Smelting and Refining Company (ASARCO), was established in 1927 to extract the area's copper,

²¹BESCO management's reaction to labour unrest during the early 1920's was typified by manager Roy M. Wolvin's remark that those men who had returned from overseas duty had, during the war, "grown to like working in the sunlight and do not take kindly to their old tasks, which is... a great hardship to us." Quoted in David Frank, "Coal Masters and Coal Miners: The 1922 Strike and the Roots of Class Conflict in the Cape Breton Coal Industry," MA Thesis, Dalhousie University, 1974, 74-75.

²²Peter Neary has suggested that the lack of stability within the Bell Island union movement arose in part from cultural factors. According to Neary, Bell Island in early years of mining was an amalgam of the "modern" world of wage work and factory discipline, and the "traditional" world whose values were associated with rural life and the fishery. For these workers, he suggested, the union represented the modern, industrial world -- a world they were as yet unprepared to fully embrace, coming as they did from a world whose values and institutions were based on individualism, paternalism, and an "essential conservatism." Peter Neary, "'Traditional' and 'Modern' Elements in the Social and Economic History of Bell Island and Conception Bay," Canadian Historical Association, *Historical Papers* (1973), 118-34. For a more economically oriented interpretation of Bell Island unionism, see Derek Green, "Miners' Unions on Bell Island." B.Com. Thesis, Memorial University of Newfoundland, 1966.

lead, and zinc deposits.²³

Because the AND Company had been granted exclusive control over vast tracts of land, including the Buchans mineral deposits, under the 1905 Pulp and Paper Act,²⁴ the BMC was able to regulate nearly every aspect of economic and social life in the community of Buchans. Workers were forbidden to build their own houses or to repair the company-owned ones in which they lived. The company constructed a rail line between Buchans and Millertown, and travellers could only board the train at Millertown with written proof that they were employed at the Buchans mine. Goods were transported to town on the company railway, purchased at the company store, and charged against wages.²⁵

Many of the Newfoundlanders who came to work at Buchans had worked at other mines, including at Bell Island and Tilt Cove, but few had experienced this degree of restriction and control. Nor was this the only problem workers encountered. Newly arrived employees slept in storage sheds or tents while they awaited accommodations. There was no sewer system, houses went unrepaired, and the mess halls and bunkhouses were in deplorable condition. During the first years of operations, several miners were killed by falling ground and many complained of the foul air in the mill, where there was a

²³Martin, *Once Upon a Mine*, 74-7.

²⁴“An Act to Encourage the Manufacture of Pulp and Paper in the Colony,” No. 5, 1905.

²⁵Yetman, *Riches of the Earth*, 15-20; and Martin, *Once Upon a Mine*, 77.

high concentration of chemicals. Wages at Buchans, however, were relatively good (31-36 cents an hour), and Newfoundland in the 1920s was not an easy place to find any type of paying work. In fact, men continually showed up at Millertown hoping to obtain a job at Buchans.²⁶

When Buchans workers occasionally demanded improvements in working and living conditions, the company usually responded that since that since the projected life of the mine was short, major upgrades would be a waste of time and money. The Newfoundland government tended to agree with this position, and pointed out that the need for jobs, especially in the context of the Great Depression, took precedence over such considerations.²⁷ In 1934, however, Buchans workers decided to take concerted action to improve working conditions, living standards, and wages by forming the Buchans Workers Protective Union (BWPU), with an initial membership of four hundred.²⁸

Up until the establishment of the first St. Lawrence mine in 1933, therefore, several mining enterprises had emerged at various places in Newfoundland and under various circumstances, from the short-lived, unplanned copper mining sites of Notre Dame

²⁶Yetman, *Riches of the Earth*, 15. For a contrasting description of life in Buchans see, Letter from P.W. George, Manager, BMC, to Newfoundland Book Publishers, 2 September, 1936. Unpublished document, CNS.

²⁷Martin, *Once Upon a Mine*, 78-80; and Yetman, *Riches of the Earth*, 15-25.

²⁸Gillespie, *A Class Act*, 63-4.

Bay to the rigidly controlled community of Buchans. Two constants within this diversity were the danger to which workers were exposed and the lack of protection afforded them. Even when safety regulations were introduced in 1908, they were inadequate and poorly enforced. Workers did sometimes attempt to bring about improvements, but met with little success. These developments form part of the historical backdrop to the establishment of the first St. Lawrence mine. The other major important components of the historical context are the general situation in Newfoundland and the circumstances within the community of St. Lawrence in the early 1930s.

2.2 Newfoundland and St. Lawrence in the Early 1930s

The 1920s and the onset of the Great Depression were difficult times for Newfoundland, especially for communities such as St. Lawrence whose economies depended on the production and export of salt cod. By 1930, various factors, including growing international competition and a decline in the world market for Newfoundland's salt fish, had led to a situation in which the income from the traditional inshore fishery could in many cases no longer support the average Newfoundland family, and a large portion of the population was dependent upon public relief. A 1933 Royal Commission appointed to investigate and make recommendations on the situation reported an unmanageable public debt, widespread poverty and disease (especially communicable diseases such as tuberculosis), inadequate medical, transportation and communication systems, a stifling and sometimes exploitative merchant-credit system, a fishing economy

in collapse, and a political system marred by corruption.²⁹

The Amulree Commission recommended a number of major reforms be undertaken, including the suspension of elected government and the appointment of a Commission of Government to run the affairs of the colony until the situation had improved to the point where some form of elected government could be reinstated. In January 1934 a Commission of Government -- an unelected body of administrators and bureaucrats -- was appointed to fulfil this role. The Commission of Government was divided into six departments -- Finance, Justice, Home Affairs and Education, Public Utilities, Natural Resources, and Public Health and Welfare -- and a Commissioner appointed to oversee each. Sir John Hope Simpson, a British civil servant with ample colonial experience in such places as China and India, was appointed Commissioner of Natural Resources, which included mines. The Health and Welfare portfolio, which included labour, went to John. C. Puddester, who had served as Minister of that department in the outgoing government of Frederick Alderdice. Public Utilities, under which Labour was subsumed, went to Thomas Lodge, an Englishman who had served in

²⁹Lord Amulree (Chair), *Report of the Newfoundland Royal Commission, 1933* (London: HM Stationery Office, 1933). See also, David Alexander, "Newfoundland's Traditional Economy and Development to 1934," *Acadiensis*, 5, 2 (Spring 1976), 56-78; David Alexander, "The Collapse of the Saltfish Trade and Newfoundland's Integration into the North American Economy," *Canadian Historical Association Papers* (1976), 229-248; Valerie Summers, *Regime Change in a Resource Economy* (St. John's: Breakwater, 1984), 92-97; Peter Neary, *Newfoundland in the North Atlantic World, 1929-1949* (McGill-Queen's University Press, 1988), 12-43; and Shannon Ryan, *Fish out of Water: The Newfoundland Saltfish Trade, 1814-1914* (St. John's: Breakwater, 1986).

various capacities with the British civil service since 1905.³⁰

Among the important administrative measures which the Commission undertook early in its tenure were the establishment of the Newfoundland Ranger Force and the reorganization of the magistracy, measures designed to compensate for the lack of local government in rural areas. When the Commission created the Newfoundland Ranger Force in 1935, it was intended to be a communication link between outport communities and the government in St. John's. The Rangers acted not only as liaisons between the people and the government, but also as game wardens, arbitrators, investigators, and in some cases as Relieving Officers as well.³¹ The Commission also in 1935 reorganized the magistracy so that District Magistrates took on functions beyond their normal legal duties. They reported on and often intervened in local social and economic affairs, and brought people's concerns to the attention of the government.

³⁰On the introduction and structure of the Commission of Government, see Neary, *Newfoundland in the North Atlantic World*, 44-52; Susan Macorquodale, "Public Administration in Newfoundland During the Period of the Commission of Government: A Question of Political Development," PhD thesis, Queen's University, 1973, 131-210; S.J.R. Noel, *Politics in Newfoundland* (University of Toronto Press, 1971), 202-43; and James Overton, "Economic Crisis and the End of Democracy: Politics in Newfoundland During the Great Depression," *Labour/ Le Travail* 26 (Fall 1990), 85-124. For biographical sketches of these three Commissioners, see *Dictionary of Newfoundland and Labrador Biography*, Robert H. Cuff, ed. (St. John's: Harry Cuff Publications, 1990), 314, 280, and 202.

³¹The Rangers served in this capacity until they were effectively replaced by the RCMP after confederation. See Marilyn Tuck, "The Newfoundland Ranger Force, 1935-1950," MA thesis, Memorial University, 1983; and Harold Horwood, *A History of the Newfoundland Ranger Force* (St. John's: Breakwater, 1980).

While the structure and policies of the Commission of Government would have an important influence on developments in St. Lawrence, just as important was the history of the community itself in the years immediately preceding establishment of the first mine there. Like many coastal communities in Newfoundland, St. Lawrence was for centuries an important fishing and trading station for various European countries. Basque fishermen were operating out of St. Lawrence as early as the sixteenth century, and the French and English struggled for control of the site at various times throughout the seventeenth and early eighteenth centuries.³² Over the course of the eighteenth century, St. Lawrence emerged as one of the major Irish settlements outside the Avalon Peninsula.³³ By 1921, St. Lawrence had a population of 803, with Catholics and Protestants comprising roughly 70 and 30 per cent of the population, respectively.³⁴

The census for 1921, the last one from the pre-mining period, shows an economy based primarily on inshore cod fishing and small scale agriculture. Of the 803 people in St. Lawrence in 1921, 355 (226 males and 129 females) were engaged in the catching and/or curing of fish and there were about 200 small boats in use. Of the other employment categories reported, there were seven teachers, nine merchants, six in

³²D. W. Prowse, *A History of Newfoundland from the English, Colonial and Foreign Records* (Mika: Belleville, 1972), 48, 185, 246. (Originally published London, 1895).

³³W. Gordon Handcock, *“So long as there comes no women”: Origins of English Settlement in Newfoundland* (St. John’s: Breakwater, 1989), 89. For population figures, see Appendix B.

³⁴Colonial Secretary’s Office, *Census of Newfoundland and Labrador, 1921*.

government services, one clergyman, and nineteen “otherwise employed.” While no one reported farming as a primary occupation, more than 100 people were reported to be engaged in “cultivating the land,” and substantial amounts of root crops and dairy products were being produced.³⁵

St. Lawrence was also at that time a geographically isolated community. The town of Burin, approximately 30 kilometres northeast of St. Lawrence, was for the first half of the twentieth century the commercial and administrative centre of the southwest portion of the Burin Peninsula. It was where the bank, the hospital, and many of the major businesses were located. A road linking St. Lawrence to Burin was not completed, however, until the early 1950s, so until then travel between the two towns was undertaken by boat or by horse and sled. There was a road which ran southwest out of St. Lawrence, in the opposite direction to Burin, and looped back around the peninsula to Burin, but by this route the trip covered approximately 150 kilometres over some rough roads and through some desolate country. Lady Hope Simpson, wife of then Commissioner for Natural Resources Sir John Hope Simpson, made the trip in 1935 and remarked that, “Yesterday [23 July 1935], we drove about 14 miles over a rough track with the priest from St. Lawrence to Lamaline -- such wild moorlands and such hills.... How they exist I don't know.”³⁶

³⁵*Census of Newfoundland and Labrador, 1921.*

³⁶Peter Neary, ed., *White Tie and Decorations: Sir John and Lady Hope Simpson in Newfoundland, 1934-1936* (Toronto: University of Toronto Press, 1996), 196.

In the St. Lawrence area, the general economic hardship which marked Newfoundland in the late 1920s was exacerbated by a natural disaster. On 18 November 1929 the southeast coast of the Burin Peninsula was struck by a tidal wave originating from an undersea earthquake approximately 200 miles to the south. A massive wave and high tides devastated communities along the east side of the peninsula, claiming 27 lives and sweeping away houses, fishing premises, boats and supplies. In St. Lawrence, while there was no loss of life, more than 30 boats were lost or destroyed and many buildings and their contents were swept out to sea. The damage along the coast was estimated at hundreds of thousands of dollars and the people of St. Lawrence were described as “dazed and destitute.”³⁷ A government inspector described the scene in St. Lawrence as one of “desolation,” with all “stores, provisions, coals, on both sides of the harbour gone. The people are in a state of dire destitution.”³⁸ Another observer remarked that,

... it was most pitiful because the calamity came upon years of misfortunes, and men who had struggled in keeping themselves and their families off the dole were left with nothing -- no homes, no implements, no tools -- nothing with which to start work again. It seems as though the whole coast had suffered in this way -- misfortune treading upon misfortune, treading them down and down. The atmosphere of depression and hopelessness is terrible.³⁹

³⁷*Daily News*, 23 November 1929, 3.

³⁸“Report by Inspector J.H. Dee on Disaster of Night of 18th November, on the Coast from Lamaline to St. Lawrence, Inclusive,” unpublished document, CNS.

³⁹Neary, *White Tie and Decorations*, 196-197.

In addition to the immediate damage it caused, the tidal wave also reportedly adversely affected the fishery for several years after. One resident remarked that, “the tidal wave apparently altered the course of the codfish and the bait, because for many years afterwards the codfish and bait failed to come to our shores.”⁴⁰ In 1936, the area’s Relieving Officer noted that the fishery “has been practically a failure every year since the tidal wave,” and the same year District Magistrate reported that, “the fish seems to have left the Burin Peninsula for good.... For seven years around the Burin Peninsula, the fishery has been going from bad to worse.”⁴¹ Given this combination of circumstances -- high employment, a natural disaster and the collapse of the fishery -- it is not surprising that when a New York entrepreneur proposed in the early 1930s to establish an industry to mine and export the area’s vast deposits of fluorspar, he found willing participants in St. Lawrence.

“Fluorspar” is a popular commercial name for a non-metallic mineral composed of calcium and fluoride (its chemical formula is CaF_2). It usually occurs as veins within the crevices of surrounding rock such as granite or limestone. It has a number of commercial uses, depending on the proportion of CaF_2 to other ingredients in the ore. The three basic

⁴⁰Rennie Slaney, *More Incredible than Fiction: The True Story of the Indomitable Men and Women of St. Lawrence from the Time of Settlement to 1965* (Montreal: La Confédération des Syndicats Nationaux, 1975), 2.

⁴¹“Report of the Receiving Officer for Lamaline,” 12 March 1936, GN 38, S6-1-1, File 7, PANL; and “Magistrate’s Report to the Department of Natural Resources,” 31 July 1936, GN38, S4-3-3, File 7, PANL.

grades are “acid,” “ceramic” and “metallurgical.” Acid grade fluorspar is at least 97 per cent CaF_2 , and is used in the manufacture of hydrofluoric acid. Hydrofluoric acid is used in, among other things, the smelting of aluminium. Ceramic grade fluorspar is 94 to 95 per cent CaF_2 , and is used in making various types of glass and ceramics. Metallurgical grade fluorspar is at least 85 per cent CaF_2 , and is used primarily in making steel. Fluorspar is rarely found in a natural state with these concentrations of CaF_2 , but usually must be refined to bring it up to these specifications. Ore coming out of the ground as 60 per cent CaF_2 may be brought up to metallurgical grade and then up to acid grade through various stages of processing.

While fluorspar had been mined in different parts of the world since 1870, demand increased substantially in the years immediately prior to the First World War and continued to increase throughout the 1920s. In the United States, about 85 per cent of all fluorspar mined from the 1870s to the 1920s went into steel production and nearly all of this came from mines in Illinois and Kentucky. The Aluminum Company of America (ALCOA), however, owned a few small mines in Kentucky and Illinois to meet some its own fluorspar requirements. In Canada, fluorspar mining was confined to a small mine near Madoc, Ontario, operated by Huntingdon Fluorspar Mines. The Madoc mine produced a total of just 20,000 tons of fluorspar from 1916 to 1920, and less than 100 tons a year during the interwar period.⁴² (Most fluorspar mines at that time produced

⁴²Carl M. Fellman, “The Mining of Fluorspar and its Uses,” *Proceedings of the Lake Superior Mining Institute*, 25 (1926), 197-211; Canada, Department of Finance, “Report

between 40,000 and 80,000 tons in a single year.)

While fluorspar deposits were known to exist in the St. Lawrence area since 1870, it was not until the 1920s that they attracted attention for their potential commercial value.⁴³ In 1929, businessman John H. Taylor of St. John's staked several claims believed to cover a large deposit known as the "Black Duck" vein.⁴⁴ In 1930, Taylor sold the St. Lawrence claims to Walter Seibert, a 27-year-old broker with the Corporation Trust Company of New York, for "one dollar and other valuable considerations."⁴⁵ After trying, unsuccessfully, to sell the claims, Seibert contacted St. Lawrence merchant Aubrey Farrell to arrange the mining and export of a 2,000-ton trial shipment. Under this arrangement, Seibert would supply the equipment and Farrell the labour. Farrell would receive his share of the profit, if there was any, and the men would be paid their 15 cents per hour when the fluorspar was mined, shipped, sold and paid for. In March 1933, a boat load of dilapidated mining equipment, described by one observer as "second-hand junk, which would be

of the Tariff Board Relative to the Investigation Ordered by the Minister of Finance Respecting Fluorspar," Ottawa, 10 September 1958, 19-20; and United States Bureau of Mines, *Minerals Yearbook* (Washington, Bureau of Mines, 1940), 1333-51.

⁴³Alexander Murray and James P. Howley noted the existence of the deposits in "Report for 1870," *Geological Survey of Newfoundland* (London: Edward Stanford, 1881), 235, but were more interested in the small amounts of lead and silver which also existed in one of the deposits.

⁴⁴Newfoundland Registry of Deeds, Volume 37, Folio 7 records Taylor's acquisition of the claim.

⁴⁵Newfoundland Registry of Deeds, Volume 112, Folio 462.

discarded by any up-to-date mining concern,”⁴⁶ arrived in St. Lawrence. The people of the town unloaded the equipment, hauled it with horses over the barrens to the Black Duck site, and built a makeshift mill. The initial work of transporting and setting up the equipment was not part of the Seibert-Farrell deal; it was undertaken in the hope of paying work in the future. With Seibert’s used equipment and a few basic hand tools, 30 men began mining the Black Duck vein and hauling the ore by horse and cart to the loading wharf in the community.⁴⁷

2.3 Mining, Working Conditions, and Government Policy, 1934-39

Unexpected flooding and other problems delayed the initial contract well past the anticipated three months. The first portion of the 2,000-ton trial shipment left St. Lawrence for the Dominion Steel and Coal Corporation’s steel plant in Sydney, Nova Scotia, late in 1933, and the second portion in March 1934. Neither Farrell nor the men received any payment until June 1934 (more than a year after the initial deal was struck). When Farrell refused to enter into any more arrangements with Seibert, Seibert formed the

⁴⁶Letter from C. Wilbur Miller of Dupont Chemicals to Lamot Dupont, 11 February 1937, Files of the Hagley Museum and Library, Wilmington, Delaware.

⁴⁷Martin, *Once Upon a Mine*, 66-7; Ena Farrell Edwards, *Notes Toward a History of St. Lawrence* (St. John’s: Breakwater, 1983), 70-71; C.K. Howse and R.P. Fischer, “Newfoundland Ships Fluorspar: Production from St. Lawrence Region, Begun in 1932, has Increased Steadily,” *Engineering and Mining Journal* 140, 7 (1939); and Slaney, *More Incredible than Fiction*, 2-4. For a map showing the location of veins and mines, see Appendix C.

St. Lawrence Corporation of Newfoundland and hired a number of men to continue mining the Black Duck and other veins.⁴⁸ The men were paid 17.5 cents an hour, considerably less than workers at other Newfoundland mines were being paid at that time. Miners at Bell Island, for example, were earning an average of 27 cents an hour in 1931, while Buchans miners were earning between 31 and 36 cents an hour in 1929. Workers at both Bell Island and Buchans took a pay cut in 1932, but were still earning an average of about 25 and 30 cents respectively in 1934.⁴⁹

Initially, the St. Lawrence veins were mined by the “open-cut” method, where the overburden was removed to expose the vein and the vein then followed vertically and horizontally as far as equipment and conditions would allow. The Black Duck vein was mined for a length of 350 feet and to a depth of 70 feet using this method, while a second vein, the “Blue Beach,” was mined down to 70 feet. The lack of proper equipment, exposure to the weather, and constant flooding made for harsh working conditions in those first open cut mines. During the winter of 1935-36, for instance, the Black Duck

⁴⁸See C.K. Howse and R.P. Fischer, “Newfoundland Ships Fluorspar: Production from St. Lawrence Region, Begun in 1932, has Increased Steadily,” *Engineering and Mining Journal*, 140, 7 (1939), W.S. Smith, “Fluorspar at St. Lawrence,” 1957, Archival Collection of Newfoundland and Labrador Department of Mines and Energy (DME), and Ambrose Howse, “Fluorspar Deposits of the St. Lawrence Area, Newfoundland: Geology and Economic Potential,” 1983, DME.

⁴⁹Bell Island figures taken from Derek Green, “Miners’ Unions on Bell Island,” 42; and Buchans figures from Derek Yetman, *Riches of the Earth*, 25. For St. Lawrence wage figures, see Appendix D.

mine was shut down for extended periods due to flooding and storms.⁵⁰

At the end of 1935, the Corporation employed about 60 in mining, and about 50 others who found periodic work as ore haulers and stevedores.⁵¹ According to the District Magistrate, some men also mined ore at various sites on a contract basis:

... the low grade ores [are] now produced mostly by contract labour in outlying locations ... scattered along the harbour within a radius of several miles. The Company pays a fixed price per ton for the ore, supplying explosives and other material needed. The contract price depends on the quality of the ore mined. On December 10 about six contracts were going on, this gives employment to at least 17 men.⁵²

While fishing was still the primary occupation reported in the Census of 1935, the number of fishing boats in use had decreased from 201 in 1921 to 79 in 1935 and there were fewer cod traps in use.⁵³ It is likely that given the depressed state of the cod fishery, the apparent scarcity of fish and the introduction of the mining industry, people were reluctant to replace boats and equipment which had been lost in the tidal wave.

By 1936, the Corporation was working three veins, the Black Duck, the “Iron Springs” and the “Hare’s Ears,” and small-scale contract mining was still being carried out

⁵⁰“Reports of Outport Magistrates, 1935-36,” December, 1935, GN38, S4-3-1, File 14, PANL.

⁵¹According to the 1935 Nominal Census, all these workers were from St. Lawrence, with the exception of a few from nearby Little St. Lawrence.

⁵²“Reports of Outport Magistrates, 1935-36,” December, 1935, GN38, S4-3-1, File 14. PANL.

⁵³Newfoundland. Department of Public Health and Welfare, *Tenth Census of Newfoundland and Labrador, 1935* (St. John’s: The Department, 1937).

at several other locations. A government official who visited the site in 1936 noted that the 15,000 tons of ore produced to this point required only sorting and washing to bring it up to metallurgical grade. This official noted, however, that the mining methods themselves were primitive and dangerous, especially when the trenches had reached a substantial depth.⁵⁴

In 1936, when open cut mining was no longer possible, a shaft was sunk to a depth of 140 feet beside the open trench at the Black Duck vein.⁵⁵ Once underground mining began, two basic methods were developed for extracting the ore, “benching” and “open-stoping.” With each method, horizontal tunnels known as “drifts” were established at various depths along the shaft. These drifts branched off in both directions from the shaft and ran parallel to the vein. Thus, a vein running in a north-south direction might be followed by both a “north drift” and a “south drift” on a particular level. With the benching method, at intervals along a drift, workers drilled and blasted the ore to create a series of downward steps or terraces until the limit of the vein was reached or until other conditions, such as weakening of the mine walls or difficulty extracting broken ore from the mined areas, halted progress. With open stoping, which became the most common method used in St. Lawrence, workers also drilled and blasted ore at intervals along the drift, but instead of “benching down,” they proceeded inward and upward. When a

⁵⁴C.K. Howse, “The Fluorspar Industry at St. Lawrence,” 1936, File 1L/14 (3), DME. For annual production figures, see Appendix E.

⁵⁵C.K. Howse, “The Fluorspar Industry at St. Lawrence.”

quantity of ore was blasted from the vein, the space thus created was known as a “stope.” Instead of being removed (or “pulled”) right away, this broken ore was left on the floor of the stope so that miners could work from on top of it and proceed inward and upward in the stope. If stoping was carried out to a sufficient height from a particular level, the stope would eventually break through to the level above, creating a honeycomb pattern of horizontal and vertical openings throughout the mine. The broken ore, or “muck,” was removed and hoisted in a variety of ways. It could be shovelled by hand out of the stopes by “muckers” and loaded into tram cars which were then pushed along tracks through the drift. The ore could then be dumped into chutes or “ore passes” at intervals along the drift and accumulated at a collection point known as a “loading pocket” from which it was hoisted in an ore bucket, or “skip” to the surface. Alternatively, the tram cars themselves could be placed on the hoist to be brought to the surface and dumped, and then sent back down into the mine for refilling. Electric or diesel-powered tram cars and mucking machines were also used, and there were combinations of hand and powered methods. While many variations on these methods were employed at the St. Lawrence mines over the years, the basic operations and terminology remained generally consistent.⁵⁶

The move to underground mining in 1936, while it provided some protection from the elements and decreased work stoppages, brought with it a new set of problems. One miner, among the first to work underground at Black Duck, recalled that,

⁵⁶For a depiction of a typical St. Lawrence underground mine, see Appendix F.

This was the beginning of the dust and smoke problems. Before this, in the open cut, dust and smoke were not so much of a problem.... In the [underground], drilling was done with a dry hammer. This machine was second-hand and had already drilled thousands of feet on some other job. The hammer was hung on the shoulder which brought the drill hole directly opposite the driller's mouth.... He also, at times, used curtain screen or cheesecloth over his mouth, but this clogged with dust in seconds and had to be discarded. Every few minutes, he would have to shut off the machine to clear his eyes and nostrils of dust.... The further the drifts advanced, the dust and smoke became worse. Men were continually vomiting.⁵⁷

These “dry drills” had been among the used equipment Seibert had shipped to St. Lawrence in 1933, and were so called to distinguish them from more modern types available at the time, which supplied a flow of water to the drill bit to suppress dust. In the United States and Canada these machines had long been recognized as hazardous to health because of the dust they generated, especially in unventilated areas. Dry drills were known as “widow-makers” among early 20th-century silver miners in Northern Ontario,⁵⁸ and as early as 1913 the Ontario government recognized the danger “arising from the breathing of the dust caused by the drilling and other operations, and especially from the hammer drills where no water is used to allay the dust.” The Ontario Mines Act was amended in 1914 to address this problem and after that the water-fed drill gradually replaced the dry drill in Ontario mines.⁵⁹ Wet drills were standard equipment in the

⁵⁷Slaney, *More Incredible than Fiction*, 14-15

⁵⁸Doug Baldwin, “A Study in Social Control: The Life of the Silver Miner in Northern Ontario,” *Labour/Le Travailleur*, 2 (1977), 92.

⁵⁹S. Price, “Report on Limitation of the Hours of Labor of Underground Workmen in the Mines of Ontario,” Ontario, *Sessional Papers*, No. 85 (1913), 11 (Quoted in Baldwin,

fluorspar mines of Kentucky and Illinois by the 1920s.⁶⁰ The fact that dry drills had been discarded and outlawed in many jurisdictions by the 1930s suggests why Seibert was able to purchase a quantity of well-used ones to ship to St. Lawrence.

St. Lawrence workers had little choice at the time but to tolerate these working conditions. Mike O'Leary started work as an ore-sorter in 1936, when he was sixteen years old (boys under eighteen received just 10 cents an hour) and worked at both Black Duck and Iron Springs during the ensuing years. He related an incident which indicates the extent of the control which the company exerted over the workforce in the absence of any employment alternatives:

The way that was done in the Black Duck, you had all jackhammers [dry drills]. That was open cut, 300 feet open cut, with just a canvas linkum on your head, and when the ore was blasted out of the face, you had to wheel that out then in a wheelbarrow out where the bucket come down for to put it in.... One time when we were picking the ore, this was down in Iron Springs, old Kelleher was over there then, he was the manager then of the St. Lawrence Corporation. This morning the boys ... we all left the job and come out and wanted more pay, so we went down and went in talking to old Kelleher and he was pretty upset and he said, "Well boys, I'll tell ye what I'll do for ye ... if ye don't go back to work now any one of ye that got your father working in the mine I'll lay off you and I'll lay off your father too. And we had to go back and go to work.... No choice."⁶¹

"A Study in Social Control," 92.); and Baldwin, "A Study in Social Control," 92-93.

⁶⁰Fellman, "The Mining of Fluorspar," 206. See also David Rosner, *Deadly Dust: Silicosis and the Politics of Occupational Disease in Twentieth-Century America* (New Jersey: Princeton University Press, 1992)135-54; and "The Water Drill as a Preventive of Miners' Phthisis," *Iron Age* 74 (August 1904).

⁶¹Interview with Mike O'Leary, Little St. Lawrence, 26 October 1997, conducted by and in the possession of the author. A "linkum" is a sou'wester hat. There is little

Workers did not, however, passively accept their conditions. In March 1936 the District Magistrate reported “general dissatisfaction” in St. Lawrence and outlined three main grievances: working conditions, irregularity of wage payment, and the “methods employed to obtain cheap labour.” According to the magistrate, workers were upset that they were frequently thrown out of work and back on the dole for extended periods when the mines flooded, and that in some places they were working in a narrow trench more than 100 feet below the surface without proper hoisting or safety equipment of any kind.⁶²

There was also the problem of wage payment. Workers received their pay in scrip -- slips of paper representing amounts based on hours worked -- which would be taken to local stores and traded for goods. The merchants then held these slips until the Corporation had deposited sufficient money in the bank (at Burin) to reimburse the merchant for goods advanced. Under this system, the workers themselves never actually saw any cash, since by the time the money to cover the scrip was deposited in the bank, their wages had been taken up in goods. There were often long delays in the bank deposits, however, as the Corporation only deposited the cash when a given quantity of fluorspar had been mined, shipped and sold. Workers were therefore often in debt to the merchants and the merchants often threatened to cut off supply when no cash was

biographical information available on Kelleher. It is not a local name, and he was likely recruited by Seibert from outside Newfoundland.

⁶²“Magistrate's Report to the Department of Natural Resources,” 25 March 1936, GN38, S2-1-11, File 1, PANL.

forthcoming to cover their costs. The magistrate appears to have been more concerned with the effect this had on the merchants and on the government than on the workers. The problem, in his view, was that the various merchants were eager to get the miners' accounts, only to find that they then had to wait long periods to be reimbursed. Also, when merchants cut off credit to a worker, the worker was then forced to apply for the dole, so that the Department of Public Health and Welfare was in effect forced to "finance this corporation."⁶³

The magistrate also reported that the Corporation was using the dole system to drive down the price of labour and to suppress potential labour unrest. As an example, he related an incident in which the company offered a group of their regular employees 60 cents per ton to haul ore from a mine site to the dock for shipment. When the men objected to the price, claiming they could not possibly supply horses and hauling equipment and break even at such a wage, the company offered the work to unemployed men in receipt of the dole allowance. These men could not refuse the work at that or any wage offered, since Public Health and Welfare regulations stipulated that persons on the dole must accept paying work or be cut from the relief roll. As the magistrate put it,

The dole men could not refuse the employment whether it paid [i.e., was worthwhile financially] or not as they must earn what they can or be cut off the dole.... in the meantime they had to be fed on dole until some of the work was done, thus we have the position where the dole men were being fed on dole and at the same time working for a Company who defers

⁶³"Magistrate's Report to the Department of Natural Resources," 25 March 1936, GN38, S2-1-11, File 1, PANL.

payment for an unreasonably long period. The dole men were successfully used by the Company to break the strike of the regular workmen.⁶⁴

According to the magistrate, the Corporation justified these substandard conditions and practices by claiming it did not yet have the capital to make improvements, but would do so as soon as possible. The magistrate doubted the management was being completely sincere in this, but was unable to access any financial information on the company. Meanwhile, he called upon the Department of Natural Resources to investigate the situation further.

In response, the Department of Natural Resources expressed some vague concern over working conditions in St. Lawrence but seemed primarily concerned that the area's mineral resources were not being fully maximized. The government's Geological Division, it was noted, had expressed great optimism for the area's economic potential, but the fear was that the Corporation's lack of capital was impeding development. To help remedy this situation, Hope Simpson suggested that the government secure a loan of \$150,000 for the Corporation, to be used to upgrade and expand their operations. Suggested additions included a concentration mill (for refining fluorspar), two more shafts, roads and loading facilities. The proposal came with several key conditions, including that the government be granted control over the Corporation's finances,

⁶⁴“Magistrate's Report to the Department of Natural Resources,” 25 March 1936, GN38, S2-1-11, File 1, PANL.

technical inspections and the fixing of wage rates.⁶⁵ The suggestion does not appear to have gone past the proposal stage, but it is a good illustration of the department's priorities. The only specific mention of working conditions in response to the magistrate's report was the Commissioner's remark that when he had visited one of the mines in 1935, it appeared very dangerous, but that he had since been assured that it was "perfectly safe."⁶⁶

The government's response to the St. Lawrence situation at this time must be viewed in light of its position with respect to mine regulations and inspections. In other jurisdictions, mine regulations had been updated on a much more regular basis than in Newfoundland, and inspection services were a regular feature of the health and safety regime. In Great Britain, the first legislation pertaining specifically to health and safety in mines was passed in 1842. While the 1842 Act did not contain a requirement for regular inspections, a series of coal colliery accidents combined with lobbying from various parties resulted in the establishment of a mines inspectorate by 1850. In 1872, a new set of regulations was created to cover non-coal (or "metalliferous") mines in Great Britain. Canadian legislation tended to follow the British pattern, and many Canadian provinces

⁶⁵"Memorandum submitted by Commissioner for Natural Resources for Consideration of Commission of Government," 16 April 1936, GN 38, S2-1-11, File 1, PANL.

⁶⁶"Memorandum submitted by Commissioner for Natural Resources for Consideration of Commission of Government," 16 April 1936, GN 38, S2-1-11, File 1, PANL. Lady Hope Simpson's horrified reaction to the sight of the Black Duck mine when she visited there in 1935 is recorded in Neary, *White Tie and Decorations*, 193.

had their own legislation and inspection services in place by the 1890s. While the British and Canadian systems were far from perfect, and while hazards still abounded in the mining industry in both places, by the 1930s adequate mine regulations and regular inspections were firmly entrenched principles in these jurisdictions.⁶⁷

The Newfoundland government, however, resisted calls to update the 1908 Act, though the Newfoundland mining industry had undergone substantial growth since that act was introduced. Shortly after the issue of working conditions in St. Lawrence was brought to the attention of the Department of Natural Resources, the Commissioner suggested that while the government's current policy required inspection of working conditions only when an accident occurred (in keeping with the 1908 Regulations), this seemed to him to be adequate. The Commissioner pointed out that in the preceding year (1935), there were "only" five fatal accidents in Newfoundland mines.⁶⁸ The Geological Division had recently pointed out that with 2,500 men employed in mines around the

⁶⁷See P.W.J. Bartrip and S.B. Burman, *The Wounded Soldiers of Industry: Industrial Compensation Policy, 1833-1897* (Oxford: Clarendon Press, 1983), 83-96; and Eric Tucker, *Administering Danger in the Workplace*, 223-27. In the United States, the Bureau of Mines, which was created in 1910, was technically responsible for promoting and ensuring mine safety, but was reluctant to do anything until forced to by an escalating death toll between 1910 and 1940.

⁶⁸"Proposal that the operator of the diamond drill should be competent to inspect mines and also the matter of financial provision therefor," 26 May 1936, GN 38, S1-1-12, File 8 (NR 63-36), PANL. The memo does not specify in which mines the men were killed. None were killed in St. Lawrence, but Buchans was obviously involved, since the memo stated that, "In the case of Buchans the survivors were compelled to leave the place and set up home elsewhere which was an expensive matter for a widow and family."

island and with the possibility of future expansion in the industry, a full-time mines inspector might be required, but the Commissioner responded that since all these workers were employed in just three mines -- Bell Island, Buchans, and St. Lawrence -- there was no justification for a full-time inspector. The Commissioner suggested that perhaps the job of Mines Inspector could be linked to the operation of the diamond drill, which the government had recently acquired for mineral exploration.⁶⁹ He pointed out, however, that this would mean increasing the \$100 per month paid to the drill operator, possibly by another \$100, and he agreed to this system of mines inspection only if the Department of Finance would help meet the extra cost.⁷⁰

The Department of Finance, however, replied that under the existing regulations the Government Engineer was endowed with the power to inspect mines and therefore no additional appointment was necessary. Hope Simpson responded that while it was technically and legally correct, the training and duties the Government Engineer were of a more general nature and did not qualify him for such a job. Hope Simpson suggested a man for the job, a man who had worked as an engineer at both Bell Island and Buchans and came highly recommended by the Geological Division. According to Simpson, he had

⁶⁹A diamond drill is a standard exploratory device, so called because of its diamond-tipped drill bit which makes it capable of drilling to great depths through nearly any type of rock.

⁷⁰"Proposal that the operator of the diamond drill should be competent to inspect mines and also the matter of financial provision therefor," 26 May 1936, GN 38, Box S1-1-12, File 8 (NR 63-36), PANL.

agreed to work as both diamond drill operator and mines inspector for \$200 a month.⁷¹ On 28 July 1936, shortly after Hope Simpson made that proposal, he was replaced as Commissioner of Natural Resources by Robert Ewbank.⁷² Ewbank stated that, after meeting with Public Utilities Commissioner Thomas Lodge, he was of the opinion that, “there was no necessity to make arrangements to employ an Engineer permanently for this work and that negotiations to this end might be dropped.” He suggested that as a temporary solution, “for this year we should request the Ministry of Mines, Ontario, to lend us a man to inspect the active mines here at once. We would pay salary, expenses, and a bonus to be agreed upon.” A more permanent arrangement might be made, he stated, when the Department of Public Utilities had completed the ongoing reorganization of its staff, at which time it would take responsibility for mines inspections. This, Ewbank predicted, might take “some years” and until that time arrangements could be made to bring in trained inspectors from other places, as was now being recommended.⁷³

In August 1936, the Newfoundland government brought in A.E. Cave of the Ontario Department of Mines to conduct the first ever general inspection of Newfoundland mines. Cave visited mines at Bell Island, Buchans and St. Lawrence,

⁷¹“Proposed appointment of J. St. John, Esq., as Mining Engineer and diamond drill operator,” 2 June 1936, GN38, Box S1-1-12, File 18 (NR 63a-36), PANL.

⁷²Ewbank was a native of England and a career civil servant. *Dictionary of Newfoundland and Labrador Biography*, 101.

⁷³“Memorandum re Inspection of Mines in Newfoundland,” 4 July 1936, GN38, S-1-12, File 18 (NR 63b-36), PANL

describing the mining methods at each operation and noting any hazards. He divided the St. Lawrence mines into two categories: the smaller mines being worked by small teams on contract, which included the Hare's Ears, Blue Beach and Doctor's Pond sites, and the two main operations run directly by the Corporation, the Black Duck and the Iron Springs mines. Cave described methods at all of these operations as "primitive." The contract men drilled the ore with "hand steels," drill bits that were driven with hammers and turned by hand, and had nothing in the way of powered equipment. The equipment at Black Duck and Iron Springs was marginally better; workers there had the use of air compressors and jackhammers, but were still ill-equipped by the standards of the day. The main concern Cave expressed about the St. Lawrence mines was the potential for cave-ins and flooding in the open cuts. Cave also suggested that all mines be provided with toilet facilities and clean drinking water, and he had other suggestions regarding the use of explosives, hauling and hoisting devices, safety belts and other matters. He also strongly suggested that the Newfoundland government hire a qualified inspector to carry out regular detailed inspections, and that it require mining companies to submit mine plans and details of all fatalities and injuries, which was routine in jurisdictions across Canada.⁷⁴

While Cave did not go into the matter in detail, according to workers the conditions at Iron Springs mine were as bad as those at Black Duck. Workers reportedly

⁷⁴A.E. Cave, "Report on Mines Inspection of Newfoundland," Submitted to Newfoundland Commission of Government, Department of Natural Resources, 6 November 1936, DME.

toiled with primitive, used equipment and with nothing in the way of safety clothing or basic facilities. In bad weather, they ate in small unheated shacks used to house mining equipment or in the nearby woods. There were no bathroom facilities; workers simply went to the woods, or stayed in the pit when weather or the depth of the trench made that impossible. They obtained drinking water from nearby streams or from the mine walls. Workers climbed wood ladders up and down the pits and many of them walked several kilometres to and from work.⁷⁵ The government took no action in response to the Cave report, and workers in St. Lawrence grew increasingly frustrated by their situation. In June 1937, they walked off the job over a number of grievances.

The 1937 walkout was motivated in part by the arrival of a second mining company in St. Lawrence, which created a point of comparison for Corporation employees. Joshua Hookey, a broom manufacturer in St. John's, had been staking claims in the St. Lawrence area since 1930, and by 1937 he owned about 25 claims, including some which turned out to cover two major fluorspar veins, "Director" and "Tarefare." In 1937, the St. Lawrence fluorspar deposits captured the interest of Edwin Lavino of E.J. Lavino and Company, a Philadelphia-based firm involved in the production and distribution of various mineral and chemical products. On 11 May 1937, Lavino and Hookey incorporated the American-Newfoundland Fluorspar Corporation (ANF), and entered into an agreement whereby Lavino acquired a 51 per cent controlling interest in

⁷⁵Slaney, *More Incredible than Fiction*, 16-19.

the company in exchange for a \$10,000 cash advance to the ANF. In June 1937, ANF hired 35 miners, under the direction of mine manager A.J. Wallace, to sink a shaft on the Tarefare vein. The shaft was sunk to a depth of 85 feet and a crosscut from the shaft revealed a very large body of ore. ANF also engaged a number of local men to search for further deposits. Late in the summer of 1937, prospectors discovered another major ore body, the Director vein.⁷⁶

On 1 June 1937, Government Geologist Claude Howse arrived in St. Lawrence to advise ANF on its mining and exploration plans, but he soon became involved in matters related to the Corporation mines. The day of Howse's arrival, Corporation workers walked off the job to protest working conditions and the method of wage payment. Howse interviewed a number of the parties involved, including several merchants, Kelleher (the mine manager), the Catholic Priest (Father Augustus Thorne), representatives of the miners, and the Ranger/Receiving Officer.

The merchants pointed out that while the men now received pay cheques, neither they nor the merchants were any better off, since often when the men tried to cash them at the bank in Burin they were told that there were insufficient funds in the Corporation account to cover them. They were therefore forced to continue taking up credit at the stores and were constantly in debt. Howse found that only the barest necessities of life were purchased on miners' accounts and that the number of men in debt to the merchants

⁷⁶Martin, *Once Upon a Mine*, 70; C.K. Howse and R.P. Fischer, "Newfoundland Ships Fluorspar."

had actually increased since many had moved off the dole and into mining. Kelleher, meanwhile, insisted that the men had done well by the Corporation, which he claimed at times had put the workers' interests ahead of its own. He admitted that the men had not been able to cash their cheques in over a month, but claimed this was a minor matter since "for purposes of bookkeeping," the pay was always two weeks late anyway. He blamed the discontent among the miners on the merchants, claiming that "but for the merchants there would be no trouble with the men." Kelleher also stated that "the men have no reason for complaint as the only alternative is the dole and they are better off working for the Company than living on dole." The Parish Priest, Father Thorne, had reportedly "done his best in keeping the men contented and optimistic," and "smoothed over whatever trouble and contention there has appeared in the past." The priest conceded that in some cases miners and their families were worse off in 1937 than in 1932, but did not lay the blame entirely on Seibert or the Corporation. According to Howse, the priest was of the opinion that "if the men worked as hard in the gardens as he [the priest] does in his that they would not be so completely at the mercy of Mr. Seibert."⁷⁷

According to the group of five miners with whom Howse met, the non-payment of wages and the debt situation were the main issues in the June walkout. They explained that on 20 April 1937 they had presented Seibert with a list of demands, including a wage increase to about \$2.40 per shift (or 30 cents an hour), an increase of about 33 per cent.

⁷⁷"Report on Investigation of Conditions at St. Lawrence," 8 June 1937, GN38, S-1-11, File 1 (NR 44-37), PANL.

The St. Lawrence workers had received no formal response to their April request, but had heard a rumour that Seibert was prepared to offer only a 10 per cent increase, which would bring the average wage to about 25 cents an hour, or \$2.00 per shift. By way of comparison, workers at the Bell Island mines were earning an average of \$2.55 per shift at this time, while some underground workers were earning up to \$3.20 a shift if they qualified for bonus pay based on the amount of ore hoisted.⁷⁸ Frustrated by the management's refusal to reply to their demands, on 1 June the Corporation men had walked off the job. Many of them claimed they had no food in their homes despite having a month's work to their credit. Ranger Davis, who was also the Relieving Officer, substantiated the claims of the merchants and the miners but pointed out that, regardless of his personal inclinations, he was forbidden to issue relief to men who were, technically, on the company payroll, or who refused work. In other words, if the men were supposed to be getting paid but were not, then they were still employed and not entitled to relief; if they refused to work under these conditions, they were denied relief because they had turned down "paying" work. The merchants claimed that while they would not see the people starve, they could no longer carry the accounts without some sort of security against default. Howse also inspected conditions in the mine and found them inadequate and dangerous. The Black Duck shaft, for example, was flooded up to 35 feet at the base and had been for most of the winter. As for inspection of the underground by mine

⁷⁸"Report of a Visit by A.K. Snelgrove to the Wabana mines," 17 September, 1937, GN38, S6-1-3, File 42, PANL.

management, one foreman, a local man, stated that he had seen Kelleher underground only once in two years and that on that occasion Kelleher had been drunk.⁷⁹

When the miners walked off the job on 1 June, the company responded by hiring a group of replacement workers, including contract miners and boys, mostly their sons. Howse noted that although the men were upset by the hiring of these replacements and by the overall situation, they were thus far “very peaceful.” He warned, however, that the men were nearing the end of their patience and noted that their attitude about Seibert and the Corporation had changed over time:

Five years ago, when the operations began the men were prepared to accept reverses, hoping that conditions would improve. They have tried to help Mr. Seibert and have worked willingly with no prospect of immediate payment. However, conditions are quite as bad now as they were five years ago.... 75-80% of [the miners] are at present in debt. They are gradually leaning to the opinion that Seibert is using them as pawns and cares absolutely nothing about the welfare of the men. The Management has stated that the Company is one step ahead of the Commission of Government and now that they are on the property they will do as they please.⁸⁰

According to Howse, another factor contributing to the workers’ sense of grievance was the apparent contrast between the Corporation and ANF. The minimum wage paid by the ANF Company was \$2.50 per day. There was also a strong belief among the men that Seibert had received offers from E.J. Lavino and Company to

⁷⁹“Report on Investigation of Conditions at St. Lawrence,” 8 June 1937, GN38, S-1-11, File 1 (NR 44-37), PANL.

⁸⁰“Report on Investigation of Conditions at St. Lawrence,” 8 June 1937, GN38, S-1-11, File 1 (NR 44-37), PANL.

purchase and take over the Corporation mines, which added to their frustration. Howse claimed to have witnessed women in the community going to church to pray for the new company to take over the operation. He stated that he knew that Seibert had received “liberal offers” from five companies, including E.J. Lavino and Company, and that the Secretary of Department of Natural Resources had received copies of two of the offers. According to Howse, Seibert had refused all offers and “kept a community in the depths of poverty not because he could not get capital but because his avarice dictated terms which no capitalist could accept,” and because his greed prompted him to take advantage of the economic condition of the people “knowing that they could not get dole while he offered them work.” Noting that the government had thus far taken the position that little could be done by government to improve the situation at St Lawrence, Howse warned that conditions there had deteriorated to the point where “extraordinary measures are warranted.” He suggested establishment of a minimum wage of 25 cents per hour, a requirement for payment in cash twice a month, the dismissal of Kelleher and the appointment of a new manager with appropriate qualifications, a statement from the government to the Corporation demonstrating the government’s awareness of the offers from various companies, and a warning to Seibert that should he persist in his approach, the government would to levy a property tax so high as to put him out of business immediately and lead to the expropriation of the property.⁸¹

⁸¹“Report on Investigation of Conditions at St. Lawrence,” 8 June 1937, GN38, S-1-11, File 1 (NR 44-37), PANL.

On 9 June, the day after Howse submitted his report and recommendations, a St. Lawrence merchant wrote to his St. John's supplier explaining that his account was in arrears because the Corporation had again failed to deposit cash in the bank, and asking the St. John's firm to bring the St. Lawrence situation to the attention of the Department of Natural Resources. According to this merchant, several men who were still technically on the company payroll had recently applied for dole and been refused, and some had been forced to sell livestock and whatever else they could to obtain food. He also pointed out that the Corporation was taking advantage of the fact that the men had no choice and drew attention to the contrast between the Corporation and ANF:

... the people are treated like a bunch of coolies, and have to accept it owing to the depression and nothing else to earn.... Seibert really put one over on the Natural Resources and they don't forget to boast of it.... The New Company (ANF) are as yet only prospecting and have about 13 men. They are regular guys and doing their work in business form. They pay 25 cents hr. while Seibert only pays 17 ½. If the fluorspar is on their claims no doubt Mr. Wallace tells me it will be a good boom for St. Lawrence.⁸²

The St. John's wholesaler forwarded this letter to Ewbank, the Commissioner for Natural Resources. In response to this letter and to the Howse report, the Department of Natural Resources wrote to Seibert in Nutley, New Jersey, outlining its concerns. The correspondence reminded Seibert of two previous letters which the Department had received from him regarding the situation at St. Lawrence. One letter, dated 16 October 1936, had contained a promise from Seibert to increase wages the following May or June,

⁸²L.J. Saint, St. Lawrence to Stephenson, Royal Stores, St. John's," 9 June 1937, GN 38, S1-11, File 1 (NR 44-37), PANL.

and to take immediate measures to begin paying the men in cash and on time. Another letter Seibert had sent to the Department on 16 June 1936, promised a wage increase and indicated the Corporation's plan to implement some kind of unemployment insurance to cover periodic shutdowns. The Department reminded Seibert that as of Howse's investigation in early June 1937 none of these measures had been adopted and that, instead of improving, conditions had in fact deteriorated since the preceding year. The conclusion to this letter from the Department to Seibert is revealing of the Department's position with respect to the situation at St. Lawrence. On the matter of wage payment, the letter seems primarily concerned with the fact that in many cases miners were not being paid at a rate or in a manner sufficient to enable them to live without government assistance.⁸³

The government's focus on the issue of public relief in St. Lawrence must be viewed against the backdrop of its general approach to this issue. From its inception in 1934, the Commission of Government had focused on reducing both the number of people on public relief and the amounts distributed to recipients. There is little doubt that when the Commission took power, the unemployment and public relief situation had reached crisis proportions. It was estimated that in the district of Harbour Grace in September

⁸³Department of Natural Resources to Mr. W.E. Seibert, St. Lawrence Corporation, Nutley, N.J, GN38, S-1-11, File 1, (NR44-37), PANL. The letter is not dated, but the reference number (NR44-37) indicates that it was written in 1937 and its contents clearly show that it was written in direct response to the Howse investigation conducted during the first week in June.

1934, for example, 30 per cent of the population was in receipt of public relief.⁸⁴ This, it must be noted, was before the onset of winter, when the numbers invariably increased. Though there was considerable fluctuation from place to place and over the course of time, the situation was rarely much better in other parts of the colony, especially outside the fishing season. The relief system in Newfoundland up to this point was administered by the central government, on a mostly ad hoc basis, and was intended primarily to meet the needs of the infirm, the aged, widows, and others who could clearly not look after themselves and had no family or other resources to turn to.⁸⁵ Neither the Newfoundland state apparatus nor the treasury was capable of coping with the growing demands on able-bodied relief in the early 1930s.

The Commission of Government's response to this question must be understood in part within the context of the situation in Great Britain at the time and the way in which the public relief system had evolved there. The British system had emerged out of a series

⁸⁴Records of the Dominions Office (DO), 35/499/Pt. 2/1934, CNS.

⁸⁵For an account of the evolution of public relief in Newfoundland during the 1920s, see James Overton, "Self-Help, Charity, and Individual Responsibility: the Political Economy of Social Policy in Newfoundland in the 1920s," in *Twentieth-Century Newfoundland: Explorations*, James Hiller and Peter Neary, eds. (St. John's: Breakwater, 1994), 79-122. On other government measures to reduce unemployment and public relief, and public reaction to them, see Overton, "Moral Education of the Poor: Adult Education and Land Settlement Schemes in Newfoundland in the 1930's," *Newfoundland Studies* 11, 2 (Fall 1995), 25-82; Overton, "Public Relief and Social Unrest in Newfoundland in the 1930's: An Evaluation of the Ideas of Piven and Cloward," *Canadian Journal of Sociology* 13, 1-2 (Winter-Spring 1998), 143-69; and Gordon Handcock, "The Commission of Government's Land Settlement Scheme in Newfoundland," in Hiller and Neary, eds., *Twentieth-Century Newfoundland*, 123-52.

of compromises and adjustments embodied in such measures as the Unemployed Workmen Act of 1905, the National Insurance Act of 1911, and the Out-of-Work Donation Scheme of 1918. These and other measures were motivated by several factors, including the political pressure brought to bear by the working-class and unemployed vote, and the obvious inadequacy of the old system of Poor Law relief through local agencies in dealing with mass, long-term unemployment. By the time the National Government was formed in 1931, the unemployed in Great Britain had been divided into two basic groups: the temporarily unemployed, who were insured for a given period; and the long-term unemployed, who were subject to a means test to qualify for state assistance. The latter group included many able-bodied unemployed, who were required to meet certain conditions, including proof that they had sought employment and not turned down any employment offered to them, in order to qualify for state assistance.⁸⁶ Several important principles were embodied in the legislation pertaining to this latter group. One was a qualified acceptance of the state's responsibility for maintaining the able-bodied, long-term unemployed. Also, the stipulations on qualifying effectively institutionalized the distinction between the "deserving" and the "undeserving" poor, and gave state administrators the power to draw that distinction based upon an examination of each case. The Depression-era approach to public relief also strengthened the principle of "less eligibility," which had long been a characteristic of the British system. Under this

⁸⁶W.R. Garside, *British Unemployment, 1919-1939: A Study in Public Policy* (Cambridge: Cambridge University Press, 1990), 32-65.

approach, public relief policy was designed so that persons in receipt would ideally be kept at a living standard below that of the lowest paid worker. Public relief was thus designed to be so unattractive as to compel persons to seek and retain almost any kind of employment. During the Depression the government of Great Britain adopted measures designed to force all “voluntary unemployed back into the labour market, making them accept less attractive jobs at lower wages.”⁸⁷

This also became a prominent feature of the Canadian system during this period. In Canada, as one historian has described it, the goal of the less-eligibility doctrine as it was applied during the 1930s was not so much to maintain the able-bodied poor as to “preserve the motivation of those who worked, particularly those in the worst jobs society had to offer.”⁸⁸ One crucial difference between Newfoundland and both Canada and Great Britain was that in Newfoundland there was no official means for the population to impose sanctions on the government and its policies. In Canada, for example, the electorate expressed its opinion of the R.B. Bennett government’s unemployment and public relief policies by ousting it from office in 1935 and replacing it with the government of Mackenzie King. Governed by a body of unelected officials, and with no elections pending at any specific time in the future, Newfoundlanders had no such recourse.

⁸⁷Noel Whiteside, *Bad Times: Unemployment in British Social and Political History* (London 1991), 83.

⁸⁸James Struthers, *No Fault of their Own: Unemployment and the Canadian Welfare State, 1914-1941* (University of Toronto Press 1983), 6-7.

In addition to the fact that they were operating within this established approach to the issues of unemployment and public relief, the Commission of Government was also under considerable pressure from the British government itself. From its inception, the Commission was required to submit frequent, detailed reports on public relief, and to justify all expenditures. It was also pressured to reduce the numbers on public relief, and to explain any increase in those numbers. In October 1934, for example, Hope Simpson was forced to explain to the Dominions Office why it had been impossible, despite the Commission's best efforts, to completely eliminate able-bodied relief to fishermen during that summer past.⁸⁹ Many of the demands placed on the Commission of Government were created by political pressure within Great Britain, where the government was forced to explain expenditures in a distant former colony when the situation at home was so desperate. Another memo, also from October 1934, illustrates the various pressures under which the Commission was operating: an official of the Dominions Office thanked the Commission for providing information on the employment situation in Newfoundland, as it would help answer some potentially "awkward" questions in Parliament, but also demanded that the Commission provide a more specific outline of its plans for the public relief system.⁹⁰

⁸⁹Thomas Lodge, Commissioner for Public Utilities, to P.A. Clutterbuck, Dominions Office, 19 October 1934, DO 35/499/N1028/4, CNS.

⁹⁰P.A. Clutterbuck, Dominions Office, to Thomas Lodge, Commissioner for Public Utilities, 19 October, 1934, DO35/499, CNS.

In response to this request, the Commission outlined the system as it then operated. The 121 Relieving Officers (many of whom were Rangers) who had been stationed throughout the country had been ordered to investigate all applications and, if approved, grant the applicant a dole order to acquire goods, on the approved scale, from the nearest store. The store owner in turn sent the dole orders to St. John's for payment. The great advantage of this system, it was pointed out, was that it enabled the Department of Public Health and Welfare "to maintain a thorough check and prevent collusion between the Storekeeper and the Relieving Officer."⁹¹ In keeping with its overriding mandate to reduce expenditure in this area, the Department of Public Health and Welfare set strict guidelines for the granting and administration of relief. A 1934 memorandum, for instance, set out strict guidelines for the type and quantity of foods to be administered to recipients, and in 1935 Relieving Officers were reminded to be very careful in distributing clothing to the outports in winter, as the government suspected ample opportunities for abuse. Outport officials were ordered to investigate every claim, issue relief only when and to whom it was absolutely necessary, and distribute the absolute minimum.⁹²

⁹¹PA. Clutterbuck, Dominions Office, to E.B. Speed, Treasury, 17 November 1934, DO35/499/1028/4, CNS.

⁹²"Memorandum on dole operations," 15 December 1934, GN38, S6-1-1, File 2 (PHW 6-35/36), PANL, and "Memorandum regarding the supply of clothing relief to the outports during the coming winter," 30 October 1935, GN38, S6-1-1, File 2 (PHW 48-34), PANL.

With regard to the Burin Peninsula in particular, an August 1937 report suggested that what was required in the town of Burin, where unemployment and poverty were particularly bad owing to the failure of the fishery, was “a stricter guy,” who would act on the government’s orders that “every possible man should be gotten off relief whole or part time.” Likewise, in Marystown the Relieving Officer was ordered to check on “slackers” who refuse or abandon work on “the usual flimsy pretexts of unpleasant or unremunerative activities.” With respect to St. Lawrence, the report stated that,

... the two mining companies operating at St. Lawrence are absorbing practically all the able-bodied labor available. Rates and conditions of payment do not appear to be very satisfactory, but the men are at least self-supporting. The future of the operation appears somewhat uncertain, as far as one of the companies is concerned, though the two may presently amalgamate. If the work does cease or if it is curtailed to any material extent, much destitution will almost certainly prevail with consequent large demands on us for public relief.⁹³

Given the extent to which the government relied on the St. Lawrence mines to help accomplish its over-riding goal of reducing the numbers on public relief, it is not surprising that little action was taken to address issues of working conditions and wages. The government seemed content to ignore these issues provided the mines were keeping people off the relief rolls. From its perspective, perhaps any serious attempt to address problems in the St. Lawrence mines might jeopardize the industry, especially given the apparently precarious financial position of the Corporation. That may explain why the

⁹³Report on the relief situation on the Burin Peninsula and the south coast,” August, 1937, GN38, S6-1-2, File 4, PANL.

government took such a half-hearted approach in confronting Seibert about conditions at St. Lawrence. While the letter sent to Seibert after the Howse report in 1937 outlined various problems at the mines and reminded him of his failed promises to improve conditions there, it concluded by simply stating that, “Government is concerned at the continuance of the state of affairs,” and asking Seibert to inform the Department “at a very early date what steps you propose to take to remedy the situation.”⁹⁴

While government officials circulated memos regarding the logistics and cost of safety inspections, and issued vague threats to Seibert, conditions at St. Lawrence grew steadily worse.

In 1938, flooding and other problems forced the Iron Springs operation underground, where conditions were reportedly worse even than those at Black Duck. The Iron Springs vein was exceptionally rich, but it was also very narrow, so much so that in many places the sides of wheelbarrows had to be bent inward to fit through the underground tunnels. One miner who worked underground at Iron Springs in the late 1930s described conditions there:

At Iron Springs dry hammers were also in use, and the drillers were forced to drill from a timbered scaffold.... The dust and smoke was always so thick that one could not see the driller until you walked right up to him.... there were more drills in operation, and the fluorspar only averaged 30 inches, which meant that the mine was exceptionally narrow with no space for expansion or thinning of the dust and smoke.... The miners had to walk up and down ladders and ... during the winter months the miners were

⁹⁴Department of Natural Resources to Mr. W.E. Seibert, St. Lawrence Corporation, Nutley, N.J, GN38, S-1-11, File 1, (NR44-37), PANL.

forced, because of heavy snowstorms, to walk the three miles to and from the mine.⁹⁵

Mike O'Leary, who had started work as an ore-sorter when he was sixteen years old, made the move to underground work at Iron Springs when he was eighteen, as was the custom at that time. He also described conditions at Iron Springs as very bad, especially in terms of dust and the lack of ventilation:

No ventilation at all whatsoever.... When you'd drill off a round of ore, when you'd go back to look at it was right snow white ... just the same as it was after snowing in there, stuck all in the walls and everywhere. Nothing, no masks at all, one thing was never ever thought about was a mask. And they used to drill dry then in the late Thirties when I went down there and the early Forties... A fellow come up from drilling you'd never know who he was when he came up, he'd be right snow white very bit of him. When you'd be eating you could feel the ore under your teeth, it was in your mouth and falling out of your hair and you could feel it grinding under your teeth.⁹⁶

After working at various capacities at both Black Duck and Iron Springs for a few years, O'Leary gave up mining and went back to fishing full time, a decision prompted in part by his belief that something in the mine was very bad for those who worked there and by his own experience of the health problems associated with work in the mines:

I knew that there was something down there because when I went in the mine after fishing all the summer up to November ... after you'd get there for a couple of months you'd start losing your appetite and the strength would go, you'd start losing the strength in your legs, and you'd find it hard to breathe... No doctor here then, only a nurse.... Everyone knew

⁹⁵Slaney, *More Incredible than Fiction*, 6.

⁹⁶Interview with Mike O'Leary, Little St. Lawrence, 26 October 1997, conducted by the author.

there was something, but no one complained, that was their way of life and no one complained about it. If you didn't do that you do anything.... You had no other choice ... if you weren't set up for fishing. I'd be dead 40 years ago only for my father, that's who kept me alive. He'd do the gear and everything in the wintertime....⁹⁷

The ANF operation was reportedly better equipped and better planned than were the Corporation mines. After acquiring its St. Lawrence properties in 1937, ANF had sunk an 85-foot exploratory shaft at the Tarefare vein, but in 1938, the Tarefare work was discontinued and the focus shifted to the Director vein. By 1939 the developmental shaft at Director vein had reached 150 feet, and 800 feet of drifting (horizontal tunnelling) had been carried out. To this point, the work had been mostly developmental and exploratory, and while some ore had been mined and hoisted, none had been shipped. Workers at ANF reportedly had the benefit of mucking machines (used to transport broken ore), electric jackhammers and other powered equipment.⁹⁸

The ANF operation, while technically superior to the Corporation's, was not, however, without its problems in terms of health hazards. In September 1939, the Department of Public Health and Welfare tested water samples obtained by an official of the Department Natural Resources from the ANF mines, and found they contained "a high state of pollution." The Department noted that of the twenty men employed by ANF, five

⁹⁷Interview with Mike O'Leary, Little St. Lawrence, 26 October 1997, conducted by the author.

⁹⁸"History of the Operations of Newfoundland Fluorspar Limited," 1966, AA; and Letter from E.J. Lavino sent to W. Smith, 28 March 1939, AA.

were seriously ill with diarrhoea, and that many of the Corporation's 100 employees were suffering from the same condition. The Department considered this a very serious situation and feared "the possibility of an outbreak of typhoid."⁹⁹

While the Department was concerned about this problem, there was little that could be done under the Public Health and Welfare regulations as they existed in 1939. A comprehensive Public Health and Welfare Act introduced in 1931 had given the Department the power to inspect all "mining, lumbering [and] wood cutting" establishments, and required operators to provide adequate ventilation, clean drinking water, toilet facilities, eating quarters, first aid facilities and, in establishments with more than 50 employees, a physician.¹⁰⁰ The 1931 Act would have empowered the Department to force operators at St. Lawrence to provide safe and adequate drinking and toilet facilities. In 1938, however, the 1931 Act was amended when the government passed regulations respecting medical and sanitary conditions in logging camps. The 1938 amendment was meant to suppress growing unrest among loggers and to address the findings of a 1934 Commission of Inquiry into conditions at logging camps.¹⁰¹ The 1938

⁹⁹"Memorandum respecting the report by Dr. J. St. P. Knight regarding the condition of the water supplies at the workings of the American-Newfoundland Fluorspar Corporation," 4 December 1939, GN38, S-6-1-2, File 12. (PHW 13-39), PANL.

¹⁰⁰Newfoundland Public Health and Welfare Act, 1931 (Cap. 12, Geo. 5), Section 418-433.

¹⁰¹The 1934 inquiry was highly critical of the pulp and paper companies' treatment of its workers and of the conditions in the camps. The government suppressed the report and enacted a few watered-down versions of its recommendations. See Peter Neary, "The

amendments, however, repealed Sections 418-433 of the 1931 Act, so that regulations regarding industrial sites now pertained *exclusively* to logging camps and no longer applied to mines and other industrial operations.¹⁰² The Department of Public Health and Welfare expressed its frustration over this state of affairs to the Department of Justice in December 1939. Referring specifically to the situation at St. Lawrence, the Department of Public Health and Welfare pointed out that,

You will note that it is the doctor's contention that this department should take some steps to enforce the correction of the condition mentioned by the Company concerned. We are not now in a legal position to do this. Before the act respecting medical treatment of loggers was passed there was a provision in the Health and Public Welfare Act empowering this department to deal with unsanitary conditions and conditions of ill health at any industrial camp. When the new act was passed this provision was wiped out altogether so that we now have no jurisdiction ... in connection with industrial undertakings such as those at St. Lawrence.¹⁰³

The Department of Public Health and Welfare pointed out that in the absence of legislation the government could do little but hope that the companies involved would

Bradley Report on Logging Operations in Newfoundland, 1934: a Suppressed Document," *Labour/Le Travail*, 16 (Fall 1985), 193-232. On the history of Newfoundland loggers and their labour activities, see Dufferin Sutherland, "A Social History of Pulpwood Logging in Newfoundland During the Great Depression," MA thesis, Memorial University of Newfoundland, 1988; Dufferin Sutherland, "Newfoundland Loggers Respond to the Great Depression," *Labour/Le Travail* 29 (Spring 1992), 81-116; and Dufferin Sutherland, "'We are only Loggers': Loggers and the Struggle for Development in Newfoundland, 1929-1959," PhD thesis, Simon Fraser University, 1995.

¹⁰²An Act Respecting Sanitation and Medical Attendance in Logging Camps, Act No. 47, 1931.

¹⁰³Department of Public Health and Welfare to Department of Justice, 15 December 1939, GN38, S6-2-1, File 12, PANL.

look after such matters on their own initiative and out of concern for the health and safety of their workers. Apparently not convinced that operators would do so, the Department urged the restoration of the original legislation on industrial sites.¹⁰⁴

2.4 Conclusion

When the fluorspar mining industry had been established in St. Lawrence in 1933, economic circumstances meant that the people were willing to undergo extreme sacrifices in the hope of developing an industry for their town. These circumstances left the people of St. Lawrence vulnerable to exploitation by Seibert and the Corporation management, and contributed to the deplorable working conditions they were forced to endure throughout the 1930s. The one party upon which they might have relied for protection and support, the government, was at best ineffective and at worst a contributor to their plight. The mines regulations in place were inadequate, outdated and not enforced. There was no system for the regular inspection of mines and the government's concern with fiscal restraint deterred it from establishing such a system and hiring a qualified inspector, despite the fact that its own Geological Division and an inspector brought in from Ontario in 1936 urged it to do so. Moreover, the government's overriding concern with the reduction of public relief expenditure made it very reluctant to take a hard stand on issues of working conditions and wages, and the public relief regulations also contributed to the

¹⁰⁴Department of Public Health and Welfare to Department of Justice, 15 December 1939, GN38, S6-2-1, File 12, PANL.

vulnerability of workers in St. Lawrence. Workers did not, however, passively accept these conditions. On several occasions they voiced their concerns and demanded improvements. Despite these efforts, and those of other parties, including merchants and some government officials, by the end of the 1930s there had been no improvement. The introduction of underground mining had in fact exposed workers to worse health hazards than had been present in the open-cut mines, and by 1939 the effects of these working conditions were beginning to become apparent.

Chapter 3: Industry Fluctuation, Labour Relations, and Occupational Health and Safety during the Second World War

Introduction

This chapter examines the period from 1939 to 1945, a pivotal and complex one in the history of industry, labour, and health and safety in St. Lawrence. An increase in the demand for fluorspar accompanying the outbreak of war led to a rapid expansion of the mining industry, including the establishment of another major mining enterprise in St. Lawrence. Within the context of industry expansion and a general revival in the Newfoundland labour movement, in 1939 St. Lawrence workers formed their first union and were soon involved in a succession of labour disputes over issues of union recognition, wages, and working conditions. A series of strikes during 1941 led to government intervention under special wartime measures. Through the Trade Dispute Board hearings, and in subsequent collective agreements, the union won some important concessions in such areas as recognition and wages. A industry decline beginning in 1944, however, had a detrimental effect on its bargaining position, so that it could do little but try to hold on to the few advances it had won. Furthermore, while there were qualified victories in other areas, little progress was made in the realm of occupational health and safety. Explicit complaints and repeated calls for action by workers and the union throughout this period continued to be trivialized and dismissed. The government continued to ignore pleas from even its own officials to update health and safety legislation, introduce a proper inspection service , and upgrade medical facilities.

3.1 The Establishment of Newfoundland Fluorspar Limited

After carrying out some developmental work on the properties it had acquired in 1937, by 1939 ANF had decided that to start mining and shipping fluorspar from St. Lawrence would involve considerably more time and money than it was willing to invest.¹ In December 1939, ANF reached a deal with Alcan for the sale of its St. Lawrence holdings, and on 21 December Alcan incorporated a subsidiary, Newfoundland Fluorspar Limited (“Newfluor”) to oversee its St. Lawrence operations.²

Alcan originated in 1902 as Northern Aluminum Limited, a Canadian branch of the Pittsburgh Reduction Company, which by 1906 had established what was then one of the world’s largest aluminum plants at Shawinigan, Quebec. In 1907, the Pittsburgh Reduction Company’s name was changed to the Aluminum Company of America (Alcoa), and in 1925 Northern Aluminum became the Aluminum Company of Canada (Alcan). Taking advantage of a ready supply of hydro-electric power (a key factor in aluminum production) in the Saguenay region, Alcan embarked on a major expansion of its Quebec holdings, including construction of an aluminum smelter and town site at Arvida (which got its name from company president Arthur Vining Davis). Raw materials for the Arvida smelter were shipped by sea to Port Arthur, and transported from there by Alcan’s privately-owned railroad. While the early 1930s were relatively lean years for Alcan, rapid

¹E.J. Lavino, E.J. Lavino and Company, to Warren Smith, Manager, American-Newfoundland Fluorspar, St. Lawrence, 28 March 1939, AA.

²“Resumé of negotiations for Newfoundland fluorspar properties,” 31 July 1940, AA.

growth in aircraft manufacturing and other aluminum-consuming industries in the late 1930s increased demand for raw aluminum in the United States, Great Britain and Canada. From 1937 to 1939, both the value of Alcan's assets and its net annual income doubled.³

Alcan's interest in St. Lawrence fluorspar, therefore, was as a raw material for its Arvida aluminum plant. Alcan retained Warren Smith, who had directed the ANF exploration program, as manager of Newfluor. Newfluor focused on the Director vein, and by July, 1940 the Director shaft was down to 150 feet with approximately 2,000 feet of drifting.⁴

3.2 Union Formation, the Struggle for Recognition, and Health and Safety, 1939-1941

Coinciding with these industry changes, important developments were also taking place on the labour relations front. In August 1939, amid concerns about the state of drinking water and other health and safety issues, workers formed the St. Lawrence

³See, Isaiah A. Litvak and Christopher J. Maule, *Royal Commission on Corporate Concentration, Study No. 13: Alcan Aluminum Limited* (Ottawa: Carleton University, 1977), 27-54; Luc Côté, *Les Enjeux du Travail A L'Alcan, 1901-1951* (Hull: Editions Asticou, 1990), 82-93; Duncan Campbell, *Mission Mondiale: Histoire d'Alcan* (Ontario Publishing Company, 1985), Volume 1, 333-4; Steven Kendall Holloway, *The Aluminum Multinationals and the Bauxite Cartel* (St. Martin's Press: New York, 1988), 12-13; and Sterling Brubaker, *Trends in the World Aluminum Industry* (Baltimore: Johns Hopkins Press, 1967), 101-23. On the establishment and growth of Arvida, see Jose Igartua, *Arvida au Saguenay: Naissance d'une ville industrielle* (Kingston and Montreal: McGill-Queen's Press, 1996).

⁴“Resume of negotiations for Newfoundland fluorspar properties,” 31 July 1940, AA, and “History of Operations of Newfoundland Fluorspar Limited,” 1966, AA.

Miners and Labourers Protective Union (SLMLPU) under the leadership of a local businessman named Patrick Aylward.⁵ Aylward later stated that he had been asked by several miners during the summer of 1939 to help form a union, and that the union was officially registered shortly after its formation.⁶

While the formation of the SLMLPU was a direct response to conditions at St. Lawrence, it can also be viewed as part of a general resurgence of the Newfoundland labour movement during the latter half of the 1930s, as Newfoundland workers in many sectors began to rebel against the harsh working conditions, low wages, and repressive labour relations climate that had marked the Depression years.⁷ One indication of this revival was the 1936 formation of the Newfoundland Trades and Labour Council (NTLC), which changed its name to the Newfoundland Federation of Labour in 1939.⁸ From 1935

⁵Aylward was a merchant who also ran a cod-liver oil processing plant in the community; there is no indication that he was ever directly involved in the mining industry.

⁶“Report made by Magistrate N. Short on the subject of a dispute between the St. Lawrence Corporation of Newfoundland Ltd., and the St. Lawrence Miners and Labourers Protective Union,” 23 May 1940, GN38, S5-4-1, File 5, PANL.

⁷Among the earliest and most militant participants in this revival were Newfoundland loggers, who organized under the Newfoundland Loggers’ Association (NLA) and held a series of strikes and protests from 1934 to 1937 to demand improvements in wages and working conditions. See Sutherland, “Newfoundland Loggers Respond to the Great Depression,” and Sutherland, “A Social History of Pulpwood Logging in Newfoundland During the Great Depression.”

⁸Following the NTLC’s initial organizing drive, the 1938 Labour Day Parade in St. John’s was the biggest in 40 years, with over 4,000 participants from 22 unions joining in the march. Throughout the late 1930s, the NTLC exerted pressure on the Newfoundland government to introduce labour reforms, including a new Trade Union Act (which had undergone no substantial changes since its inception in 1910), establishment of a separate

to 1939, total union membership in Newfoundland grew from 8,760 to 27,059, and on the eve of the Second World War Newfoundland had one of the highest rates of unionization in North America.⁹ The 1939 formation of the St. Lawrence union was therefore part of a wave of union organizing sweeping the island at that time.

By December 1939, the St. Lawrence union had issued several demands to the Corporation for improvements in working conditions, particularly with respect to drinking water and sanitation.¹⁰ The management initially responded with paternalistic measures designed to appease the workforce. The company hosted a Christmas party, for instance (attended by supervisory personnel and their wives), at which the manager announced a 10 per cent wage increase, described as a “Xmas box,” for all employees. One observer applauded the company for the gesture of “good will thus shown toward workmen,” and noted that the wage increase was significant in that it was “voluntary” and thus contributed to “the happy relations so much to be desired between capital and labour.”¹¹

Labour Department (whose duties were now subsumed under Public Utilities), and a new Mines Regulation Act. Gillespie, *A Class Act*, 69-75.

⁹Gregory S. Kealey, “The History and Structure of the Newfoundland Labour Movement: Background Report Prepared for Royal Commission on Employment and Unemployment, Newfoundland and Labrador” (1986), 113, 16.

¹⁰Ranger V.P. Duff’s Report on Conditions at the Fluorspar Mine, St. Lawrence, 5 December 1939, GN38, S6-1-2, File 40, PANL. The Ranger noted that neither the Corporation nor ANF had taken steps to provide adequate facilities for their employees.

¹¹*Evening Telegram*, 5 January 1940. The article did not mention that this 10 per cent was the increase Seibert had been promising since 1937 and was considerably less than that which the workers had been demanding for several years.

At least one other observer took a different view, asking why, if such good relations existed between the Corporation and its employees, 90 per cent of workers joined the union “within three hours” of its formation in August 1939, and pointing to several instances of the Corporation’s refusal to recognize and negotiate with the union. This observer also pointed out that the 10 per cent pay increase was 10 per cent *less* than that demanded by the union and would do little to bring the wages of St. Lawrence miners up to the level received by other Newfoundland miners. Some men in St. Lawrence, it was stated, received as little as 19 cents an hour. This person suggested that the pay raise was a direct response to the formation of the union, and an attempt on the Corporation’s part to put a good public face on a bad situation.¹²

The pay raise also did nothing to address ongoing health concerns. In January 1940, the Department of Public Health and Welfare expressed concern that conditions at the St. Lawrence mines were affecting the health of workers. The Department noted that possible cases of lung diseases, such as silicosis, were beginning to surface at Buchans and that similar problems might exist at St. Lawrence. Referring to conditions described in a Ranger Report of December 1939, the Department also expressed fear that, “the insanitary surroundings and unhealthy water supplies are likely to cause an outbreak of typhoid or

¹²“St. Lawrence Mining Matters,” *Evening Telegram*, 1 February 1940, 12-13. The letter is signed “Courage Sans Peur.”

other communicable disease at any time.”¹³

This concern was compounded by the fact that there was still no hospital or doctor in St. Lawrence. According to the Department of Public Health and Welfare, the Corporation had been approached for assistance in establishing medical facilities, but had been “absolutely non-cooperative” in this regard. The Corporation, the Department noted, had made no provisions to deal with “any emergency that may occur as a result of the hazardous employment in which the men are engaged,” and the government was powerless to force the company to provide medical services since “we can do so only in connection with logging operations....”¹⁴

By the spring of 1940, relations between the Corporation and its employees had deteriorated to the point where the District Magistrate was ordered by the Commissioner for Public Utilities, Sir Wilfrid Woods, to conduct an investigation.¹⁵ The magistrate’s inquiry was held in St. Lawrence from 22 to 24 April, at which time the union had 240

¹³Department of Public Health and Welfare to Department of Natural Resources, 15 January 1940, GN38, S6-1-2, File 40, PANL. The Commissioner for Natural Resources was now John Henry Gorvin, who had replaced Ewbank in May 1939. A native of England, Gorvin had come to Newfoundland in 1937 to advise the Commission on rural reconstruction. Gorvin served as Commissioner for Public Utilities until June 1941, when he was replaced by Peter D.H. Dunn, a native of Scotland who had served in various capacities with the Commission since 1935.

¹⁴Department of Public Health and Welfare to Department of Natural Resources, 15 January 1940, GN38, S6-1-2, File 40, PANL.

¹⁵Woods, an Englishman with ample experience as a colonial administrator, replaced Thomas Lodge as Commissioner for Public Utilities in January 1937, and served in that post until 1944.

members. This included 95 per cent of the 150 workers employed by the Corporation at that time, plus others who found periodic work, retaining their membership and paying back-dues when employed.¹⁶

The inquiry revealed that Corporation management had steadfastly refused to negotiate with the union since its formation in August of the previous year. In October 1939, for instance, Aylward had asked Corporation manager Donald Poynter (an American who had recently replaced Kelleher) to advise non-union employees then with the company (about 5 per cent of the workforce at that time) to join the union, as this issue was causing much agitation, especially to union members who were unemployed. Aylward also requested that official communications be established between the union and the company. In a statement indicative of his preference to keep labour relations at an individual, personal level, Poynter responded that,

this office has always been open to any employee ... to discuss any problem whatever, and in view of this I cannot agree to meet with you to discuss anything but the general St. Lawrence welfare, and will discuss company and employee problems with company employees only.¹⁷

Having made no progress dealing with Poynter, in March 1940 Aylward had approached Seibert, asking outright whether his company intended to recognize the union and warning him that, having tried peaceful means to establish relations, the union was prepared to take

¹⁶“Report by Magistrate Short,” 23 May 1940.

¹⁷“Report by Magistrate Short,” 23 May 1940.

an alternative route. There was no reply.¹⁸

At the magistrate's inquiry, Aylward testified that only the "dread of poverty" had kept many men from complaining more openly about their working conditions. The problems he listed included a lack of proper sanitation facilities and drinking water, inadequate mine ventilation, which had caused "suffocation" in many cases, dangerously sub-standard hoisting equipment, and a common practice of working a man so hard that he soon became disabled and was simply replaced by another man. On all of these matters, he stated, the Corporation had refused to even enter negotiations.¹⁹

The eight employees who gave testimony at the inquiry substantiated Aylward's claims regarding working conditions and labour practices. One miner testified that the hoisting system at Black Duck was very dangerous and that his only source of drinking water was "through the compressors," meaning that he got it from a hose that supplied water to cool the air compressors. Another man testified that at Iron Springs there was no ventilation apart from compressed air. That is, men sometimes removed an air hose from a piece of air-powered equipment and breathed the air from the hose. The air in the mine, he stated, was very bad, and recently a man had to be revived with compressed air when he passed out underground. Asked whose responsibility it was to monitor and oversee the ventilation of the mine, he replied that he did not know. Another stated that, "We have no

¹⁸"Report by Magistrate Short," 23 May 1940.

¹⁹"Report by Magistrate Short," 23 May 1940.

ventilation in our mine," and that two men had recently fainted underground for lack of air. Others testified that the manager had threatened to fire them if they complained about working conditions. For instance, one man, a shoveller in the mill, testified that when he had complained to his foreman that the work was too much for one man, he was told that if he could not do the work he could easily be replaced. Yet another stated that he was afraid to complain, "Because I have a family to support and I am unable to find any easier work. I won't make any complaints because I am afraid I would be fired." Another testified that he had recently been dismissed because he complained to the union about his working conditions, and was later told by Poynter that, "Well, you had a bad back and you're getting old.... [You are] no good for the mine any more." All who gave testimony stated that there were no toilet facilities, no sanitary drinking water, and no adequate eating facilities.²⁰

The description offered by Aylward and by the workers certainly calls into question the opinion expressed by the Public Utilities Commissioner shortly before the magistrate's inquiry, that a mines inspection service was unnecessary since, "There is every evidence that the various managements of our operating mines take their mine safety responsibilities very seriously."²¹ Furthermore, it is unclear upon what this assessment was based, since there had been no inspection of Newfoundland mines since 1936.

²⁰"Report by Magistrate Short," 23 May 1940.

²¹Memorandum from Wilfred Woods, Commissioner for Public Utilities, 6 March 1940, GN 38, S5-1-2, File 8, PANL.

Poynter, the Corporation manager, presented a very different description of the situation from the one presented by Aylward and the workers. Poynter claimed that the correspondence he had received from the union had been so vague that it was impossible to respond to it. Poynter also quoted from a letter he had received from Seibert stating that "I have enough correspondence, threats, etc., from Pat Aylward where, if I greased him a bit he would refrain from organizing the union and such correspondence would hang him."²² Poynter denied that the Corporation was anti-union, and claimed that the management "looks forward to the day when a real union of miners is formed." He also disputed claims that the Corporation had taken disciplinary action against men who had complained of their working conditions.²³

On the question of sanitation, Poynter attempted to deflect criticism away from the company by denigrating conditions in the miners' homes, stating that,

Sanitary arrangements, drinking water arrangements, and conditions under which men work are in my opinion equal to, if not better than they have in their own homes. When the time comes when St. Lawrence will take an interest in its own sanitation and drinking water and show evidence of this interest in their own homes, this Company will gladly give them the equal in their working conditions.²⁴

Regarding inadequate ventilation at the mines, Poynter stated that it was "more than

²²There was no indication, in that correspondence or at the inquiry, what Seibert believed he had on Aylward.

²³"Report by Magistrate Short," 23 May 1940.

²⁴"Report by Magistrate Short," 23 May 1940.

adequate” and added, vaguely, that, “The entire ventilation scheme of this mine is following a definite plan that was conceived by a trained engineer.”²⁵

When it was brought to Poynter’s attention that the rates of pay at St. Lawrence were lower than those at other Newfoundland mines, he again tried to deflect criticism away from the company by attacking the men, stating that, “we have been unable to find or develop men who would qualify as miners,” and “we have also had great difficulty in finding men who could shovel a normal quantity of ore in a day”²⁶

The inquiry’s findings seemed to present an ideal opportunity for government authorities to take some action to address the St. Lawrence situation. In his final report to the government, however, the magistrate failed to mention any of the specific grievances raised by Aylward and the workers concerning ventilation, sanitation, and other health and safety issues. Nor was there any reference to the fact that the men interviewed all claimed to have been subjected to work that was not only dangerous but physically punishing, or that the labour relations environment was such that they did not complain for fear of losing their jobs. The magistrate focused instead on the actions of the union, concluding that it had proceeded improperly in its attempt to gain recognition and that the president was incapable of controlling the membership. Instead of viewing it as the product of long-standing grievances, the magistrate depicted the antagonistic relationship between workers

²⁵“Report by Magistrate Short,” 23 May 1940.

²⁶“Report by Magistrate Short,” 23 May 1940.

and management as the recent product of a hostile and inexperienced union. He concluded that,

A feeling has been created against the St. Lawrence Corporation. If the Union is to succeed, it must be prepared to discard its warlike actions ... [and] frame its demands in a reasonable and intelligent manner and be prepared to discuss them in friendly cooperation with the Corporation. It must ... have some knowledge of mining technique.... The present misunderstanding between the Union and the Corporation has developed because the Union officials lacked the ability or tact to present a favourable impression of their objects to the Corporation.²⁷

Because it took this approach, the magistrate's report did nothing to address the serious health and safety concerns presented at the inquiry, and demonstrated yet again the government's propensity to side with the employer and its reluctance to act on behalf of the workers.

Nor was the government taking any meaningful action on its professed desire to upgrade health and safety regulations and establish a mines inspectorate. In June 1940, two months after the magistrate's inquiry, A.E. Cave of Ontario was back in Newfoundland for another mines inspection. During Cave's visit to St. Lawrence, some contract mining was still being carried out by small groups of men who were advanced explosives and other supplies by the company. There was also still some open-cut mining being done by hourly employees, notably at the Blue Beach mine, the largest of the remaining open-cut operations. The shaft at Iron Springs mine was now down to 195 feet, and an electric hoist had been installed for transporting men and ore. At Black Duck,

²⁷“Report by Magistrate Short,” 23 May 1940.

the shaft had been extended to 200 feet, and while there was a hoist for raising ore, men still climbed up and down ladders, through what is known as a “manway.”²⁸

At the time of Cave’s visit, the Corporation’s original washing and sorting mill at Black Duck had been abandoned and a new mill constructed nearer to the Iron Springs mine. Ore from the Corporation’s main mines was brought to this new facility, known as the “Pinch Mill,” in trucks, or by horse and sled from the smaller, contract mines. The mill was equipped with a crushing plant, a series of meshed screens and rollers (known as “jigs”) for crushing the ore to the required size, before it was sent to another component known as the Heavy Media Separator (HMS).²⁹ At the time of Cave’s visit, the Corporation employed about 150 workers.³⁰

At the Newfluor operation, Cave noted that the Director shaft was now down to 150 feet, and there a hoist for raising ore and a manway for the men. The Director mine also had a “dryhouse” (for changing and drying clothes and for storing gear) and an assay

²⁸A.E. Cave, “Inspection Report on the Mining Operations in Newfoundland,” 5 June-21 June 1940, 5-21, DME.

²⁹A HMS operates on the principle that all substances have a “specific gravity,” a point at which they will sink or float when immersed in certain solutions. From the crushing station, therefore, the ore was immersed in a mixture of water and certain chemicals calculated to raise the concentration of CaF_2 in the end product by separating it from the waste through this sinking and floating process. The HMS plant therefore produced several grades of fluorspar, ranging (in highest to lowest) from “sinks” to “middlings” to “floats.” The lower grades might be sent back through the HMS again depending on the grade required. G.F. Carr. “The Industrial Minerals of Newfoundland,” (St. John’s, Newfoundland Department of Mines and Technical Services, 1958), 59-60.

³⁰A.E. Cave, “Inspection Report on the Mining Operations in Newfoundland,” 1940.

laboratory (for analyzing ore). A new shaft and a mill were planned for the near future. No ore was being hoisted at Director during Cave's visit, and no work was being done at the Tarefare shaft. Newfluor employed approximately 50 workers at this time.³¹

Cave's specific recommendations regarding the St. Lawrence mines focused on hoisting practices, explosives, rockfalls, and escape routes. He also pointed to the need for clean drinking water and toilet facilities. On a more general note, Cave reiterated his 1936 observations about the inadequacy of the Newfoundland regulations, and urged the government yet again to appoint a qualified inspector and establish a regular inspection service.³² Again, however, the government, took no action on these recommendations.

Meanwhile, workers at St. Lawrence grew more frustrated by the lack of progress in areas of working conditions, wages, and union recognition. In early 1941, union treasurer Aloysius Turpin took advantage of this frustration to mount a challenge to Aylward's leadership. Turpin had worked as a contract miner for the Corporation and was a carpenter at the Corporation's Blue Beach mine when he made his bid for the presidency.³³ In addition to the lack of progress on specific grievances, Turpin charged that there was no evidence the union had ever been formally registered or affiliated with

³¹A.E. Cave, "Inspection Report on the Mining Operations in Newfoundland," 1940.

³²A.E. Cave, "Inspection Report on the Mining Operations in Newfoundland," 1940.

³³Government of Newfoundland, *Eleventh Census of Newfoundland and Labrador, 1945*; and Interview with Aloyusius Turpin, MUNFLA.

the NFL, as Aylward had been claiming.³⁴ According to Turpin, these factors had turned many of the men against Aylward.³⁵

As an indication of the climate of fear which prevailed in St. Lawrence at this time, Turpin stated that he waited until Poynter went to New York before he called a membership meeting on 15 January 1941. "Poynter," he said, "was against labour.... He wasn't supposed to know about the new union." One week after the meeting, at which Turpin was elected president, the newly formed St. Lawrence Workers' Protective Union (SLWPU) had 156 members, employees of both the Corporation and Newfluor, and more signed up during the following weeks.³⁶ The SLWPU was registered on 15 March 1941³⁷, setting the stage for St. Lawrence workers to continue the battle for recognition and to take more formal action on their many grievances.

3.3 The Labour Disputes of 1941

On 17 March, just two days after official registration of the union, Turpin called

³⁴Aylward had claimed at the magistrate's inquiry in 1940 that the union had received a charter from the NFL.

³⁵Interview with Aloysius Turpin, Montreal, 24 June 1967. Coll 84-224, Tapes C7239, 7240, 7241, MUNFLA. This is part of a series of interviews with various Newfoundland labour leaders which were originally part of the Hattenhauer Collection at the Centre for Newfoundland Studies. In support of Turpin's contention, there is no evidence in the archival or the published record that the union was registered.

³⁶Interview with Aloysius Turpin, MUNFLA.

³⁷Interview with Aloysius Turpin, MUNFLA.

workers at both companies off the job in a dispute ostensibly about whether or not St. Patrick's Day would be observed as a holiday.³⁸ While it involved a minor issue and lasted just two days, the St. Patrick's Day dispute was the starting point for a series of confrontations about a range of far more serious issues over the ensuing months.

The Corporation responded to the March walkout by suspending for three days all of its workers who had been involved, while Newflour took no disciplinary action.³⁹ To the workers, these different responses were another example of what they perceived to be a general contrast between the two companies. From its arrival in 1939, many workers had considered the Newflour operation superior to that the Corporation, in its mining methods, its facilities, its equipment, and in the fact that Newflour paid its workers more and in cash.⁴⁰

Another point of contrast, from the workers' perspective, was Newflour's reaction to the formation of the union. About one month after the St. Patrick's Day walkout, Newflour Manager Warren Smith informed the union in writing that Newflour agreed to recognize the union and to meet with a delegation to discuss matters affecting their

³⁸Interview with Aloysius Turpin, MUNFLA.

³⁹Government of Newfoundland, "Settlement of Trade Dispute Board appointed... for the settlement of a dispute between the St. Lawrence Corporation of Newfoundland and the St. Lawrence Workers' Protective Union," 1942, 21, and Interview with Aloysius Turpin, MUNFLA.

⁴⁰See, for example, Rennie Slaney, *More Incredible than Fiction*, 8.

employees.⁴¹ The Corporation, however, remained intransigent, and in late April Turpin called Corporation workers off the job again over the issues of union recognition, the presence of non-union workers, alleged anti-union intimidation, wages, and working conditions.⁴²

The union was also now demanding that hiring preference be given to residents of St. Lawrence, as several men from nearby communities, such as Little St. Lawrence (4 km east of St. Lawrence) and Lawn (12 km west) were now on the Corporation payroll. This issue would resurface in future negotiations, and was likely related to both the immediate need for employment and the circumstances surrounding establishment of the mining industry in the early 1930s. The people of St. Lawrence doubtless felt that the sacrifices they had made in establishing the industry entitled them to certain rights in such areas as hiring preference. It also points to the emergence of what historian Greg Patmore terms “localism”: “an identity associated with a particular geographic ‘space’ which provides employment and social interaction.” According to Patmore, scarcity – or feared scarcity – of jobs and resources can give rise to a situation in which people seek to exclude “outsiders” from access to those jobs and resources on the basis of geographic origin.⁴³

⁴¹Smith to Turpin, 24 April 1941, SLMM.

⁴²Turpin to Poynter, 5 May 1941, SLMM,

⁴³Greg Patmore, “Localism, Capital and Labour: Lithgow, 1869-1932,” in Raymond Harbridge, *et al*, eds., *Current Research in Industrial Relations: Proceedings of the 12th Annual AIRAANZ Conference* (New Zealand, 1998), 505. For a discussion of localism in another Newfoundland industrial town, see Botting, “Getting a Grand Falls Job,” 127-38.

After about one week off the job, the men agreed to return to work, a decision taken after consultation with the District Magistrate and “in view of the present war conditions.”⁴⁴ The agreement to return was also conditional on the Corporation recognizing the union. Poynter would agree only to recognize the union as “the bargaining agent of your members who are our employees,” which excluded those employees who were not members of the union.⁴⁵

Despite the Corporation’s response, the employees returned to work on 6 May, agreeing to hold matters over for a month. The union then drafted a collective agreement calling for the employment of union members only, a six-day week and eight-hour shifts, overtime pay, and payment in cash and on time. The proposed agreement also demanded that “the present unhealthy form of equipment namely the Dry Jack Hammer” be abolished and replaced by “proper wet drifters.” The union also demanded the establishment of a Safety Committee with an equal number of union and company representatives with the power to investigate conditions and make recommendations to management, and to have an outside authority decide on any health and safety matter on which this committee could not reach agreement. The proposed agreement was forwarded to Commissioner Woods along with a request for the appointment of a Board of Enquiry into the situation at St. Lawrence. The union, it was pointed out, agreed to continue production pending the

⁴⁴Poynter to Turpin 5 May 1941, SLMM.

⁴⁵Poynter to Turpin 5 May 1941, SLMM.

appointment of such an enquiry.⁴⁶

The union's demand for government intervention came at a time when the government was grappling to formulate a response to the recent resurgence of the Newfoundland labour movement and the impact of war on the labour relations climate. The Commission of Government had been, as one historian put it, "caught by surprise" by the sudden burst of union organizing during the late 1930s. "It had no labour department and knew nothing about the size, history or character of the Newfoundland labour movement."⁴⁷ In 1938, the government had obtained the services of a conciliation officer with the British Department of Labour to study and make recommendations on the labour relations situation in Newfoundland. The Liddell report recommended that the government adopt a set of policies based on the British model, but before it had time to react events had once again overtaken the government.⁴⁸ When the United Kingdom declared war on Germany in September 1939, Newfoundland was automatically a participant, and Newfoundland's entry into the war would bring sweeping changes to the colony.

⁴⁶P.J. Lewis (of the law firm Barron and Lewis) to Woods, 27 May 1941, GN38, S5-4-1, File 6, PANL.

⁴⁷Gillespie, *A Class Act*, 75.

⁴⁸The report was published as T.K. Liddell, *The Industrial Survey of Newfoundland* (St. John's: Robinson and Co., 1940.)

The outbreak of war must have appeared a mixed blessing to the Commission of Government: the economic recovery that accompanied the outbreak of war rescued the colony from the stagnation which had plagued it for much of the two decades preceding, but increased demand for workers, coupled with the recent increase in union organization, put Newfoundland workers in a stronger bargaining position than they had been in for many years. Lacking an adequate labour relations system to deal with this potentially volatile labour situation, the government ultimately came to rely on a combination of special wartime legislation and ad hoc measures.⁴⁹

The Newfoundland government was not alone in this dilemma. The governments of Canada and Great Britain, for example, also had to cope with surging labour organization and unrest in this period. One key difference was that in those countries there was some legislation in place upon which to build. The Canadian government, for example, extended and strengthened measures such as those contained in the 1907 Industrial Disputes Investigation Act (IDIA), the main principles of which were the appointment of a Board of Conciliation and Investigation in the event of a labour dispute and the “cooling off period” in which the dispute was suspended pending the outcome of an inquiry. The IDIA had provided the basis for the 1918 introduction of full compulsory arbitration, prohibiting strikes and lockouts in major war industries, which by 1920 had

⁴⁹One exception to this general pattern was in the logging industry, where the government in April 1940 established a Woods Labour Board with representation from the companies and unions involved in that industry. The primary aim of this Board was the avoidance of strikes through preemptive negotiations.

been extended to peacetime disputes. By the late 1930s, most provinces had passed legislation based on a combination of the IDIA and on the United States' 1935 Wagner Act, which protected workers' right to organize and provided mechanisms to deal with elections, certifications and recognition. Faced with mounting labour unrest across the country, the federal government in 1939 extended the IDIA, with its requirements for compulsory arbitration and the cooling-off period, to all industries determined essential to the war effort, effectively annulling any provincial legislation that ran counter to the principles of the IDIA.⁵⁰

In Great Britain, a somewhat different scenario unfolded. There, while there was also a major revival of the union movement during the late 1930s and the early years of the war, the coalition government was forced to recognize the political power which labour held by way of such organizations as the Trade Union Council. Labour was able to use this power to win concessions on such issues as wages, arbitration and inflation control. In other words, the British situation was defined more by appeasement than by

⁵⁰See, Gregory S. Kealey, "The Canadian State's Attempt to Manage Class Conflict, 1900-48," in *Workers and Canadian History*, 419-40; Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During World War Two," *Labour/Le Travailleur*, 3 (1978), 175-96; Stuart Jamieson, *Industrial Relations in Canada* (Toronto: Macmillan, 1957), 104-11; and Frank Robert Anton, *The Role of Government in the Settlement of Industrial Disputes in Canada* (Don Mills, 1962), 83-109. A National War Labour Board inquiry into the strike wave of 1941-43 resulted in Order in Council PC 1003, which superceded previous legislation while retaining provisions of both the IDIA and Wagner. See Kealey, *Workers and Canadian History*, 362.

direct legislative interference.⁵¹

The measures adopted by the Commission of Government tended to reflect the Canadian legislation. At the start of war, on 1 September 1939, the Newfoundland government passed an Act for the Defence of Newfoundland, conferring on the government a wide range of powers. The same day, the government used the Defence Act to pass the Newfoundland Defence Regulations, which dealt with a broad spectrum of economic and defence issues.⁵² After being forced to intervene in a strike by longshoremen at the St. John's waterfront in February 1940, in September 1940 the government passed the Emergency Powers (Defence) Act, sections of which were aimed specifically at labour disputes.⁵³

The government's desire to establish a firmer grip on the labour relations scene during 1940 was also motivated by the recent conclusion of a deal to establish American and Canadian military bases at Argentia, Stephenville, and several sites around St. John's. In January 1941, the first legions of American servicemen began to arrive. Soon, an

⁵¹See, Dennis Barnes and Eileen Reid, "A New Relationship: Trade Unions in the Second World War," in Ben Pimlott and Chris Cook, eds., *Trade Unions in British Politics* (London, 1982), 149-70; and Mary Davis, *Comrade or Brother?: A History of the British Labour Movement, 1989-1951* (London: Pluto Press, 1993), 185-201.

⁵²Neary, *Newfoundland in the North Atlantic World*, 113-5.

⁵³The Act gave the Governor the power to make "such regulations as appear to him to be necessary or expedient for securing the public safety, the defence of the realm, the maintenance of public order and the efficient prosecution of any war in which His Majesty may be engaged, and for maintaining supplies and services essential to the life of the community." Neary, *Newfoundland in the North Atlantic World*, 109-14, and 127-8.

estimated 20,000 Newfoundland civilians were employed in the construction of military bases. The combination of the so-called “base-building boom,” the wartime revival in such industries as shipping, mining, and forestry, the fact that many Newfoundlanders had enlisted in the armed forces or had left Newfoundland to take advantage of labour shortages elsewhere (such as the United States), created an unprecedented demand for labour and potentially serious problems for employers and for the government. The government now also had to cope with the fact of two foreign governments (American and Canadian) importing their standards of work practices and wages into Newfoundland. Public Utilities Commissioner Sir Wilfrid Woods described the situation as a “golden opportunity” for the growth and spread of trade unions and for increased labour militancy.⁵⁴

It was not long before Woods was proven right, as several Newfoundland unions were soon demanding higher wages and better working conditions. Some of these unions represented civilian base workers, while others explicitly based their demands on the wages being paid on the bases.⁵⁵ The government initially responded by asking American

⁵⁴“Memorandum for the Commission of Government from Sir Wilfred Woods,” 17 January 1941, GN38, S4-2-5, File 2, PANL.

⁵⁵On 14 February 1941, for instance, a group of St. John’s unions drafted a series of resolutions condemning working conditions and wages for civilian workers at the Quidi Vidi base construction site and demanding that wages for unskilled labour be raised by to 40 cents an hour from the 30 cents then being paid. In March civilian workers at Argentia formed a union to demand increased wages and improved working conditions, and in April a group of labour leaders from various industry sectors around the island began pressing for an hourly wage of 40 cents for all construction labourers in Newfoundland.

and Canadian employers to cooperate in keeping wages on a par with those paid by Newfoundland companies and the Newfoundland government (about 35 cents for common labourers in St. John's, and 25 cents elsewhere), but it was prepared to take more drastic measures if necessary. In statement revealing of his attitude toward Newfoundland workers, Public Utilities Commissioner Woods stated that should base workers go on strike, he was prepared to use government resources to "protect men willing to work at going rates from union intimidation."⁵⁶

The SLWPU's demand for government intervention in May 1941 came, therefore, in the context of both increasing labour unrest throughout Newfoundland and increasing, if reluctant, government involvement in controlling that unrest. In response to the May request from the SLWPU, Woods initially attempted to avoid government intervention. Government Geologist Ambrose Howse had spoken with Poynter, Woods stated, and while Poynter was "very much perturbed" by the whole situation, he could do nothing but relay requests to Seibert. Poynter had asked to have matters held over until the last week in June, when Seibert would be in St. Lawrence again, and Woods asked Turpin to attend a meeting with representatives of the company and the government once Seibert arrived.⁵⁷

"Minutes of meeting of City unions," sent to Puddester, Public Health and Welfare, 18 February 1941, GN38, S6-5-2, File 3, PANL; and Neary, *Newfoundland in the North Atlantic World*, 157-8.

⁵⁶Neary, *Newfoundland in the North Atlantic World*, 158.

⁵⁷Lewis to Turpin, 27 May 1941, SLMM.

Turpin replied, however, that at a recent meeting the membership had unanimously decided that nothing short of an official Board of Enquiry would satisfy them, and he listed four issues for the consideration by such a Board: wage rates, “requisite safeguards”; employment of non-union labour; and “working conditions in general.”⁵⁸

When Turpin made this most recent demand for an inquiry, in early July, the government had recently passed additional legislation granting it the power to appoint such a board. Using the powers conferred by the 1940 Emergency Powers (Defence) Act, in June 1941 the government had passed the Defence (Avoidance of Strikes and Lockouts) Regulations. The Strikes and Lockouts Regulations gave the government several options in the event of a real or a threatened strike or lockout, including the establishment of a tribunal, the outright prohibition of a strike or lockout, the imposition of terms and conditions of work upon employers, and the power to change any rule or accepted practice with respect to employment and conditions of employment.⁵⁹

Woods still, however, avoided formal intervention in the St. Lawrence dispute, informing the union that he had decided, “in the interests of all concerned” to meet with Seibert before taking any further action.⁶⁰ The government appeared once again prepared to let the company dictate the agenda and to accept the company’s view of the situation.

⁵⁸Woods to Barron and Lewis, 30 May 1941, GN38, S5-4-1, File 6, PANL, and Barron and Lewis to Woods, 14 July 1941, SLMM.

⁵⁹Neary, *Newfoundland in the North Atlantic World*, 169-70.

⁶⁰Woods to Barron and Lewis, 15 July 1941, GN38, S5-4-1, File 6, PANL.

This move on Woods' part made Turpin even more adamant. He warned Woods that while he had kept the men working "with difficulty" pending the appointment of an enquiry, they refused to work any longer with non-union men and demanded a "living wage" and to be "treated as human beings."⁶¹

Shortly after the union made that demand, Woods met with Seibert. In response to the union's demands, Seibert promised that effective 15 July, the Corporation would raise wages to the level being paid at Newflour, but that this increase was the "absolute limit to which we can possibly go." Regarding the presence of non-union men on the job, Seibert stated that while management had no objection to these men joining the union, it would not agree with any demand that they be forced to join or be dismissed as they had been "faithful employees."⁶²

On issues of health and safety, Seibert was less specific, vowing only to "do our best to comply with the spirit and letter of all laws and regulations," and to do "everything within reason to better the health and working conditions of our employees."⁶³ "Doing your best," however, was no guarantee of compliance with the law or of ensuring a safe workplace, and what the Corporation considered "within reason" had given cause for doubt in the past.

⁶¹Turpin to Woods, and Barron and Lewis to Woods, 17 July 1941, GN 38, S5-4-1, File 6, PANL.

⁶²Seibert to Woods, 22 July 1941, GN 38, S5-4-1, File 6, PANL.

⁶³Seibert to Woods, 22 July 1941, GN 38, S5-4-1, File 6, PANL.

Woods, however, seemed satisfied with Seibert's response, pointing out that he had promised to raise wages, and agreeing with his position regarding non-union workers. As for health and safety, Woods stated that the Government Engineer had directed the Corporation to make some changes based on Cave's 1940 inspection, and that "certain minor matters still require adjustment." The union's demand that a Board of Enquiry look into "working conditions in general," Woods claimed, was not specific enough to warrant an inquiry. Furthermore, he stated, he and Seibert had discussed the possibility of an inquiry, but Seibert had several objections to it, "into the merits of which I do not propose to enter now."⁶⁴ Refusing to conduct an inquiry because Seibert objected to it constituted a flagrant neglect of duty on Woods' part.

While the union was not satisfied with Woods' response, the men stayed on the job through August. On 20 August, however, they learned of a government tribunal's report on the labour dispute at the Buchans mines, and this seems to have renewed their resolve.⁶⁵ On 4 September, the union sent Woods an ultimatum: guarantee appointment of

⁶⁴Woods to Barron and Lewis, 24 July 1941, GN38, S5-4-1, File 6, PANL.

⁶⁵Lewis to Turpin, 20 August 1941, SLM. Seven hundred members of the BWPU walked off the job in August 1941 over wages, hours, and working conditions. Though the strike was peaceful, the government initially reacted by sending 80 police officers to Buchans. Then Woods himself went to Buchans to try and persuade the men to return to work, before finally giving in and appointing a tribunal under the Strikes and Lockouts Regulations on 15 August, at which point the men returned to work. The Tribunal awarded the workers a cost-of-living increase of 8 ½ cents an hour, bringing the average wage at Buchans to 56 cents an hour, but dismissed concerns over health and safety and living conditions as unimportant. "Report of the Tribunal in the Matter of the Strike at Buchans Mine, Newfoundland, August 1st to 14th, 1941," unpublished document, CNS.

an inquiry by 15 September or the men would go on strike, something, it was pointed out, they had done their best to avoid thus far.⁶⁶

Still, Woods refused, and in a telling memorandum of 5 September, described the matters in the St. Lawrence dispute as consisting of two questions: the adequacy of the wage being paid by the Corporation, and the employment of non-union labour, both which he was satisfied had been satisfactorily resolved. Woods was now ignoring the health and safety issue altogether. Woods also pointed out that direct intervention in St. Lawrence might set a dangerous precedent, stating that, "If this sort of thing is encouraged, there will have to be a Board appointed for every wage dispute and the Government will be burdened with the cost of a very considerable staff to form some sort of Labour Department." Woods was prepared, at this stage, to let the union go on strike rather than accede to its demands.⁶⁷

On 15 October, a month after the expiry of the deadline presented in the ultimatum, the men once again walked off the job, protesting "unsatisfactory wage rates plus unhealthy and unsafe working conditions." The union also repeated its demands for recognition as "the sole bargaining unit in relation to labour, employment and working

Also in August 1941, the government was forced to appoint a Tribunal under the Strikes and Lockouts Regulations in another labour dispute at the St. John's waterfront.

⁶⁶Barron and Lewis to Woods, 4 September 1941, GN38, S5-4-1, File 6, PANL.

⁶⁷Memorandum from Sir Wilfred Woods for the Commission of Government, 5 September 1941, GN38, S5-4-1, File 6, PANL.

conditions by the St. Lawrence Corporation,” for prompt payment of wages, and for a cost-of-living bonus to keep pace with wartime inflation.⁶⁸

In Poynter’s view, the crisis was the fault of the union executive, which was motivated by “personal antagonism” rather than concern for the workers. He called upon the government to “step in and restrain these men,” so that Corporation employees could return to work, “unhampered by membership in this local union.” Poynter also professed confusion at the union’s actions since the Corporation was now paying Newflour rates and “the question of safety is one that is covered by law.”⁶⁹ The union claimed, however, that workers’ experience with the Corporation management had convinced them that the only solution to the crisis was third-party intervention, and they refused to return until such intervention was forthcoming.⁷⁰

The October walkout coincided with the adoption of yet more stringent labour legislation. Shortly after having to intervene and settle another dispute involving St. John’s longshoremen, the government passed the Defence (Control and Conditions of

⁶⁸Memorandum from Sir Wilfrid Woods for the Commission of Government, 25 October 1941, GN38, , S5-4-1, File 5 (P.U. 71-41), PANL. The information on the events immediately surrounding the October walk-out is contained in two messages sent to Woods: a telegram from St. Lawrence merchant A.A. Giovaninni sent around 20 September, and a letter from P.J. Lewis which Woods received on 23 October. Lewis had been in St. Lawrence and seen the situation firsthand.

⁶⁹Poynter to Woods, 28 October 1941, GN38, S5-6-1, File 5 (PU 71c-41) PANL.

⁷⁰Barron and Lewis to Woods, 1 November 1941, GN38, S5-6-1, File 5 (PU 71c-41), PANL.

Employment and Disputes Settlement) Regulations. The Employment and Disputes Regulations conferred upon the Commissioner for Public Utilities far-reaching powers, including the power to appoint a “Trade Dispute Board” to settle labour disputes which could not otherwise be resolved, “in cases where it appears to be necessary to do so in the interests of the defence of Newfoundland or the efficient prosecution of the war or for maintaining supplies and services essential to the life of the community....” The Regulations stipulated that any dispute or impending dispute must be reported to the Commissioner for Public Utilities by either party when the dispute had begun or was imminent and that if, in the Commissioner’s view, the dispute came under the mandate of the regulations and all other channels had been exhausted, the Commissioner could refer the matter to a Trade Dispute Board. Once a Trade Dispute Board had been appointed, any strike or lockout had to be suspended pending the Board’s rulings. A Board’s decisions were to be binding upon both parties and to have the status of a contract, staying in effect “until varied by a subsequent agreement, decision or award.”⁷¹

The new legislation had serious implications for labour relations, for, as Peter Neary put it, “while this arrangement did not ban strikes and lockouts as such, it ensured that they would only occur when and where the government was willing to tolerate them.”⁷² On the other hand, the legislation constituted a form of compulsory arbitration,

⁷¹Defence (Control and Conditions of Employment and Disputes Settlement) Regulations, 1941.

⁷²Neary, *Newfoundland in the North Atlantic World*, 171.

allowing for third-party assessment of labour relations issues, and forcing employers to recognize and negotiate with unions.⁷³ The legislation might thus prove beneficial in situations such as that which existed at St. Lawrence, where labour relations had to this point been based on a combination of paternalism and fear.

Though now armed with ample legislative tools to appoint an inquiry in the St. Lawrence dispute, Woods continued to delay doing so. Several developments in November, however, brought increased pressure to bear on the government. Since the brief walkout in March 1941, workers at Newfluor had stayed on the job, but on 4 November, they too walked off the job to demand a wage increase and to support their fellow members employed by the Corporation.⁷⁴

The Corporation had managed to keep its mill running at reduced capacity through October and early November with about twenty non-union men using ore from stockpiles

⁷³Gillespie takes this view in *A Class Act*, 83, where he points out that the regulations functioned as a form of compulsory arbitration.

⁷⁴“Fluorspar Miners Strike for More Pay,” *Evening Telegram*, 7 November 1941. Five months earlier, on 1 June, Newfluor had agreed to recognize the union as the “sole bargaining agency,” and to employ only “union members as specified in an agreement.” Warren Smith to SLMPU, 1 June 1941, SLMM. Alcan’s early recognition of the union may have been prompted in part by the fact that it already had labour troubles elsewhere in 1941. Workers at Alcan’s aluminum plant in Arvida, Quebec, went on strike in July. A Royal Commission was later appointed to investigate the armed suppression of the strike. See Confédération des syndicats nationaux/Centrale de l’enseignement du Québec, *Histoire du mouvement ouvrier au Québec, 1825-1976* (Montreal: CSN/CEQ, 1978), and *Royal Commission to Inquire into the Events Which Occurred at Arvida, P.Q., in July, 1941*.

at one of its small, open-cut mines, the “Lord and Lady Gulch.”⁷⁵ By mid-November, however, strikes at both were resulting in a serious fluorspar shortage and this, combined with the threat to shipping posed by the impending winter, was causing concern among Canadian consumers.

On 3 November, Woods was informed that the Secretary of State for External Affairs in Ottawa was perturbed by the fluorspar shortage and wanted an end to the dispute caused by the labour unrest at St. Lawrence.⁷⁶ Shortly after, Woods was informed that in the opinion of the Secretary of State,

Continued supplies of Fluorspar from Newfoundland are of utmost importance for Canadian steel and aluminum industries in particular. Receipt of insufficient quantities prior to close of navigation might result in a reduction of steel output in Sydney before resumption of deliveries next spring. No reliable Canadian source of supply is available for this plant.⁷⁷

Woods was also contacted by the president of DOSCO, the Corporation’s main customer, who informed him that DOSCO had advised the Canadian government that to maintain steel production throughout the winter, it was “absolutely essential” that DOSCO have

⁷⁵Hunt, Emerson, Stirling and Higgins (Corporation lawyers) to Woods, 6 November 1941, SLMM, and *Evening Telegram*, 15 November 1941, 7.

⁷⁶C.J. Burchell, High Commissioner for Canada in St. John’s, to Woods, containing a telegram from Burchell to Secretary of State for External Affairs, Ottawa, 3 November 1941, GN38, S5-4-1, File 5 (PU 71c-41), PANL.

⁷⁷C.J. Burchell, High Commissioner for Canada in St. John’s, to Woods, containing a copy of a telegram from the Secretary of State for External Affairs in Ottawa, 8 November 1941, GN38, S5-4-1, File 5 (PU 71d-41), PANL.

2,000 tons of Newfoundland fluorspar before the close of navigation at the end of December.⁷⁸

Woods had already conceded to the union that should labour unrest in St. Lawrence cause a serious fluorspar shortage, he might have to reconsider his position on appointing an inquiry.⁷⁹ When the union learned of DOSCO's concerns, it reminded Woods that the workers were aware of the importance of fluorspar to the war effort and of the implications of the labour dispute for the industries affected.⁸⁰ Under these circumstances, Woods finally gave in, and on 10 November informed the union that the government would establish a Trade Dispute Board at St. Lawrence.⁸¹

3.4 The Decisions of the Trade Dispute Board

The Trade Dispute Board arrived in St. Lawrence on 17 January 1942. St. John's

⁷⁸A. Cross, President, Dominion Steel and Coal Corporation, Montreal, to the Wilfrid Woods, Commissioner for Public Utilities, 7 December 1941, GN 38 S5-4-1, File 5, (PU 71d-41), PANL.

⁷⁹Barron and Lewis to SLMPU, 25 October 1941, SLMM.

⁸⁰Barron and Lewis to Woods, 1 November 1941, GN38, S5-6-1, File 5 (PU 71c-41), PANL.

⁸¹Barron and Lewis to Woods, 10 November 1941, GN38, S5-4-1, File 5 (PU 71d-41), PANL, Woods to Lewis, 10 November 1941, GN38, S5-4-1, File 5 (PU 71d-41), PANL, and Lewis to Turpin, 17 November 1941, SLMM. As an indication of the degree to which the wartime economy had freed St. Lawrence workers from complete dependence on the mines, many had taken base construction jobs at Argentia during the recent labour disputes. They returned to their jobs in St. Lawrence once the Board had been appointed and they were called back to work. *Evening Telegram*, 29 November 1947.

lawyer Thomas J. Lefevre represented the employers, while W.J. Walsh, who had served as Minister of Agriculture and Mines with the Alderdice government, represented the union. Professor A.M. Fraser of Memorial University College was the third, impartial member. The Board's Terms of Reference were union recognition, the employment of non-union men, wage rates, and delays in wage payments.⁸² Health and safety was not included on the official agenda. The Board examined 65 written submissions and heard 21 witnesses, including Turpin, Poynter, ten union members, two non-union workers, and five merchants. Some of Poynter's testimony, regarding Corporation finances, "was taken in private at the Manager's office."⁸³

On the issue of non-union employment, the Board stated that it could only agree to the union's demand for recognition as the sole bargaining unit (which would constitute an "unconditional closed shop") if it could be demonstrated that the union was "under the guidance of wise and competent leadership," and that the members fully aware of the "grave responsibilities of Unionism." After reviewing correspondence from the previous year and interviewing several employees, the Board decided that these conditions did not exist. Based on these conclusions, and on the fact that there were just eight non-union men then on the payroll (down from seventeen when the Board had been appointed in December), the Board ruled that the Corporation should recognize the SLWPU as the sole

⁸²*Evening Telegram*, 6 December 1941.

⁸³*Settlement of the Trade Dispute Board, St. Lawrence*, 3-4, 10.

bargaining agent, but that any non-union employee on the payroll as of 1 December 1941 was not required to join the union. The second term of reference, the issue of the employment of non-union men, was in effect covered by this ruling.⁸⁴

On the issue of wage rates, the Board noted the Corporation had been paying an average wage of 45 ½ cents per hour since December 1941, under protest and pending the decision of the Board. This represented an increase of about 13 cents (or 40 per cent) in the average wage paid before that time. Poynter testified that on 28 December 1941 the Corporation had offered to pay a cost-of-living bonus subject to quarterly review, but that the union had rejected this offer and demanded the basic wage increase, which the Corporation had reluctantly been paying. Poynter pointed out that Newfluor had been paying an increase of about seven cents an hour since December, pending the decision of the Board, which was lower than that being paid by the Corporation. Newfluor had agreed to pay whatever rate the Board eventually settled upon.⁸⁵

In an attempt to influence the Board's decision regarding a wage increase, the Corporation submitted evidence to the effect that 65 families had been removed from the relief rolls since the start of mining operations in 1933 and that its employees had built 38 new homes in the community. While agreeing that the people of St. Lawrence were generally better off than those in many fishing outports, the Board pointed out that,

⁸⁴*Settlement of the Trade Dispute Board, St. Lawrence*, 30.

⁸⁵*Settlement of the Trade Dispute Board, St. Lawrence*, 32-3.

... St. Lawrence has now been completely transformed into a mining community, and should, therefore, in fairness, be compared with other mining towns. We are convinced that the standard of living at St. Lawrence is considerable below that of the miners in Buchans and Bell Island. Therefore, we feel that they are entitled to maintain the standard of living which the wage level of July 1941 would have enabled them to enjoy, if it had been in effect August 1939.⁸⁶

To settle upon an appropriate wage increase, the Board used the Canadian system then in effect, whereby the pre-war wage was taken as a benchmark, and the cost-of-living monitored at three-month intervals and wages adjusted accordingly. Ruling that the Corporation's average pre-war wage of 23.3 cents an hour was "entirely unsatisfactory" as a basic rate upon which to base a cost-of-living increase, the Board took instead the average wage as of August 1941, 32.6 cents per hour, as the basic rate upon which to base a cost-of-living increase. The appropriate cost-of-living increase was determined to be 40 per cent, or 13 cents an hour. This would bring the average wage up to about the same amount as the protested wage the Corporation had been paying since December 1941, the main difference being that the increased rate would now be paid as a cost-of-living increase rather than an increase in the basic wage. After examining the Corporation's books and determining that it was quite capable of paying this increase, the Board ordered the Corporation to discontinue paying the protested rate and commence paying the rate of 32.6 cents plus a 13-cent cost-of-living increase on 15 March 1942. As with the closed shop issue, this arrangement was to be binding on both parties for the

⁸⁶*Settlement of the Trade Dispute Board, St. Lawrence, 34.*

duration of the war, with two important conditions: that the maximum cost-of-living increase which the Corporation would be required to pay for the year 1942 was a total of 50 dollars per man, and that should the Corporation experience a substantial increase in the cost of production or a major drop in sales or prices it could, after 15 March 1943, apply to have the cost of living bonus reduced or discontinued.⁸⁷

The last issue on the Board's formal agenda was delayed payment of wages. While agreeing that delayed payment of wages had been a problem in the past, and noting that there still minor delays on occasion, the Board concluded that this problem had been largely eliminated when the Corporation's financial situation improved and it had begun paying its workers in cash in 1940. The Board therefore made no specific recommendations on this issue, but simply impressed upon the Corporation its legal and moral responsibility to pay wages promptly.⁸⁸

In addition to the formal terms of reference, the Board also heard evidence regarding issues of health and safety, which were relegated to a section of its report entitled "Miscellaneous Matters." These issues arose only because of complaints by the union president and by workers whom the Board had interviewed. The Board reported that the miners interviewed complained of "foul air" and a lack of ventilation underground, but concluded that, "in the most efficiently operated mines in the world, there is certain to

⁸⁷*Settlement of the Trade Dispute Board, St. Lawrence*, 30-40.

⁸⁸*Settlement of the Trade Dispute Board, St. Lawrence*, 44-5.

be foul air at times.”⁸⁹

The Board also pointed out that on their recent tour of Iron Springs mine, they had noticed no foul air. When the Board members, accompanied by Poynter, Turpin, Lewis, and Corporation lawyer Gordon Stirling, had toured the Corporation mines upon arriving in St. Lawrence, many sections of the Iron Springs mine were still flooded and inaccessible, while Blue Beach and Black Duck were completely flooded and could not be entered at all.⁹⁰ A brief tour of the few accessible portions of just one mine was hardly sufficient to convey an accurate sense of underground conditions, especially since the oral evidence suggests that the effects of foul or insufficient air intensified with the length of exposure and with physical exertion.

Regarding dust in the mines, several witnesses complained to the Board that the “dry hammer” created large volumes of dust which was “injurious to the eyes and lungs.” Poynter denied to the Board that the dry hammer was used in the Corporation mines, but the Board reported that the dry hammer was in use and urged that “this type of hammer be

⁸⁹*Settlement of the Trade Dispute Board, St. Lawrence, 48.*

⁹⁰*Settlement of the Trade Dispute Board, St. Lawrence, 6-7.* These conditions had also prevented A.E. Cave from conducting a thorough inspection when he visited the St. Lawrence mines in November 1941, shortly after the Newfluor men had walked off the job. At that time, many areas of the Iron Springs and Blue Beach mines were flooded and inaccessible, while the Black Duck shaft was completely flooded and had been abandoned. The Director shaft, meanwhile, was flooded up to 120-foot level. While Cave could say little about specific hazards, he had reiterated the recommendation made in 1936 and again in 1940 that the government adopt and enforce an adequate set of regulations. A.E. Cave, “Mining Operations in Newfoundland, 1941: Inspection Report,” 1941, DME.

no longer used except in those parts of the mine where ground water renders it innocuous.” The Board also recommended that the Commissioner for Public Utilities amend the Regulation of Mines Act to provide for more frequent, regular inspections of Newfoundland mines to ensure that such orders were complied with.⁹¹

The Board also noted that, given the possible hazards associated with the mining industry, the community was sorely lacking in medical services. A doctor had come to St. Lawrence in March 1941, with the Corporation, Newflour, and the employees each paying a portion of the expenses (the employees paid 50 cents monthly). The doctor had left, however, in December 1941, so St. Lawrence still had no doctor or adequate medical facilities at the time of the inquiry. The men of the community had donated free labour to the partial construction of a building which might be used as a hospital, but there was no money for finishing or equipping it. Several workers and the union president expressed concern about the lack of medical facilities since they believed that mine dust was hazardous to workers’ health, and wanted a medical practitioner to establish whether this was the case.⁹² Turpin later stated that several men testified at the 1941 inquiry that they believed that “due to the conditions they would die eventually with lung trouble.”⁹³ The union urged that until a more permanent arrangement could be established, provisions be

⁹¹*Settlement of the Trade Dispute Board, St. Lawrence, 48-9.*

⁹²*Settlement of the Trade Dispute Board, St. Lawrence, 50.*

⁹³Interview with Aloysius Turpin, MUNFLA.

made to conduct chest x-rays on St. Lawrence miners. To this the Board replied that, “We are not competent to pronounce as to the necessity for such an examination, but we desire to place the Union’s wishes on record, as they were expressed very strongly.” The Board urged the companies and the union to cooperate in approaching the Department of Public Health and Welfare for advice in trying to obtain a doctor for the community, but there was no suggestion that the government provide anything other than advice to help meet this end.⁹⁴

Coming as a result of months of persistent demands and job actions on the part of the union, the inquiry turned out in the end to have mixed results. It brought some benefits, in the areas of union recognition and wages, but ignored serious concerns about the impacts of working conditions on the workers’ health. The Trade Disputes decisions therefore represent another neglected opportunity to address explicit concerns over serious health issues at the St. Lawrence mines.

3.5 Industry Fluctuation, Labour Relations, and Health and Safety, 1942-45

Following the disruption caused by the labour unrest of 1941, the St. Lawrence mining industry continued to expand during 1942. Newfluor constructed a permanent headframe and crushing plant at Director mine, and by the end of 1942 moved from the exploration and development into mining and shipping fluorspar. After crushing, the

⁹⁴*Settlement of the Trade Dispute Board, St. Lawrence, 49-51.*

Director ore was shipped to Port Arthur and from there to Arvida, where it was further refined into acid-grade ore and used in the production of aluminum.⁹⁵

While Newfluor's fluorspar production at St. Lawrence was determined by the demands of the Arvida plant, the Corporation continued to sell its product on the open market. From 1941 to 1943, American demand for acid-grade fluorspar doubled because of its increased use in the manufacture of high-octane aviation fuel, aluminum, and freon. As the war continued, a reliable supply of both acid-grade and metallurgical-grade fluorspar became a major priority for the War Production Board (WPB) of the United States government. In 1942, the WPB became directly involved in the fluorspar industry, providing financial and technical assistance to a number of producers in the United States.⁹⁶

In August 1943, the WPB approached the Corporation about possible measures to increase production at St. Lawrence. The WPB apparently believed, however, that increasing production and the grade of ore would not be possible under the Corporation's existing management, and expressed this concern to the Ambassador in Washington, who relayed it to Governor Walwyn in Newfoundland. According to the Ambassador, the WPB was "quite willing to arrange finance and equipment provided they see reasonable prospect

⁹⁵"History of Operations of Newfoundland Fluorspar Limited," 2-3, AA.

⁹⁶Walter M. Hiley, Miscellaneous Minerals Division, War Production Board, U.S. Department of National Defence, "Fluorspar Policies of the War Production Board and Predecessor Agencies, May 1940 to June 1945,"5-13.

of obtaining required Fluorspar as a result,” but, “they do not see such results with present management.”⁹⁷ When WPB representatives had earlier met with Seibert and discussed possible measures to increase efficiency and production, one of the conditions of its proposal was a change in mine management, to which Seibert would not agree.⁹⁸

Governor Walwyn was apparently agitated by the WPB’s approach, and demanded to know its specific concerns about the current management of the Corporation mines. He also stated his intention to have the appropriate representative of the Commission of Government contact Seibert to get his side of the story.⁹⁹ Walwyn may have felt that the WPB was acting inappropriately by meddling in Newfoundland’s internal affairs without first consulting with the Newfoundland government. Also, Seibert evidently continued to enjoy the favour of the government. In August 1942, for example, when Seibert had applied for permission to conduct mineral surveys in Saglek Bay, Labrador, his record at St. Lawrence was cited as evidence in support of his application.¹⁰⁰

⁹⁷Charge d’Affairs, Washington, to Governor of Newfoundland, 16 August 1943, GN38, S5-4-1, File 6, PANL.

⁹⁸Charge d’Affairs, Washington, to Governor of Newfoundland, 16 August 1943, GN38, S5-4-1, File 6, PANL.

⁹⁹Walwyn to the Charge d’Affairs, Washington, 17 August 1943, GN38 S5-4-1, File 6, PANL.

¹⁰⁰“Application of Mr. Walter E. Seibert for the exclusive right to examine and survey 25 miles from shore of Saglek Bay, Labrador,” 7 August 1942, GN38, S2-1-3, File 4 (PU 86-42), PANL.

In any case, the controversy was soon resolved, and the WPB made arrangements to install additional mining and milling equipment at St. Lawrence during the winter of 1943-44, at a total cost of about \$60,000, while the current management would be retained. The plan included measures to increase production of both acid and metallurgical grade fluorspar, primarily by upgrading and expanding the Corporation's mill.¹⁰¹

Much of the increased US government involvement in the fluorspar industry at this time was directed at meeting the demand for aluminum, and throughout the war several U.S. aluminum producers, firms, including Alcoa and Reynolds, benefitted directly from U.S. government investment in the industry.¹⁰² Alcan also took advantage of government assistance from various sources to support its wartime expansion program. In 1941, the governments of Great Britain, the United States, and Australia advanced the company large loans (over \$50 million total in the case of the British and American governments) in exchange for a guaranteed supply of raw aluminum. In addition, the Canadian government granted the company financial assistance, through deferred taxes, totaling about \$177 million over the course of the war.¹⁰³ Alcan expanded its smelting facilities at

¹⁰¹Hiley, "Fluorspar Policies of the War Production Board," 13.

¹⁰²Charles River Associates Incorporated, *An Economic Analysis of the Aluminum Industry*, Prepared for General Services Administration, Washington, 1971, 25.

¹⁰³Albert W. Whitaker, *Aluminum Trail* (Montreal: Alcan Press, 1974), 158-9, and Litvak and Maule, *Alcan Aluminum Limited*, 48.

Arvida, Shawinigan, Beauharnois, Isle Maligne and La Tuque, increasing its aluminum ingot output capacity five-fold from 1940 to 1943.¹⁰⁴

In the context of industry expansion during 1942 and 1943, the union sought to have the Trade Dispute Board settlement replaced by conventional collective agreements. In October 1942, the SLWPU and Newflur signed their first collective agreement, replacing the Board's settlement, but essentially embodying the same terms. The agreement was to be in effect until 31 December 1943.¹⁰⁵

In 1943, while negotiating for renewal of its 1942 agreement with Newflur, the union was also seeking to sign its first collective agreement with the Corporation.¹⁰⁶ The key monetary issue at stake in both sets of negotiations was the cost-of-living bonus versus an increase in the basic rate. The union wanted to formalize an informal arrangement reached with the Corporation in early 1943, under which the cost-of living-

¹⁰⁴By 1943, the Arvida plant was the largest single aluminum production plant in the world, nearly two miles long and employing about 2,000 workers. Litvak and Maule, *Alcan Aluminum Limited*, 47.

¹⁰⁵“Report of Labour Relations Officer,” 1944, 5. One exception was that the agreement did not contain the clause limiting the amount of the cost-of-living increase, which had been applied in the case of the Corporation “because of its financial position.” The Commission of Government created the post of Labour Relations Officer in May 1942, under the Department of Public Utilities. The first person appointed to the post was Albert Walsh, the Assistant Secretary for Justice who had also served as chairman of the Woods Labour Board, an association of companies and unions in the forestry industry established in 1940. Walsh had also, in his capacity as Assistant Secretary of Justice, represented the government in the early stages of the Buchans miners strike of 1941. See Neary, *Newfoundland in the North Atlantic World*, 169-70, Gillespie, *A Class Act*, 82.

¹⁰⁶“Report of the Labour Relations Officer,” 1944, 5.

bonus was eliminated and the basic rate increased.¹⁰⁷ It also wanted Newflour to eliminate the cost-of-living bonus and increase the basic wage.¹⁰⁸ One motivation for the union's desire in this regard was the fact that the cost-of-living bonus was not paid on overtime hours.¹⁰⁹ Given this, it is not surprising that during the 1943 negotiations Newflour sought to retain the cost-of-living system.¹¹⁰

While wages was a key issue in labour negotiations during 1942 and 1943, health and safety also continued to be an area of concern. The Governor noted in August 1942 that the union was still complaining that health and safety concerns had not been adequately addressed by the Trade Dispute Board. Commenting on these complaints, the Governor stated that,

¹⁰⁷“Report of the Labour Relations Officer,” 1944, 5. It is unclear exactly when or under what circumstances the Corporation and the union reached this agreement. One source states that it was “early” in 1943, and that since that time the Corporation had been paying a fixed rate in the range of 52 to 81 cents per hour: Barron and Lewis to Eric Cook, Solicitor for Newfoundland Fluorspar Limited, 16 November 1943, SLMM. The Ranger reported in early 1944 that he still conducted quarterly reviews of the cost-of-living, but that the bonus system only applied to Newflour employees since the Corporation now paid its employees a fixed wage scale of 52 to 81 cents per hour agreed to “early last year”: “Report of the Ranger, St. Lawrence Detachment, for January to June, 1944,” GN 38, S2-5-2, PANL.

¹⁰⁸“Report of the Labour Relations Officer,” 1944, 5.

¹⁰⁹For example, in 1943 a labourer at Newflour might earn 30 cents per hour basic wage plus 25 cents cost-of-living bonus, for a total of 55 cents an hour during an 8-hour shift. After eight hours, however, he received just 45 cents an hour (the basic rate of 30 cents, plus 15 cents overtime pay) and no cost-of-living bonus – less than the 55 cents he received for his first 8 hours.

¹¹⁰“Report of the Labour Relations Officer,” 1944, 5. The report states that the cost of living increased by 85.23 per cent from 1939 to January 1943.

Following inspection by a duly qualified mines inspector it is understood that there is no reason for apprehension. Revision of our legislation dealing with the Regulation of Mines is under consideration and it is proposed to seek expert advice with a view to the adoption of a more comprehensive and modern mining legislation. The question of appointing a fully qualified inspector of mines who will make periodic inspection of all mines and require strict compliance with the regulations will also be considered.¹¹¹

The Trade Dispute Board's tour of the mines in 1942, however, did not include a "qualified inspector," and most underground areas were flooded and inaccessible during that tour and during Cave's inspection a few months earlier. In addition, there had been no attempt to investigate air quality, dust, inadequate ventilation or the other concerns raised at the Trade Dispute Board hearings. As for the promises to modernize the regulations and the inspection system, other authorities had been proposing this in response to health concerns at St. Lawrence for several years, with no tangible results.

The union also continued to pressure the mining companies and the government to help provide a doctor for the community.¹¹² That medical services were inadequate was made clear by an incident in August, 1942, when Gus Haskell, a worker from the nearby town of Lamaline, was killed when he fell 120 feet down the Iron Springs shaft. Workers retrieved his body in an ore bucket and laid it on a lunchroom table, where it was

¹¹¹Governor Humphrey Walwyn to Clement B. Atlee Secretary of State for Dominion Affairs, 25 August 1942, GN38, S5-4-1, File 5, PANL. (The Governor was required to forward Trade Dispute Board reports to the Dominions Office, and in this case Walwyn included an assessment of the reaction to the report.

¹¹²Governor Humphrey Walwyn to Clement B. Atlee Secretary of State for Dominion Affairs, 25 August 1942, GN38, S5-4-1, File 5, PANL.

examined by a member of the mine's supervisory staff, who pronounced the man dead.¹¹³

Even some government employees were openly appalled at the state of medical services in the community. In his report on the accident, the Ranger stated that he was appalled at "the lack of medical aid in this place, where an operation of the nature and scale of the one now being carried on here." The District Magistrate, in his contribution to the accident report, supported the Ranger's view, and suggested that the medical situation in St. Lawrence was "probably without parallel in the whole of the British Commonwealth." He urged the government to provide a legal basis requiring the establishment and maintenance of adequate medical services in St. Lawrence.¹¹⁴

In August 1943, the government tried a more formal solution to the problem of inadequate medical facilities in St. Lawrence and other mining centres, passing an amendment to the 1908 Regulation of Mines Act requiring employers to provide for medical attention to its workers. Under the 1908 Act, owners and managers were required only to send for the nearest medical practitioner in case of a serious accident. The 1943 amendment provided for "prompt treatment of all persons injured or taken ill." Commenting on the need for new legislation, the Commissioner for Public Utilities drew special attention to the situation at St. Lawrence, where "for over a year and until recently

¹¹³"Report on Fatal Accident, St. Lawrence, 19 August 1942," GN 4/1/D, G/100/1, PANL.

¹¹⁴"Report on Fatal Accident, St. Lawrence, 19 August 1942," GN 4/1/D, G/100/1, PANL.

two mining companies employing six to seven hundred men were operating without resident doctors.”¹¹⁵

The reason Woods remarked that “until recently” there had been no doctor in St. Lawrence is that during the summer of 1943, Dr G. Leclair had arrived there. His recent arrival was mentioned in a report on another fatal accident that occurred on 6 September 1943, when James Branson, an electrician from Canada, was killed while repairing wiring in the shaft at Director mine.¹¹⁶

The amendment required mine owners and agents to provide a qualified practitioner and medical supplies in all cases where the average number of persons employed for one month or more equaled or exceeded twenty, and to deduct from employees’ earnings a monthly fee for the provision of medical treatment. In cases where the owner or manager demonstrated to the Commissioner that the services of a qualified practitioner could not be obtained, the Commissioner had the right to direct the owner or manager to make other provisions.¹¹⁷

¹¹⁵“Memorandum for the Commission of Government regarding a Draft Bill entitled “An Act to Amend Chapter 131 of the Consolidated Statutes (Third Series) entitled Of the Regulation of Mines,” 19 August 1943, GN38 (PU 124-43), PANL.

¹¹⁶ “Report on Fatal Accident at St. Lawrence Mines, 6 September 1943,”GN 4/1/D//G/100/2, PANL.

¹¹⁷An Act to Amend Chapter 131 of the Consolidated Statutes (Third Series) Entitled “Of the Regulation of Mines,” 1943.

While, technically at least, the 1943 amendment addressed the problem of inadequate medical services, the Newfoundland government continued to delay modernizing its mining regulations and inspection services. In October 1943, the government brought in another inspector, D.G. Sinclair, Assistant Deputy Minister of Mines for Ontario. At the time of Sinclair's visit, the Iron Springs shaft was still about 300 feet deep, with over 1,000 feet of drifting carried out on its four levels. There was now a secondary escape route, but it was approximately 1000 feet east of the main shaft and connected to it only at the 60, 120, and 180-foot levels; it did not extend to the deepest level, the 240-foot. The Blue Beach shaft was 130 feet deep, with nearly 2,000 feet of drifting on the lowest of the its three levels. A new shaft at Black Duck was down to just 60 feet deep during Sinclair's visit. Improvements to the Corporation's mill were still ongoing, and it was expected that the new mill would be completed during the coming winter (1943-44). In the meantime, ore from the Corporation mines was still being treated at the old mill. Newfluor's Director shaft was down to 430 feet, and ore from this mine was still being crushed and stockpiled on the surface at the site.¹¹⁸

The most revealing component of Sinclair's 1943 report was the attached comments, directed to Government Geologist Claude K. Howse and later forwarded to the Commissioner for Public Utilities. Here, Sinclair offered a few opinions which in his

¹¹⁸“Report of Dr. D.G. Sinclair, Assistant Deputy Minister of Mines for Ontario on Mining Operations in Newfoundland,” circulated 29 January 1944, GN38, S5-1-3 (PU 17-44), PANL.

view it might not be too “politic” to express in the public version of report. Remarking on the relatively good accident record of Newfoundland mines, for instance, he stated that,

luck has been with the operators in the past for by and large the general impression I gathered of the mine workers is that they are too ignorant of mining hazards to recognize all possible dangers and thus afford themselves protection of a kind where none is given by the adherence to a modern mining code.¹¹⁹

With regard to the St. Lawrence mines, Sinclair noted that there was “plenty of room for improvement,” at the Iron Springs mine, and that “The layout and mechanical set up at the present [Corporation] mill is a disgrace to any operation....”¹²⁰

On the more general state of mine safety in Newfoundland, Sinclair urged the government to repeal the outdated 1908 Act and replace it with a new Act to meet the many changes that had taken place in the industry. Even the inadequate regulations contained in the 1908 Act, he pointed out, were not being enforced, and the longer the matter was neglected, the more difficult it would be for operators to comply with a modernized code. He suggested that Newfoundland follow the process which had been used in updating the Ontario regulations, where both industry and labour had been given the opportunity to contribute to the drafting of the code.¹²¹

¹¹⁹D.G. Sinclair to Claude K. Howse, 27 October 1943, GN38 S5-1-3 (PU 17-44), PANL.

¹²⁰D.G. Sinclair to Claude K. Howse, 27 October 1943, GN38, S5-1-3 (PU 17-44), PANL.

¹²¹D.G. Sinclair to Claude K. Howse, 27 October 1943, GN38, S5-1-3 (PU 17-44), PANL.

Woods agreed with Sinclair's position that a new act was "an immediate necessity," as was the appointment of a qualified inspector. He suggested drafting a new code and circulating it to the management of various mines for their input -- but not to the unions, as Sinclair had also suggested. Based on the Ontario numbers, Sinclair had suggested that one inspector would be sufficient for Newfoundland's approximately 3,000 workers. Woods requested from the Commission approval for the appointment of a qualified inspector, whom he hoped to recruit from Canada.¹²²

Woods' thinking on this matter was apparently motivated more by pragmatic considerations than by concern for the health and safety of workers. The recent growth of the labour movement in mining centres, he noted, meant that unions would likely soon "devote themselves to the matter of mine safety," and new regulations would be useful in governing the relationship between labour and management should disputes over health and safety matters arise. In addition, Woods believed new regulations could be important in protecting the government from possible criticism and blame in the future, "if circumstances leading to the disaster are shown even faintly to have been such that lack of control by the State has any bearing in the case."¹²³ Despite Woods' professed support of

¹²²Memorandum from Sir Wilfrid Woods, circulated to the Commission of Government along with "Report of Dr. D.G. Sinclair, Assistant Deputy Minister of Mines for Ontario on Mining Operations in Newfoundland," 29 January 1944, GN38, S5-1-3 (PU 17-44), PANL.

¹²³Memorandum from Sir Wilfrid Woods, circulated to the Commission of Government along with "Report of Dr. D.G. Sinclair, Assistant Deputy Minister of Mines for Ontario on Mining Operations in Newfoundland," 29 January 1944, GN38, S5-1-3 (PU 17-44),

such measures, no changes of any consequence resulted from the Sinclair Report or from Woods' requests to his fellow Commissioners.

Without the support of government, workers at St. Lawrence were thus left to continue fighting for better working conditions on their own, and in early 1944, an industry slump threatened to halt the progress the union had made to that point. With negotiations for the renewal of collective agreements with both companies still ongoing, Newflour began curtailing production at Director mine. This was related to a drop in aluminum sales which had led to a decrease in production at the Arvida plant and, consequently, to reduced demand for St. Lawrence fluorspar.¹²⁴ In March, 1944, when the company had already stockpiled about half of its total anticipated shipment of 30,000 tons for that year, it began laying off workers. By the end of March the workforce was down to less than 200, compared with over 300 in March of 1943 (and a peak of 450 at one point in 1943).¹²⁵

In the context of declining production and continuing layoffs at Newflour, the union signed collective agreements with both companies in May 1944.¹²⁶ Both agreements

PANL.

¹²⁴After reaching a record \$290 million in 1943, aluminum sales decreased to \$259 million in 1944, and were projected to decrease further in 1945 (Litvak and Maule, *Alcan Aluminum Limited*, 45), and after producing nearly 35,000 tons of aluminum in 1943, the Arvida plant produced just over 30,000 in 1944, and about half that in 1945 (Cote, *Les Enjeux*, 81).

¹²⁵List of men on Newflour payroll, 1943 and 1944, SLMM.

¹²⁶“Report of the Labour Relations Officer,” 1944, 5-6.

contained wage increases, but differed in that the Corporation agreed formally to discontinue the cost-of-living bonus, while the Newfluor agreement retained it.¹²⁷ Another significant aspect of both agreements was a stipulation that “no workmen shall be entitled to any preference in the matter of employment, choice of work or promotion because of the fact that they come from St. Lawrence or from any other locality or place.”¹²⁸ This clause was a clear indication of the persistence of localism and of the companies’ efforts to eradicate it.

The 1944 agreements also contained clauses dealing specifically with health and safety and with medical services. Both agreements called for the appointment of one or more employees, chosen by the company on the basis of their competence, to be “responsible at all times that the mines were safe for the men to work.” These safety duties were in addition to their regular duties. Both companies also agreed “in principle” with the need for a qualified doctor in the community and pledged to cooperate in securing one on a permanent, stable basis.¹²⁹ The agreement with Newfluor was to expire

¹²⁷“Agreement between St. Lawrence Corporation of Newfoundland Limited and St. Lawrence Workers’ Protective Union,” 10 May 1944, CNS; and “Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers’ Protective Union,” 12 May 1944, AA.

¹²⁸“Agreement between St. Lawrence Corporation of Newfoundland Limited and St. Lawrence Workers’ Protective Union,” 10 May 1944; and “Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers’ Protective Union, 12 May 1944.

¹²⁹“Agreement between St. Lawrence Corporation of Newfoundland Limited and St. Lawrence Workers’ Protective Union,” 10 May 1944; and “Agreement between

on 31 December 1944, and the agreement with the Corporation on 10 May 1945.¹³⁰

Several factors initially shielded the workforce and the community from the effects of layoffs at Newfluor. In June 1944, Newfluor began some mining on a small scale at the Tarefare site, and started exploration work on other claims. A hydroelectric project in nearby Little St. Lawrence absorbed some men. The inshore cod fishery also started out well in 1944, and many laid-off miners returned to the fishery. Also, most of the first workers to be laid off were not from St. Lawrence, but from neighbouring communities such as Lawn, Burin, Lamaline, and Marystown, a phenomenon also likely a function of localism -- just as there was pressure to hire St. Lawrence residents first, there may have been pressure to lay them off last.¹³¹

Some former Newfluor employees also found work at the Corporation. The Corporation's new mill went into production in March 1944, and by summer the Corporation was working four deposits -- Iron Springs, Blue Beach, Black Duck, and a

Newfoundland Fluorspar Limited and St. Lawrence Workers' Protective Union, 12 May 1944. The companies agreed to contribute to the financial maintenance of a doctor to an amount not exceeding seventy-five cents per month for each employee on the payroll, provided that "the balance of the amount necessary is secured," meaning that neither company would be required to contribute its share if not enough money had been contributed from other sources to make up the full amount.

¹³⁰"Agreement between St. Lawrence Corporation of Newfoundland Limited and St. Lawrence Workers' Protective Union," 10 May 1944; and "Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers' Protective Union, 12 May 1944.

¹³¹"Report of the Ranger, St. Lawrence Detachment, for January to June," GN38, S2-5-2, 1944, PANL.

smaller site known as "Hare's Ears" -- and employing 235 men. The company claimed to have markets in the United States for all the ore it could supply.¹³² The Corporation also enjoyed a peaceful labour relations climate during the summer of 1944, a fact one observer attributed to the scarcity of jobs, noting that, "No doubt, the fact that jobs are not so plentiful as they were last year, is one of the main reasons why there is not likely to be so much trouble from now on..."¹³³

The Newfluor operation, meanwhile, continued its precipitous decline. When a July lightning storm knocked out electricity in the area, the Director shaft flooded with pumps and other equipment submerged on the 400-foot level. In September 1944, Newfluor shipped its last cargo of fluorspar for the year and began another round of lay-offs.¹³⁴

The Corporation, though still doing well in comparison to Newfluor, also began to curtail production in the fall of 1944. By October, Black Duck and Hare's Ears were shut

¹³²"Report of the Ranger, St. Lawrence Detachment, for January to June, 1944," GN38, S2-5-2, PANL.

¹³³"Report of the Ranger, St. Lawrence Detachment, for January to June, 1944," GN38, S2-5-2, PANL. The situation at St. Lawrence contrasted sharply with that across the island at this time. Following a period of relative peace in 1942 and '43, in 1944 there was another wave of strikes which saw over 2,000 workers out for nearly 12,000 person-days (ten times as many as the previous year). Kealey, "The History and Structure of the Newfoundland Labour Movement," 112.

¹³⁴"Report of the Ranger, St. Lawrence Detachment, for September, 1944," and "Report of the Ranger, St. Lawrence Detachment, for October, 1944," GN38, S2-5-2, PANL.

down, leaving only Iron Springs and Blue Beach still in operation.¹³⁵ This, combined with the impending winter, the end of the fishing season, and the suspension of Newflour's prospecting program raised the specter of a return to widespread unemployment. One observer noted that,

The reduction in employment has become quite noticeable here, already some of our local men are without jobs, there has been one application for able-bodied relief, very little further reduction is necessary to make it a tough winter in this area as there is no source of employment whatsoever outside the mining industry.¹³⁶

Perhaps partly as a result of the deteriorating economic situation, the cost-shared medical system also broke down during the fall of 1944. The Corporation had stopped contributing to the fund for Dr. Leclair's services, and he had essentially become the Newflour doctor. Though it is difficult to imagine even a bad medical service being better than none, the reported reason for the breakdown of the system was "dissatisfaction concerning the services rendered."¹³⁷

Scarcity of jobs during the fall of 1944 also resulted in increased tensions associated with localism. The Ranger noted that there was "dissatisfaction over the fact

¹³⁵"Report of the Ranger, St. Lawrence Detachment, for September, 1944," and "Report of the Ranger, St. Lawrence Detachment, for October, 1944," GN38, S2-5-2, PANL.

¹³⁶"Report of the Ranger, St. Lawrence Detachment, for October, 1944," GN38, S2-5-2, PANL.

¹³⁷"Report of the Ranger, St. Lawrence Detachment, for January to June, 1944," GN38, S2-5-2, PANL. The report does not state whom was dissatisfied with the doctor's services, but it appears that it was the Corporation management.

that men from outside settlements were being kept on the job while local men were without work, [but] this problem ironed itself out gradually as outside men quit and went away.” The report does not specify the motivation of the outside men for quitting their jobs and leaving town but it is possible, given the tone of the report, that they were intimidated into doing so.¹³⁸

At the end of 1944, the future of the mining industry in St. Lawrence appeared uncertain and, to one observer, its benefits up to that point were questionable:

Like the rest of the country, St. Lawrence has passed through a few years of prosperity with plenty work and high wages, now that the tide has turned one might ask ‘what did that prosperity leave in the way of improvement and lasting benefit?’... as I see it, apart from giving the people sufficient to eat during that time and allowing them to improve their homes and build a few new ones, the improvements to the settlement have been negligible, educational facilities are not much better than they were, medical facilities leave a lot to be desired and there is a total absence of recreational facilities for young or old, sanitary conditions are worse than ever, the fire hazard has been greatly increased, mail, travel and freighting facilities are still inadequate, there is no Public Building, the Public Wharf is a wreck and the settlement roads are neither fit nor safe to walk.¹³⁹

The new year brought little improvement. By January 1945, the Corporation was working just the Iron Springs and the Blue Beach mines and employing a total of 185

¹³⁸“Report of the Ranger, St. Lawrence Detachment, for July to December, 1944,” GN38, S2-5-2, PANL.

¹³⁹“Report of the Ranger, St. Lawrence Detachment, for July to December, 1944,” GN38, S2-5-2, PANL.

men, while Newfluor employed just 80 men.¹⁴⁰ Throughout the summer, the Corporation employed about 180 men and Newfluor about 70 in mining and another 40 in prospecting. Up to August the Corporation had exported just one shipment of ore, while Newfluor shipped none to the Arvida plant in 1945, choosing instead to stockpile its relatively small output.¹⁴¹ In November 1945, Newfluor lifted the pumps from Director mine and allowed the shaft to flood. Only six staff members were kept on the payroll. At the end of 1945, the Corporation employed just 150 men.

Industry decline and unemployment no doubt played a role in negotiations for a new collective agreement between the union and the Corporation during late 1945.¹⁴² The Corporation manager had begun preparing for upcoming negotiations in the summer of 1945, warning that “in order to carry on at all its employees must be prepared to accept a considerable reduction in wages.”¹⁴³ In January 1946, union president Aloysius Turpin

¹⁴⁰“Report of the Ranger, St. Lawrence Detachment, for January, 1945,” GN38, S2-5-2, PANL.

¹⁴¹“Report of the Ranger, St. Lawrence Detachment, for July, 1945,” and “Report of the Ranger, St. Lawrence Detachment, for August, 1945,” GN38, S2-5-2, PANL. Alcan’s aluminum sales for 1945 were less than half the previous year’s total, and production at the Arvida plant was further reduced. Litvak and Maule, *Alcan Aluminum Limited*, 45; and Cote, *Les Enjeux*, 81.

¹⁴²The collective agreement with Newfluor had been automatically renewed, with no changes, in December 1944.

¹⁴³“Report of the Ranger, St. Lawrence Detachment, for August, 1945,” GN38 S2-5-2, PANL. Documentation on the status of the collective agreement between the union and the Corporation during this period is scant. It appears from subsequent events that the 1944 agreement, which expired in May, 1945, was still in place in August, 1945, but that the Corporation wanted to alter its terms.

accepted a 10 per cent pay cut, raising the ire of some union members who claimed he had no mandate to accept a cut.¹⁴⁴

Along with layoffs, wage cuts and other problems, workers continued to struggle with a lack of legislative protection and with inadequate medical facilities. The Newfoundland government had W.E. Bawden, Mines Inspector with the Government of Ontario, conduct an inspection of the St. Lawrence mines in October 1945, when conditions were once again far from normal because of a major reduction in activity at all mines. Bawden noted that in addition to inspecting Newfoundland mines, he had been asked by the government to seek input from operators on revising the mine safety regulations. Apparently, he had not been asked to seek input from miners' unions, as Sinclair had suggested. Having discussed the matter with the various operators, Bawden was of the opinion that they were making "a real effort" to bring their operations up to the Ontario standard. He did note that some operators feared that enforcement of a new code would be too expensive for them. As an example of a measure which some operators claimed would be too costly, he noted the lack of secondary shafts to provide escape routes and ventilation.¹⁴⁵

¹⁴⁴"Report of the Ranger, St. Lawrence Detachment, for July to December, 1945," GN38, S2-5-2, PANL.

¹⁴⁵Bawden, "Report on Conditions noted in Newfoundland Mining Operations," 1945.

In response to Bawden's report, new Public Utilities Commissioner James S. Neill (who had recently been appointed as Commissioner for Public Utilities)¹⁴⁶ stated that the inspections which had been conducted up to that time had been "instrumental in improving working and safety conditions" in Newfoundland mines and he therefore saw no need for new regulations or for the immediate appointment of an inspector. He pointed out, however, in what had become familiar refrain, that the government was "still investigating the possibility of securing a suitable man as Mines Inspector."¹⁴⁷

The lack of medical facilities also continued to be a problem, as indicated by the Relieving Officer's dilemma in trying to decide which of the many applicants for public relief should qualify. In denying relief to some applicants deemed able-bodied, the Relieving Officer noted that, "In some cases it is questionable that some applicants are really able-bodied but there is no way for them to secure medical certificates without

¹⁴⁶A native of Belfast, Ireland, Neill had served in various colonial posts, including in Tonga and Dominica, before coming to Newfoundland. His appointment in Public Utilities on 28 September 1945 was one of a number of personnel changes that took place around this time. Neill replaced Sir George London, an Englishman who had served as Colonial Secretary of the Gold Coast before coming to Newfoundland. London had replaced Woods a year earlier, in September 1944. Also in September 1944, former Labour Relations Officer Albert Joseph Walsh took over from Sir Lewis Edward Emerson in Home Affairs and Education. In Natural Resources, Dunn was replaced by William H. Flynn in September 1945. See Neary, *Newfoundland in the North Atlantic World*, 102-4, 125, 242-3.

¹⁴⁷"Memorandum from the Commissioner for Public Utilities, circulated for consideration of the Commission of Government 16 January 1946," GN38, S5-1-4 File 3 (PU&S 16-46), PANL.

traveling to Grand bank or Burin for examination.”¹⁴⁸

The increase in unemployment and in requests for relief that accompanied the decline of the mining industry during 1944 and 1945 indicate the general effects of decade of mining upon the community’s economy: people had little to fall back on in case of decline or closure of the mining industry. Some had returned to fishing, but the fishery had clearly declined in importance. The number of boats and fishing rooms had decreased since 1935, and fishing was clearly less prominent within the economy of St. Lawrence than in that of other, nearby communities. The town of Lawn, for example, with roughly half the population of St. Lawrence, had more fishing rooms and only slightly fewer boats than St. Lawrence in 1945. The same was true of other communities along the coast.¹⁴⁹

There had been other changes as well. The population had increased by 33 per cent since 1935, compared to 2.5 per cent for the Burin district in the same period, and 11 per cent in Newfoundland as a whole.¹⁵⁰ Because the Census Returns for 1945 included occupations reported in 1935, it is also possible to trace shifts from other areas into the mining industry by St. Lawrence residents. Table 3.1 shows the 1935 occupations of 1945 mine employees.

¹⁴⁸“Report of the Ranger, St. Lawrence Detachment, for July to December, 1945,” GN38, S2-5-2, PANL.

¹⁴⁹Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945*.

¹⁵⁰Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945*.

Table 3.1: 1935 Occupations of 1945 Mine Employees

| Occupation in 1935 | Number |
|---------------------------|---------------|
| Fishing | 102 |
| Mining | 57 |
| Pupil | 50 |
| None | 18 |
| Other | 26 |

Source: Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945*.

While the vast majority of employees in 1945 were native to St. Lawrence or nearby communities, much of the clerical, technical, and supervisory staff had been recruited from outside the area. For example, there was a 31-year-old accountant and a 33-year-old warehouse clerk who had held similar jobs in the Grand Falls pulp-and-paper industry in 1935. Warren Smith, Newflur's chief geologist and mine manager, was from the United States, while Newflur Mining Captain Murdock Jusdon was from Canada.

One significant difference between the Corporation and Newflur in this regard was the Corporation's propensity to rely more upon local men to fill supervisory positions. Hiring practices in this area were tied to the history of the industry and the role that certain families and individuals had played in that history. For example, the Farrell family, which had been instrumental in cooperating with Seibert to open the first mine in 1933, had become an important source of supervisory staff for the Corporation. Howard Farrell,

who was involved in the 1933 deal, was a Mine Superintendent in 1945, earning \$3,300 per year.¹⁵¹ Corporation General Manager and Vice-President Donald Poynter reported an annual salary of \$6,000.00 per year in 1945, roughly five times the income of a St. Lawrence miner. Table 3.2 shows the average income of St. Lawrence mine employees (excluding supervisory staff) and of male workers in mining and other industries around Newfoundland in 1945.¹⁵²

¹⁵¹*Eleventh Census of Newfoundland, 1945.*

¹⁵²The differences in annual incomes must be viewed in light of a number of mitigating factors, such as the average number of weeks workers in these industries were actually employed during the year. Workers at the Bell Island mines, for example, were unemployed for over thirteen weeks on average in 1945, Buchans workers for just six, and St. Lawrence workers for ten: Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945*, Table 59. There were just three females employed by the St. Lawrence mining industry, as stenographers. All three were single and living in their parents' homes. Their annual income was \$1,200.00 -- \$150.00 less than the men's. This was in keeping with the general trend. In 1945 there were just 30 females employed by the mining industry in all of Newfoundland, out of a total of 2,972 employees. They earned an average of \$166.00 less per year than did the men: Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945.*

Table 3.2: Average Annual Incomes for Male Employees in Selected Industries, Newfoundland, 1945

| Industry | Average Annual Income |
|-----------------------------------|------------------------------|
| Fluorspar Mining (St. Lawrence) | \$1,350.00 |
| Iron Ore Mining (Bell Island) | \$1,277.00 |
| Lead/Copper/Zinc Mining (Buchans) | \$1,600.00 |
| Fishing | \$558.00 |
| Manufacturing | \$1,342.00 |
| Sawmills/Woodworking | \$905.00 |
| Pulp and Paper | \$1,730.00 |
| Forestry/Logging | \$746.00 |

Source: Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945*.

The extent to which some people were able to use their connections to secure supervisory positions contrasts sharply with the apparent lack of mobility that marked the lives of those who did not enjoy such advantages. For example, one 32-year-old man was a mucker in 1935 and was still a mucker in 1945, while a 63-year-old man with no education remained a labourer from 1935 to 1945.¹⁵³ These examples illustrate the impact of the mining industry on socio-economic divisions in the community.

¹⁵³Department of Public Health and Welfare, *Eleventh Census of Newfoundland, 1945*.

3.6 Conclusion

In some areas, the period from 1939 to 1945 was one of momentous change. The mining industry underwent a period of rapid growth followed by an equally rapid decline. After forming their first union in 1939, workers were engaged for several years in a battle for union recognition, higher wages, improved working conditions, and adequate medical services. By 1943, the union had secured its first collective agreements and won concessions in such areas as wages. An industry decline beginning in 1944, however, had a detrimental effect on the union's bargaining position and on the economy of the community.

There was little change, however, in the area of occupational health and safety. Despite repeated calls for action at the magistrate's inquiry in 1939, during the work stoppages of 1941, at the Trade Dispute Board hearings in 1942, and in other contexts, workers' concerns continued to be downplayed or ignored. The Commission of Government still refused to update legislation on mine safety and inspections, and medical services remained woefully inadequate. The refusal to respond seriously to workers' repeated pleas for action throughout this period represents a tragically neglected opportunity to avoid much of the impending disaster.

Chapter 4: Change and Continuity in the Postwar Era, 1946-1956

Introduction

The decade following the end of the Second World War was a time of tremendous change for industry and labour in St. Lawrence. In the late 1940s, the mining industry entered a period of revitalization following the slump that began in 1944. By the mid-1950s, both mining companies had embarked on expansion programs and fluorspar shipments were at an all-time high. In the late 1940s, Newfoundland labour organizations began the process of integrating with larger North American organizations, and in 1949 the St. Lawrence miners' union joined this trend, three years after electing a new president. In addition, Newfoundland's entry into confederation with Canada in 1949 eventually brought important legislative changes in such areas as occupational health and safety regulations, mines inspections, and workers' compensation. At the same time, however, and despite these legislative changes and increasing awareness about the health effects of the mining industry, little progress was made in addressing health concerns or improving working conditions at St. Lawrence. This chapter explores this period of change and continuity.

4.1 A Time of Transition: Politics, Industry, and Labour, 1946-52

The economic growth which accompanied the Second World War had put Newfoundland in a better financial position than it had been in for many years. This gave rise to the question of Newfoundland's future political status, for when the Commission of

Government was appointed in the crisis atmosphere of 1934, it was understood that once the colony's situation had improved, the people would be given the option of returning to some form of elected government. In December 1945, it was announced that a National Convention would be held to examine the state of the colony and to establish the parameters for deciding Newfoundland's political future. In June 1946, Newfoundlanders voted for the first time since 1932, electing 45 delegates to represent them at the National Convention.¹

On 3 June 1948, a referendum was held upon the three political options which grew out of the Convention's proceedings. In the June referendum, the option of returning to the status of a self-government under Responsible Government took the largest percentage of votes (44.5 per cent), Confederation with Canada came second (with 41.1 per cent), and the option of returning to rule under Commission of Government third (with 14.3 per cent). The option receiving the lowest number of votes was then dropped from the ballot and on the second vote, held on 21 July 1948, Confederation with Canada received 52.3 per cent of the vote, and the return to Responsible Government 47.4 per cent. The Terms of Union under which Newfoundland became a province of Canada were signed 31 March 1949. The victorious confederates adopted the Liberal Party banner and, under leader Joseph Smallwood, won a landslide victory in Newfoundland's first

¹Neary, *Newfoundland in the North Atlantic World*, 241-312; and Noel, *Politics in Newfoundland*, 244-55.

provincial election on 27 May 1949.²

The end of war and confederation with Canada also had a significant impact on the Newfoundland labour relations environment. In 1946, the Commission of Government responded to a demand that labour organizations had been making for years and established Newfoundland's first Department of Labour.³ The government also began dismantling its wartime labour measures, the last of which was removed in March 1947. In October 1947, the Commission approved in principle the NFL's proposed Act to Regulate Trade Unions and Trade Disputes (but took no further action on the proposal) and in December 1947, a Minimum Wage Act was passed.⁴ Following his electoral victory of 1949, Smallwood fulfilled a campaign promise he had made to the NFL and introduced further legislative changes. The government appointed a Labour Advisory Committee with five members, four of whom were from the labour movement, and former NFL President Charles Ballam was named the province's first Minister of Labour. Soon, a new Labour Relations Act and Trade Union Act were passed.⁵

²Noel, *Politics in Newfoundland*, 248-62; and Neary *Newfoundland in the North Atlantic World*, 313-45. The Liberals under Smallwood went on to dominate Newfoundland politics until the early 1970s.

³The Department was not given its own Minister, but a Secretary, A.J. Walsh, was appointed.

⁴Neary, *Newfoundland in the North Atlantic World*, 258.

⁵Gillespie, *A Class Act*, 93-5.

Paralleling Newfoundland's political integration into Canada was a shift to a more continental orientation for Newfoundland's labour organizations. The NFL's 1948 Convention, held just one month after the deciding confederation referendum, was occupied with the question of possible affiliation with a larger, North American labour organization. The two main contenders for the allegiance of the NFL and the Newfoundland unions were the American Federation of Labour-Trades and Labor Congress (AFL-TLC) alliance, and the Canadian Congress of Labour-Congress of Industrial Organizations (CCL-CIO) alliance.⁶ While the NFL and the AFL-TLC had ties dating back to the late 1930s, the CCL-CIO also had some key allies in Newfoundland. In 1947, the CCL-CIO had sent its Atlantic Director, Donald Macdonald, on a tour of Newfoundland, and while he was treated with suspicion in some quarters because of the organization's reputation for being dominated by communists, he was successful in winning over one of Newfoundland's largest unions, the 1,500-strong Wabana Mine Workers' Union, which voted overwhelmingly to break ties with the NFL and join the United Steelworkers of America (USWA), a CCL-CIO affiliate. Shortly thereafter, the Gander General Workers' Union, formed in 1946 and comprised largely of workers

⁶The TLC was formed in 1886 as the Dominion Trades and Labour Congress, and became gradually integrated with the AFL during the early 20th century. The CIO was formed in 1938 by the Committee for Industrial Organization, a group of unions expelled by the AFL in 1936. The CCL was established in 1940 by several Canadian branches of CIO international unions which had been expelled from the TLC in 1939. In 1955, the AFL and the CIO merged, and in 1956, the TLC and the CCL united to form the Canadian Labour Congress (CLC).

employed at the Gander Airport, followed suit.⁷

The AFL-TLC lobbied hard at the NFL's 1948 convention, promising the Federation and its member unions increased financial and organizational resources. Because of lingering disagreements among some NFL members over the confederation issue, however, it was decided to postpone any formal decision on affiliation for one year. To strengthen its position in the meantime, in February 1949, the AFL-TLC appointed Cyril Strong its first full-time Newfoundland representative. Strong had been involved in the Newfoundland labour movement since 1941 and had served in several executive positions with the NFL.⁸ By the fall of 1949, Strong had recruited twelve NFL member unions to the AFL-TLC and several non-NFL unions had joined as directly chartered members. Most unions represented at the NFL's convention in the fall of 1949 were affiliated with the AFL-TLC in some way, and the convention voted to make the NFL a provincial wing of the AFL-TLC.⁹ The member unions in 1949 included the Buchans miners' union, which had been an NFL affiliate for several years. The Bell Island union,

⁷Gillespie, *A Class Act*, 98. A number of large CCL unions were in fact under Communist leadership, including Canadian branches of the International Woodworkers of America, the International Union of Mine, Mill, and Smelter Workers, the United Automobile Workers, and the United Electrical Workers. Communists also held important leadership positions within the TLC. In late 1940s, the CCL took measures to purge Communists from leadership positions in Canada, while the CIO took similar steps in the United States. See Jamieson, *Industrial Relations in Canada*, 48.

⁸*My Life as a Newfoundland Union Organizer: The Memoirs of Cyril W. Strong, 1912-1987*, (St. John's: Canadian Committee on Labour History, 1987), 1-13.

⁹Gillespie, *A Class Act*, 100-1.

however, remained a CIO affiliate.¹⁰

While the many developments taking place in the political realm and at the institutional level of the labour movement would ultimately have repercussions for industry, labour, and health and safety in St. Lawrence, in the years immediately following the war workers there were more concerned with surviving the continuing slump in the mining industry. Because of reduced production at the Arvida plant, from the time the Director shaft was allowed to flood in late 1945 to the end of 1946, Newflour produced no ore at St. Lawrence. In 1946 it was reported that increasing numbers of men, unable to qualify for able-bodied relief, were attempting to get medical examinations “which might show that they cannot be classified as able-bodied.” It is unclear which had increased -- the number of sick men or their determination to qualify -- but in either case the Relieving Officer had little sympathy for their plight, remarking that, “most of these people are of the type that only just managed to get along in the prosperous times for various reasons... in a few cases, where the breadwinner has been certified as not able-bodied by a Doctor, relief has been issued.”¹¹

While the end of war meant the loss of some important fluorspar markets and a temporary slump in the industry, wartime expansion had also placed producers in a good

¹⁰“List of Trade Unions in Newfoundland, 17 December 1949,” Collection 079 (Hattenhauer Collection), File 1.4, CNSA.

¹¹“Report of the Ranger, St. Lawrence Detachment,” February 1946, GN38, S2-5-2, PANL; and “Report of Ranger, St. Lawrence Detachment,” January 1946, GN38, S2-5-2, PANL.

long-term position, as it had fostered technological advances in such areas as aluminum production and had introduced civilian consumers to the benefits of aluminum. The war had made Alcan one of the largest producers of raw aluminum in the world, and with its integrated network of production, transportation and electric power facilities, the company was well-placed to take advantage of these factors. To meet an increase in the demand for aluminum in 1948, Alcan opened a new, expanded aluminum plant at Arvida. The outbreak of the Korean War in 1950 also spurred demand for aluminum and prompted a new phase of industry expansion. While Alcan did not enter into any direct supply contracts with the United States government, American firms such as Alcoa and Kaiser Aluminum entered into contracts with Alcan to supply them with raw aluminum. To meet the growing civilian and military demand, Alcan expanded its production and hydroelectric facilities in Quebec, and began construction of an aluminum smelter and townsite at Kitimat, British Columbia. The Kitimat smelter went into production in 1953. Throughout this period of expansion, Alcan enjoyed a relatively stable labour relations environment, apart from one brief strike at the Shawinigan plant in 1951 and two at Arvida in 1954.¹²

To supply the Arvida plant and meet the gradual increase in aluminum demand which began in 1947, Newflour opened the Tarefare shaft on a limited scale. By May

¹²Litvak and Maule, *Alcan Aluminum Limited*, 49-50; and Duncan Campbell, *Mission mondiale: histoire d'Alcan*, Volume 1 (Toronto: Ontario Publishing Company, 1985), 387-418. *Mission mondiale*, Volume 2, deals with the company's international expansion during the 1950s, and with developments in Quebec and British Columbia.

1947, the company employed 90 workers in mining and prospecting combined, and had made its first shipment of ore since the fall of 1945.¹³ Just a small quantity of fluorspar was produced at the Tarefare mine in this period, and that mine was shut down again in 1948. Late in 1947, however, the Director mine was re-activated, reflecting a further increase in production at the Arvida plant.¹⁴ In 1948, fluorspar production at Director nearly equaled the record amount of 1943.¹⁵

The Corporation, meanwhile, was not as well placed to take advantage of rising demand for aluminum, and had lost much of its wartime market for fluorspar. It continued to operate on a reduced scale throughout the last half of the 1940s, with only its Iron Springs Mine and a few smaller mines operating on an intermittent basis.¹⁶ A dramatic increase in American and Canadian demand for fluorspar beginning in 1950, however, provided an opportunity for the Corporation to go back into full production at St. Lawrence.¹⁷ It appears that after an exceptionally bad year in 1949, the Corporation had been on the brink of complete collapse when this industry revival began to take hold. In November 1949, Seibert had written directly to Smallwood stating that a major creditor,

¹³Cote, *Les Enjeux*, 91.

¹⁴Cote, *Les Enjeux*, 91.

¹⁵“History of Operations,” 1966, AA.

¹⁶Howard Farrell, “Report of the Mining Properties of St. Lawrence Corporation,” 1967, File 1L/14, DME.

¹⁷United States, *Minerals Yearbook*, 1950, 1951, and 1952.

the Chemical Bank and Trust Company of New York, was demanding that the Corporation repay a debt \$125,000. According to Seibert, there were only two ways this could be accomplished: to secure a loan or a line of credit, or to liquidate the St. Lawrence assets and shut down the operation. Seibert claimed that no bank in either the United States or Canada would give the Corporation a loan without a strong guarantee because “our working capital position is too thin.” Shutting down the St. Lawrence operation, he pointed out, would put 150 men out of work. Seibert asked the government to help the company secure a loan or a line of credit for \$250,000.¹⁸

To determine the advisability of assisting the company, the government had an investigation of the Corporation’s financial status conducted. The investigation covered the period from January 1946, to September 1949. In 1946, the Corporation had established a processing plant in Wilmington, Delaware, under the name St. Lawrence Fluorspar of Delaware, to treat fluorspar shipped there from its St. Lawrence mines before sending it on to American consumers.¹⁹ Because the firm conducting the investigation treated both the St. Lawrence and the Delaware companies as a single entity in many respects, it is difficult to glean from its report details about the St. Lawrence company itself during the years in question. It is clear, however, that after showing losses during

¹⁸Walter Seibert to J.R. Smallwood, 7 November 1949, Coll 075 (Smallwood Collection), File 3.20.087, CNSA.

¹⁹Peat, Marwick, Mitchell and Company (Chartered Accountants), “Report on Application for Financial Assistance, St. Lawrence Corporation of Newfoundland, Limited, and St. Lawrence Fluorspar Inc,” January 1950, unpublished document, CNS.

1946-47, the two companies combined began reporting substantial profits in 1948. The St. Lawrence company reported a total profit of \$60,519 from 1946 to 1949.²⁰

The report also revealed that the Corporation was still spending as little as possible on equipment. For example, it had recently purchased “a number of items ... as scrap from the US Naval Base at Argentia.” The company’s frugality when it came to equipment did not extend to other areas, such as construction of a “Staff House” to be used as the manager’s residence and as a social club for staff members. It cost \$25,000, at a time when the average value of a St. Lawrence miner’s house was about \$1,500.²¹ Furthermore, the \$25,000 spent on the Staff House during the period in question was more than 100 times the amount spent on a so-called “ventilation system” for the Iron Springs mine, which cost just \$248.00, suggesting a great deal about the company’s priorities.²²

In the end, the firm which carried out the financial investigation agreed with Seibert that though the combined companies had begun to show a profit recently, their liabilities meant that, unless the company received some financial assistance, the Chemical Bank and Trust Company loan could not be paid off without threatening the St. Lawrence operation. The firm concluded that though a loan guarantee appeared risky from the

²⁰“Report on Application for Financial Assistance,” Exhibit B.

²¹“Report on Application for Financial Assistance,” 13. The figure on the value of miners’ houses is calculated from the Nominal Census for 1945.

²²“Report on Application for Financial Assistance,” Schedule 7.

strictly financial viewpoint, the government should also consider the importance of the industry to the community and to the province. On that basis, it recommended guaranteeing a loan of \$250,000 if such a loan could be secured by the assets of both companies and by Seibert's personal guarantee. On 13 February 1950, Smallwood requested the Royal Bank of Canada in St. John's to begin the process of advancing the line of credit, secured by the government's guarantee.²³

Having secured financial assistance, the Corporation was able to take advantage of the increased demand for fluorspar. In 1950, the Iron Springs shaft was extended to 670 feet and over 2,000 feet of drifting carried out at that level, and by 1952, the Iron Springs shaft was down to 780 feet. The Corporation also reactivated several other sites which had been shut down for several years, and developed some new sources of ore. During 1950-52, the Iron Springs vein was mined from another, smaller shaft known as the West Extension, which was only about 100 feet deep. At the Blue Beach mine, the shaft was extended from the 130 to the 230-foot level, and a second shaft was sunk, down to the 185-foot level. The Lord and Lady Gulch site, which had been abandoned in 1937 in favour of the Iron Springs mine, was also reactivated in the early 1950s, and the Corporation sank a small shaft on another vein, known as the "Grassy Gulch" vein.²⁴ At Newfluor, another shaft (known as "Number 3") was started on the Director vein in 1950,

²³J.R. Smallwood to Royal Bank, St. John's, 13 February 1950, Coll 075, File 3.20.087, CNSA.

²⁴Farrell, "Report of the Mining Properties of St. Lawrence Corporation," 1967.

and by July 1952, that shaft was 400 feet deep. Newfluor also constructed a new mill, which included a crusher and a HMS plant similar to the Corporation's. Newfluor's new mill went into production in January 1951.²⁵ Annual shipments from both companies increased substantially each year from 1949 to 1952.²⁶

Like Newfluor, the Corporation also benefitted directly from the increased demand for fluorspar resulting from the outbreak of the Korean War. In 1952, the Corporation entered into a contract with the United States Defense Materials Procurement Agency to supply 150,000 tons of acid-grade fluorspar over the course of the next four years. As part of this agreement, the United States government agreed to advance the Corporation \$1,250,000 to upgrade and expand its processing facilities at both St. Lawrence and Wilmington. The Corporation was to repay a portion of this money with the fluorspar itself, as a portion of each ton shipped. The expansion program included the addition of a new "flotation" section to the Corporation's St. Lawrence mill. The flotation process works on the same basic principle as the HMS, but involves stirring of the ore within the flotation solution. Also the ore going into a flotation process must be crushed much finer than that going into a HMS process. The Corporation's flotation plant was designed to produce a high CaF₂-content product to be shipped to the Wilmington plant for further refining. The Wilmington plant thus remained the main destination for the

²⁵Warren S. Smith, "Fluorspar at St. Lawrence, Newfoundland," 1957 File 1 L/4/16, DME.

²⁶United States, *Minerals Yearbook*, 1949, 1950, 1951, 1952.

Corporation's product, but small amounts of metallurgical grade were sometimes shipped directly to steel plants in both the US and Canada.²⁷

Industry expansion during the early 1950s created employment for over 500 people in the St. Lawrence mines, including those employed in milling and stevedoring, and sparked a renewed sense of optimism for the industry and the community. One observer remarked in 1952 that,

The people of St. Lawrence are enjoying a high level of prosperity, and many new modern homes have been erected in recent months. Over one hundred and fifty private motor vehicles are owned in the town, which has a population of 1700. This is the highest per capita rate for motor vehicles on the Burin Peninsula.²⁸

While some of this celebratory tone can be attributed to Smallwood government propaganda, there is no doubt that by 1952 the industry had rebounded from the slump it had entered in 1944.

Important developments were also taking place on the labour relations front in St. Lawrence during this period. In 1946, the local *Ranger* had predicted a challenge to Turpin's leadership in January after he had accepted a 10 per cent wage cut during negotiations for a new collective agreement. That challenge came in March 1946, from James Cusick, a 47-year-old local man and veteran miner, who had started as a driller in

²⁷Farrell, "Report of the Mining Properties of St. Lawrence Corporation," 15-40.

²⁸"Prosperous Conditions," *Newfoundland Journal of Commerce*, 19, 11 (November 1952), 39.

1935 and had risen to become driller foreman by 1945.²⁹ Cusick later claimed that he challenged Turpin's leadership because he objected to his methods, going back to the way he had taken over the presidency from Aylward in 1941. Cusick claimed that when he challenged for the leadership in March 1946, he wanted a vote by secret ballot, but that Turpin refused and again insisted on having the men go to one side of the meeting room or the other, depending on whom they supported. In this case, the majority supported Cusick.³⁰

Perhaps due in part to the scarcity of jobs, the labour relations scene at St. Lawrence was quiet in the first year or so of Cusick's presidency. Newfluor's reactivation of Director mine in 1947, however, raised the issue of renewing its collective agreement with the union.³¹ During negotiations for renewal of the contract, a disagreement arose over the issue of union membership and hiring. The clause at issue required the company to give hiring preference to union members in cases where union members capable of performing the required work were available. The union wanted to remove the condition

²⁹Department of Public Health and Welfare, *Tenth Census of Newfoundland and Labrador 1935*; and *Eleventh Census of Newfoundland and Labrador, 1945*.

³⁰Interview with James Cusick, St. Lawrence, 13 October 1968. Coll 84-224, Tapes # C7253-7254, MUNFLA. (This interview is part of the same series that contains the interview with Aloysius Turpin cited in the previous chapter).

³¹S.H. Parsons, Labour Relations Officer, to James Cusick, SLWPU, 7 February 1948, SLMM. Selby Parsons was promoted to Labour Relations Officer after serving as Acting Labour Relations Officer when Walsh became Commissioner for Home Affairs and Education in July 1944. Neary, *Newfoundland in the North Atlantic World*, 185, 242.

whereby preference was given to union members *where qualified members were available*, and replace it with a stricter clause, requiring the hiring of *only* union members where available.³² In other words, the union wanted an unconditional closed shop.

In May 1948, the union notified Newflur of its intention to go on strike on 1 June if the company continued to deny this demand. Newflur manager Warren Smith then asked the union to drop the demand in exchange for having the company carry out the dues check-off (deducting employees' union dues from the payroll), something the company had refused to do up to this point.³³ The union refused but, at the request of the Labour Relations Office, delayed the strike a few days past the 1 June deadline. After a visit by a Labour Relations Office representative, the dispute was settled in early June. The original membership clause was retained, and the company agreed to carry out the union check-off.³⁴ Cusick had taken on his first challenge as president, and while the check-off was a concession on the part of the company, he had lost on the main issue, the closed shop.

In January 1949, Cusick had a chance encounter with Cyril Strong, the AFL-TLC representative, in St. John's. Strong convinced Cusick to take his suggestion that the St.

³²James Cusick, SLWPU, to W.S. Smith, Newflur, 8 January 1948, SLMM.

³³W.S. Smith, Newflur, to James Cusick, SLWPU, 26 May 1948, SLMM.

³⁴"Miners Call Off Threatened Strike," *Daily News*, 12 June 1948. The newspaper story stated that a Labour Relations Office representative went to St. Lawrence on 2 June.

Lawrence union affiliate with the AFL-TLC back to his membership.³⁵ According to Cusick, the vote to affiliate was unanimous, and on 12 May 1949, the SLWPU became Federal Labour Union (FLU) 24530, a directly chartered affiliate of the AFL.³⁶ Cusick later stated that his support for the affiliation was motivated by his belief that an independent union simply lacked the power to negotiate successfully with the companies in St. Lawrence, and that Turpin's insistence on an independent union had simply been playing into the companies' hand.³⁷

On 26 April 1949, the union's new status was put to the test when 120 workers at Newfluor went on strike to protest a reduction in the cost-of-living bonus. The immediate background to the April strike goes back to December 1948, when the union informed Newfluor that it wished to revise the collective agreement then up for renewal. The union

³⁵Strong, *My Life as a Newfoundland Union Organizer*, 36-8.

³⁶The 12 May date is from an article which appeared in the *Evening Telegram*, 20 May 1949. FLUs were directly affiliated with the AFL, as opposed to coming under the AFL by way of membership in an AFL-affiliated international union. In theory, FLUs were to be a temporary phase, a way of getting workers organized and affiliated with the AFL before affiliating them with an AFL international. Some internationals, however, argued that FLUs circumvented their jurisdiction, and were an encroachment on their territory. FLUs therefore often found themselves caught in jurisdictional squabbles between the AFL and its member internationals. Also, much of the research facilities and other infrastructure was handled not by the AFL itself but by the internationals, so the FLUs were not as well served in this regard. For a description of the origins and politics of the FLUs, see Robert H. Zieger, *Madison's Battery Workers, 1934-52: A History of Federal Labour Union 19587* (Ithaca: Cornell University Press 1977), 1-38; and Philip Taft, *The A.F. of L. from the Death of Gompers to the Merger* (Harper and Brothers: New York, 1959), 98-108.

³⁷Interview with James Cusick, MUNFLA.

sought an across-the-board increase of 5 cents per hour, and the abolishment of the cost-of-living bonus and the incorporation of an equal amount into the basic rate of pay. Negotiations broke down on 31 March 1949, but work continued until 3 April, when a review of the cost-of-living index resulted in a decrease of 2 cents per hour in the cost-of-living bonus, at which point Newflur workers walked off the job.³⁸ The men held out for over a month, until 3 June, when, under a settlement mediated by the Labour Relations Officer, Newflur agreed to abolish the cost-of-living bonus and incorporate an equal amount into the basic rate. Furthermore, the union won a pay increase of 4 cents per hour for underground workers and 2 cents for surface workers.³⁹ This would bring the average rate of pay at Newflur to 82 cents per hour, with wages ranging from 51 cents to \$1.04 per hour. The average wage of 82 cents per hour paid to Newflur employees under the 1949 agreement was considerably less than the average wage of \$1.02 per hour for all workers in the Newfoundland mining industry in that period.⁴⁰ The new agreement was signed on 2 June and was due to expire on 31 March 1951.⁴¹ While the wage settlement

³⁸*Evening Telegram*, 14 May 1949.

³⁹Canada, Department of Labour. "Report on Industrial Dispute Termination," 20 June 1949, RG 27, Volume 473, NAC.

⁴⁰Industry average calculated from Newfoundland Statistics Agency, *Historical Statistics of Newfoundland and Labrador*, Volume II, July, 1981, Table M-5, "Employment and Earnings, Mining Industry, by Mineral Class, Newfoundland and Labrador, 1949 to 1978." Calculation based on 48 hours per week, 52 weeks per year.

⁴¹"Union Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers' Protective Union, 1949," AA. The lowest-paid group was "sorters," 16 to 18-year-olds who sorted ore by hand as it entered the mill area.

fell short of the union's original demand, it represented an important victory after several years of the status quo (or, in the case of the Corporation, wage rollbacks). It was also, to Cusick, a demonstration of the benefits of affiliation. Strong had come to St. Lawrence as soon as the strike started, and Cusick later stated that had it not been for the support of the parent organization and Strong's expertise, the union could never have held out long enough to win such a settlement.⁴² Corporation workers, on the other hand, did not fare so well in their negotiations during this period. In December 1949, they entered into a new collective agreement which, with a few minor amendments, contained the same terms as the 1944 agreement. That agreement was due to expire in March 1951.⁴³

The union continued to demand the workers' share of industry resurgence during the early 1950s. When it entered negotiations for renewing contracts with both companies in 1951, the union's main demand to both the Corporation and Newflour was for an across-the-board increase of 16 cents per hour.⁴⁴ Seibert responded, on behalf of the Corporation, that to agree to this "would surely lead to bankruptcy" and that the Corporation was in a position to agree only to "reasonable" demands. Asking Cusick to

⁴²Interview with James Cusick, MUNFLA.

⁴³No copy of this agreement exists. This information is contained in a letter from Donald Poynter, St. Lawrence Fluorspar Corporation, to James Cusick, SLWPU, 8 December 1949, SLMM.

⁴⁴James Cusick, SLWPU, to Donald Poynter, St. Lawrence Fluorspar Corporation, 1 February 1951, SLMM; and James Cusick, SLWPU, to W.S. Smith, Newflour, 1 February 1951, SLMM.

take into account the expenses the Corporation had incurred in recent expansions and improvements and not to threaten the fragile prosperity which the industry was experiencing, Seibert countered with an offer of 8 cents per hour.⁴⁵ Cusick had AFL research staff investigate the Corporation's financial state, and while it was difficult to obtain much financial information on the company, researchers found that its income had risen approximately 32 per cent in the two years preceding May 1951, and that there had been an major increase in both volume of sales and the profit margin.⁴⁶ Cusick went back to Corporation management with this information and got it to agree to a 12-cent across-the-board increase (a figure halfway between the demand and the counter-offer). An unprecedented concession contained in the new agreement was a provision for one week of annual vacation for employees having at least one year of continuous service.⁴⁷

Newfluor, meanwhile, responded to the union's 1951 demand with an offer of a 10 per cent increase (meaning a raise as low as 5 cents per hour for some employees).⁴⁸ The union countered that it would accept the 10 per cent increase provided that each employee got a minimum increase of 10 ten cents per hour. In making this demand, the union drew

⁴⁵Walter Seibert, St. Lawrence Fluorspar Corporation, New York, to James Cusick, SLWPU, 1 March 1951, SLMM.

⁴⁶AFL Research Staff to James Cusick, SLWPU, 12 May 1952, SLMM.

⁴⁷"Amendments to the Agreement signed 24 February 1944 and as subsequently amended between the St. Lawrence Corporation of Newfoundland and the St. Lawrence Workers' Protective Union presently known as St. Lawrence Federal Labour Union, No. 24530, AF of L," 23 June 1951, SLMM.

⁴⁸W.S. Smith, Newfluor, to James Cusick, SLWPU, 4 June 1951, SLMM.

upon the contrast between the two companies, and demanded that “tradesmen in the employ of [Newfluor] receiving less wages than tradesmen of similar capabilities in the employ of the St. Lawrence Corporation [should] have their wages brought up on par with the higher paid men.”⁴⁹ The company’s reply to this was apparently unsatisfactory, as the union requested the intervention of a Conciliation Officer from the Department of Labour. Soon, an agreement was reached embodying essentially the same terms as those in the agreement just signed with the Corporation: 12 cents per hour across the board and one week’s paid vacation for qualifying employees.⁵⁰ Both agreements were to be in effect until 31 March 1952.

4.2 Legislative Changes: Mines Regulations, Mines Inspections, and Workers’ Compensation, 1949-52

While the revival of the mining industry in the late 1940s and early 1950s provided much-needed employment, and the union won some qualified victories in terms of wage increases and other benefits, there was little progress on the health and safety front. At the legislative level, the government continued to delay drafting mine safety regulations and establishing a provincial inspectorate, and continued to rely on inspectors brought in from outside the province. In November 1949, Ontario Mines Inspector A.V. Corlett was in St. Lawrence as part of an inspection of Newfoundland mines, the first one since 1944.

⁴⁹James Cusick, SLWPU, to W.S. Smith, Newfluor, 9 June 1951, SLMM.

⁵⁰Notice to members of SLWPU (FLU No. 24530), 30 June 1951, SLMM.

During Corlett's 1949 visit, Newfluor was mining at the Director site only. Corlett made some routine observations on safety concerns in the Director mine, and at the surface facilities and power plant. He noted that a "raise" (a vertical opening) was being driven from the 250-foot level to the surface at Director mine, which the management stated would eventually provide ventilation.⁵¹ As for the Corporation mines, Corlett was appalled at the hoisting system in use at Blue Beach, which he described as, "completely unsuitable for mine hoisting work and not be acceptable under any modern code of mine-hoisting requirements." In what had become a familiar move, the Corporation had temporarily suspended operations at Iron Springs during the inspection, and Corlett did not visit the underground there. He was assured by Mine Captain Rennie Slaney, however, that in response to suggestions arising from previous inspections, the Corporation was in the process of driving raises to provide for emergency exit ways and for ventilation.

One issue about which Corlett expressed serious concern was a clause in collective agreements with both companies calling for the appointment of a "safety man" drawn from the workforce whose job, in addition to his regular duties, was to report upon workplace hazards. In Corlett's view, such a measure might have the effect of "absolving the company and the company administrative staff from responsibility for mine safety." Corlett also noted that the lack of proper mining plans and various other problems at the

⁵¹"Driving" is the common mining term for this process.

St. Lawrence operations demonstrated the necessity of adopting new regulations and of exerting the government's authority over Newfoundland's mining operations as quickly as possible. He stated that while the Newfoundland government claimed that operators were using the Ontario code as guide,

... some are quite prepared to disregard it if it does not meet with their own ideas. This attitude is easy to understand when it is considered that the only authorized code is the old Newfoundland Mining Code which has become so out-of-date that it is no longer of any use in mining.⁵²

Corlett observed that for the government engineer responsible for the task, enforcing the old mining regulations was a "sideline" and that "those operators who chose to have worked on the assumption that there was no mining authority in Newfoundland." He suggested that, at the very least, the government appoint a Mining Engineer until a full-time Mines Inspector was appointed, and that new mine safety regulations be adopted.⁵³

Approximately a year later, the Newfoundland government, having still not instituted Corlett's recommendations on regulations and inspections, brought him back to Newfoundland for another mines inspection. Corlett arrived in Newfoundland in August, 1950, and was able to travel to St. Lawrence by vehicle over a new road down the Burin Peninsula. At Newfluor, he inspected the surface plant and the Director mine, and

⁵²"Inspection of Newfoundland mines for safety of workmen and operating features," submitted by A.V. Corlett, Mining Engineer, Kingston, Ontario, to Claude K. Howse, Government Geologist, Department of Natural Resources, St. John's, Newfoundland, 30 November 1949, unpublished document, CNS.

⁵³"Inspection of Newfoundland mines," 1949.

his remarks were mostly in keeping with those made during previous inspections. His report made minor recommendations regarding explosives and the electrical system at Newflour, and reiterated the need for a stench warning system, which had still not been installed. The 1950 report contained similar observations with respect to the Corporation workings. Once again, the mill was shut down and mining scaled back at the Corporation during the inspection period, this time reportedly because of a power shortage. In the underground at Iron Springs, the only shaft being worked at this time, Corlett noted that on one level there had been an accidental breakthrough from a stope into the shaft opening. This inadvertent action, Corlett remarked, had a beneficial effect in that “the air was much better in the stopes [here] than on the 560 level where no ventilation raises have been driven.” He noted that on his tour of the unventilated 560-foot level, “there was some gas in evidence in the stopes.” He did not indicate what type of “gas” or in what way it had been made evident -- through an odour, some effect on the men, or in some other way. He recommended, based on his tour of the 560-foot level and the apparent benefits of the accidentally-created ventilation on the 450-foot level, that in the future a raise be driven to serve as a “manway, means of exit, service raise, and ventilation raise” before beginning to stope on any level.⁵⁴

A year later, in August 1951, Corlett was back in Newfoundland again to conduct what turned out to be the final inspection before establishment of a provincial code and

⁵⁴A.V. Corlett, “Inspection of Newfoundland mines for the safety of workmen and operating features,” 1950, DME.

inspection service. Corlett inspected the new HMS plant and other surface works at Newfluor, as well as the Director mine itself. He noted that two new raises had been driven to the surface, one of which was being used for ventilation and the other as an escape way. He was told, however, that this was a temporary arrangement: eventually, these openings would be used as a “backfill” channel and as a water pumping route and escape-way.⁵⁵ Significantly, Corlett had been told in 1949 that one of these raises would be used for ventilation, but apparently this was not the company’s ultimate intention. At the Corporation, mining operations were being carried out at Iron Springs, Blue Beach, and at the new West Extension mine. Corlett noted that there were still no mine plans for any of the Corporation mines, no ventilation raises at the Iron Springs mine and, despite repeated requests to bring it up to standard, serious problems with the hoisting equipment at all shafts.⁵⁶

Corlett noted that while the figures were not entirely reliable because of the lack of uniformity in the way companies kept statistics at this time, it was clear that the Corporation continued to have the highest accident index among Newfoundland mining companies -- six times that of the Buchans and the Bell Island mines. Newfluor’s accident rate was second only to the Corporation’s. Corlett stated that he was not surprised at the

⁵⁵“Backfill” refers to crushed stone which is sometimes sent into mined areas to support the walls and ceilings.

⁵⁶A.V. Corlett, “Inspection of Newfoundland mines for the safety of workmen and operating features,” 1951, DME.

Corporation's accident rate since, despite repeated requests to address safety concerns, the management there, in his view, simply did not take mine safety seriously. Its usual response to criticism, he noted, was to claim that a lack of capital prevented the company from carrying out the necessary improvements. In that case, Corlett suggested, some action should be taken with the directors and owners of the company, who continued to saddle the local management with the job of explaining why improvements were not carried out. He suggested that the situation at the Corporation mines had reached the stage where some "drastic steps" might be necessary. Following the 1951 inspection, Corlett noted to the manager that while the Corporation had for years failed to carry out improvements when instructed to do so and had been able to get away with it because of the absence of adequate legislation, new mine safety regulations were being drafted and the Corporation would have a lot of catching up to do in order to bring its operation up to the proposed standards.⁵⁷

The regulations to which Corlett referred in his 1951 report were those he had been helping the provincial government draft since his 1949 inspection. The Act Respecting the Safety of Workmen in Mines was finally passed by the House of Assembly in June 1951, and regulations made under the Act became law in September 1951, just after Corlett's inspection of that year. The regulations covered a wide variety of issues, including age limits, signaling systems, timbering, hoisting equipment, hauling equipment,

⁵⁷"Inspection of Newfoundland mines for the safety of workmen and operating features," 1951.

flooding, fires, explosives, and electrical installations. Section 88(1) stated that, “The ventilation in every mine shall be such that the air in all its workings that are in use or are to be used by workmen is free from dangerous amounts of noxious impurities, including dust, and contains sufficient oxygen to ensure the health of anyone employed in the mine.” Section 88(2) required that, “In any mine where paragraph (1) cannot be complied with by natural ventilation, means for mechanical ventilation shall be provided and kept in operation until the workings have been abandoned or until satisfactory natural ventilation is secured.” Other sections required operators to “supply to workmen masks of a type approved by the chief inspector and designed to protect workers who are exposed to dust, gas, and irritating and dangerous fumes.” The operator was also required to sterilize these masks at least once a week and appoint a competent person to inspect all masks at least once a month.⁵⁸

While the 1951 legislation was an improvement on what had prevailed up to that time, the regulations were still lacking in some regards, compared with those in other jurisdictions. In the past, Newfoundland operators had been encouraged to emulate the standards set by the Ontario regulations. The Newfoundland regulations passed in 1951 differed, however, from the Ontario regulations in several important respects. The Ontario legislation, for example, set out very stringent guidelines for medical examination

⁵⁸An Act Respecting the Safety of Workmen in Mines (Act No. 85 of 1951). Regulations passed under the Act became law in September 1951. The Sections referred to here are 3(1) of the Act, and 267, 288, 153, 156, and 157 of the Regulations.

of workers in designated “dust exposure occupations,” which included all underground mine workers. Persons applying for employment in these occupations in Ontario were required to undergo an examination to ensure that they were free from all diseases of the respiratory system. Applicants passing the initial examination were issued a certificate which had to be updated, based on annual examinations, in order to be eligible for continued employment. The Ontario regulations also contained requirements for the suppression of dust in the underground by the supply of pressurized fresh water to all dusty areas. The Ontario regulations also required that operators keep detailed ventilation plans for underground workings, including air routes and fan locations. The ventilation plans were to be updated every six months, and made available to the Chief Inspector.⁵⁹ The Nova Scotia regulations also required that pressurized fresh water be supplied to all working areas to suppress dust where required, and also stipulated that “No person shall work or remain, or be permitted or required to work or remain, in any place in any mine if the air contains dust, fumes or smoke perceptible to the senses.” The Nova Scotia regulations also contained a specific requirement for the use of wet drilling equipment.⁶⁰

While the Newfoundland Act required written notice to the Minister of Mines of any lost-time accident, this section was very brief and vague compared to other

⁵⁹An Act to Amend the Ontario Mining Act, 1948. Sections 155, 160(119), and 167(d).

⁶⁰Nova Scotia, Metalliferous Mines and Quarries Regulation Act, 1951, Sections 242 and 243. This Act covered all mines and quarries other than coal, for which there was a separate act.

jurisdictions. One specific requirement absent from the Newfoundland regulations and contained in both Ontario's and Nova Scotia's was the requirement to report "any asphyxiation effecting a partial or total loss of physical control."⁶¹ It is also significant that while the Nova Scotia and the Ontario legislation contained requirements referring specifically to the suppression of dust and Newfoundland's did not, neither Nova Scotia's nor Ontario's contained the Newfoundland requirement for the supply and wearing of masks. It is as if those who drafted the Newfoundland code were resigned to the presence of dust in the mines, and rather than attempt to reduce or eliminate that condition, simply adopted measures to protect workers from its effects.

Responsibility for enforcement of the new regulations and for mines inspections rested with the Mines Branch of the provincial Department of Mines and Resources.⁶² In 1952, the government appointed its first Chief Inspector of Mines, Fred Gover. A native of Port Rexton, Trinity Bay, Gover had been educated at Memorial University and at the Nova Scotia Technical College, and held a Bachelor of Science degree. He had worked as

⁶¹For Newfoundland, Section 3 of the 1951 Act, for Nova Scotia, Section 6(e) of the 1951 Act, and for Ontario, Section 164 (f) of the 1948 Regulations. The wording for Nova Scotia and Ontario is identical.

⁶²The first Minister of Mines and Resources was Fred W. Rowe. The Mines Branch and the Resources Branch had their own Deputy Ministers, and the first Deputy Minister of the Mines Branch was former Government Geologist Claude K. Howse. The official duties of the Mines Branch were described as: administration of the Regulations of Mines Act, coordination of the government's diamond drilling services, and other related services: Department of Mines and Resources," *Annual Report of the Department of for the Year ended 31 March 1953.*"

a Mining Engineer from 1945 to 1952, and his most recent job before taking up the Chief Inspector's post was coordinating an expansion and modernization program at the Bell Island iron ore mines.⁶³

In a telling letter to the Minister shortly after his appointment, Gover made clear where his priorities lay with respect to the various duties of the inspectorate. Stressing the importance of ensuring the maximum return on the province's mineral resources, Gover stated,

That the general primary purpose of [Regulations of Mines] acts is to protect the human resources engaged in mining, none will deny. However, a limited sense of responsibility, which appears to be not unpopular nowadays, seems to be leading up to place so much importance on this primary purpose, that we are apt to forget that a Regulations of Mines Act is the only instrument which society employs to ensure that none of nature's mineral gifts will be plundered or wasted in the process of extraction.⁶⁴

Gover believed, in other words, that this increasing "limited sense of responsibility" to the province's resources had skewed the balance between protection of resources and protection of workers, causing too much emphasis to be placed on the latter. He clearly

⁶³Biographical sketch in Coll 075, File 3.05.012, CNSA. The Inspector was empowered to issue written orders to operators, indicating any violations of the regulations and specifying what steps the operator must take to correct the condition. Section 267 of the regulations stated that any "operator, manager or other person" failing to carry out the written orders of the Inspector was guilty of an offence, and subject to a maximum fine of \$1,000.00, or in default of payment a maximum of three months imprisonment.

⁶⁴F. Gover, Chief Inspector of Mines, to F.W. Rowe, Minister of Mines and Resources, 8 February 1953, File NFLD/0083, DME.

felt that part of his job as Chief Inspector was to correct this perceived imbalance.

In addition to the new mine safety regulations, another important piece of legislation passed shortly after Newfoundland's entry into confederation was a new Workmen's Compensation Act.⁶⁵ The evolution of workers' compensation legislation in Newfoundland followed the general pattern in other jurisdictions, the defining feature of which was a transition from what is known as "individual liability" compensation to "collective" compensation. The earliest type of worker's compensation in North America and Europe was administered under the common law, through such channels as master-servant acts, which required proof of negligence on the part of the employer. Originating in Great Britain in the early 19th century, this type of compensation law had become widely accepted in Canada and the United States by the late 19th century. By then, however, the common law system had become widely recognized as inadequate, partly because the system had become impossible to manage with the rapid increase in the number of claims arising from workplace injuries in the context of rapid industrialization, and partly as a response to demands by unions for a better system. As a result, Great Britain in 1880 introduced the Employers' Liability Act, which solved some of the problems inherent in the old legislation. The Canadian provinces soon introduced similar legislation. The Liability Act did not, however, eliminate the onus on the injured worker to prove

⁶⁵The Act was not called the more generic term *Workers' Compensation Act* until the 1980s. In this thesis, "workmen's" is used when referring to the Act itself, and "workers" in more general contexts.

negligence on the part of the employer, and still required that claims be made on a case-by-case basis, either before the courts or in a private arrangement between employee and employer. In 1881, Germany introduced the first system of compulsory compensation, which made industry groups liable for workplace injuries within their category. Great Britain introduced a version of compulsory legislation in 1897, but the 1897 Act made individual companies liable for compensation and permitted employers to also carry private insurance.⁶⁶ Great Britain passed an updated, collective and compulsory Act in 1906. Between 1902 and 1911, most provinces of Canada passed acts based loosely on Britain's 1897 Act, but these provincial Acts were not compulsory and were limited to certain industries.

The transforming event in the history of workers' compensation law in Canada was the report of the Meredith Commission appointed in Ontario in 1910, which one historian has argued came about largely as a result of demands by trade unions for better compensation coverage.⁶⁷ In its 1913 report, the Meredith Commission recommended compulsory compensation, and the creation of a central body of government to collect fees from employers and administer benefits to injured workers or their surviving

⁶⁶On the evolution of the British legislation in the 19th century, see Reasons, *Assault on the Worker*, 161-2.

⁶⁷Logan, *Trade Unions in Canada*, 501.

dependents in the case of death.⁶⁸ As in Great Britain, many employers did not oppose the introduction of compulsory, collective compensation, as it removed the somewhat arbitrary nature of the older, court-administered system, and they believed it would ultimately result in lower costs to them. Some, however, such as the Canadian Manufacturer's Association (CMA), wanted a requirement for direct financial contributions from employees, which was not granted, and a seven-day "waiting period" at the beginning of a claim when no benefits would be paid, which was granted. The CMA also objected to Meredith's proposal to include industrial diseases in compensation coverage, but the Ontario Workmen's Compensation Act, passed in 1915, contained the same Schedule of Industrial Diseases as did the 1906 British Act. Eventually the rest of the provinces passed legislation based on Ontario's -- Nova Scotia in 1915, Manitoba in 1917, Alberta in 1918, New Brunswick in 1919, Saskatchewan in 1929, Quebec in 1931, and Prince Edward Island in 1949.⁶⁹

In addition to the standardizing of compensation procedures and benefits, the elimination of costly litigation, and the lifting of the burden of proof from the claimant, another perceived benefit of the new system was that employers would have an incentive to make their workplaces safer because premiums were based on claim rates within

⁶⁸Michael Piva, "The Workers' Compensation Movement in Ontario," *Ontario History*, 67 (1975), 39-56.

⁶⁹Reasons, *Assault on the Worker*, 163-4.

industry groups.⁷⁰ Many have questioned, however, whether the modern compensation system has had any beneficial effect on workplace health and safety, pointing out that the increased premiums that result from high accident or disease rates are in many cases lower than an employer might spend to eliminate such hazards, and that industry continues to escape much of the financial responsibility for workplace injuries and disease.⁷¹

As with other jurisdictions, Newfoundland relied on the common law and Employers' Liability law during the 19th century.⁷² Newfoundland's first Workmen's Compensation Act, passed in 1908 and based on the 1906 British Act, required employers to pay compensation directly to injured workers (or in the case of death, their dependents) once claimants had either come to a private arrangement with the employer or had the

⁷⁰David G. Hanes, *The First British Workmen's Compensation Act, 1897* (New Haven: Yale University Press, 1968); Terence G. Ison, *Workers' Compensation in Canada*, (Toronto: Butterworths, 1989), 1-2; Terrance J. Bogyo, "Workers' Compensation: Updating the Historic Compromise," in *Chronic Stress: Workers' Compensation in the 1990s*, Terry Thomason, et. al., eds., (Ottawa: C.D. Howe Institute, 1995), 92-100; and Richard P. Chaykowski and Terry Thomason, "Canadian Workers' Compensation: Institutions and Economics," in Richard P. Chaykowski and Terry Thomason, eds., *Research in Canadian Workers' Compensation* (Kingston: IRC Press, 1995), 1-5.

⁷¹Reasons, *Assault on the Worker*, 174-75 and 197-98; Sass, "The Underdevelopment of Occupational Health and Safety in Canada," 73, Doug Smith, *Consulted to Death: How Canada's Workplace Health and Safety System Fails Workers* (Winnipeg: Arbeiter Ring Publishing, 2000); and Daniel M. Berman, *Death on the Job: Occupational Health and safety Struggles in the United States* (New York: Monthly Review Press, 1978), 70-1.

⁷²Newfoundland's first Employers' Liability Law was passed in 1880.

claim settled in court.⁷³ According to a committee later appointed to study the workers' compensation system in Newfoundland, the very few claims ever made under this Act were "settled by compromise [private arrangement] usually to the detriment of the worker."⁷⁴ While Canadian provinces made the transition to a collective, government-administered system in the years immediately following the Meredith Commission, Newfoundland retained the 1908 Act, with a few modifications, until the late 1940s.⁷⁵ In 1948, the Commission of Government, in one of its last acts as government, passed a new and more comprehensive Workmen's Compensation Act. The 1948 Act provided for the appointment of stipendiary magistrates as Compensation Commissioners, created the position of Registrar of Workmen's Compensation, set out more detailed procedures for medical examination of claimants and for the calculation of benefits, designated all children

⁷³An Act with Respect to Compensation to Workmen for Injuries Suffered in the Course of their Employment, Act 8, 1908.

⁷⁴Irving Fogwill, "report of the Workmen's Compensation Committee of Newfoundland on the Organization and Administration of a Workmen's Compensation Board for Newfoundland," 1950, 2-3, unpublished document, CNS.

⁷⁵Amendments passed in 1926, for example, increased benefits in some cases, and a 1935 amendment changed the time limitation on giving notice of an injury. Under the 1908 act, a worker was required to give notice of an accident as soon as was practical to do so and before the worker had "voluntarily left the employment in which he was injured," and then make a compensation claim within six months of the accident. In the case of death, the dependents were required to make the claim within six months from the time of death, and within two years from the time of the accident (in cases where, for example, a worker died from the injuries sustained earlier). The 1935 amendment stipulated that the time limitation could be waived in cases where it could be shown that the claimant did not make the claim within the specified period because of a "mistake" or "other reasonable cause." Cap. XVIII, Geo. V, 1926, and Act 48, 1935.

under sixteen as dependents, and established a formula for compensation in cases of total or partial incapacity. The 1948 Act still required that compensation be paid directly by the employer, however, and gave claimants the option of pursuing a settlement outside in court or through a private arrangement. The 1948 Act also gave the employer the right to apply to the Registrar of Workmen's Compensation, or come to an agreement with the claimant, to pay a lump sum in cases where benefits had been paid for a period longer than six months.⁷⁶ The 1948 Act, which came into force on 1 January 1949, was therefore essentially a mixture of the old, individual liability system and the newer legislation which had been passed in Canada and Great Britain.

In 1950, the provincial government passed Newfoundland's first compulsory, collective Compensation Act. In keeping with the standard in other provinces, the 1950 Act provided for the right to compensation "in lieu of all rights and rights of action, statutory or otherwise, to which a workman or his dependents are or may be entitled against an employer." In other words, injured workers or dependents covered by the Act could not pursue other legal channels, such as a lawsuit or private arrangement, to obtain compensation. The 1950 Act also provided for the appointment of Newfoundland's first Worker's Compensation Board (WCB) to administer the Act. Under the new Act,

⁷⁶An Act Relating to Compensation to Workmen for Injuries Suffered in the Course of their Employment, Act No. 30, 1948. Section 4(3) of the 1948 Act designated certain persons, including domestic servants, as exempt from the act. While nothing in this Section explicitly excluded women, the Act nonetheless referred only to "widows" where it referred to surviving dependents.

employers paid into an “accident fund” according to a system of assessment and classification based on the potential for injury within an industry group. The Act required that all applications for compensation be accompanied by a medical certificate and physicians were required to provide the WCB with periodic updates on a claimant’s condition upon request. Physicians were also required to assist claimants in filing applications. The Act also stated that where an accident occurred during employment, it would be assumed that the accident was caused by the employment, and that in cases where there was doubt as to whether a workplace accident was responsible for an injury, that doubt would be resolved in favour of the worker and the onus would not be on the claimant to prove such a connection.

Newfoundland’s 1950 Act, like those in other provinces, also granted the WCB certain powers in the area of workplace health and safety. The WCB was empowered to investigate places of employment to determine whether suitable safety devices or other measures should be adopted for the prevention of accidents or industrial diseases. The WCB could also make rules and regulations designed for the prevention of accidents and industrial diseases, provide information to employers and employees on the prevention of accidents and industrial disease, order the installation of any safety devices deemed necessary for the prevention of accidents and industrial disease, and shut down any operation which refused to comply with such an order within a time period specified by the Board.

Industrial diseases were dealt with under Section 78 of the Act. For purposes of administering the Act and claiming compensation, diseases arising from employment were to be treated in the same manner as accidents. The Schedule of Industrial Diseases in the 1950 Act was the same as that in the 1948 Act and, like the 1948 Act, the 1950 Act stated that if a worker was employed in an occupation listed in the Schedule during or immediately prior to becoming disabled with a disease, and the industrial disease was listed alongside that occupation, it was to be assumed that the illness was “due to the nature of that employment unless the contrary is proved.” Nothing in the Act, however, precluded a worker from pursuing compensation for a disease not specifically listed in the Schedule, provided the other requirements for claiming compensation under the Act were met. Persons claiming compensation with respect to an industrial disease could be ordered by the WCB to undergo a medical examination to determine whether the claimant was affected by an industrial disease and, if so, to undergo examinations to monitor the progress of the disease. The 1950 Act repealed the 1948 Act, but did not prohibit claims being made under the 1948 Act with respect to accidents occurring before the 1950 Act came into force.

To assist in fulfilling the requirement for the establishment of a WCB and the passing of Regulations under the 1950 Act, the government appointed a committee headed by Irving Fogwill, labour activist and former member of Smallwood’s Labour Advisory Board. Fogwill was subsequently appointed the WCB’s first Commissioner, and in March 1951, the Newfoundland government passed the Workmen’s Compensation Regulations

based in part upon the committee's findings. The regulations established specific rules such as benefit rates for claimants and dependents. Compensation payable in the case of permanent total disability would equal 66²/₃ per cent of the average weekly earnings during the 12 months preceding the disability. In the case of permanent partial disability, the benefit was calculated as 66²/₃ per cent of the difference between the average weekly earnings of the workman before the accident and the average amount the workman is earning or "*is able to earn* in some suitable employment or business" (italics added). The loss of earning capacity was to be determined through regular medical examinations. In cases where a widow was left as the sole dependent, the widow would receive a lump sum of \$100.00 and a \$50.00 per month pension. In cases of a widow with dependent children (children under 16) the benefit would be the widow's allowance plus \$10.00 per month per child. Where the surviving dependents were children only, each child under 16 received \$20.00 per month. The 1951 Regulations also stated that where a widow remarried, monthly payments would cease and the widow would receive a lump sum equal to monthly payments for one year, payable within one month after marriage, and benefits to the dependent children of the widow would cease.⁷⁷

4.3 Industry Expansion and Labour Relations, 1953-56

The industry recovery that had begun in 1950 continued at both mining companies

⁷⁷An Act to Amend the Workmen's Compensation Act, 1950, 30 March 1951.

throughout the mid-1950s, resulting in further expansion. During the winter of 1954-55, for example, the shaft at Iron Springs mine, which continued to be the Corporation's primary producer, was extended to the 890-foot level, and a substantial amount of drifting was carried out at that level. Expansion also continued at the Blue Beach mine, and another smaller vein near Blue Beach, known as the "Haypook" vein, was discovered in 1953. In 1955, the Blue Beach shaft was connected to the Haypook vein by a cross-cut, and a separate shaft was then sunk on the Haypook vein. A new headframe and other additions were made to the Hare's Ears site.⁷⁸ At Newfluor, the Director shaft was dewatered on the 400-foot level in 1954, and in 1955 the shaft was deepened to the 550-foot level.⁷⁹

Shipment levels remained high for both companies during the mid-1950s. In 1954, the Corporation shipped about 56,000 tons, all to the Wilmington plant, while all of Newfluor's approximately 52,000 tons went to the Arvida plant. In 1955, shipments by both companies increased substantially, to nearly 80,000 tons for Newfluor and just over 60,000 for the Corporation. The opening of other deposits by the Corporation had also reduced the proportion of the Iron Springs supply, from about 70 per cent of the Corporation's total production in the early 1950s to 40 per cent by 1955. Shipments

⁷⁸Farrell, "Report of the Mining Properties of St. Lawrence Corporation," 15-40, 48-51.

⁷⁹Smith, "Fluorspar at St. Lawrence, Newfoundland," 74-6.

remained high during 1956 -- about 70,000 tons for each company.⁸⁰

This industry expansion was reflected in employment levels. In 1949, the Corporation had employed a high of 145 workers, and Newflour 108; from 1954 to 1956 they each employed approximately 250 unionized men.⁸¹ From 1951 to 1956, the population increased from 1,451 to 1,837, a growth rate of 20 per cent. The Newfoundland rate for the same period was 13 per cent.⁸² While the vast majority of these workers were residents of St. Lawrence, many from neighbouring communities continued to find work when it was plentiful. Many of those who did not commute to and from their home communities slept in small shacks constructed near the mine sites, especially in winter when travel was difficult. These men lived in very rough conditions, sleeping on wooden bunks or on the floor during times of overcrowding, with a steel drum their only source of heat.⁸³

The lack of housing and basic facilities for this group highlights a more general problem with the development of the community. Because it was not established and planned as a resource community (unlike, for example, Arvida or Kitimat), St. Lawrence

⁸⁰United States *Minerals Yearbook*, 1954, 1955, and 1956.

⁸¹The figures for 1949 are from union lists, SLMM. The other figures are from Annual Reports of the Newfoundland Department of Mines and Resources, 1954-57.

⁸²Government of Newfoundland and Labrador, Economic Statistics Division, Department of Finance, "Historical Statistics of Newfoundland and Labrador," 1970, Vol I (1), Table A-1 and Table A-17.

⁸³Interview with Leo James, St. Lawrence, 15 October 2000, conducted by the author.

lacked the infrastructure to deal with such fluctuations in population. As Douglas Baldwin has pointed out in reference to mining towns in northern Ontario, in the absence of planning and investment from a single employer or from some level of government, resource towns tend to develop in a haphazard fashion, with people responding to needs as they arise, which often creates problems in such areas as housing and sanitation.⁸⁴ St. Lawrence had no municipal government until 1949 and even then there was little in the way of town planning that could cope with the effects of dramatic fluctuations in industry and population. Also, apart from some housing and other amenities for its supervisory staff, neither company took much interest in the issue.

The resurgence of the mining industry in the 1950s also once again altered the composition of the community's labour force. After many had returned to fishing during the postwar slump, in 1955 only three people in St. Lawrence reported fishing as their primary occupation. Most other adult males in the community were engaged in occupations associated with the mining industry.⁸⁵ Another notable development during this period was an increased tendency for women to enter the paid workforce. In 1955, twenty women reported "domestic" as their occupation, while others were employed as

⁸⁴Douglas Baldwin, "The Development of an Unplanned Community: 1903-1914," in Roy T. Bowles, ed., *Little Communities and Big Industries: Studies in the Social Impact of Canadian Resource Extraction* (Toronto: Butterworth's, 1982), 112-28. For a contrasting case in the Newfoundland context, see Botting, "Getting a Grand Falls Job," which examines the Anglo-Newfoundland Development Company's strict planning of that pulp and paper mill town.

⁸⁵Newfoundland, Official List of Electors, 1955, 95-115.

store clerks, stenographers, and in other clerical and service occupations.⁸⁶

Another new avenue of paid employment for women at this time was a new hospital which was opened in 1954. Several women reported being employed as nurses in 1955.⁸⁷ Ironically, while the union and others in the community had been lobbying the Newfoundland government and the mining companies for years to assist in establishing medical facilities, the hospital came from a foreign government and as a result of yet more sacrifice and work on the part of people in the area. The hospital was a gift from the American government to the people of St. Lawrence and Lawn who had risked their lives to rescue hundreds of seamen from two warships that ran aground near the communities in 1942. In 1943, a representative of the US Navy proposed construction of a hospital at St. Lawrence as a gift of gratitude⁸⁸ but construction was delayed for several years because of the war and because of difficulties in working out the details of financing, maintenance, staffing and other administrative matters.⁸⁹

⁸⁶Newfoundland, Official List of Electors, 1955, 95-115.

⁸⁷Newfoundland, Official List of Electors, 1955, 95-115. It is also probable that some of those who reported employment in clerical jobs or food service jobs were employed at the hospital.

⁸⁸J.E. Revelle, Lieutenant Commander, United States Royal Navy, to Government of Newfoundland and Labrador, 16 June 1943, GN 38, S5-1-2, File 5, PANL.

⁸⁹For a popular account of the shipwrecks and the American response, see Cassie Brown, *Standing into Danger: a Dramatic Story of Shipwreck and Rescue* (Garden City, N.Y. : Doubleday, 1979).

In the context of continued industry expansion through the 1950s, the union continued to press for increased wages and other concessions. In May 1953, after the 1952 contract had expired, Newfluor agreed to the union's demand for an increase which brought wages to between \$1.08 per hour and \$1.75 per hour, and the average wage to \$1.33 per hour.⁹⁰ The union opened negotiations with the Corporation in the spring of 1953 by demanding either an increase of 35 cents per hour, or a 40-hour week for the same pay as a 48-hour week plus an increase of 10 cents per hour. Here, negotiations did not go as smoothly as with Newfluor. Cusick made it clear to the Corporation management that he was prepared to take a hard line, and routinely cited specific sections of the Labour Relations Act to support his claims.⁹¹ Cusick continued to be supported and assisted by Strong.⁹²

The Corporation responded to the union's 1953 request for a wage increase in typical fashion. Seibert pleaded with Cusick to "see the importance of permitting our Company to make a reasonable profit," and insisted that "the modest profits we have made have all been poured back into St. Lawrence to create more and more jobs and to continually increase our wages." Seibert offered an increase in the range of 2 to 5 cents

⁹⁰Newfoundland Fluorspar Limited, Wage Scale, Effective 1 April 1953, SLMM.

⁹¹James Cusick, SLWPU, to Donald Poynter, St. Lawrence Corporation, 15 May 1953, SLMM.

⁹²James Cusick, SLWPU, to George Meany, President, American Federation of Labor, Washington, 19 August 1953, SLMM.

per hour.⁹³ The Union apparently tried again, through the AFL, to obtain financial information on the Corporation in order to determine the validity of its claims concerning its profits and its ability to pay higher wages, with little success.⁹⁴ Faced with apparent intransigence on the part of the Corporation, the union requested the appointment of a Conciliation Board by the Department of Labour.

At the conciliation meetings, Corporation representatives repeated the claims that the company was unable to meet the union's demands, but increased its counter-offer to 5 per cent across the board. The union pointed out that even with a 5 per cent increase, wages at the Corporation would be well below those at Newflour, to which the Corporation gave the standard response that Newflour was owned and operated by one of the largest firms in the world, while the Corporation was a small, cash-poor company putting its meager profits back into the operation.⁹⁵

Cusick, clearly unimpressed by these claims, pointed out that the Corporation's financial difficulties, if it had any, should not be shouldered by its employees. The assets the Corporation had built up in St. Lawrence over the years, he argued, were "the

⁹³Walter Seibert, St. Lawrence Corporation of Newfoundland, to James Cusick, SLWPU, 3 July 1953, SLMM.

⁹⁴Boris Shishkin, Director of Research, American Federation of Labor, to James Cusick, SLWPU, 24 July 1943, SLMM.

⁹⁵"Report of the Conciliation Board in the matter of a dispute between St. Lawrence Federal Labour Union No. 24530 and the St. Lawrence Corporation of Newfoundland, Limited," submitted to Charles H. Ballam, Newfoundland Department of Labour, 24 October 1953, SLMM.

Company's assets and it is compulsory for it to have such for their own benefit, it will always be their own and not the employees." Furthermore, Cusick pointed out, very few of the "improvements" on which the Corporation claimed to have spent its profits accrued to those who had generated those profits -- the employees. The so called "dryhouse" at Iron Springs, he describe as "a room with steel drum in the centre for burning old wood taken up from the mine." There was nowhere for the men to wash themselves or to dry wet work-clothes, and sanitary facilities consisted of "one broken down toilet with no flush to take care of three shifts of men." Furthermore, Cusick charged, for all the Corporation's talk of improvements, the blower system for mine ventilation had never been installed, and what little ventilation existed in places was a "haywire setup."⁹⁶ The workers, he concluded, were simply tired of compromising on wages and working conditions to support the Corporation, especially during times of industry expansion and increased production.⁹⁷

In the end, however, the Conciliation Board agreed with the Corporation's argument that while its financial position could be expected to improve considerably in the near future as a result of its contract with the U.S. Defense Materials Procurement Agency, the expected benefits of that deal would not begin to accrue until the winter of

⁹⁶"Haywire" is a local term for haphazard or out of control.

⁹⁷"Report of the Conciliation Board in the matter of a dispute between St. Lawrence Federal Labour Union No. 24530 and the St. Lawrence Corporation of Newfoundland, Limited," 24 October 1953, SLMM.

1953-54. The Board therefore advised the union to accept the Corporation's offer of a 5 per cent increase retroactive to 1 July 1953. The board also suggested, however, that any future improvement in the Corporation's financial position should be reflected in wage rates, and that the Corporation should improve the lunchroom, dryhouse and sanitary facilities at its operations.⁹⁸ The 5 per cent raise brought the average wage at the Corporation to \$1.22 per hour, compared with \$1.33 at Newfluor.

During Cusick's term as president, the union had won some wage increases and had stood up forcefully to both companies during contract negotiations. In doing so, it had taken advantage of its affiliation with the NFL/AFL-TLC in terms of both negotiating assistance and research services. In March, 1954, however, Cusick suddenly resigned from his position as union president to take a job at the newly opened U.S. Memorial Hospital. Cyril Strong, for one, was disappointed by this move, and felt it marked a turn for the worse for the union.⁹⁹ Cusick was initially replaced by union vice-president Gregory Giovaninni, who served as president for about one year.

In April 1955, when the position of president came up for election, Aloysius Turpin once again ran for and won the position.¹⁰⁰ In the negotiations for contract renewal in 1955, the union demanded an increase of 30-50 cents per hour from the Corporation,

⁹⁸"Report of the Conciliation Board," 24 October 1953.

⁹⁹Strong, *My Life as a Newfoundland Union Organizer*, 37.

¹⁰⁰Interview with Aloysius Turpin, MUNFLA.

but eventually settled for an average hourly increase of 3.8 cents per hour.¹⁰¹ The union also requested an increase of 30-50 cents from Newflour, which initially responded that it would grant no wage increase.¹⁰² Significantly, Turpin at this point requested assistance from the AFL, but specifically asked for assistance not from Strong but from an “AFL representative from the mainland.” It was suggested to him that Strong was more familiar with the situation and better able to assist than any of the mainland representatives, but Turpin apparently did not agree.¹⁰³ The union eventually settled for an average increase of about 9 per cent, or 9 to 14 cents an hour, considerably better than the Corporation settlement, but far less than the original demand.¹⁰⁴

In the spring of 1956, before expiration of the 1955 contracts, Turpin moved to break affiliation with the AFL-TLC, something he had apparently been wanting to do since he took the presidency again in 1955. Less than two months after re-taking over the presidency, for instance, Turpin complained to the Regional Director of the AFL about Strong’s performance, blaming him for the fact that the union was unaware that it was 15

¹⁰¹Aloysius Turpin, SLWPPU, to Donald Poynter, St. Lawrence Corporation of Newfoundland, 4 June 1955, SLMM, and Walter Seibert, St. Lawrence Corporation of Newfoundland, to Aloysius Turpin, SLWPU, 29 June 1955, SLMM.

¹⁰²Aloysius Turpin, SLWPU, to W.S. Smith, Newflour, 28 April 1955, SLMM, and W.S. Smith, Newflour, to Aloysius Turpin, SLWPU, 3 May 1955, SLMM.

¹⁰³Aloysius Turpin, SLWPU, to George Meany, President, American Federation of Labor, Washington, 12 May 1955, and Russell Harvey, Regional Director, AFL, Toronto, to Aloysius Turpin, SLWPU, 19 May 1955, SLMM.

¹⁰⁴W.S. Smith, Manager, Newflour, to Aloysius Turpin, SLWPU, 27 August 1955, SLMM.

months in arrears on per capita dues, and claiming that he did not agree in principle with paying the per capita dues anyway.¹⁰⁵ Cusick later claimed that Turpin thought the payment of per capita dues was a waste of money, and that he and Strong simply did not get along.¹⁰⁶ Turpin himself stated that he did not like Cyril Strong, and suspected that he was secretly allied with Poynter. Where Turpin got such an idea is difficult to say, but in any case he clearly wanted from the outset to break the affiliation, and early in his term he told Union lawyer P.J. Lewis that as soon as possible he was getting the Union “out from under the AFL.”¹⁰⁷ Strong later suggested that Turpin might have been influenced by the local priest, Father Connolly, who had recently replaced Father Thorne.¹⁰⁸ Turpin himself stated that, “Father Connolly agreed with me that I should break off affiliation.”¹⁰⁹ Also, in September 1955, Father Connolly had written to Turpin and congratulated him and the union members on the “restrained and reasonable manner in which the recent dispute [with] one of the companies was conducted.” Implicitly contrasting the Union’s approach under Turpin with that under Cusick, Connolly stated that,

¹⁰⁵Aloysius Turpin, SLWPU, to Russell Harvey, Regional Director, AFL, Toronto, 25 May 1955, SLMM.

¹⁰⁶Interview with James Cusick, MUNFLA.

¹⁰⁷Interview with Aloysius Turpin, Montreal, 24 January 1967, MUNFLA, Coll 84-224, Tape C7239.

¹⁰⁸Strong, *My Life as a Newfoundland Union Organizer*, 38.

¹⁰⁹Interview with Aloysius Turpin, MUNFLA.

In these times when much of the world's good will towards unionism, so dearly bought down through the years ... is being lessened by hasty and ill considered action, it is encouraging to meet a group that is able to see the whole picture rather than one little corner, and is prepared to act in the interest of the greater good for the greater number.¹¹⁰

In March 1956, Turpin got his opportunity to break the affiliation when Cyril Strong wrote to request payment of overdue per capita fees, an issue he claimed to have repeatedly raised with Turpin but received no reply.¹¹¹ Shortly after, on 26 March, a general membership meeting was called at which the membership voted to break affiliation and revert to independent status.¹¹² A few days after the meeting, application was made to the Labour Relations Board to formally withdraw the affiliation and register the union as n independent.¹¹³

4.4 Industrial Disease and Occupational Health and Safety 1953-56

While the industry and the union at St. Lawrence were going through important changes during the mid-1950s, crucial developments were also taking place on the occupational health and safety front, including an increasing awareness of the toll that

¹¹⁰Father Connolly, St. Thomas Aquinas Presbytery, to Aloysius Turpin, SLWPU, St. Lawrence, 3 September 1955, SLMM.

¹¹¹Cyril Strong, Organizer, AFL-CIO, to Adam Mullins, Financial Secretary, SLWPU, 16 March 1956, SLMM.

¹¹²Minutes of meeting, SLWPU, 26 March 1956, SLMM.

¹¹³Application for Certification as Bargaining Agent, by St. Lawrence Workers' Protective Union, Registered as a Trade Union under the Trade Unions Act, 15 March 1941, 29 March 1956, SLMM.

working conditions was beginning to take on the mining population. From its establishment in 1952, the provincial mines inspectorate attempted to focus attention on such issues as the tabulation of accident frequencies and investigations of fatal accidents -- on easily identifiable and quantifiable safety hazards rather than on more insidious and complex disease-causing hazards such as dust and other contaminants.¹¹⁴ The inspectorate did, however, conduct some tests of the air in Newfoundland mines during 1953. The report on those tests noted that a sampling of underground air to test for carbon dioxide, carbon monoxide, and oxygen levels had been carried out, the result of which was that “more is known about air conditions underground than was known since mining first began in Newfoundland [and] the consequence of this is a feeling of confidence throughout the industry that our mines are safe and healthy places to work.”¹¹⁵ Significantly, there is no indication of what exactly the 1953 survey revealed. The Inspectorate seemed more interested in creating a “feeling of confidence” than in revealing and addressing problems. Referring to those sections of the regulations dealing with mine ventilation, the report noted that mine air across the province had also been tested for dust, and that mine managers had been “advised of the results of this survey with the expectation that such action as appeared necessary would be taken by him without further

¹¹⁴Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1953*.

¹¹⁵Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1954*, 66-7.

notice from the Inspectorate.” Furthermore, the Mines Branch intended to have all future air tests conducted by the operators and to assume responsibility only for the analysis. Even for the task of simply analyzing the samples, however, the Mines Branch conceded that it was not properly equipped and had to send the samples to the Quebec Department of Mines for analysis. This reportedly resulted in some breakage as well as a problem with dust settling in sample flasks during shipping. To correct this, the Mines Branch planned to construct and equip its own laboratory in St. John’s as soon as possible.¹¹⁶ In sum, unspecified problems with air quality had been discovered during the 1953 tests, responsibility for future tests was being handed to mine operators, the Department was not equipped to analyse such tests anyway, but the recent testing of mine air had created “a feeling of confidence.”

That feeling of confidence is evident in a letter the Corporation manager sent to the St. Lawrence union in 1954, claiming that, according to information received from Gover, “a man would have to work for 197 years in our mines, under our worst conditions, to accumulate sufficient silica in his lungs to exceed the ‘safe’ amount.”¹¹⁷ Many people in St. Lawrence, however, were far from confident, and suspected that working conditions were taking a heavy toll on the mining population. Harry Spencer

¹¹⁶Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1954*, 65-7.

¹¹⁷Donald Poynter, St. Lawrence Corporation of Newfoundland, to Gregory Giovaninni, Acting President, SLWPU, 25 October 1954, SLMM.

grew up in St. Lawrence and lived in St. John's as a high school student in the late 1940s, when he visited patients at the sanitarium on a regular basis. He later recalled that in 1949, there were often more than twenty St. Lawrence miners there at the same time. It became so common for miners to be admitted to the sanitarium, he stated, that people began referring to their condition as "miners' TB." Furthermore, according to Spencer, these patients were often treated for tuberculosis and, after some initial improvement, were sent home, where they usually died shortly after. His uncle was one of those cases.¹¹⁸

Another St. Lawrence man recalled a similar scenario. Ed Ryan said that when he went to St. John's in 1950 to visit his uncle at the sanitarium, "here were all these men from St. Lawrence, and the ones who were there before had come home and died, while men from Grand Bank and other places treated for TB were recovering." One former tuberculosis patient, he recalled, even went back to work at the mine, and died two months later. As Ryan put it, "In the early '50s we knew people were dying but we didn't know what they were dying from."¹¹⁹

The Report of the Mines Branch for 1953, while it claimed that a "feeling of confidence" was being created by the inspectorate's efforts, did note that there was

¹¹⁸Interview with Harry Spencer, St. Lawrence, 13 October, 2000, conducted by the author.

¹¹⁹Interview with Ed Ryan, St. Lawrence, 7 February 2000, conducted by the author.

concern with possible silicosis hazards associated with Newfoundland mines, and the Branch vowed to address the problem. According to the report,

Because of certain medical information obtained in 1953, permission was requested from Government, and granted, that the method of studying a procedure for the identification and handling of silicosis should begin between the Department of Health, the Workmen's Compensation Board, and the Mines Branch.... It is hoped that meetings in 1954 might lead to recommendations to Government for consideration of enactment into law. Before presentation to Government, however, it is proposed that all mine managers shall have an opportunity to examine, and comment on, the proposals.... It is the opinion of the Inspectors that the Government with the industry can produce an efficient and thorough procedure for the detection and handling of silicosis and silicotic hazards.¹²⁰

Once again, there was no suggestion that workers or their unions have a voice in this process -- just government and mine management.

Silicosis is a respiratory disease caused by the inhalation of fine dust created by grinding or drilling of rock. Because it can be caused by many types of silica dust, silicosis is not confined to the mining of any particular ore. In fact, it is more often caused by the dust arising from drilling in the rock, such as granite or quartz, surrounding ore veins than by the dust arising from the ore itself. The harmful dust created by such processes is inorganic, "free silica" dust, meaning that the particles are not mixed with other substances which might make them more prone to dissolution once inhaled. These dust particles infiltrate and clog the bronchial tubes and lungs, and because of their hardness, especially in the case of granite silica, scar the tissue of these organs. The early symptoms of

¹²⁰Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1954*, 66-7.

silicosis are persistent coughing and shortness of breath, which grow more incapacitating over time.¹²¹ The exposure time required to develop the disease varies greatly, from less than five years up to forty years, depending on the severity of exposure and other factors. The average time between exposure and diagnosis is currently about 23 years. Retention of silica dust in the lungs has been known to create silicosis long after dust exposure has ceased. Though the symptoms can be alleviated somewhat, silicosis is incurable.¹²²

In Ontario, the Canadian jurisdiction where there has been the longest recorded history of silicosis as a health problem, and where the most thorough studies of the issue have thus far been carried out, silicosis was added to the workers' compensation Schedule of Industrial Diseases in 1926, and it had been included in the Schedule of the in the 1950 Newfoundland Act. In 1928, the Ontario mining code was amended to make pre-employment and annual chest examinations mandatory. Between 1926 and 1951, there were 1,069 recognized cases of silicosis recorded in Ontario and, of these, 545 had died by 1951.¹²³ (In this context, "recognized" refers to compensable cases, as WCBs are the main source of such statistics.) By 1974, there were 1,812 recognized cases in Ontario.¹²⁴

¹²¹See I. Webster, "The Pathology of Silicosis," in John. M. Rogan, ed., *Medicine in the Mining Industries* (London: William Heinemann Medical Books, 1972), 20-38.

¹²²Graham H. Gibbs and Paul Pintus, *Health and Safety in the Canadian Mining Industry* (Kingston: Queen's University Press, 1978), 76-8.

¹²³N.F. Parkinson, "Silicosis in Canada," *American Medical Association Archives of Industrial Health* (12 July 1955), 55-62.

¹²⁴McIntyre Research Foundation, *Silicosis Tables, Mining Industry, province of Ontario to December 31, 1974* (Toronto: McIntyre Research Foundation, 1975).

In the 1920s, the average age of death from silicosis in Ontario was about 44, but by 1951 this had increased to about 62. Over the same period, the number of recorded cases per year decreased, and the time between diagnosis and death increased (from about 0.5 years to 12 years), indicating the benefits of employee screening, improved safety measures, and better diagnosis and treatment methods.¹²⁵ One significant fact about the Ontario case, however, is that after declining from the 1920s to the 1950s, the incidence rate remained fairly stable or in some years increased slightly after that, which some researchers have attributed to increased mechanization and deepening of mines, which created more dust and made ventilation more difficult.¹²⁶ In Quebec, recognition of, and response to, the disease followed a similar pattern. There, 200 of the 574 compensation claims made between 1937 and 1973, mostly arising from silicosis caused by drilling in quartz in gold mines, were approved. In Manitoba, 26 claims were approved between 1965 and 1974, and in British Columbia, 164 during the same time period.¹²⁷

In Great Britain, silicosis was recognized as a compensable industrial disease earlier than in Canada. There, a Workmen's Compensation (Silicosis) Act was passed in

¹²⁵N.F. Parkinson, "A Statistical Study of the Known Cases of Silicosis in the Mining Industry of Ontario," unpublished paper presented at Fifth Conference of McIntyre Research Foundation (Chicago, 1953).

¹²⁶Gibbs and Pintus, *Health and Safety in the Canadian Mining Industry*, 88.

¹²⁷Gibbs and Pintus, *Health and Safety in the Canadian Mining Industry*, 84, 95-9. It is difficult to get detailed historical data for all provinces because of the manner in which statistics are compiled by the various WCBs.

1918, after it had been recognized for some time that dust and inadequate ventilation were the main causes of the disease among miners.¹²⁸ In the United States, though respiratory ailments among miners and quarry workers had been documented since the 19th century, diseases such as silicosis gained wider attention in the 1930s, when the general public and the labour movement became more involved in the campaign to address the problem. In the 1930s the American labor movement argued that for too long workers had been excluded from efforts to understand and eliminate disease hazards in the workplace, and the Department of Labor shared labour's belief that, as one historian put it, "management would not *voluntarily* (original emphasis) improve working conditions. There had to be some coercive pressure brought by government or labor to force management to reform."¹²⁹ There ensued a long and sometimes acrimonious process of legislative reform and a public relations battle over the silicosis issue.¹³⁰ One of the most striking cases of

¹²⁸Edgar L. Collis and Major Greenwood, *The Health of the Industrial Worker* (New York: Arno Press, 1977), 144, 300-01. (First published London: J. and A. Churchill, 1921).

¹²⁹David Rosner, and Gerald Markowitz, "Research or Advocacy: Federal Occupational Health and Safety Policies During the New Deal," in Rosner, and Marckowitz, eds., *Dying for Work: Workers' Safety and Health in Twentieth-Century America* (Indiana: Indiana University Press, 1987), 96-7.

¹³⁰See Rosner and Markowitz, *Deadly Dust: Silicosis and the Politics of Occupational Disease in Twentieth-Century America* (Princeton: Princeton University Press, 1991.) Alan Derickson's *Black Lung: The Anatomy of a Public Health Disaster* (Ithaca: Cornell University Press, 1998), while it deals primarily with coal mining, is a thorough case study of the Bureau of Mines' approach to occupational illness and the role of public relations in the campaign for improved working conditions and compensation. See also Alan Derickson, "'On the Dump Heap': Employee Medical Screening in the Tri-

silicosis among miners ever recorded was at a small fluorspar mine in France in the 1920s. There, of 34 miners studied, 19 showed severe symptoms of dust-induced respiratory illness. Seven of these cases had developed the disease after just 2 years of exposure. One died at the age of 24, and another at 23, following just 2 ½ years of exposure. The only apparently unusual thing about the mine was that, like the Iron Springs mine at St. Lawrence, it was exceptionally narrow. Also, workers in this French mine had used dry drills to drill into the granite surrounding the fluorspar vein.¹³¹

The recognition of, and response to, silicosis in Canada, Great Britain and the United States in the early 20th century illustrates that the causes and symptoms of silicosis, and the best methods for preventing it -- such as ventilation and wet drills -- were well known and documented long before 1953, when the Newfoundland Department of Mines began to express fear over the issue because of "certain medical information" which came to its attention. This information had arisen in connection with a specific case which had been unfolding in St. Lawrence for several years at that point. During his visit to St. Lawrence in 1950, Corlett became involved in the case of Issac Slaney, a former employee of the Corporation who was in the sanitarium (the hospital for tuberculosis patients) in St. John's, and who was believed to have developed tuberculosis "as an after result of

State Zinc-Lead Industry, 1924-1932," *Business History Review*, 62 (Winter 1988), 656-77; and Derickson, "Federal Intervention in the Joplin Silicosis Epidemic, 1911-1916" *Bulletin of the History of Medicine*, 62 (1988) 236-51.

¹³¹P. Luton and J. Champeix, "A Study of Pneumoconiosis in Fluorspar Workings," *Archives malade professionnelle*, 12 (1951), 505.

contracting silicosis.”¹³²

A pathological connection between silicosis and tuberculosis had been strongly suspected since the beginning of the 20th century, and by the 1920s researchers had confirmed the link between the two. In fact, the connection between silicosis and tuberculosis became so widely accepted during the first half of the 20th century that the term “silico-tuberculosis” had emerged to describe the condition. Simply put, silicosis reduces the capacity of the respiratory system to combat the effects of tuberculosis-causing germs. The shortness of breath and other symptoms of the two illnesses are very similar, making it difficult in some cases to distinguish between them.¹³³

In the report on his 1950 inspection, Corlett discussed the diagnosis of silicosis in Slaney’s case at some length, and rejected the diagnosis on several grounds. First of all, he pronounced that it was “highly unlikely that a miner would contract silicosis in the extremely wet mines that prevail at St. Lawrence....” He stated that someone had noted

¹³²A.V. Corlett, “Inspection of Newfoundland mines for the safety of workmen and operating features,” 1950, DME.

¹³³See Rosner and Markowitz, *Deadly Dust*, 15-38, Webster, “The Pathology of Silicosis,” 27, P.A.B. Raffle, ed., *Hunter’s Diseases of Occupations*, 8th Edition (London: Edward Arnold, 1994), 423-4; G.W.H. Schepers, “Silicosis and Tuberculosis,” *Industrial Medicine and Surgery* (June 1964), 381-99. For a discussion of the earlier difficulty in establishing the connection between the two, and in diagnosing tuberculosis in the presence of industrial lung diseases during the 18th and 19th centuries, see George Rosen, *The History of Miners’ Diseases: A Medical and Social Interpretation* (Schuman’s: New York, 1943), 125-8. One researcher attributed a decline in the incidence of silicosis in Canada in the mid-20th century partly to a decline in the incidence of tuberculosis: Gibbs and Pintus, *Health and Safety in the Canadian Mining Industry*, 89.

that Issac Slaney had worked at dry-drilling in the Black Duck mine in the 1930s and early 1940s and might have developed silicosis through dust exposure there. Corlett countered, however, that “the Black Duck operation was carried on as an open cut and it is improbable that he could have contracted silicosis there.” As already described, however, some of the earlier open cuts, especially larger ones such as that at Black Duck, were quite deep and much of the dust generated by dry drilling and other operations would have stayed within the working area. Furthermore, the Black Duck mine underwent the transition from open cut to underground mining relatively early, in 1935, and the evidence presented with respect to the 1930s and 1940s attests to the extremely dusty, unventilated conditions in which Black Duck miners had worked. Corlett also remarked that “wet drilling is practiced at St. Lawrence.”¹³⁴ While that was the case in most places during Corlett’s visit, it certainly was not the case during the 1930s or the early 1940s, when Issac Slaney had worked in the mines.

Corlett also questioned the procedure by which the case had been diagnosed. The preliminary diagnosis had been made by Dr. J.J. Pepper, who had come to St. Lawrence in 1948. Pepper based the initial diagnosis on X-rays taken by the *The Christmas Seal*, a traveling health clinic which visited isolated communities as part of the anti-tuberculosis campaign ongoing at this time. According to Corlett, Pepper stated that he had sent the X-rays to a colleague in Ottawa, who agreed with Pepper’s diagnosis. Pepper also stated

¹³⁴“Inspection of Newfoundland mines,” 1950.

there were several other cases of miners and former miners in St. Lawrence whom he strongly suspected were silicotic. Corlett requested the opinion of Dr. Bennett at the sanatorium in St. John's on the Slaney diagnosis. Bennett replied that sanatorium doctors lacked sufficient experience with the disease to confirm or deny the diagnosis. Corlett described this reply as being "entirely at variance with the statements offered in St. Lawrence," which of course it was not. Corlett then contacted a Dr. Riddell of the Ontario WCB, whom Corlett described as having more experience in silicosis than any man in Canada, "except perhaps the doctors in Ontario who have been specializing in this work for many years, but for whom he acts as a referee," a description which raises some questions as to Riddell's actual qualifications in this area. Like Bennett, Riddell replied that he was unable to confirm the diagnosis one way or the other, which Corlett again wrongly described as a refutation of Pepper's initial diagnosis. Corlett's own ignorance of the subject is indicated by his statement that silicosis "is not usually considered to be fatal in itself but it does usually lead to tuberculosis on account of the lowered resistance of the respiratory organs." Silicosis was, of course, known to be fatal, and it did not "usually" lead to tuberculosis, but it often did in situations where tuberculosis was already prevalent. Corlett conceded that there was a high incidence of tuberculosis at St. Lawrence, but stated that it was not related to mining. He claimed, furthermore, that "the attitude that any man who has worked in a mine and who develops tuberculosis must be a silicosis victim is unfair to the mining industry." Corlett did point out that discussions with the mine operators and with the doctor revealed that dust samples taken in the underground

were “sufficiently siliceous to be dangers,” but he concluded, somewhat vaguely, that it was “improbable that any dust in the mine picked up as a sample would yield any useful information.” Nonetheless, he advised that it might be a good idea to “pay attention to mine ventilation in the St. Lawrence area,” because a change in conditions might require the removal of “dangerous concentrations of dust.”¹³⁵ In his report of the following year, 1951, Corlett noted that Issac Slaney had been released from the sanitarium and that no further investigation on his case had been done up to that time.¹³⁶

Issac Slaney died in December 1952, at the age of 46. While he was being waked in his home, Harry Spencer, a St. Lawrence man employed by the Corporation, was asked by Dr. Pepper to pick up a package at Burin hospital and return it to him at St. Lawrence. According to Spencer, Dr. Pepper had been trying for some time to convince the Corporation manager, Poynter, that miners in St. Lawrence were sick and dying from silicosis. Spencer brought the package from Burin to Pepper, and was then asked if he would join the local RCMP officer in witnessing an autopsy on Issac Slaney (the package contained surgical materials). Spencer “didn’t feel up to it” and Pepper then asked Rennie Slaney, a mine captain with the Corporation at the time, if he would be a witness. Slaney, knowing that his position with the company was at risk, agreed. That night, Spencer sat outside the door to the room where Issac Slaney’s corpse was being waked, to prevent

¹³⁵“Inspection of Newfoundland mines,” 1950.

¹³⁶“Inspection of Newfoundland mines,” 1951.

anyone from entering, while Pepper performed the autopsy, witnessed by Rennie Slaney and the RCMP constable. Pepper then sent a sample of Slaney's lung tissue to an expert in the United States, who confirmed that it was silicotic.¹³⁷

Under mounting pressure to address the issue of industrial disease in St. Lawrence following the Issac Slaney diagnosis, the Newfoundland government attempted to formulate a response. An Executive Council Order of 13 October 1953 called for a three-phase approach: (1) a meeting between officials of the WCB, the Department of Health and the Department of Mines to draft legislation regarding silicosis, (2) the submission of the proposed legislation to industry operators, and (3) the drafting of amendments to the appropriate legislation.¹³⁸ In October 1953, officials of the WCB, Department of Mines, and the Department of Health and Welfare met to discuss a possible course of action, but the only thing they could agree on was that in addressing health concerns in the mining industry,

... the welfare of the residents of a mining community must be weighed against the possible financial liability of the mine owners should silicosis become prevalent to the point where heavy compensation is necessary.¹³⁹

¹³⁷Interview with Harry Spencer, St. Lawrence, 13 October, 2000, conducted by the author.

¹³⁸Fred Gover to Leonard Miller, Deputy Minister of Health, and to Irving Fogwill, Chairman, WCB, 13 October 1953, GN 78/1/B, 51, PANL.

¹³⁹"Proceedings of meeting on the subject of detection and handling of silicosis held in the office of the Chief Inspector of Mines, 30 October 1953," GN 78/1/B, 51, PANL.

In other words, the various government departments took the position that any response must include protection for mining companies from the financial liability they might incur because of increased compensation premiums, should their operation be associated with a high claim rate.

Shortly after that October meeting, Newfoundland Deputy Minister of Health Leonard Miller contacted G.C. Brink at the federal Department of Health and Welfare expressing concern over a “possible” case of silicosis in St. Lawrence and “increasing evidence that something will have to be done.” Knowing that Ontario had instituted a system of pre-employment and annual testing for respiratory ailments among miners in 1928, Miller was concerned that if screening were introduced at St. Lawrence, many St. Lawrence workers might lose their jobs.¹⁴⁰ Brink simply replied that in Ontario it had been found that pre-employment and annual screening, combined with adequate ventilation, were the keys to reducing silicosis, and he suggested that all miners and former miners at St. Lawrence be given x-rays immediately.¹⁴¹

The government took no immediate action on these suggestions, however, though pressure to do something continued to mount. In March 1954, Rennie Slaney, the former Mine Superintendent with the Corporation who had witnessed the Issac Slaney autopsy, wrote to Dr. R.B. Bennett of the St. John’s sanitarium regarding his brother who had been

¹⁴⁰Miller to G.C. Brink, Department of Health and Welfare, Ottawa, 10 November 1953, GN 78/1/B, 51, PANL.

¹⁴¹Brink to Miller, 19 November 1953, GN 78/1/B, 51, PANL.

a patient at the sanitarium since January 1953. Rennie Slaney stated that his brother had worked with dry drills at the Corporation mines during the 1930s and that, even after wet drills were introduced in most St. Lawrence mines after 1941, conditions were still very bad as ventilation was “far from adequate.” Rennie Slaney listed four St. Lawrence miners who had died after being treated at the sanitarium, nine others who were currently in the sanitarium, several others who were never admitted to hospital and had died from undetermined “lung trouble,” and others who were currently ill. According to Rennie Slaney, once they had become ill these men, like his uncle, “were cut off from any financial assistance from the company, although some had given up to 20 years of service.”¹⁴² Bennett forwarded Slaney’s letter to Miller, who forwarded it to Mines Minister Fred Rowe.

Apart from circulating letters and soliciting advice from outside experts, upon which they did not act, officials of the Newfoundland government continued to do little to address the problem.¹⁴³ In July 1954, the Department of Health received the results of the latest tuberculosis survey, which showed that the incidence of tuberculosis among the

¹⁴²Rennie Slaney, St. Lawrence, to Dr. R.B. Bennett, Superintendent of St. John’s Sanitarium, 25 March 1954, GN 78/1/B, 51, PANL.

¹⁴³In June, 1954, an official of the federal Department of Health and Welfare had advised Miller that adequate mechanical ventilation systems and an adequate supply of water to suppress dust had been standard features of the Ontario response to the problem of dust in mines for many years. Ross also reminded Miller that in Ontario wet drills had been required by law since 1917. C.R. Ross, Industrial Hygiene Engineer, Department of Health and Welfare, Ottawa, to Miller, 23 June 1954, GN 78/1/B, 51, PANL.

general population in St. Lawrence was twice that of the nearby fishing community of Fortune.¹⁴⁴ Shortly after, government officials met again to discuss the St. Lawrence situation. The results of the most recent dust analysis suggested that the concentration of dust in the Corporation mines would not likely harm “normal persons” – those not already suffering from a respiratory ailment. It was noted, however, that of four samples sent to Ottawa for examination -- the Newfoundland Department of Mines still did not have a laboratory in which to conduct the analysis -- only one could be analyzed. The high incidence of tuberculosis in the community and the fact that dust concentrations in the mines might harm persons already afflicted by respiratory ailments once again raised the question of employee screening, but officials at the meeting were perplexed as to where to draw the line for rejecting applicants and for taking employees out of the mines.¹⁴⁵

There was also the problem of how to deal with possible compensation claims as a result of silicosis and/or silico-tuberculosis. The Newfoundland WCB was uncertain how to handle such a situation in terms of diagnosis and the determination of the per centage of disability, and sought advice from the WCB of Ontario, which suggested that representatives of the Newfoundland Board visit Ontario to see how the silicosis issue had

¹⁴⁴“BCG Testing and Vaccination, July 1954,” GN 78/1/B, 51, PANL. These tests were conducted on the general population; it is probable that the incidence among the mining population would have been higher.

¹⁴⁵“Meeting of Committee on Silicosis,” 19 August 1954, GN 78/1/B, 51, PANL.

been dealt with there.¹⁴⁶ The Issac Slaney case continued to be an important issue in terms of compensation, as it had still not been settled by the WCB and might come to be looked upon as a precedent for future claims. Because Issac Slaney had terminated his employment before the Workmen's Compensation Act came into force, the only recourse for his widow was to sue the Corporation, which she had successfully done and had been awarded a cash settlement. Fogwill explained to Poynter that she might still have the option of filing a claim with the WCB, but it was unclear whether it would be accepted. "The whole silicosis thing is very complicated from the legal standpoint," Fogwill explained, "and also because of factors like TB."¹⁴⁷

By April, 1955, seven months after the meeting was proposed, Fogwill had established the agenda for the meeting with officials of the Ontario WCB. It included the procedure for establishing a Silicosis Referee Board in Newfoundland based on the Ontario one, the question of mines inspections and dust control in mines, a chest survey of St. Lawrence miners, and possible amendments to the relevant Newfoundland legislation.¹⁴⁸ Apparently little immediate action resulted from the May meeting, as in

¹⁴⁶WCB of Ontario, to Irving Fogwill, Chairman of WCB of Newfoundland, 31 August 1954, GN 78/1/B, 51, PANL.

¹⁴⁷Irving Fogwill, WCB, to Donald Poynter, St. Lawrence Corporation, 13 November 1954, GN 78/1/B, 51, PANL.

¹⁴⁸Irving Fogwill, "Agenda for Toronto meeting proposed for 2 May 1955," 5 April 1955, GN 78/1/B, 51, PANL. The Silicosis Referee Board refers to a group of experts who adjudicate diagnoses and claims for the WCB.

August of the following year the St. Lawrence union contacted the Department of Mines and the Department of Health pointing out that there had been several deaths among St. Lawrence miners in the past year, and that five others had been diagnosed with silicosis and tuberculosis. According to the union, the situation had become “extremely urgent” and the government was asked to take immediate action in investigating the health status of miners and conditions in the mines.¹⁴⁹

The fact that the union contacted the government in this regard in 1956 points to a significant contrast in the union’s handling of the health and safety issue during the tenure of Cusick and that of Turpin. During Cusick’s term as president, from 1946 to 1954, the health and safety question did not figure prominently in the union’s relations with management and government or in its other activities. It had consistently been an important issue during Turpin’s term from 1941 to 1946, however, and resurfaced in 1956, shortly after he had re-taken the presidency. Perhaps this simply represented a difference in priorities between the two men, or perhaps its was related to the affiliation issue, with the union having less latitude in setting and acting upon its own priorities while affiliated. In any case, it does appear as a discernible difference between the two presidencies.

The relative lack of references to health hazards in the union records during the period 1952 to 1956 is certainly not an indication that none existed, though one might be

¹⁴⁹P.J. Lewis to W.J. Keough, Deputy Minister of Mines, and to Miller, 30 August 1956, GN 78/1/B, 51, PANL.

led to believe so from the official annual reports of the mines inspectorate. The Annual Report for 1954, for instance, did not mention dust hazards or problems with air quality at the St. Lawrence mines, but stated that in Newfoundland mines “the presence of a good supply of oxygen is also ensured by constant examination and ventilation.”¹⁵⁰ By the time of the report for 1955, Gover had been promoted to Deputy Minister of Mines and the position of Chief Inspector taken over by Frederick Lukins. The change in personnel did not, however, change the focus of the inspection service or the tone of the reports. The analysis lab was still not completed, and there were continuing vague references to unspecified “steps” being taken to reduce potential gas and dust hazards in Newfoundland mines, and to the cooperation of mine operators in these efforts. The inspectorate’s apparent reluctance to take a firm stand with operators was in contrast to its treatment of workers who violated the safety regulations. It was reported that in 1955 two men who lit a fire to help strip out some hose fittings in the underground at St. Lawrence were charged and convicted before a stipendiary magistrate for a violation of the Regulations of Mines Act.¹⁵¹ This was in keeping with a general trend in the enforcement of occupational health and safety legislation, in which penalties for violations are rarely applied to employers, but

¹⁵⁰Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1955*, 76-9.

¹⁵¹Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1956*, 98-100.

often to employees.¹⁵²

The report for 1956 deviated little from previous ones. It reported that a man had been killed at Blue Beach mine when he fell 140 feet down the shaft. The accident was attributed to “error in judgement on the part of the deceased.” It was also noted that diesel-powered tram cars which had been introduced in 1955 at Director mine, to supplement the electric and hand-drawn ones already in use, were proving highly effective, with “no adverse reports” of health effects (from, for example, carbon monoxide).¹⁵³ A striking feature of the inspection reports from this period is the way in which they were used to report on technological advances in the mining industry and how they had improved efficiency and productivity. There was also a clear tendency to treat the inspection reports as a way of easing fears and instilling a sense of confidence, rather than as a way of actually revealing and addressing health and safety concerns. In that sense, the annual inspection reports functioned more as a public relations device -- as a way of creating the *impression* of safe and healthy conditions, rather than the actual conditions.

That the official annual reports did not convey the reality of the situation in the St. Lawrence mines is demonstrated by the testimony of those who actually worked there in the 1950s. Jim Roberts was born in St. Lawrence in 1930 and went to work as a driller at the Iron Springs mine in 1951. Asked about conditions there during the 1950s, he replied,

¹⁵²Reasons, *Assault on the Worker*, 205-08.

¹⁵³Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1957*, 127-9.

Unbelievable. I was gassed every day I was there. I'd have to come up out of the mine half the time. Not only me. There was as high as twenty of us had to come up the one time. All they used to say was, 'can't go down there, too much gas down there. You go down and you'd start to get a headache, real bad as soon as you'd get there, sometimes you wouldn't be able to stay a half hour. But if you got the water hose going and got the air, then you kind of cleared it up, and you'd manage to go back and spend a shift, but you'd have this headache all day.¹⁵⁴

Roberts also stated that drillers often dry-drilled when no water was available or when there was insufficient water pressure to reach working areas. There was also the problem of fumes from diesel fuel that was burned in some equipment, such as compressors, combined with the complete absence of ventilation in many working areas. The inhalation of diesel exhaust is known to cause various illnesses, including lung cancer.¹⁵⁵ Men were reluctant to complain about these conditions, he stated, for fear of losing their jobs.¹⁵⁶

Ed Ryan, who went to work with the Corporation in 1952, also described conditions very different from those depicted in the official annual reports. Because he had completed high school, Ryan was hired to assist in surveying and mapping the Corporation mines and was therefore very familiar with layout and facilities. He described

¹⁵⁴Interview with Jim Roberts, St. Lawrence, 28 November 1998, conducted by the author.

¹⁵⁵Marc B. Schnecker, *et. al.*, "Lung Cancer and Occupational Exposures to Diesel Exhaust: a Pilot Study of Railroad Workers," in William L. Wagner, William N. Rom and James A. Merchant, eds., *Health Issues Related to Metal and non Metallic Mining* (Boston: Butterworth, 1983), 379-92, Robert B. Reger, "Diesel Emissions and Associated Respiratory Health Effects in Mining," in *Health Issues Related to Metal and non Metallic Mining*, 393-411, and *Health and safety in the Canadian Mining Industry*, 168-71.

¹⁵⁶Interview with Jim Roberts.

conditions in the 1950s as “terrible.” The drifts at Iron Springs were so narrow, he stated, that workers often had to work bent over, shoveling ore by hand straight back over the shoulder. Ryan stated that there simply was no ventilation in the Iron Springs mine, and that once workers moved away from the shaft and farther out into the drifts, there was very little air. According to Ryan,

When you got away from the shaft , you could forget about lighting a cigarette.... If you heard the elevator rushing down the shaft and you wanted a smoke bad enough you ran back to the shaft because she'd push a certain quantity of air down ahead of her, so you had to hurry up and light the match and then you'd keep puffing the cigarette to keep it lit... Over a period of time the boys devised their own ways of getting air... Far out in the tunnel where there was no such thing as air, they would open a valve every now and then [from air supply lines to drills and other equipment] and breathe in that way, and the boys up in the stope would unscrew the hose from the end of the drill and get so much air and then hook it up again, and when you were drilling you'd get a certain amount of exhaust from the drill but nothing compared to what you should have for breathing properly.¹⁵⁷

Other workers who did not have access to such air supplies, he stated, were often overcome and would “just collapse on the track... just pass out.” When that happened, they would be brought to the surface and laid out on the dryhouse floor:

I counted twenty-one men one time just laying there.... The surface air would bring them around but they'd have this terrible splitting headache. He [the Mine Captain] would give them an aspirin and a drink of water and they'd go over to the shaft, all their rubber clothes would be there... and they'd dress up and go down again.... They'd work and pass out again sometimes.¹⁵⁸

¹⁵⁷Interview with Ed Ryan.

¹⁵⁸Interview with Ed Ryan..

Ryan recalled that the dust was often so thick that you could not see a person working next to you, and the light from his hat would be a dim orange glow. “Nobody wore masks,” he stated, “at the Corporation or at Alcan, underground, in the lab or in the mill.” At Blue Beach, Ryan stated, conditions were a bit better since there was a lot of water and the veins were wider than at Black Duck. At other, smaller sites which the Corporation developed throughout the 1950s, such as Hare’s Ears, however, conditions were very bad because of the practice of using equipment (such as dry drills) that had been worn out at larger operations such as Iron Springs and Blue Beach.¹⁵⁹

Conditions at Newfluor’s Director mine were reportedly not much better. Leo James went to work as a mucker at Director in 1953, when he was just 17 years old. Technically, he stated, he was not old enough to work underground, but he was “big enough.” According to James, conditions at Director were similar to those at Iron Springs:

Oh, Jesus, conditions were bad. No ventilation. We were only down 250 then because the 400 was flooded, then they pumped that out.... I saw it down there south on the 400 and ... a match wouldn’t burn. You had to walk five or six hundred feet out in the drift back towards the shaft to get bit of air.¹⁶⁰

James stated that dust was a constant problem and that many men, including him, were plagued by persistent headaches. Conditions were made worse, he explained, by the

¹⁵⁹Interview with Ed Ryan.

¹⁶⁰Interview with Leo James.

increase in production throughout the 1950s, since the mine was then run on three shifts a day with no break between shifts. As a result, men going down for their shift entered a workplace filled with smoke and dust from the blasting carried out at the end of the previous shift. James stated that no workers were issued masks. According to James, the inspection service was largely useless since the company always had ample notice of an inspection visit and were able to deal with any obvious problems, at least for the duration of the inspection. Workers' suspicions that employers and inspectorates often act in collusion to cover up workplace hazards are a common feature of the system, and erodes whatever confidence might have otherwise existed.¹⁶¹ James expressed a version of this belief when he stated that,

They [the company] knew when they [the inspectors] were coming. Three or four days before they came, places that there was people working, they were taken out of it, and when they were gone over the hill [out of town], they were back in there again.... Everything would be tidied up and there'd be signs up here and signs up there.¹⁶²

When James first started mucking in 1953, he shoveled ore into buckets that were then placed on hand-drawn cars and taken to the hoist. Later, he loaded electric and then diesel-powered tram cars. Contrary to the inspectorate's assurances that the use of diesel trams at Director had no adverse health effects, James stated that the fumes from the burning diesel were "bad, really bad," and that after being around these machines

¹⁶¹Reasons, *Assault on the Worker*, 214.

¹⁶²Interview with Leo James.

underground, a worker's nasal system would become clogged with black soot.¹⁶³ It is clear from the accounts of James and other workers that what was reported in the official inspection reports was not what was actually going on in the Lawrence mines.

4.5 Conclusion

The industry revival which began in the late 1940s and continued into the 1950s provided much-needed employment in St. Lawrence, where the economy had entered a serious slump in 1944. The union, under newly elected president Cusick, was able to take advantage of industry expansion to win wage increases and other concessions, and was aided in these efforts by its affiliation with the NFL/AFL-TLC. After Turpin regained the presidency in 1954, however, the union quickly reverted to independent status, and made little progress in such areas as wage rates after that. On the other hand, the crucial issue of occupational health and safety, which had not been prominent in labour relations during Cusick's tenure, resurfaced after Turpin took over the presidency again. Confederation with Canada brought legislative change in key areas, such as mines regulations and inspections, but little actual progress was made on the health and safety front. In fact, there was a marked discrepancy between the Department of Mines' depiction of working conditions at St. Lawrence in the 1950s and what conditions were actually like. While the government continued to evade the issue and forestall action, health and safety became

¹⁶³Interview with Leo James.

more pressing as the effects of working conditions became more evident to people in the community. The diagnosis of silicosis by autopsy in 1953 seemed to confirm people's long-held beliefs, but still various government departments failed to act, and by 1956 nothing of any significance had been done to address the problem. As with the war years, the decade following the Second World War was a time of great change on the industry and labour relations fronts at the St. Lawrence mines. In other areas, however, such as denial and inaction from government and industry regarding health and safety problems, the status quo prevailed.

Chapter 5: A Turning Point: Corporation Shutdown, Dust and Radiation, and Labour Unrest, 1957-1962

Introduction

The period from 1957 to 1962 was a turning point in the history of mining, labour and health and safety in St. Lawrence. With the expiration of its contract with the United States government in 1956, the Corporation entered a period of decline ending in complete closure of its St. Lawrence mines in 1962. Tests carried out by federal officials from 1957 to 1960 confirmed what many in St. Lawrence already suspected -- that conditions at the mines were extremely hazardous to health. In 1959, however, came the revelation that in addition to disease-causing dust, the mines were also heavily contaminated with cancer-causing radiation. These developments forced the provincial government to introduce new legislative measures. Combined with other, ongoing grievances they also broke the fragile labour truce which had existed for much of the 1950s and sparked several acts of protest on the part of the union.

5.1 Corporation Decline and the Tariff Ruling of 1958

After several years of expansion and record production levels, in 1957 the Corporation entered another period of decline with the expiration of the four-year contract into which it had entered with the US Defense Materials Procurement Agency in 1952. Anticipating that expiration of that contract would spell trouble for the Corporation, Seibert had written to Smallwood in late 1955, describing the difficulties which his

company faced in competing for fluorspar markets on the international level, and seeking the government's assistance to protect industry and jobs at St. Lawrence. As Seibert pointed out, producers in other nations, such as Italy and especially Mexico, had recently been capturing a larger share of both the Canadian and the US markets for fluorspar. In Canada, this situation was encouraged by the fact that the Canadian government imposed no import duties on foreign fluorspar and thus offered no protection to domestic producers.¹ The extent of the growth of foreign competition in the North American market is indicated by the fact that in 1950, Canadian consumers imported just 579 tons of fluorspar from Mexico; in 1956, they imported 26, 523 tons.² Similarly, in the United States, consumers imported 5,306 tons from Mexico in 1950, and 100, 827 tons in 1956.³

The union was also concerned about the impending expiration of the contract and the fate of the Corporation employees, and apparently did not trust the information provided by the Corporation. In July 1956, Turpin wrote to the Defense Materials Procurement Agency in Washington, asking for details of exactly when the contract would

¹Walter Seibert, St. Lawrence Corporation, to Smallwood, 27 December 1955, Coll 075, File 3.20.087, CNSA.

²Canada. Department of Mines and Technical Surveys, Mineral Resources Division, *The Canadian Mineral Industry, 1950* (Ottawa, 1953), 145; and *The Canadian Mineral Industry, 1956* (Ottawa, 1952), 275.

³United States, *Minerals Yearbook, 1950*, 535; and *Minerals Yearbook, 1956*, 503.

expire and whether it might be possible to extend the deal.⁴ Around the same time, Turpin also demanded the assistance of the area's Member of Parliament, C.W. Carter, pointing out to him that the people of St. Lawrence had supported Confederation with Canada in 1949, through which Canada had in effect acquired the St. Lawrence fluorspar deposits as a domestic supply, and the workers now expected in return some protection from foreign competitors who were dumping cheap fluorspar into the Canadian market.⁵

When the Corporation's American contract expired at the end of 1956, however, no progress had been made in securing a market for its St. Lawrence fluorspar, or in protecting it against international competitors. The result of this was quickly felt at the local level. The first mine to be shut down was the Lord and Lady, where production ceased in the summer of 1956. In December, 1956, the Corporation began phasing out the Iron Springs mine, its largest, longest running, and richest producer. By the spring of 1957, Blue Beach mine which, like Iron Springs, had undergone major expansion and development in the few years previous, had also been phased out.⁶ The curtailment and eventual shutdown at the Corporation mines naturally resulted in a drastic reduction in employment levels. After employing 200 to 250 workers per year since 1951, by April

⁴Aloysius Turpin, SLWPU, to Defense Materials Procurement Agency, Washington, 31 July 1956, SLMM.

⁵Aloysius Turpin to C.W. Carter, Liberal M.P., House of Commons, Ottawa, 25 July 1956, SLMM.

⁶Farrell, "Report of Mining Properties of St. Lawrence Corporation," 24-47.

1957 the Corporation had just 135 left on the payroll.⁷ In early June 1957, the Haypook and the Hares' Ears mines were shut down, and all but ten of the Corporation employees, retained to provide basic maintenance, were laid off.⁸

Though Newfluor continued to employ nearly 200 unionized workers, the closure of the Corporation mines provoked a lot of public interest and concern for the future of the mining industry and for the community itself, as well as criticism of the lack of action on the issues of foreign competition and tariffs. An editorial in the *Newfoundland Journal of Commerce*, for example, asked whether St. Lawrence was doomed to become a "ghost town," and whether it was right that,

an important industrial community, the hub of an important economic area of Newfoundland should be made suffer because people in other parts of the world [i.e. Mexico] are satisfied to be ill-fed, ill clothed, ill-housed, and to live under conditions of economic slavery so that the product of their toil and sweat can successfully compete with the product of Canadians who would never tolerate such living and working conditions?⁹

Others pointed out that while it might easily be suggested that the 250 men who had lost their jobs at the Corporation return to fishing, many of the younger workers had little

⁷List of Employees on Corporation Payroll, 15 April 1957, SLMM.

⁸Farrell, "Report of Mining Properties of St. Lawrence Corporation," 42-50; and "Markets Lost, Fluorspar Mine Announces Shutdown," *Evening Telegram*, 6 June 1957.

⁹"Will St. Lawrence become a Ghost Town?," *Newfoundland Journal of Commerce*, 24, 6 (June 1957), 5. Similar views were expressed in an editorial, "St. Lawrence Closedown," *Evening Telegram*, 8 June 1957.

experience in the fishery, and most lacked boats, gear and shore facilities to engage in the fishery.¹⁰

Throughout the summer of 1957, the Newfoundland government directed its attention to trying to find someone willing to purchase and operate the Corporation mines. In July, for instance, apparently in response to a solicitation from the government, a representative of the Nichols Chemical Company of Montreal informed the government that it was not interested in the properties, but that he knew someone who was if the price was right.¹¹ Shortly after, another Montreal businessman informed the Newfoundland government that he knew of a possible purchaser “representing European money,” and requested any information available on the properties.¹² Seibert, meanwhile, who had apparently not been consulted by the government before it began seeking potential buyers, insisted to the government that a sale of the properties was unlikely given the state of the international market, and that the only real solution to the problem lay in the imposition of a tariff on the importation of fluorspar into Canada, and he asked the Newfoundland

¹⁰“Government Moves to Re-open Mines Again,” *Evening Telegram*, 8 June 1957, 3. The title of the article was a reference to a claim by the Member of the House of Assembly for Burin District, Eric Jones, that the Newfoundland government was promising whatever assistance it could provide in reactivating the mines.

¹¹E.P. Aikman, Nichols Chemical Company, Montreal, to G.K. Goundrey, Provincial Economist, Government of Newfoundland, 18 July 1957, Coll 075, File 3.20.087, CNSA.

¹²Mac Stephens, Ayers Limited, Lachute, Quebec, to G.K. Goundrey, Provincial Economist, Government of Newfoundland, 1 September 1957, Coll 075, File 3.20.087, CNSA.

government's assistance in pursuing that possibility.¹³ Until such action was forthcoming, Seibert seemed content to do nothing.

The shutdown of the Corporation mines coincided with another industry development which, while its effects were far less severe, nonetheless contributed to the deteriorating employment and economic situation in the community. In September 1957, Newflour suspended normal mining operations to carry out changes at its underground and surface works. This interruption coincided with a four-month strike over working conditions and wages by 7,000 Alcan employees at the Arvida and Shawinigan plants. The workers, members of the Canadian and Catholic Confederation of Labour, succeeded in obtaining better working conditions and in winning a raise that brought the basic wage up to \$1.68 per hour.¹⁴ Since the Arvida plant consumed no fluorspar during this period, Newflour took advantage of the opportunity to install an underground crusher, an underground conveyor system (for transporting ore to the loading points at the shaft), and new hoisting equipment. Also, the main shaft was extended from the 400 to the 550-foot level (whereas previously these two were connected by a small auxiliary shaft), and changes to the milling system meant that a higher grade of ore could be produced.¹⁵ The

¹³Walter Seibert, St. Lawrence Corporation of Newfoundland, to G.K. Goundrey, Provincial Economist, Government of Newfoundland, 1 September 1957, Coll 075, File 3.20.087, CNSA.

¹⁴CSN/CEQ, *The history of the labour movement in Quebec*, 177.

¹⁵Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1958*, 156; and United States, *Minerals Yearbook*, 1958.

general effect of these changes, in terms of productive output, was that ore from the Newflour mine could be delivered to the surface faster and in a more refined state than previously possible. By January 1958, 47 men had been laid off at Newflour, and many of these layoffs were directly attributed to the introduction of new equipment and methods at the mine. With these layoffs, the total number on the Newflour payroll was down to just 140 (from about 250 during the same month the previous year), while the Corporation still retained a skeleton crew of just ten men.¹⁶

A glimmer of hope for the future of the Corporation appeared in January 1958 when the federal Minister of Finance announced that in response to “representations to the effect that fluorspar is being imported into Canada in such quantities and under such conditions as to cause serious injury to Canadian production and employment,” the Canadian Tariff Board would conduct an inquiry and make a ruling upon the question of imposing a tariff on fluorspar entering Canada. All interested parties were invited to submit written statements or to appear in person before the Board in Ottawa on 6 May 1958.¹⁷ The mood among union and government officials, however, was far from optimistic. In a strongly worded letter to the district MP in January 1958, Turpin thanked him for his work in helping get the tariff issue put before the Board, but expressed

¹⁶“7 More Miners Laid Off,” *Evening Telegram*, 9 January 1958, 20; and “Only 10 Men at One Mine,” *Evening Telegram*, 31 January 1958, 3.

¹⁷Report by the Tariff Board Relative to the Investigation Ordered by the Minister of Finance Respecting Fluorspar,” 10 September 1958, 7, unpublished document, CNS.

ambivalence at the prospect of helping Seibert and the Corporation at the same time:

You know Mr. Carter, we the people are fed up with the St. Lawrence Corporation of Newfoundland Limited, and at times feel you are only fighting a battle for Seibert, who's not after all worth fighting for.... His old shoestring and penny-pinching are still with us, and the rank and file, my union men see no future under [that management]. We didn't see it in 1941, and no better today, only worse.... conditions were of the worst at all times, and you know all his faithful friends or employees got silicosis.....¹⁸

The Newfoundland government was also losing patience with Seibert, and accused him of doing nothing but waiting for the Tariff Board's ruling while the government and the union attempted to find a solution to the crisis.¹⁹ It is not surprising, therefore, that at a meeting held on 19 February 1958, and attended by representatives of the government, the union and the company, the mood was not one of cooperation and fellowship. Seibert restated his position that the Corporation mines had been shut down for the simple reason that the US contract had expired, and without the imposition of a tariff, the company could not compete with foreign interests who had much lower labour and other production costs. In the meantime, he could only offer an unorthodox and temporary solution: he proposed that the Government of Newfoundland buy \$250,000 worth of fluorspar from the Corporation and then sell it back later when the Corporation needed it, thus providing temporary employment for 50 to 75 men. There was no reply to this suggestion.

¹⁸Turpin to C.W. Carter, M.P., House of Commons, Ottawa, 29 January 1958, SLMM.

¹⁹Smallwood to Walter Seibert, 5 February 1958, Coll 075, File 3.20.087, CNSA.

The Provincial Economist in attendance stated that differential wage rates alone did not account for the Corporation's inability to compete in the Canadian market, and that other factors, such as Corporation's inefficient methods and substandard equipment, were also responsible. He concluded that the Corporation had lost the Canadian market because it had concentrated on the short-term but highly profitable US contract. Deputy Minister of Mines Fred Gover supported the Provincial Economist's position and pointed out that the Corporation had run its St. Lawrence mines in a badly planned manner and with substandard equipment. Turpin, on behalf of the union, added that another contributing factor was the animosity which many workers harboured toward the Corporation. "Lack of good will between the management and labour," he stated, "leads to a persistent, though generally unwitting, passive resistance among miners...." As an indication of the depth to which this acrimony had become ingrained over the years, this was described as "not a malicious effect... merely instinctive." Turpin still, however, offered to cooperate in whatever way possible to get the mines running again. Theo Etchegary, a former mill Superintendent at the Corporation who had recently been elected Mayor of St. Lawrence, requested a decision or some action one way or the other so that unemployed men could at least make a decision about what to do. Seibert restated his claim that, unless the government wanted to take him up on his earlier suggestion, the shutdown was inevitable until market conditions improved to the point where the mines were profitable. The conference thus concluded with little accomplished apart from the

airing of criticisms and grievances.²⁰

About a month after the February meeting, Mayor Etchegary pointed out to the provincial government that with no fishing facilities or equipment, no other avenue of employment, and Unemployment Insurance benefits running out, many St. Lawrence men and their families were in dire need of assistance. He implored the government to intervene and help get the mines reactivated.²¹ A few weeks later, the government responded by making Seibert an unsolicited offer of a government loan guarantee for up to \$75,000. In return, the government wanted a guarantee that the Corporation would resume mining and deliver 3,000 tons of fluorspar to the St. Lawrence loading dock within 90 days. Another condition of the offer was that the Corporation mortgage its mineral lands to the Newfoundland Government, and that the mortgage be “renewable at government discretion so long as it appears that production may continue profitably.”²² Seibert, apparently reluctant to mortgage the properties, declined the offer, and repeated his view that the only practical solution to the problem was the imposition of a tariff by the

²⁰“Conference on Closed Down Mines of St. Lawrence Corporation of Newfoundland Limited, St. Lawrence,” 19 February 1958, Coll 075, File 3.20.087, CNSA.

²¹Theo Etchegary, Mayor, St. Lawrence, to Smallwood, 12 March 1958, Coll 075, File 3.21.048, CNSA.

²²W.J. Keough, Minister of Mines and Resources, Government of Newfoundland, to Walter Seibert, St. Lawrence Corporation of Newfoundland, 24 March 1958, Coll 075, File 3.20.087, CNSA.

Canadian government.²³

Meanwhile, the closure of the Corporation mines and the layoffs at Newflour were beginning to have a detrimental effect on the workforce and the economy of the community. It appears that displaced miners pursued several options. Some who had come to St. Lawrence along with their families from nearby communities relocated back to their home towns.²⁴ Many others found work at other, newly opened mining centres, especially the new iron ore mines at Knob Lake in Labrador West and the revived copper mine in Tilt Cove. From February to December of 1958, there were at least 40 references in the "St. Lawrence Personals" column of the St. John's newspaper to St. Lawrence miners departing for, or returning to visit from, Knob Lake or Tilt Cove.²⁵ Another option was a return to the inshore cod fishery, which was reported to be particularly good in 1958 and found a ready market for fish at a newly opened processing plant in nearby

²³P.J. Lewis to Aloysius Turpin, SLWPU, 11 April 1958, SLMM.

²⁴There are references throughout the year 1958 in the "St. Lawrence Personals" section of the *Evening Telegram*, to former miners returning to their home communities. For example, the "Personals" section for 8 May (p.15) and 5 July (p. 9), notes that several families had relocated back to Marystown, Lamaline, and Terrenceville (on the Fortune Bay side of the Burin Peninsula).

²⁵*Evening Telegram*, "St. Lawrence Personals," 5 February, 20; 6 March, 11; 22 March, 19; 5 March, 9; 11 March, 7; 2 April, 11; 25 April, 19; 16 May, 12; 14 July, 11; 4 August, 3; 12 August, 3; 28 August, 15; 4 September, 16; 9 September, 8; 12 September, 11; 2 October, 2; 3 October, 5; 24 October, 14; 13 December, 10. Each of these references is to a different person.

Burin. Many former miners secured boats and equipment and engaged in the fishery.²⁶ By the late fall of 1958, however, the fishery was winding down. As an indication of the extent to which the employment situation had deteriorated, in November it was noted that several St. Lawrence men had returned from St. John's where they had been unsuccessful in finding work, and that the Welfare Officer was visiting St. Lawrence for the first time in several years.²⁷

The future of the Corporation mines seemed to hinge on the outcome of the Tariff Board's hearing. While the union was naturally concerned about the hearing's potential consequences for the workforce, and had been invited by the federal Department of Labour to attend the May hearing in Ottawa, Turpin nevertheless declined to participate or even make a written submission. He claimed that he and other members of the union executive were "perhaps not qualified" to make a representation on what appeared to be such a complex issue.²⁸ This response is revealing in that this may have been an occasion on which the union would have been better positioned had it retained its affiliation with the NFL and the AFL-CIO, which possessed research capabilities. As it stood, Turpin and

²⁶"Miners Return to Fishing," *Evening Telegram*, 22 March 1958, 19; "Fisheries Dept Surveying Land," *Evening Telegram*, 9 May 1958, 2; and "Burin Area Prosperous, Peninsula Economy Good," 3 July 1958, 3.

²⁷"St. Lawrence Personals," *Evening Telegram*, 26 November 1958, 17; and "Fishing Fleet Dwindles," *Evening Telegram*, 26 November 1958, 17.

²⁸A.H. Brown, Department of Labour, Ottawa, to Aloysius Turpin, SLWPU, 11 March 1958, SLMM; and Aloysius Turpin, SLWPU, to Michael Starr, Minister of Labour, Ottawa, 9 April 1958, SLMM.

the union could do little but wait.

At the May 1958 hearings, representations were made by two fluorspar producing firms and several key Canadian consumers. The two producers that presented briefs were the St. Lawrence Corporation and Huntingdon Fluorspar Mines Limited, which still ran a small fluorspar mine near Madoc, Ontario. Compared to the St. Lawrence producers, Huntingdon was still a very minor player in the fluorspar industry. In 1958, it was the latest of several companies which had produced relatively small amounts of fluorspar in the Madoc area intermittently since the First World War. During the Second World War, the Madoc mines produced a total of around 28,000 tons. From 1952 to 1958, Huntingdon produced less than 1,000 tons annually, and employed an average of 17 workers.²⁹ The Canadian fluorspar consumers represented at the tariff hearing were: Algoma Steel, Sault Ste. Marie; Atlas Steels, Welland; Steel Company of Canada (Stelco), Hamilton; Alcan; and Dominion Glass, Montreal. Other consumers, including Dominion Steel and Coal (DOSCO) of Sydney, submitted written briefs.

Both the St. Lawrence Corporation and Huntingdon requested a tariff of \$10.00 per ton on fluorspar imported into Canada. The evidence and arguments presented in support of and in opposition to the tariff request reveal a great deal about the Corporation's status and involvement in the international fluorspar industry, about the pressures brought to bear by the parties involved, and about the priorities of the federal

²⁹“Report of the Tariff Board,” 19-20.

decision makers. The main opposition to the proposed tariff came from the chief Canadian consumers. These consumers testified that the Corporation's product could not compete with the imported product in any case because it did not meet their specific needs, and that the Corporation had until recently shown little interest in the domestic market. These consumers also argued that while the Canadian consumption of fluorspar had increased from 41,000 to 96,000 tons from 1947 to 1956, most of this increase was due to an increased use of acid-grade fluorspar, the result of a growing aluminum industry, while the consumption of metallurgical grade had remained relatively constant.³⁰ The consumers of metallurgical grade fluorspar also argued that improvements in the steel-making process had substantially reduced the amount of fluorspar needed per ton of steel. As for acid-grade fluorspar, it was pointed out that the biggest consumer was Alcan, which supplied its own needs from its St. Lawrence mine.³¹ In other words, even if the Corporation could produce a suitable product, it seemed unlikely that Canadian demand for either metallurgical or acid grade fluorspar could absorb it.

The Canadian consumers also argued that once the Corporation had entered into the contract with the U.S. Defense Materials Procurement Agency in 1952, it began to concentrate solely on supplying acid grade fluorspar by way of its Wilmington plant to its American market. Once that contract expired, the Corporation had tried to re-enter the

³⁰"Report of the Tariff Board," 15.

³¹"Report of the Tariff Board," 15.

Canadian market and found that Canadian consumers had entered into arrangements with other, foreign suppliers, with whom the Corporation was unable to compete. The Corporation, represented by Seibert himself, responded that the main reasons it could not compete with foreign suppliers was that they were paying a fraction of Newfoundland labour rates and paying no import duty, and that given a suitable import duty, the Corporation could re-enter the Canadian fluorspar market.³²

The evidence presented by the individual consumers was revealing, especially regarding the Corporation's own involvement in the Mexican fluorspar industry. The Stelco brief, for example, stated that it had been offered no fluorspar from domestic suppliers since 1952, and that furthermore, the St. Lawrence Corporation had offered to supply Stelco with "Mexican fluorspar" in 1955, 1956, and 1957. DOSCO stated in a written submission that the Corporation had quoted that company a price on Mexican fluorspar in 1955, saying it could be supplied "through their Mexican connections." Algoma testified that in 1954, 1955, and 1956, offers of "Mexican fluorspar" were made "from St. Lawrence Corporation's associated producer in Mexico."³³

The Corporation, it was revealed, had been involved for some time in the Mexican fluorspar mining industry, as were other Canadian and U.S. firms. Mexico was a relative newcomer to the fluorspar industry, emerging during the Second World War to help meet

³²"Report of the Tariff Board," 22.

³³"Report of the Tariff Board," 24-5.

the demands of both U.S. and Canadian consumers, but since that time the Mexican fluorspar industry had grown substantially. The two largest Mexican fluorspar mines were *La Cosentida* mine, operated by *Minerales y Metales Industriales*, a subsidiary of Pennsault International Corporation of Philadelphia, and *La Compania Minera Las Cuevas* mine, owned by Empresa Fluorspar of Toronto. Empresa was jointly owned by a number of Canadian mining companies and had been for several years operating a fluorspar mine in Mexico under a company known as *Copania Minera Las Cuevas*. This was a major operation, larger than either St. Lawrence producer, and exported about 60,000 tons of metallurgical grade and 12,000 tons of acid grade annually. Empresa's Mexican operation was a major supplier of metallurgical grade fluorspar to Canada and, not surprisingly, Empresa opposed the proposed tariff.

The Corporation, meanwhile had a "sizeable investment" in a Mexican producer known as *Compania Minera Julieta*. This subsidiary had been operating a mine and a heavy media mill at Fraustro in northern Mexico for several years. It was on behalf of this firm that Seibert had been soliciting business from Canadian consumers. It is unclear how long the Corporation had been involved in this Mexican mine, but several factors made the fluorspar there cheaper to produce than the St. Lawrence fluorspar. The ore veins at the *Julieta* mine were surrounded by limestone rather than the granite, and the ore was very low in silica content. It was therefore easier to mine and contained fewer impurities than the St. Lawrence fluorspar.

These factors, in addition to lower labour costs, meant that it could be delivered to Canadian consumers much cheaper than the St. Lawrence ore. The Tariff Board estimated that the price per ton of metallurgical grade ore delivered from St. Lawrence to Hamilton and to Sydney was 40 and 37 dollars per ton respectively. The same ore from Mexico to Hamilton and Sydney cost 25 and 21 dollars respectively. The Board therefore concluded that a \$10-per ton tariff would do little to improve the Corporation's ability to compete with the Mexican producers.³⁴

In addition to the comparative costs of production and delivery, the Board took other factors into account in arriving at its decision. Alcan opposed the proposed tariff on grounds that it might increase the price of its finished products if it had to import foreign fluorspar, and might also invoke retaliatory tariffs by consumer countries such as Mexico, which was becoming an important market for Alcan aluminum products. Representatives of the Nichols Chemical Company, which had recently begun operating a hydrofluoric acid plant, which required acid-grade fluorspar, in Valleyfield, Quebec, argued that a tariff would increase that company's production costs and thus threaten a small but growing Canadian industry.³⁵ Taking into account all these factors -- the fact that the Corporation had largely ignored the Canadian market over the course of its U.S. contract and then offered Canadian consumers Mexican fluorspar, the interests of fluorspar consumers, and

³⁴“Report of the Tariff Board,” 32-4.

³⁵“Report of the Tariff Board,” 26-7.

the apparent superiority of the Mexican product -- the Board denied the tariff request.

While the Board was clear on why it denied the tariff request (even if some of its justification was debatable), this leaves open the question of why Seibert, given his financial interest in the Mexican industry, requested the tariff in the first place. If he was making a move into exporting fluorspar from Mexico into Canada, what did he hope to gain by having a tariff imposed on that fluorspar? The Tariff Board also seemed to be perplexed by this question, and suggested that what Seibert was perhaps ultimately after was a tariff sufficient to allow for a small profit within the Canadian metallurgical-grade market, which would help subsidize the Corporation's re-entry into the more profitable U.S. acid-grade market. The inability to determine exactly the Corporation's motives is due in large part to the lack of a clear financial picture of the company and its affiliates. In a written submission to the Board, Seibert stated that the Corporation had made a profit every year from 1936 to 1956 inclusive, and that 1954 to 1956 were especially prosperous years, but beyond that he offered little information.³⁶ The Tariff Board itself conceded that,

As regards the financial position of the St. Lawrence Corporation of Newfoundland today, the Board is of the opinion that its fluorspar production operations in Canada are so integrated with related interests and activities in other countries -- including fluorspar production in Mexico -- that it is not in a position to comment with any degree of preciseness

³⁶Walter E. Seibert, "Brief Supporting a Tariff Request on Fluorspar Entering into Canada," submitted to the Tariff Board of Canada, Ottawa, Ontario, 10 April 1958, in "Report of the Tariff Board."

upon the profitability or otherwise of the fluorspar mining activities of the St. Lawrence Corporation of Newfoundland, per se.

The lack of financial information makes it difficult to say how the Mexican and Newfoundland operations compared in terms of profit and cost, the extent of Seibert's financial involvement in the Mexican operation, and what benefits he might have seen to having the tariff imposed. One important consideration is the relative size and importance of the Mexican operation in which he was involved. The available sources, such as national annual reports from both Canada and the U.S. for the period in question, summarize the position of most major foreign producers. In both cases, especially in the U.S. government reports, the major Mexican producers are discussed; the company with which Seibert was said to be affiliated is not mentioned. This suggests that the company was likely a minor player in the Mexican fluorspar industry, and raises the possibility that Seibert saw little future with that connection. It is also apparent from the evidence presented by the Canadian consumers whom Seibert had approached that he had not been successful in securing a Canadian market for the Mexican product. This may also help explain his apparent willingness to forgo the Mexican connection in favour of a tariff.

While the Tariff Board submitted its findings to the Minister of Finance on 10 November 1958, the final decision was still to be made by the federal cabinet. Both Seibert and the Newfoundland government, meanwhile, were working on an alternate plan to reactivate some of the Corporation's St. Lawrence properties. Under the proposed deal, the government would guarantee a line of credit for up to \$200,000.00 to be used in

reactivating the most appropriate mines on a small scale, with an eye to expanding as market conditions allowed.³⁷ The collateral for this loan guarantee would be the ore itself, and the money was to be advanced in installments based on the market value of the ore as it was delivered to the stockpile at the wharf. The loan was to be repaid as the stockpiled ore was sold. Gordon Pushie, the Director General of Economic Development, was apparently not entirely certain of Seibert's integrity, and saw this as the only system which would avoid "enabling him to lay hands on the guarantee without delivering the ore." Another condition of the deal was that if at the end of a three-year period the ore was not sold, the government had the right to seize the ore and sell it for whatever price could be obtained.³⁸

While Seibert accepted this arrangement, he saw it as a temporary solution. He continued to insist that only an import tariff would secure the future of the Corporation's St. Lawrence mines, and apparently held out hope that a favourable ruling would eventually be secured. In fact, he suggested to Pushie that, for strategic reasons, they delay taking any immediate action toward re-opening, or in making the loan guarantee deal public:

³⁷Walter Seibert, St. Lawrence Corporation of Newfoundland, to Gordon Pushie, Director General of Economic Development, Province of Newfoundland, 3 November 1958, Coll 075, File 3.20.087, CNSA.

³⁸Gordon Pushie, Director General of Economic Development, Province of Newfoundland, to Joseph Smallwood, 3 November 1958, Coll 075, File 3.20.087, CNSA.

As you know, Gordon, I was a bit apprehensive of reopening the mines in advance of a tariff ruling and I didn't want anyone in Ottawa to feel that they could abandon us at St. Lawrence hearing that the mine was reopened so it may be just as well that nothing did happen for the present. If we do get a favourable ruling it is my plan to open up St. Lawrence immediately and of course we will start in a small way.³⁹

On 15 December 1958, however, the final decision on the tariff ruling was made public: the status quo would be maintained, and no tariff would be applied on fluorspar coming into Canada.⁴⁰

Once the federal government had made public its ruling on the fluorspar tariff application, the Corporation made public its intention to restart some of its St. Lawrence mines. This news was greeted by the union with a mixture of relief and skepticism. Turpin commented that:

We are glad to learn ... that Mr. Seibert has decided to reopen the mines, and we hope our Department of Mines will see that the Mining Laws are carried out to the letter, in order that our miners may live longer.⁴¹

The District MP was also skeptical of the Corporation and of the prospects for any long-term revival of its St. Lawrence mines. He expressed his doubts in this regard to Turpin, while responding to Turpin's suggestion that the federal government appoint someone to

³⁹Walter Seibert, St. Lawrence Corporation of Newfoundland, to Gordon Pushie, Director General of Economic Development, Province of Newfoundland, 17 November 1958, Coll 075, File 3.20.087, CNSA.

⁴⁰"\$10 a Ton Duty Refused, No Fluorspar Protection," *Evening Telegram*, 15 December 1958, 3.

⁴¹Aloysius Turpin, SLWPU, to P.J. Lewis, 10 February 1959, SLMM.

monitor the operation:

Personally, I see no future for the fluorspar industry at St. Lawrence as long as the mines are owned and operated by the St. Lawrence Corporation. Unfortunately, Mr. Seibert owns this property in fee simple and there is no way by which it can be confiscated except by special legislation which might prove harmful in that it might discourage other mining companies from coming to other parts of Newfoundland. Since Mr. Seibert owns the property in fee simple, the Federal Government would have no authority whereby it could place a man to oversee the operation as you suggest. The only solution is to try and get this property away from Mr. Seibert altogether and I can assure you that no stone will be left unturned in an effort to find some means of bringing this about.⁴²

The Corporation plan was to reactivate the Hare's Ears mine, one of those which had undergone exploratory and developmental work during the mid-1950s, but had been shut down in June 1957. This mine apparently offered the best hope for profitable revival.⁴³ The management aimed to reopen the mine in May 1960, and to "highgrade" the ore, extracting only the easily accessible, highest grade ore, an approach which is often profitable in the short term but wasteful in the long term. Seibert apparently hoped that, by highgrading, the company could market the ore as metallurgical grade to the surging United States steel industry, and avoid trying to compete in the Canadian market.⁴⁴

⁴²C.W. Carter, House of Commons, Ottawa, to Aloysius Turpin, SLWPU, 19 March 1959, SLMM.

⁴³Farrell, "Report of the Mining Properties of St. Lawrence Corporation," 49-51.

⁴⁴Walter Seibert, St. Lawrence Corporation of Newfoundland, to Aloysius Turpin, SLWPU, 2 April 1959, SLMM.

5.2 Labour Relations and Health and Safety, 1957-58

The closure of the Corporation's mines in the spring of 1957, along with the reduction of the workforce at Newflour, affected not only the employment situation, but also relations between the union and both mining companies. The decline of the Corporation coincided with the expiration of the union's collective agreement with Newflour, and Newflour seems to have tried to take advantage of shrinking employment opportunities to gain the upper hand during the re-negotiation process. In May 1957, the union issued several demands in the areas of overtime pay, annual vacations, and statutory holidays, as well for as an across-the-board wage increase of 10 cents per hour.⁴⁵ The Company gave no ground on most demands, but did counter-offer on wage rates and Statutory Holidays, with important qualifications. Instead of the 10-cent increase in wages, Newflour offered an increase calculated on the same pay for a 40-hour week as for the standard 44 hours. Furthermore, this concession would be granted only if the union entered into a two-and-a-half year agreement. The proposed agreement would therefore expire on 31 December 1959. The Company refused the union's demand on the Statutory Holiday issue, but offered two additional days during the last year of the agreement only, *provided that* the union agreed to the proposals on wage rates and on the two-and-a-half

⁴⁵Aloysius Turpin, SLWPU, to R. Wiseman, Newfoundland Fluorspar Limited, 27 May 1957, SLMM.

year term.⁴⁶ The union put up little opposition to this counter-offer, and these provisions were, with some minor adjustments, embodied in the Collective Agreement signed by Newflour and the union on 7 October 1957. The agreement was set to expire, however, on 30 June 1959, and not 31 December 1959, as Newflour had initially demanded.⁴⁷

The union was also apparently aware, even before the Tariff Board began its hearings, that Seibert had been negotiating to sell Mexican fluorspar to Canadian consumers for several years. Not surprisingly, this increased animosity between the union and the Corporation. In fact, it became a focal point around which a number of lingering issues coalesced. In April 1957, for instance, Turpin thanked MP Carter for his efforts in trying to salvage the Corporation mines, but expressed ambivalence about the prospect of simultaneously assisting Seibert and the Corporation. While Turpin assured Carter that because of the dire need for employment in the community, neither he nor the membership would hamper any efforts towards restarting the industry, they did not like seeing the Corporation “pulling off business tricks.” Turpin reminded Carter that while Seibert was undercutting the St. Lawrence mines by trying to market Mexican fluorspar, many men had given not only their labour but their lives in opening and working those mines:

“Young men died, without knowing exactly the cause of their death, some we knew had

⁴⁶R. Wiseman, Newfoundland Fluorspar Limited, to Aloysius Turpin, SLWPU, 19 June 1957, SLMM.

⁴⁷Collective Labour Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers’ Protective Union, 17 October 1957, AA.

TB, they didn't last long underground, and them that were able bodied soon followed... a few years from now you'll have a job to find a man over forty years old in St. Lawrence."⁴⁸ Turpin was also outraged that St. Lawrence men were "walking about dying of silicosis" while Seibert was investing in the Mexican fluorspar industry to put them out of work.⁴⁹ Seibert, meanwhile, attempted to placate Turpin by assuring him that his Mexican dealings had nothing to do with the shutdown in St. Lawrence, and that closing the St. Lawrence mines was "tearing my heart out as I know many of our faithful employees who have been with us for many years are going to suffer financially and otherwise."⁵⁰

It is unclear what Seibert meant by suffering "otherwise," but it was increasingly obvious that men were suffering and dying from various work-related ailments, while discussions about the dangers of respiratory diseases associated with mining conditions in Newfoundland mines dragged on. The extent of the bureaucratic delay that marked this issue is indicated by the fact that in February 1957, the Chief Inspector of Mines reminded the Deputy Minister of Health and the chairman of the WCB of the three-phase plan that had been formulated in 1953, and informed them that the first phase (a meeting of representatives from WCB and the Departments of Health and Mines) had now been

⁴⁸Aloysius Turpin, SLWPU, to C.W. Carter, Ottawa, 22 April 1957, SLMM.

⁴⁹Aloysius Turpin, SLWPU, to P.J. Lewis, 28 January 1958, SLMM.

⁵⁰Walter Seibert, St. Lawrence Corporation of Newfoundland, to Aloysius Turpin, SLWPU, 2 June 1957, Coll 079, File 7.39, CNSA.

completed. and he had just received the comments of the operators whose input had been solicited.⁵¹ In keeping with what had become standard practice, none of the unions associated with the various mines had been asked for input. The main issue at stake in these discussions was possible amendments to the regulations to provide for detection of respiratory diseases in potential and current employees in “dust exposure occupations.”⁵²

Six Newfoundland companies had been asked for input on the issue of possible amendments to the mines regulations, including the introduction of pre-employment and annual screening for respiratory illnesses. The American Smelting and Refining Company, which ran the lead and zinc mines at Buchans, had “no comment.” The Dominion Steel and Coal Corporation, operators of the Bell Island iron ore mines, suggested that older employees be exempted from the annual examination process, for fear that loss of employment would lead to financial hardship, and that prospective employees be required to obtain a certificate only after being hired. The Department of Mines responded that, while the first suggestion was in keeping with the practice elsewhere when screening was introduced, the second defeated the purpose and would only result in unnecessary confusion as workers were taken off the job. The manager of the Iron Ore Company of Canada mines in Labrador West, which had gone into production in the mid-1950s,

⁵¹B. Lukins, Chief Inspector of Mines, to Leonard Miller, Newfoundland Department of Health, and to Irving Fogwill, Workers’ Compensation Board, 27 February 1957, GN 78/1/B, 51, File 290/G/07, PANL.

⁵²Lukins to Miller and to Fogwill, 27 February 1957, GN 78/1/B, 51, File 290/G/07, PANL.

suggested that mine managers be given the right to decide what was and was not a “dust exposure occupation.” The Maritime Mining Company, which ran the newly re-opened Tilt Cove copper mine, suggested that the annual examination was unnecessary and that if a worker, during course of his employment, was found to be suffering from a respiratory disease, he should simply be taken off the job by a physician. The management of both Newfluor and the St. Lawrence Corporation stated that they felt “exactly the same as does the Maritime Mining Corporation at Tilt Cove.” The Department of Mines countered that this was a dangerous practice as it would “allow a mining company to dispose of its liabilities to its workmen at almost any stage of incapacity by reason of his having contracted a respiratory disease.” In other words, there would be no check against the development of respiratory diseases, and employees would simply be taken off the job once they became obviously ill. The Department suggested that during annual examinations of workers already on the job, only tuberculosis should be grounds for disqualification from continued employment, but that during pre-employment screening any respiratory disease should be grounds for disqualification.⁵³ Obviously, this was an attempt to prevent mass disqualifications among St. Lawrence miners, by letting those with silicosis who were already on the job remain employed, but screening out potential employees with respiratory ailments.

⁵³Lukins to Miller and to Fogwill, 27 February 1957, GN 78/1/B, 51, File 290/G/07, PANL.

The proposed change to the regulations to address the issue of respiratory hazards in mining apparently did not get much beyond the discussion stage up to mid-1957, as it was not included in a new set of mine regulations which became effective 1 July of that year. The 1957 regulations reportedly were meant to address new concerns arising from the increased use of modernized equipment and of different mining methods.⁵⁴ Most of the changes therefore addressed issues surrounding the introduction of new electrical, haulage, and hoisting equipment. Other sections were apparently meant to deal with the establishment of large open pit operations, such as the iron ore mines of Labrador West. One notable change from the 1951 Regulations was a section which dealt with “Maximum Extraction,” which gave the Chief Inspector the power, subject to the safety provisions, to stop any mining method deemed unsuited to extracting the fullest value of the resource. Other new sections dealt with health concerns associated with the growing use of diesel-powered equipment in underground mines. This section set maximum allowable limits on carbon monoxide gases and required the use of mechanical (forced) ventilation in all underground areas where internal combustion engines were in use. With regard to such issues as dust conditions and medical examinations, however, the 1957 Regulations introduced no new legislation.⁵⁵

⁵⁴Newfoundland Department of Mines and Resources, *Annual Report for the Year ended 31 March 1958*, 162.

⁵⁵The Mines (Safety of Workmen) Regulations, 1957.

While the proposed legislative changes regarding dust exposure and medical examinations were not introduced, the government did bring in an industrial hygienist from the Occupational Health and Safety Division of the federal Department of National Health and Welfare to conduct a series of dust surveys at St. Lawrence. Dr. J.P. Windish was in St. Lawrence from 27 April to 5 June 1957, and conducted dust surveys in the underground and the mill at Newflour's Director mine. Windish arrived in St. Lawrence just two weeks after the closure of the last of the Corporation mines, so no dust studies were conducted at any Corporation site. At the time of Windish's visit, Newflour employed 226 men -- 134 underground, 12 in the mill, and the remainder on the surface and in transportation and loading jobs. The mill was being run on two eight-hour shifts per day and the underground on three eight-hour shifts, six days a week (to stockpile in anticipation of the temporary shutdown for refit in the fall). The 250, 400, and 550-foot levels were open and accessible. The main shaft at this time was at the 400-foot level, but the 550-foot level was accessed by an auxiliary shaft from the 400-foot. At the time of Windish's visit, most mucking was being done by mucking machines -- small, electric-powered loaders that scooped up broken ore and loaded it into tram cars. The ore was then taken by these tram cars, powered by battery or diesel, to ore chutes and dumped down the chutes to the loading pocket. In one stope, on the 250-foot level, mucking was being done with a "slusher": a large, electric-powered scoop attached to the stope walls and ceilings by cables and pulleys, and dragged across the floor of the stope to pull out broken ore. The only forced air ventilation in evidence was on the 250-foot level, where it

was believed to be required because of exhaust from the diesel trams. Windish noted that only some of the drills in use at Director were equipped with standard combined air and water throttles, so many could still be run without a supply of water.⁵⁶

Blasting in the stopes was usually done between shifts, but blasting also went on during shifts, especially what was known as “chute blasting.” This was done when ore that was being sent down a chute from one level to another became jammed in the chute and had to be blasted in order to clear the blockage.⁵⁷ Both practices, regular blasting to break down ore at the end of shifts and chute blasting, produced a lot of dust and fumes. One miner who worked underground at Newfluor at this time remarked that when the mine operated on three shifts per day with no break between shifts, men going on shift entered an atmosphere thick with dust and smoke created by blasting at the end of the previous shift.⁵⁸ That this created a potentially harmful condition had been recognized in collective agreements dating back to 1949. The 1949 agreement stipulated that men would not be required to return to the area of a major blast until it was safe to do so, and that in any event they were not required to return until at least 30 minutes had expired. This did not

⁵⁶J.P. Windish, Laboratory Services, Occupational Health Division, Department of Public Health and Welfare, Ottawa, “Dust Hazards in the Mines of Newfoundland: Newfoundland Fluorspar Limited, St. Lawrence, Newfoundland,” 2 May 1958, 2-3, unpublished document, CNS.

⁵⁷J.P. Windish, “Dust Hazards in the Mines of Newfoundland,” 3.

⁵⁸Interview with Leo James.

apply to chute blasts and other “minor blasts” conducted during shifts.⁵⁹ This clause was retained in collective agreements up to and including that signed in 1956.⁶⁰ In the 1957 Agreement, however, this clause was changed so that the only requirement was that “major blasts will be fired only at the end of a shift.”⁶¹ In the 1957 agreement, there was no stipulation on how much, if any, time had to elapse between blasting at the end of one shift and the entry of another shift. In fact, with the mine on three eight-hour shifts per day, it is difficult to see *how* any time could elapse to allow for the settling of the dust and fumes created by blasting.

Windish collected 93 dust samples which were analyzed within 24 hours of being collected for concentrations of free silica (unlike the earlier samples taken by the Newfoundland Inspectorate which were often spoiled or damaged being shipped to the mainland for analysis). The amount of free silica in a given quantity of air is expressed as millions of particles per cubic foot of air, or “MPPCF.” For different percentages of free silica, there are different threshold limit values or TLVs, defined as “that concentration of a material to which, it is believed, a workman may be repeatedly exposed day after day without suffering demonstrable physiological damage.” For the percentage of free silica in

⁵⁹Union Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers’ Protective Union, 2 June 1949, AA.

⁶⁰Labour Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers’ Protective Union, 19 July 1956, AA.

⁶¹Collective Labour Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers’ Protective Union, 17 October 1957, AA.

the dust samples taken at Newfluor, it was determined that the TLV was 20 MPPCF.⁶²

In the underground, several readings taken during drilling operations on 550-foot level were in excess of the limit. While these were not extremely excessive readings, Windish noted that the dust produced was especially harmful because the drill was often directly above the driller's face, causing the driller to inhale a lot of the dust. The free silica content also increased during upward drilling because of the reduced water flow to the drill bit. The high readings on the 550-foot level, Windish noted, were in an extremely wet area. According to Windish, this indicated "the fact that the mere presence of plenty of water in an area is not sufficient to suppress dust." Another problem he noted with regard to drilling operations on the 550-foot level was an inadequate supply of compressed air to power the machines, which meant that drilling took longer and thus produced more dust. Some of the highest readings encountered in the underground were during such operations as chute building (constructing ore chutes from one level to another). At Director, much of this work was done with a "pavement breaker" (a jackhammer) which was not supplied with water. During one such operation, very excessive readings -- up to 710 x MPPCF, or 35 x TLV -- were recorded. High readings were also recorded during drilling operations on the 400-foot level, and Windish noted that this stope, like many others, was ventilated "solely by exhaust from the drills." That is, there was no ventilation system as such, and the only air movement was that created by

⁶²J.P. Windish, "Dust Hazards in the Mines of Newfoundland," 6.

the compressed air which powered the drills when it left the machine as exhaust air.

Several samples taken in an unfinished raise from the 400-foot level also gave very high readings, up to 35 x TLV. Windish noted that no ventilation was provided during raising operations. Other areas where high readings were recorded were during mucking and chute-blasting.⁶³

Some of the highest readings recorded were in surface operations, especially in the mill. In the crusher house, where the ore was crushed into smaller pieces before being conveyed to the HMS plant, readings were below or only slightly above the TLV during most daily operations. Each morning, however, dust accumulating on the crusher motors and other equipment was blown off using a blast of compressed air. This created extremely high readings of up to 1,200 x TLV. Similar readings were obtained in the HMS plant, where the motors and equipment were also cleaned each morning. It was noted that these readings were taken in September, with all the doors and windows of the buildings open. In winter, the doors and windows were usually kept closed, so there was not even that very limited natural ventilation. Windish noted that the solution to this dust problem in the crusher house and HMS plant was a simple one and had been adopted at most similar operations in Canada: enclosing the equipment motors so that they did not require daily cleaning, and installing ventilation equipment to remove the dust.⁶⁴

⁶³J.P. Windish, "Dust Hazards in the Mines of Newfoundland," 9-11.

⁶⁴J.P. Windish, "Dust Hazards in the Mines of Newfoundland," 15-17.

Windish concluded from his findings that there was a “serious dust hazard” associated with nearly every aspect of the underground and milling operations tested. The high readings at Newfluor, he noted, were based on the adoption of a relatively high TLV of 20 MPPCF, while in fact many Canadian and American operations had adopted 5 MPPCF as their target level in an attempt to reduce the silicosis risk.⁶⁵ It is also important to note that these findings were based on a survey of the Newfluor mine only. What might the results of such tests have been at the Corporation mines, where there was not even the very limited ventilation which existed at Director mine, and where drilling and other equipment was even more substandard? Conveniently, the Corporation mines were shut down just in time not to find out. Regarding the possible health effects of conditions at Newfluor, Windish concluded that, “The ultimate criterion against which the hazard of the working environment must be assessed will of course be the health of the miners after, say, 20 years of exposure to mining conditions.”⁶⁶ Those health impacts were already known among workers and others at St. Lawrence.

By the time the report of Windish’s dust survey was released in May of 1958, government and medical authorities, as well as the union, were becoming more concerned with another apparent health problem; in addition to respiratory diseases such as silicosis and tuberculosis, which were linked to dust conditions, there seemed to be an abnormally

⁶⁵J.P. Windish, “Dust Hazards in the Mines of Newfoundland,” 18-19.

⁶⁶J.P. Windish, “Dust Hazards in the Mines of Newfoundland,” 18.

high rate of lung cancer among the mining population. In January 1958, for instance, Turpin indicated local awareness of this issue when he pledged support on behalf of the union to the chairman of a cancer convention being held in St. John's:

Without doubt in the near future, we will be called on to do our utmost to contribute to your ever worthy cause. A large number of our miners died with Cancer and Silicosis. Government can't be to severe with Companys. The miner learned the hard way.⁶⁷

By June 1958, provincial health authorities were becoming concerned with this issue as well, and Deputy Minister of Health Leonard Miller contacted federal health authorities and Alcan's Chief Industrial Medical Officer, Frank Brent, requesting any information or advice they might offer.⁶⁸ According to Miller, during the 1950s, "an altogether disproportionate number of deaths from carcinoma of the lung have emanated from the town of St. Lawrence," and there seemed to be no obvious explanation for it. He noted that of fourteen male deaths from carcinoma of the lung in Newfoundland in 1956, three were St. Lawrence miners and, of these, two were in their early forties.⁶⁹ While federal authorities agreed that this seemed to be a "very high" rate, they could point to no

⁶⁷Aloysius Turpin, SLWPU, to Chairman of the Cancer Convention, St. John's, 28 January 1958, SLMM.

⁶⁸Leonard Miller to Dr. E.A. Watkinson, Chief of Occupational Health Division, National Health and Welfare, 30 June 1958, GN 78/1/B, 51 PANL; Leonard Miller to G.C. Brink, Director, Division of Tuberculosis Prevention, National Health and Welfare, 30 June 1958, GN 78/1/B, 51, PANL; and Leonard Miller to Dr. F.D. Brent, Chief Industrial Medical Officer, Alcan, Montreal, 30 June 1958, GN 78/1/B, 51, PANL.

⁶⁹Miller to Brink, 14 July 1958, GN 78/1/B, 51, PANL.

known connection between cancer and the mining of fluorspar.⁷⁰ Alcan's medical officer, Frank Brent, replied that though he had made some observations in this regard during a visit to St. Lawrence in 1957, he could offer no explanation for it. He was careful to note, however, that though some of the men so far believed to have died from cancer had worked for Newfluor, all of them had worked for the Corporation at some point.⁷¹

In the aftermath of these exchanges, Dr. A.J. deVilliers, an Industrial Hygienist from the Occupational Health Division of the federal Department of Health and Welfare, made several visits to St. Lawrence during 1958-59. Based on information gathered during these visits, Devilliers proposed a detailed study on occupational hazards at the mines.⁷² The union was obviously glad that some official attention was finally being paid to the issue, but indicated that it was long overdue and a lot of men had become ill and died in the meantime. Turpin pointed out that his union had been trying to draw some serious attention to the issue of health hazards in St. Lawrence for nearly 20 years, since

⁷⁰A.H. Sellers, Division of Medical Statistics, National Health and Welfare, to G.C. Brink, 25 July 1958, GN 78/1/B, 51, PANL; and G.C. Brink to Leonard Miller, 25 July 1958, GN 78/1/B, 51, PANL.

⁷¹F.D. Brent, Alcan, to Miller, 18 July 1958, GN 78/1/B, 51, PANL. In one, company-sponsored history of Alcan, in which the subject of industrial disease in St. Lawrence receives scant attention, Brent is given slightly more credit than is due for his role in addressing the occupational health question at St. Lawrence: Duncan C. Campbell, *Mission Mondiale: Histoire d'Alcan*, Volume III (Ontario Publishing Company, 1990), 1232-4.

⁷²Patterson to Miller, 2 April 1959, GN 78/1/B, 51, PANL.

the 1941 strike, and that meanwhile “half the membership” was dead, many of them were never compensated, and widows and children were forced to survive on welfare. All things considered, he concluded, “We are not treated half as good as the Mexican miners.”⁷³ Federal authorities were advised of the need to press ahead with the proposed study as soon as possible, as the union had been in contact with various provincial officials indicating “their knowledge of and interest in the apparent abnormal incidence of lung cancer in that area.”⁷⁴ Meanwhile, the evidence mounted and the death toll increased. In September 1959, Alcan’s Dr. Brent noted that of 43 dead miners from both companies on whom medical information was available, 17 had officially died from lung cancer, and in November Turpin informed Ballam that “The bell still tolls, two more miners [just] died of cancer of the lung.”⁷⁵

The study into a possible occupational cause of cancer was begun in November 1959 under the direction of J.P. Windish, who had also conducted the 1957 dust survey. According to Windish, the 1959 study was undertaken primarily at the request of the Newfoundland Department of Health in response to information which had come to light during and after the 1957 dust study:

⁷³Aloysius Turpin, SLWPU, to James McGrath, Minister of Health, Government of Newfoundland, 30 June 1959, GN 78/1/B, 51, PANL.

⁷⁴Miller to Patterson, 16 July 1959, GN 78/1/B, 51, PANL.

⁷⁵Brent to Miller, 24 September 1959, GN 78/1/B, 51, PANL; and Turpin to C. Ballam, Minister of Labour, 23 November 1959, SLMM.

... an apparently high incidence of cancer of the lung among the mining population in this area was reported to members of the Division and in order to establish the true occupational significance of this incidence the Newfoundland Department of Health asked the Occupational Health Division to plan and direct a complete study of this problem.⁷⁶

It is also clear, however, that the union played an important role in persistently pointing to the urgency of the situation and in forcing provincial authorities to help arrange the federal study.

In setting out to investigate a possible cancer-causing agent in the workplace, Windish focussed on the possibility of radiation. In tests conducted from November 1959 to January 1960, concentrations of the radioactive gas radon-222 “much in excess of the currently accepted maximum permissible concentration were found in all levels of the mine.” In addition, “radon daughters,” created by radioactive decay of radon-222, were also found to be “much in excess” of the Safe Working Level (SWL) “in all levels of the mine.”⁷⁷ According to Windish, the health hazard associated with this environment arose from the fact that the solid “radon daughters” created by the decay of this gaseous radon-222 became attached to dust or condensation in the air and were deposited on the lungs when inhaled. Depending on the concentration and duration of exposure, these radon

⁷⁶J.P. Windish, Occupational Health Division, Department of National Health and Welfare, Ottawa, “Health Hazards in the Mines of Newfoundland: Radiation Levels in the Workings of Newfoundland Fluorspar Limited, St. Lawrence, Newfoundland,” 9 May 1960, 1, unpublished document, CNS.

⁷⁷J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 1-2.

daughters could over time lead to the development of cancer, particularly of the lungs.⁷⁸

There was a lot of variation in concentrations of both radon-222 and its daughters in the Director mine, from less than 1 x SWL in some places, up to 193 x SWL. Table 5.1 shows the readings obtained at various locations.

Table 5.1: Radon and Radon Daughter Readings at Newflour, November 1959-January 1960.

| Location | Range of Radon Readings (expressed as multiple of MPCa) | Range of Radon Daughter Readings (expressed as multiple of SWL) |
|-------------------------------|--|--|
| 150' level | 0.26 - 2.7 | 1.2 - 6.9 |
| 250' level | .06 - 1.2 | 0.5 - 5.5 |
| 400' level | 2.6 - 13.1 | 0.33 - 8.0 |
| 550' level | 3.71 - 31 | 2.5 - 193 |
| Underground Crusher | not measured | 3.9 - 6.4 |
| In the shaft | not measured | 1.8 - 4.2 |
| Shaft ore bin | not measured | 0.89 - 1.6 |
| At water dam on 250' level | 15.1 | 8.9 - 11.0 |
| 100 feet up the 250' drift | 110 | 84 |
| 180 feet up the 250' drift | 133 | not measured |

Source: J.P. Windish, "Health Hazards in the Mines of Newfoundland,"12-13.

⁷⁸J.P. Windish, "Health Hazards in the Mines of Newfoundland,"12-13.

There were various reasons for these different readings, but the primary one was variations in the amount of ventilation in different parts of the mine. It was noted, for instance, that in one drift on the 550-foot level, where a very high reading was taken, there was no ventilation of any kind, and that in fact “there was not enough oxygen present to support combustion.”⁷⁹ In one area, Windish conducted an experiment which showed a dramatic increase in radon concentrations as the airflow from a temporary ventilating system was gradually reduced. It was also noted that the lowest group of readings obtained in the underground was from the 250-foot level, where the introduction of diesel-powered locomotives had required a forced air ventilating system. The rest of the mine was either unventilated or was ventilated by limited natural draft.⁸⁰ Windish’s two main recommendations based on these findings were for the introduction of a system to monitor the radiation hazard and the installation of forced air ventilation in all underground working areas.⁸¹

As for the source of the radon gas in the mine, Windish could only say for certain that its original source could only be uranium, as radon-222 is a product of the decay of uranium. There was no indication of exposed uranium in the mine, and tests did not indicate any radioactivity in the fluorspar itself. Windish concluded that the most likely

⁷⁹J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 13.

⁸⁰J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 5.

⁸¹J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 21.

explanation was that the radon originated in a source outside the mine and was carried into the mine with the water, in which radon-222 is highly soluble. Tests indicated that the amount of water coming into the mine was more than sufficient to carry enough radon-222 to contaminate the whole mine.⁸²

While the official report of the Windish study was not released until June 1960, provincial authorities were informed of the findings at the conclusion of the survey, in December 1959. An official of the federal Department of Health and Welfare informed Miller on 30 December 1959 that Windish had discovered high levels of radiation in the Newfluor mine, and that Alcan was having its own technicians come to St. Lawrence to take readings. As for the Corporation, it was noted only that it had temporarily ceased operations, which “alleviates some of the emergency aspects of the problem for the time being.”⁸³ While the findings were not included in the public report, however, the accessible portions of the Corporation mines were tested, and found also to contain dangerous levels of radiation. Many areas were inaccessible because of flooding and disuse, and the main mines, Iron Springs, Black Duck, and Blue Beach, were never tested.⁸⁴

⁸²J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 23.

⁸³Patterson to Miller, 30 Dec 1959, GN 78/1/B, 51, PANL.

⁸⁴James McGrath, Minister of Health, Government of Newfoundland, to Turpin, 4 March 1960, SLMM . McGrath made similar statements in “Cancer Tragedy Deadly Mystery in Newfoundland,” *Financial Post*, 12 March 1960, 41.

In January 1960, Alcan's technicians verified Windish's findings at Newfluor, and at this point Alcan's Dr. Brent seemed to become more concerned with protecting his employer than with getting to the truth of the matter. He became very concerned, for instance, with clarifying the position of Newfoundland Health Minister McGrath and with ensuring that McGrath made no public statements without first informing the company. Referring to an earlier conversation with McGrath, Brent sought confirmation that what had been agreed to was that McGrath hoped that "no cause will arise requiring a statement from you," that if required to give a statement on the matter, McGrath would "advise us in advance of the situation and of [your] proposed statement," and that McGrath was in agreement with Brent that there existed no "proof positive" of the link between cancer and working conditions at St. Lawrence.⁸⁵ The fact that a physician employed by a private corporation and the province's highest-ranking public health official entered into such an arrangement is indicative of the kind of collusion which inhibited an open and honest investigation of the St. Lawrence situation.

On 1 March 1960, at a meeting attended by government, union and company representatives, the results of the Windish survey were made known. Immediately, confusion ensued. On 3 March, Miller contacted his federal counterpart requesting information on whose jurisdiction the radiation hazard came under. As Miller put it, the province was ill-equipped to deal with the problem: "We have nobody, either in our

⁸⁵Brent to McGrath, 22 January 1960, GN 78/1/B, 51, PANL.

department or in the Department of Mines, who knows very much about this problem.”⁸⁶

Miller’s confusion over the jurisdictional question was understandable, not only because the St. Lawrence problem was unprecedented in Newfoundland, but because of a general lack of certainty surrounding the issue. In Canada, up to this time, concern about the health impacts of radioactivity in mines was confined largely to the uranium mining industry. Since the establishment of the first uranium mines in such places as Port Uranium, NWT, in the early 1930s, the uranium mining industry had posed some special jurisdictional questions in the area of occupational health. Simply put, this was related to fact that successive national governments had sought to keep the nuclear industry under exclusive federal control. This was the impetus behind, for instance, the 1944 creation of Eldorado Nuclear, a Crown Corporation with exclusive rights over exploration and development of uranium reserves, and the 1946 establishment of the Atomic Energy Control Board (AECB), a regulatory body with sweeping powers over the nuclear industry, including the uranium mining sector.

In 1952, in response to a rapidly expanding nuclear industry, the federal government created another Crown corporation, Atomic Energy Canada, Limited (AECL), which came under the jurisdiction of the federal Minister of Energy, Mines and Resources. In 1955, partly because of a desire on the part of provincial governments, such as Ontario’s, to facilitate the growing nuclear industry, federal and provincial

⁸⁶Miller to G.D.W. Cameron, Deputy Minister of Health, Government of Canada, 3 March 1960, GN 78/1/B, 51, PANL.

authorities reached a compromise whereby the enforcement of health and safety regulations in all mines would be a provincial matter, but national and international authorities would set the standards for such things as Safe Working Levels. One of the effects of this development, as one commentator put it, was that jurisdiction over occupational health in one of the most potentially deadly industries in the world was handed over to provincial authorities which were often ill-prepared or reluctant to tackle adequately the health issues involved and who, "given their interest and expertise, focused more on the engineering aspects of mine safety than on the long-term effects of silica dust inhalation and ionizing radiation exposure."⁸⁷ It has also been noted that allowable radiation exposures for workers in the uranium mining and nuclear industries have always been higher than for the general public.⁸⁸

⁸⁷Ian Robinson, *The Costs of Uncertainty: Regulating Health and Safety in the Canadian Uranium Industry* (Centre for Resource Studies, Institute of Intergovernmental Relations, Ottawa, 1982), 7.

⁸⁸Reasons, *Assault on the Worker*, 44. The consequences of these factors became clear in, for example, the case of uranium miners at Elliot Lake, Ontario. The 1976 *Report of the Royal Commission on the Health and Safety of Workers in Mines*, 79-80, stated that the mining population at Elliot Lake from 1955 to 1974 was twice as likely as the general male population to die from lung cancer. See also D. Hewitt, "Radiogenic Lung Cancer in Ontario Uranium Miners, 1955-1974," in *Report of the Royal Commission on the Health and Safety of Workers in Mines*; Ian Robinson, *The Costs of Uncertainty*, 4-11; Graham W. Gibbs and Paul Pintus, *Health and Safety in the Canadian Mining Industry* (Kingston: Queen's University Centre for Resource Studies, 1978), 188-200; Norman Williams, "Hazards of Mining Uranium and Some Rarer Ores and the Use of Vibrating Tools," in John M. Rogan, ed., *Medicine in the Mining Industries* (London: William Heinemann Medical Books, 1972), 99-127; R.W. Thompkins, "Radioactivity and Lung Cancer: A Critical review of Lung Cancer in the Miners of Schneeberg and Joachimsthal," *Journal of the National Cancer Institute*, 5 (1944); V.E. Archer and J.K,

While the issue of occupational cancer in mining tended to focus on uranium mining, radiation and its effect on miners in the non-uranium sectors were also gaining attention during the 1950s. A 1953 study of nearly 50 non-uranium mines in Colorado revealed dangerously high levels of radon in several, including metal, clay and coal mines, while a 1954 study reported similar findings in several non-uranium mines in New York State.⁸⁹ Windish was clearly aware of cases where high levels of radiation had been discovered in non-uranium mines and referred to several such studies in his report.⁹⁰ Citing several cases in Colorado similar to the St. Lawrence case, where water entering non-uranium mines carried with it large volumes of radon from an unknown source, Windish concluded that, "The finding of R-222 in the Director mine should therefore not

Wagoner, "Lung Cancer Among Uranium Miners in the United States," *Health Physics*, 25 (October 1973), 351-71; and M. J. Duggan, "The Exposure of United Kingdom Miners to Radon," *British Journal of Industrial Medicine*, 27 (1970), 106-9.

⁸⁹P.W. Jacoe, "Occurrence of Radon in Non-Uranium Mines in Colorado," *Archives of Industrial Hygiene and Occupational Medicine*, 8 (August 1953), 118-24; and S.J. Harris, "Radon Levels Found in Mines of New York State," *Archives of Industrial Hygiene and Occupational Medicine*, 10 (July 1954), 54-60.

⁹⁰Many other cases have come to light since, including those studied in: J.T. Boyd, "Cancer of the Lung in Iron Ore (Haematite) Miners," *British Journal of Industrial Medicine*, 27 (1970), 27-105; N.J. Duggan, D.M. Howell and P.T. Soilleux, "Concentrations of Radon-222 in Coal Mines in England and Scotland," *Nature*, 219, 1149; Anna Baltic Lawler, Jack S. Mandrel, Leonard M. Schuman and Jay H. Lubin, "Mortality Study of Minnesota Iron Ore Miners: Preliminary Results," in William L. Wagner, *et al.*, eds., *Health Issues Related to Metal and Non-Metallic Mining* (Boston: Butterworth's, 1983), 211-26; and J.K. Wagoner, R.W. Miller, F.E. Lundin, J.F. Fraumeni, and M.E. Haij, "Unusual Cancer Mortality Among a Group of Underground Metal Miners," *New England Journal of Medicine*, 269 (1963), 284-9.

be considered an extraordinary or unique occurrence.”⁹¹ What distinguished St. Lawrence from those other cases , he noted, was that the concentration of radon there was considerably higher than that reported from other non-uranium mines up to that time, and six times higher than the highest reading obtained in any non-uranium mine in the U.S.⁹²

5.3 The Wildcat Strike of March-April 1960

The reaction of the union to the issue of monitoring and controlling the radiation hazard at St. Lawrence was shaped by its experience with the handling of occupational health and safety issues during the preceding years. Two days after the March 1960 meeting, at which the findings of the Windish survey were revealed, representatives of the union paid a visit to Mines Minister W.J. Keough, asking what action they should take if the ventilation and monitoring issue was not quickly and adequately addressed. Their concern, according to Keough, was based on the “alleged tardiness” on the part of the companies in the past “to take steps to ensure the welfare of mineworkers at St. Lawrence.” Keough urged McGrath to help clarify whether the radiation issue came under federal or provincial jurisdiction, and remarked tellingly that he hoped that not both would be involved, since his department was of the opinion that “one enforcing authority

⁹¹J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 23.

⁹²J.P. Windish, “Health Hazards in the Mines of Newfoundland,” 23.

is enough for mine operators to have to contend with.”⁹³ The Minister’s belief that the inspectorate was something that companies had to “contend with” was surely not an attitude likely to produce the best possible results in the area of occupational health and safety, and this remark is revealing of the Department of Mines’ lack of regard for the protection of workers.

Public revelation of the Windish findings drew unprecedented attention to the St. Lawrence situation and sparked a war of words in the press. St. John’s newspapers, for example, reported -- correctly -- that radiation in some parts of the Director mine was nearly 200 times the permissible level, and that an average of three miners had died of cancer each year since 1948.⁹⁴ Over the ensuing days, various parties offered different interpretations of the issue. St. Lawrence Mayor Theo Etchegary, who had also long held a supervisory position with the Corporation, stated that, “The men knew all along this condition existed and considered it an ordinary hazard of mining.” He was supported in this view by Corporation Mine Captain Murdock Judson, who claimed that the men knew that such hazards were “all part of the game.”⁹⁵ How the men could have known about

⁹³W.J. Keough, Minister of Mines, to McGrath, 3 March 1960, GN 78/1/B, 51. PANL.

⁹⁴“Government Officials Meet to Discuss Radiation Hazard in Fluorspar Mines,” *Daily News*, 2 March 1960, 3 and 16; and “Miners Get More Cancer,” *Evening Telegram*, 2 March 1960, 2.

⁹⁵“Miners ‘Wait and See’ as Cancer Cause Checked,” *Evening Telegram*, 3 March 1960.

and accepted radiation as a health risk in their work is unclear; it had never been known to exist in a fluorspar mine and they had never had any experience with such a hazard, and were never informed that it might exist.

The union, meanwhile, grew increasingly impatient with what they perceived to be unnecessary delays in responding to the radiation problem. Turpin began hinting that the men were considering walking off the job until the additional ventilation and increased monitoring which had been recommended and promised were introduced. He also pointed out with respect to the more general issue of industrial disease and workers' compensation, that of the many miners who had become ill and died over the years, only six cases had been compensated, all for silicosis.⁹⁶ This corresponds to the number given in the official record of successful compensation claims for silicosis up to that time. There were of course no reported claims for cancer, and cancer was not covered by the Workers' Compensation Act as it then stood.⁹⁷

On 10 March 1960, the union met to discuss the radiation issue, and all but one of the underground employees supported a motion to walk off the job and stay off until adequate ventilation was installed. Turpin said that he was especially "proud of the men" for taking this move given that the union had no strike fund and the men were unlikely to

⁹⁶"Mine Improvement Must Come, Union Chief Hints Walkout" *Evening Telegram*, 9 March 1960, 9.

⁹⁷Annual Reports of the Workers' Compensation Board of Newfoundland, 1953-1958.

qualify for Unemployment Insurance benefits, since technically they had left their jobs voluntarily.⁹⁸ When the walkout began, Turpin informed Smallwood of the workers' intention to stay off the job until adequate ventilation and monitoring measures were introduced, and noted that as an indication of the union's good will, eighteen underground employees had complied with the Company's request to enter Director mine on a rotating basis to help prepare for the installation of the ventilating equipment. The Corporation, meanwhile, was reportedly getting its blower fans out of storage and planning to install them at its operating mines.⁹⁹

About a week into the dispute, Newfluor management attempted to downplay the danger, stating that the situation was not as bad as initially described and that at the time of the survey radiation levels were only "slightly above" the limit on one level, the 400-foot level,¹⁰⁰ a direct contradiction of the information contained in the Windish report. Newfluor manager Wiseman added that since the Windish survey auxiliary fans had been installed on the 400-foot level and that until the men returned to work, the necessary

⁹⁸"Miners Back Request as Walkout Endorsed," *Evening Telegram*, 11 March 1960, 3; and "50 Men Quit in Fluorspar Mine," *Daily News*, 11 March 1960, 3. Turpin informed McGrath of this decision on 12 March 1960: GN 78/1/B, 51, PANL. Initially, 106 of the total number of 189 unionized employees at both companies walked off the job. Of these, 84 were from Newfluor's total workforce of 143, and 22 were from the Corporation's workforce of 46: Canada, Department of Labour, RG27, Vol. 540, Reel T-3401, Strike 39, NAC.

⁹⁹Turpin to Smallwood, 12 March 1960, Coll 075, File 3.20.087, CNSA.

¹⁰⁰"Fluorspar Mines OK, Asks End to Walkout," *Evening Telegram*, 18 March 1960, 46.

modifications could not be made to allow for the installation of more ventilation equipment.¹⁰¹ Wiseman also claimed that most of the fear associated with the situation was due to a “distortion of the facts by the press,” and expressed his hope that the men would return to work when realized they were in no real danger.¹⁰² St. Lawrence Mayor and Corporation staff member Theo Etchegary, meanwhile, insisted that there was no conclusive proof that radiation in the mines was linked to recent cancer deaths in the community. The union was not swayed or reassured by such talk, and on 24 March, two weeks into the walkout, the men continued to insist that they simply would not return until the ventilating equipment was installed. Without access to a strike fund or to Unemployment Insurance benefits, however, they were obviously in a precarious position.¹⁰³

Apart from occasional comments from Etchegary, in which it was unclear whether he was acting in his capacity as Mayor or as Mill Superintendent, the Corporation tried to stay out of the public controversy during the walkout. In a letter to the Unemployment Insurance Commission on 28 March, however, in response to a request for information on striking workers, Poynter described at some length his version of events and of the

¹⁰¹“Fluorspar Mines OK, Asks End to Walkout,” *Evening Telegram*, 18 March 1960, 46.

¹⁰²“Radiation Picture at St. Lawrence Overemphasized Says Wiseman,” *Daily News*, 18 March 1960, 2.

¹⁰³“Miners Stay Out, Seek Jobless Aid,” *Evening Telegram*, 24 March, 1960, 3.

Corporation's record on occupational health. In Poynter's view, Dr. McGrath's announcement had unfortunately and unnecessarily created panic "in this little village." "Over the years," Poynter claimed, "we have had the rare case of silicosis blamed on conditions here, and as a result we have, in conjunction with the Inspection Division of the Mines Department in St. John's and the Federal Health boys in Ottawa, kept a better than average watch on dust conditions, and we have invariably been given a clean bill of health..." As for radiation, he claimed that the survey had found some "odd spots" in some of their mines, but that the results were erratic and inconsistent. The one spot where radiation was found in an operating Corporation mine, he stated, was blocked off "and of no importance." Poynter also remarked, cryptically, that in other mines where radiation had been found, "Everyone has level-headedly tackled the problem as we were and there has been no problem." It is unclear what he meant by "as we were." To when or to what was he referring? As for the apparently high death rate among the mining population, Poynter stated that "We had a tendency to believe, and still believe, that the troubles were based on an abnormal rate of T.B." In any case, he claimed, installing ventilation at the Corporation mines would be a relatively easy matter since they had all the equipment to do so in storage. He added, flippantly, that there would then be sufficient ventilation to "blow all those nasty little radiation bugs clear out to sea [and] we hope then that one of the Ottawa boys will come in, read his magic instruments, and make the electrifying announcement that the place is now safe, then everybody will return to work." The current labour dispute could have been averted, he concluded, if the union had met with

the Corporation management, in which case the workers would have been reassured that everything possible would have been done to ensure their health and safety. Furthermore, Poynter claimed, the walkout had done little but delay the necessary improvements anyway, and that “the difference of a few weeks at work would have meant nothing” in terms of the radiation hazard.¹⁰⁴

Meanwhile, both companies were exerting pressure on the government to help end the walkout. Claiming that he had orders for 20,000 tons of fluorspar that had to be filled, Poynter demanded to know how much ventilation his company was required to install, and who would then assure the men that it was safe to return to work.¹⁰⁵ Likewise, Newfluor Manager Wiseman informed the Department of Mines on 25 March that temporary fans had been installed on the 400-foot level in response to the “alleged radiation hazard,” and that his company believed that there was now no radiation hazard in areas where men would be asked to work. Wisemen, like Poynter, wanted this fact confirmed by a radiation check, “so that we can contact them [the union] and avoid any further unnecessary delays.”¹⁰⁶

¹⁰⁴Donald Poynter, St. Lawrence Fluorspar Corporation, to N.S. Batten, Unemployment Insurance Commission, St. John’s, 28 March 1960, RG27, Vol. 540, Reel T-3401, Strike 39, NAC.

¹⁰⁵Keough to McGrath, 23 March 1960, GN 78/1/B, 51, PANL.

¹⁰⁶Wiseman to Gover, 25 March 1960, GN 78/1/B, 51, PANL.

The underground workers stayed off the job for the remainder of March, and by 1 April both companies had reportedly installed ventilation equipment.¹⁰⁷ On 3 April, Windish contacted the union directly with the results of a radiation survey which had been conducted at the Corporation and the Newfluor mines since the installation of some ventilation equipment. Tests conducted at the Corporation's Haypook, Hare's Ears, and Red Head mines showed radon daughter levels ranging from 0 to 0.4 x SWL, while the readings at Director ranged from .06 to 1.63 x SWL. The excessive figure at Director was reportedly an anomalous reading from an unused area in a drift on the 250-foot level, and not considered important.

There were several important qualifications attached to this most recent radiation report. Windish explained that, "Because of time limitations, I was able to take samples only in those places where the miners, according to information given to me by mine officials, will be asked to work." While he did not state what these "time limitations" were, presumably it was related to the desire to get back into production as soon as possible: all four mines were tested on the same day. Windish noted, for example, that no readings were taken on the 550-level at Director, as he was told no men would be working there when production resumed.¹⁰⁸ On 4 April, the first of the underground workers began

¹⁰⁷"Ventilation System is Installed," *Evening Telegram*, 1 April 1960, 3.

¹⁰⁸J.P. Windish, Department of National Health and Welfare, Occupational Health Division, to St. Lawrence Workers' Protective Union, 3 April 1960, GN 78/1/B, 51, PANL.

returning to their jobs, and the walkout was officially ended on 5 April.¹⁰⁹

Not all those who had walked off, however, would go back. About 30 Newflour men refused to return at the official end of the walkout. Wiseman, in an obvious attempt to goad them into returning, charged that they were simply “scared,” though, according to him, they had nothing to be afraid of. The union pointed out that though Newflour was anxious to replace these men and to meet its annual target of 90,000 tons (the highest it had ever set), the company was refusing to hire any of the approximately 100 workers displaced by layoffs at the Corporation because, “The Company feels the unemployed miners may have contracted radiation and it would be responsible for their health.” For that reason, Turpin charged, Newflour was hiring only “green hands” (inexperienced men). According to Turpin, the 30 Newflour men would likely stay off the job and take up fishing for the summer, but perhaps return to mining in the fall.¹¹⁰ Apparently, the Corporation did not encounter the same difficulty as Newflour in getting its men back to work. Poynter claimed that this was because the Corporation was just starting up again after a shutdown, had “very minute amounts of radioactivity” reported in its mines, and that “distorted stories” in the press about workers refusing to return to the job did not

¹⁰⁹Labour Canada, “Report on Industrial Dispute Termination: Dispute between St. Lawrence Corporation of Newfoundland, Newfoundland Fluorspar Limited, and St. Lawrence Workers’ Protective Union,” RG27, Vol. 540, Reel T-3401, Strike 39, NAC; and “St. Lawrence Miners Go Back to Work,” *Evening Telegram*, 4 April 1960, 3.

¹¹⁰“Miners Scared, Won’t Go Back, Union Says Company Hiring Green Men,” *Evening Telegram*, 7 April 1960, and “Radiation led to Walkout” *Montreal Star*, 7 April 1960.

apply to his company.¹¹¹ By 11 April, all but 16 of the 30 Newflour men had returned to work.¹¹²

That Newflour and the Corporation were forced to install ventilation systems at their mines in the wake of the Windish report and the ensuing walkout points to what is really the crux of the matter. Lost in the rhetoric surrounding the issues of radiation and ventilation was the fact that a requirement for adequate ventilation in all underground areas was embodied in the Mine Safety Regulations of 1951, that workers had been complaining for years that ventilation was inadequate, and that, apart from vague assurances that everything was fine, neither government nor company officials had done anything to address the problem. That in 1960, men were working 550 feet underground at Director mine, in areas where there was not enough air to keep a match burning, is indicative of the neglect and inertia that company and government officials had displayed over the years. While it might be countered that no one knew about the existence of radiation in the mines, the fact is that a lack of knowledge about that particular hazard had no bearing on whether a ventilation system should have been installed and used, as required by working conditions and by the law. It is obvious from Windish's findings that a forced-air ventilation system would have done much to reduce the radiation hazard, whether it was known to exist or not. As for the Corporation, if it had ventilation fans in

¹¹¹Poynter to Batten, Unemployment Insurance Commission, 4 May 1960, RG27, Vol. 540, Reel T-3401, Strike 39, NAC.

¹¹²“St. Lawrence Mines on 24-Hour Shift,” *Evening Telegram*, 11 April 1960, 3.

storage in 1960, as the management claimed, they must not have been used at mines such as Black Duck, Iron Springs, and Blue Beach. The archival and oral evidence consistently shows that there was never anything approaching adequate ventilation at those mines. By the time the radiation hazard was detected and made public, those mines were closed, so we will never know about possible levels of radiation in the Corporation's main mines.

5.4 Legislative Change, Labour Unrest, and the Demise of the Corporation, 1960-62

Newfluor's need to hire new men, both to replace those who would not return to work and to increase its workforce, coincided with the coming into effect of new regulations regarding the medical screening of job applicants and employees in dust exposure occupations. This amendment to the regulations, which government and industry officials had been discussing since 1953, was made public in September 1959, but was not due to come into effect until 1 April 1960 -- in the middle, as it turned out, of the St. Lawrence strike.¹¹³ The amendment was based on the proposals the government had made in the 1957 meeting with industry officials. The regulation defined a "dust-exposure occupation" as any underground mining, as well as surface work involving the crushing or grinding of rock. The regulation required that all applicants for employment in such an occupation undergo an examination, including a chest x-ray, by a qualified Medical Examiner. The Medical Examiner could then issue or refuse to issue a medical certificate

¹¹³*Newfoundland Gazette*, 29 September 1959.

for employment based on whether the applicant was “free from active disease of the respiratory organs,” had no known history of active tuberculosis, and was otherwise fit for employment in a dust exposure occupation. In order to keep the medical certificate in good standing, the holder was required to undergo an annual examination. For the annual renewal, however, the Medical Examiner could renew the certificate “if the holder is free from tuberculosis of the respiratory organs.” In other words, to acquire a certificate an applicant had to be free from all respiratory illnesses, but to renew it an employee had to be free only from tuberculosis. Therefore, a Medical Examiner could issue an annual renewal even if an employee had, since initially acquiring the certificate, contracted, for example, silicosis, provided he was free from tuberculosis. A mine operator was prohibited from employing anyone not in possession of a valid certificate, except in cases where a person had “been continuously employed in a dust exposure operation since the date of coming into force of this regulation.”¹¹⁴

Because no official Medical Examiner had been appointed in St. Lawrence for the purpose of issuing certificates, Wiseman had anticipated a problem in hiring recruits once the amendment came into effect on 1 April. On 25 March he had contacted Miller about the need to have Medical Officer appointed to screen recruits, since some of Newflour’s underground men claimed that they would not return to work even after some ventilation

¹¹⁴The Mines (Safety of Workmen) (Amendment) Regulations, 1959. This amendment became Section 120A of The Mines (Safety of Workmen) Regulations, 1957.

was installed.¹¹⁵ The response to Wiseman's request was swift, in striking contrast to the response to the many demands and requests which had been made by the union and by others for legislative change. An amendment published on 29 March, which came into effect just three days later, on 1 April, permitted operators to hire applicants without a certificate in cases where an applicant was not able to get a medical certificate because no Medical Examiner was available to give him one, and in cases where the applicant had not since the regulation came into force been engaged in a dust exposure occupation without a medical certificate.¹¹⁶ In cases where no Medical Examiner had been available, the applicant had three months from the date of hiring to acquire a medical certificate. To ensure that men hired in St. Lawrence would meet this requirement, and the company could hire men in the meantime without the certificate, Miller -- again with unprecedented speed -- appointed Dr. Cyril Walsh, resident physician at St. Lawrence, as Medical Examiner as of 31 March 1960.¹¹⁷ Thus amended, the new regulation in fact required a medical certificate for a relatively small percentage of employees and potential employees. Medical certificates were not required for either anyone *employed* in a dust exposure occupation *before* the regulation came into effect on 1 April, or anyone *not employed* in a dust exposure occupation *since* the Regulation came into effect. The only group for

¹¹⁵Wiseman to Miller , GN 78/1/B, 51, 25 March 1960, PANL.

¹¹⁶The Mines (Safety of Workmen) (Amendment) (No.1) Regulations, 1960.

¹¹⁷Miller to Wiseman, 31 March 1960, GN 78/1/B, 51, PANL.

whom the certificate was required therefore, were applicants who had worked in a dust exposure occupation since 1 April 1960.

When the wildcat strike officially ended in April 1960, work resumed, on a limited scale, at the Corporation's Hare's Ears mine. During the summer of 1960, the shaft was extended to 275 feet, and 400-foot drift established on that level. In November 1960, however, the Hare's Ears shaft flooded, submerging all underground equipment and putting 15 men out of work.¹¹⁸ Attention then shifted to the Haypoock shaft, another small mine which had been worked for a few years in the mid-1950s, and then shut down in June 1957. Work was also carried out on re-opening the Red Head mine, which had first been worked on a small scale and then abandoned in the 1930s. The ore produced from these mines during 1959 and 1960 was shipped via the Wilmington plant to American consumers.¹¹⁹ By the end of 1960, the Corporation had about 40 unionized employees on the payroll.¹²⁰

Meanwhile, anticipating an increase in demand for 1961 and seeking to make up for time lost during the March-April strike, Newfluor moved quickly to put the Director

¹¹⁸Farrell, "Report of Mining Properties of St. Lawrence Corporation," 40-41.

¹¹⁹"St. Lawrence Corporation to Resume Output at Fluorspar Mines," *Northern Miner*, 46, 1 (31 March 1960), 1-4; Farrell, "Report of Mining Properties of St. Lawrence Corporation," 40-54; and Newfoundland, Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1960*, 76, and *Annual Report for the Year Ended 31 March 1961*, 83-4.

¹²⁰St. Lawrence Corporation Employees from whom Union Dues were Deducted, December 1960, SLMM.

mine back into full production. The Company put the mine on three shifts per day, and by July 1960, the workforce had increased to 200.¹²¹ During the summer of 1960, Newflur introduced a new “cut-and-fill” method of mining at Director. With this system, sand produced at a crushing plant on the surface was sent down into the mine through chutes and used to support the walls and ceilings of mined out areas. Cut-and-fill mining, while it entails an up-front cost for infrastructure and equipment, allows for the extraction of more usable ore from a stope, since the mined area can be supported with fill, and it eliminates the ongoing cost and labour involved in supplying and installing timbers.¹²²

While the industry, especially at Newflur, was recovering and even expanding in the wake of the March-April walkout, there were ongoing concerns over health and safety. In fact, concerns about the radiation issue intensified an already bad labour relations climate, and its effects were felt long after the dispute officially ended. Several issues and events contributed to this continuing labour unrest. Newflur Manager Wiseman stated in early April, when he was anxious to get the underground men back to work, that no men would be working on the 550-foot levels in the near future, so ventilation was not a major concern there. By mid-May, however, men were working there, without ventilation. On 18 May, the union contacted the Chief Inspector of Mines and informed him that men were working on the 550-foot level and that ventilation had

¹²¹“St. Lawrence Mines on 24-Hour Shift,” *Evening Telegram*, 11 April 1960, 3.

¹²²Newfoundland Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1961*, 122.

still not been installed anywhere on the 550 or in the north drift of the 400-foot level, which made for especially bad conditions when the mine was being run on three shifts per day with very little break between shifts.¹²³ Windish confirmed that the union's fears were well-grounded when, shortly after Turpin's complaint, he informed Miller that radiation checks conducted at the Newflour and the Corporation mines in July, "indicated that further improvements must be made," especially on the 550-foot level at Director.¹²⁴ On 7 July 1960, a worker was killed when struck on the head by a falling plank at the Director mine, and later that same month, Turpin contacted Miller about what he described as deplorable sanitary conditions and drinking water, and the complete absence of basic facilities at the Corporation mines.¹²⁵

Clearly, the labour relations environment was tense in the immediate aftermath of the walkout. The employment situation, however, especially at the Corporation, continued to be precarious, and this no doubt contributed to the union's relatively acquiescent approach to re-negotiation of the collective agreement in July 1960. On 14 July, the union and the Corporation entered into a three-year contract which contained no pay increase as such, but reduced the work week from 44 to 40 hours, for the same pay,

¹²³Turpin to B.J. Trevor, Chief Inspector of Mines, Department of Mines and Resources, 18 May 1960, SLMM.

¹²⁴Windish to Miller, 28 July 1960, GN 78/1/B, 51, PANL.

¹²⁵Newfoundland Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1961*, 78; and Miller to Trevor, 27 July 1960, GN 78/1/B, 51, PANL.

for the first two years of the contract, and contained an across-the-board increase of 5 cents per hour in the third year. In arriving at this settlement, the Corporation had claimed it faced serious marketing problems and was in a precarious financial situation, and produced figures showing a loss of over \$100,000 in both 1958 and 1959.¹²⁶ No figures were produced for the years 1936 to 1956 when, according to Seibert's own testimony at the 1958 Tariff Board hearing, the Corporation had made a profit for every year, including the especially prosperous years 1954 to 1956.¹²⁷ Given the state of the Corporation's St. Lawrence operations, however, and the information available to it, it is understandable that the union felt that it "did very well under present conditions."¹²⁸

The monitoring of the radiation hazard was also an area of ongoing concern in the wake of the March-April walkout. The St. Lawrence case added a new twist to the already complex jurisdictional question of radiation monitoring, since here the regulatory system for monitoring radiation in uranium mines did not apply because the material mined was not itself radioactive. The Newfoundland Department of Mines was, by its own admission, neither trained nor equipped to deal with such a hazard. Federal and provincial officials had met in March 1960, during the St. Lawrence walkout, to discuss a system to

¹²⁶Walter E. Seibert to St. Lawrence Workers' Protective Union, 12 July 1960, SLMM.

¹²⁷Walter E. Seibert, "Brief Supporting a Tariff Request on Fluorspar Entering into Canada."

¹²⁸As related by Miller to Gover, 27 July 1960, GN 78/1/B, 51, PANL.

monitor the St. Lawrence situation. The Occupational Health and Safety Division of the Federal Department of Health and Welfare agreed to assist the provincial authorities until someone could be trained within Newfoundland to carry out the required tests.¹²⁹ For the summer of 1960, radiation checks at St. Lawrence were conducted by an engineering student from Memorial University, but once the student left St. Lawrence in August, no one was taking radiation readings. The union complained that the men had no idea what the radiation levels were and that men working on the 550-foot level at Director were especially concerned.¹³⁰

On 10 October 1960, another worker was killed at Director when he fell down an ore chute while dumping a tram car.¹³¹ The inspector's report stated that the accident was "primarily due to an unsafe act performed by the deceased,"¹³² but the union blamed it on a lack of supervision.¹³³ This October fatality, combined with ongoing grievances concerning occupational health and safety matters, led to a further deterioration of the already hostile labour relations climate. On 13 October, just three days after that fatality

¹²⁹McGrath to Keough, 29 March 1960 GN 78/1/B, 51, PANL.

¹³⁰Newfoundland, Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1961*, 80; and Turpin to Lewis, 21 September 1960, SLMM.

¹³¹Newfoundland, Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1961*, 78.

¹³²Newfoundland, Department of Mines and Resources, *Annual Report for the Year Ended 31 March 1961*, 78.

¹³³Turpin to Lewis, 21 September 1960, SLMM.

occurred, another event triggered yet another wildcat strike. The October walkout began with what was in fact a routine action by a Newflour supervisor. An underground worker rang the bell to signal the hoistman to move the cage, an action which only certain persons were authorized to take. When the worker returned for his shift the following day, he was issued a routine disciplinary note, which he was ordered to acknowledge by signing. When he refused to do so, he was refused entry to the underground. His fellow workers then said they would not go to work unless this man could do so without acknowledging the disciplinary note. The company took the position that the dispute should be taken up through the grievance procedure embodied in the collective agreement, as ordinarily it would have been. After a two-hour standoff, the men agreed to return to work, but only if paid for those two hours. The company refused, and the underground workers stayed at the change house, refusing to go underground. (Surface workers continued to work for this day.) When the underground evening shift arrived at 4 p.m., they joined the others in the change house and refused to go to work, and soon the entire group went home. No one showed up for the midnight shift. After 14 October, only 36 unionized workers stayed on the job at Newflour -- pump operators, diesel operators and hoistmen who stayed to prevent the mine from flooding. The others, 185 surface and underground workers, stayed out.¹³⁴

¹³⁴Canada, Labour Canada, "Report on Industrial Dispute Commencement," RG 27, Vol. 543, Reel T3402, Strike 202, NAC.

In the days following the walkout it became clear that the disciplinary issue which ostensibly caused the dispute was not the main point at issue. Specifically, the union demanded that two men be assigned to slushing operations, as had been the practice up until 1959. This was a safety issue, as the second man on a slushing operation generally acted as a “spotter,” watching out for loose rock and other possible dangers in the working area.¹³⁵ The management took the position that it was well within its rights to change mining methods and that this and the union’s “many other grievances” should have been pursued through the grievance procedure.¹³⁶ On 26 October, the company and the union agreed to abide by the decision of a qualified third party.¹³⁷ The arbitrator agreed upon was Dr. A.V. Corlett, former Chief Inspector with the Ontario Department of Mines, who had conducted several mines inspections for the Newfoundland government in the late 1940s and early 1950s. Corlett sided with the company on the slusher issue, and the men returned to work on 2 November. Apparently, however, some compromise was reached, as the official report on the settlement stated that, “While decision was in favour of Company (i.e. one worker on slushers) the workers returned to work with two workers

¹³⁵“Strike by Miners at St. Lawrence,” *Daily News*, 25 October 1960.

¹³⁶“Statement of R. Wisemen, General Manager, Newfoundland Fluorspar Company, St. Lawrence,” 27 October 1960, RG 27, Vol. 543, Reel T3402, Strike 202, NAC.

¹³⁷“Mine Strike Meetings On,” *Evening Telegram*, 26 October 1960.

on slushers.”¹³⁸

More important than the details of the settlement, however, is what the dispute signified about the labour relations climate, and in that sense it was remarkable in a number of ways. First, it was the second wildcat strike staged specifically over an occupational health and safety issue in less than a year. Also significant is the fact that the event which initially triggered the strike was routine and relatively minor in nature. Granted, the disciplinary issue was simply the trigger for the dispute, but that the men were willing to walk off the job over such a relatively minor matter indicates the extent to which the labour relations climate had deteriorated. Another remarkable thing about this dispute is the solidarity shown. That 185 underground and surface workers, without a strike fund to rely upon, were willing to walk off the job and stay off for over two weeks demonstrates the degree to which the health and safety issue had come to affect them all. The October 1960 walkout must be understood against the backdrop of those events and conflicts which preceded it, especially the walkout of March-April, the deaths of two workers on the job in 1960, and ongoing concerns over health and safety.

During early 1961, the Corporation, while still operating, was obviously struggling and had not advanced far beyond the stage it had been at the same time a year earlier. During 1960, the Corporation had shipped only about 8,000 tons of fluorspar, and in

¹³⁸Canada, Labour Canada, “Report on Industrial Dispute Termination,” RG 27, Vol. 543, Reel T3402, Strike 202, NAC.

January 1961, employed only 38 workers.¹³⁹ Already in a precarious position, the Corporation was dealt another blow in June 1961, when Seibert died suddenly. Seibert's obituary provides a rare glimpse at his corporate connections and his social standing. In addition to the St. Lawrence Corporation of Newfoundland and the St. Lawrence Fluorspar Company (the Wilmington affiliate established in 1946), Seibert's holdings included the Wilmington-St. Lawrence Shipping Company and the Great Lakes-St. Lawrence Fluorspar Company. These latter two firms were presumably used to transport the St. Lawrence fluorspar to the United States and Canada. Seibert had maintained a residence in Florida, and he had been a member of the Lawyers' Club of New York and the Hackensack Golf Club.¹⁴⁰ While Seibert had spent many years claiming that the Corporation was unable to improve wages and working conditions in St. Lawrence because of financial constraints, he had obviously been doing quite well for himself.

Two weeks after Seibert's death, his sons visited St. Lawrence and decided to shut down the Red Head mine.¹⁴¹ That left just the Hare's Ears mine in operation and further reduced the Corporation workforce, down to just 25 by July 1961. By the end of 1961,

¹³⁹United States, *Minerals Yearbook*, 1960. Table 10, 481, and St. Lawrence Corporation of Newfoundland, List of Employees From Whom Union Dues Were Collected for the Month of January 1961, SLMM.

¹⁴⁰*The New York Times*, 11 June 1961.

¹⁴¹Farrell, "Report of Mining Properties of St. Lawrence Corporation," 54.

the Corporation had just four unionized men on the payroll.¹⁴² Newfluor, meanwhile, continued to be in a much more stable position. At the beginning of 1961, that company still employed 200 men, and was making plans to extend the Director shaft to 950 feet in order to meet the increasing demand for fluorspar at the Arvida plant.¹⁴³ Newfluor's workforce remained fairly stable, at around 200, throughout 1961,¹⁴⁴ and in that year Newfluor shipped about 66,000 tons of fluorspar from St. Lawrence, while the Corporation managed only just over 2,000 tons.¹⁴⁵

Compared to 1960, 1961 was a relatively quiet year on the labour relations front. There were minor disputes over such things as working conditions at the Corporation and job categorization at Newfluor, but these did not erupt into open hostility. In the area of occupational health, the most important development of 1961 grew out of an amendment to the Mines Safety Regulations which came into effect in November 1960, requiring that,

Every operator and manager shall at the request of the chief inspector carry out such tests of the air in all workings that are in use or to be used by workmen as the chief inspector may require, and shall report to the chief

¹⁴²St. Lawrence Corporation of Newfoundland, List of Employees From Whom Union Dues Were Collected for the Month of July 1961, and For the Month of November 1961, SLMM.

¹⁴³*Engineering and Mining Journal* (March 1961), 151-2.

¹⁴⁴Newfoundland Fluorspar Limited, Lists of Employees, January 1961 to December 1961, SLMM.

¹⁴⁵United States, *Minerals Yearbook*, 1961, 574, and 1962, Table 10, 574.

inspector in writing the results of such tests.¹⁴⁶

Under this new regulation, Newflour was ordered on 30 January 1961 to begin conducting such tests as of 1 April 1961, and to report any radiation readings in excess of the SWL to the Chief Inspector of Mines.¹⁴⁷ The system established for the frequency of these tests was as follows: every week in areas where the previous reading was 0.6 x SWL, every month when less than 0.6 but more than 0.3, every 3 months when less than 0.3, and initially every week in new working places. Tests were also to be conducted by the Department of Mines “when occasion permits.” For 1961, of 282 readings reported by the company, and 130 reported by the Department of Mines, 14 were in excess of the SWL. It was reported that in all cases where the reading was in excess of the SWL, the contributing condition was identified and corrected. Some common causes of high levels noted were malfunctioning fans, wrongly routed airflow and collapsed or damaged vent tubing.¹⁴⁸ At the end of 1961, the union was notified by the Department of Mines that it was satisfied that Newflour was doing a good job of monitoring and controlling the radiation hazard.¹⁴⁹

¹⁴⁶The Mines (Safety of Workmen) (Amendment) (No. 4) Regulations, 1960.

¹⁴⁷Lukins, Chief Inspector of Mines, to R. Wiseman, Newflour, 30 January 1961, SLMM.

¹⁴⁸Lukins to Newfoundland Department of Mines and Resources, 3 April 1961, GN 78/1/B, 51, PANL; and Lukins to Deputy Minister of Mines, 2 May 1962, GN 78/1/B, 51, PANL.

¹⁴⁹Keough to Turpin, 30 November 1961, SLMM.

There were several problems with this monitoring system. The most obvious one was that the correction of a condition causing a dangerous build-up of radiation was of little benefit to those already exposed. Another important aspect of the reported readings was that they were in fact the *average* of a number of readings taken in a particular area over a period of time. Thus, it was possible to have readings both well in excess of and well below the SWL for the same area, calculated into the average reading reported for that area. A miner working in an unventilated stope might be exposed to radiation in excess of the SWL, therefore, while another working nearby, where there was more ventilation, might be exposed to little or no radiation. The reported average reading, however, would be the same for both, and perhaps below the SWL. Also, there was no mention of any radiation readings having been taken at the Corporation mines after April 1960, or of that company being ordered to conduct readings. Granted, during 1961 the Corporation was running just two small mines and employing a relatively small number of men, but that does not mean that those men were not exposed to radiation, or that the company should have been absolved of its responsibility in that regard.

In early 1962, the fragile labour truce which had held through 1961 was broken by yet another wildcat strike, again triggered by a dispute over discipline. On 29 January 1961, 170 Newfluor workers walked off the job to protest a shift-boss's disciplinary action against an underground worker. The issue which triggered the walkout was again relatively minor in nature. The shift boss ordered the worker to stop smoking as his shift had not yet ended and he was not to smoke on company time. When the worker resisted,

the shift boss allegedly threatened him with physical force. At an emergency meeting called to discuss the issue, the union membership voted unanimously to walk off the job and stay off until the shift boss was dismissed. The union charged that the shift-boss had a history of being abusive to the men, and that he was not qualified for his position. He had only been put in the position, the union claimed, because he had several years of experience in the military. The shift boss countered that the men regularly refused his orders, and that he felt he had to “drive his men.” The union claimed that it was understood that the collective agreement contained a no-strike clause, but that “in view of union feeling that the company is using this stipulation to abuse employment rights, a strike was called with authorization of the full membership.”¹⁵⁰ After the union and the company agreed to conduct further interviews with the parties involved and to possibly pursue the matter through the grievance procedure, the men returned to work on 7 February, after being out for six days.¹⁵¹ As with the dispute in October 1960, what was significant about this walkout was that it indicated the extent to which the disciplinary system had broken down, and the degree to which the company’s authority over the workforce had been eroded.

¹⁵⁰Canada, Labour Canada, “Report on Industrial Dispute Commencement,,” RG 27, Vol. 550, Reel T3405, Strike 23, NAC.

¹⁵¹Canada, Labour Canada, “Report on Industrial Dispute Termination,,” RG 27, Vol. 550, Reel T3405, Strike 23, NAC.

Throughout the remainder of 1962, while there were no open disputes or walkouts, workers at Newfluor continued to worry about radiation levels at Director mine, and company and government officials continued to try to allay those fears and to downplay the danger. In May 1962, for instance, the Chief Inspector informed the Department of Mines that the Newfluor management was seeking its help to “counteract the unwarranted bad publicity arising out of this subject and affecting the efficiency of the mining operations.”¹⁵² A week later, the Department complied; the Minister stated publicly that the mines at St. Lawrence were now safe and the radiation problem was well under control.¹⁵³ Shortly after, Health Minister McGrath sent the same assurances to the St. Lawrence Parish Priest and to the union’s lawyer.¹⁵⁴ In May 1962, came the final blow for the Corporation mines, when the Hare’s Ears mine, which was being run in a haphazard way by a small group of men with almost no supervision, flooded when the pumps were left unattended.¹⁵⁵ There was no attempt to recover the equipment or to revive the mine, and after nearly 30 years, the Corporation’s St. Lawrence mining operations came to an end.

¹⁵²Lukins to Deputy Minister of Mines, 2 May 1962, GN 78/1/B, 51, PANL.

¹⁵³“Radiation Levels Safe in St. Lawrence Mines,”*Daily News*, 8 May 1962, 4.

¹⁵⁴McGrath to Father Hogan, Parish Priest, St. Lawrence, 5 April 1962; and McGrath to P.J. Lewis, 5 April 1962, GN 78/1/B, 51, PANL.

¹⁵⁵Farrell, “Report of Mining Properties of St. Lawrence Corporation,” 51.

5.6 Conclusion

The decline and closure of the Corporation mines over the period 1957-1962 demonstrated the pitfalls of reliance upon a resource extractive industry whose survival depended on the vicissitudes of international markets. The fact that the Corporation had, for several years prior to the closure of its St. Lawrence mines, been an active player in the Mexican industry which eventually undercut St. Lawrence fluorspar's place in the North American market became a flashpoint for several long-festering grievances, including the high instance of death and disease among the mining population. The dust tests conducted in 1957 brought official confirmation for what many had long believed and argued – that dust levels at the mine and mill were well above safe working levels. Though the union and other parties clearly believed that cancer deaths among the mining population were disproportionately high, revelations about the presence of radon gas during 1959-1960 was a more unexpected and shocking development, sparking a series of wildcat strikes and intensifying the suspicion and hostility which had come to mark the labour relations environment. Rather than demonstrating its commitment to health and safety in St. Lawrence, government's response to these hazards, in terms of the legislative measures introduced in such areas as medical screening and ventilation, in fact illustrated its past negligence of the issue. The need for ventilation in deep underground mines was not a novel idea and had been recognized even in the Newfoundland legislation dating back to 1908 and in the new regulations introduced in 1951. Workers and others had been pointing to problems with dust and inadequate ventilation in the St. Lawrence mines for

over 25 years at this point, and the government's response to developments during this period was a clear case of crisis response coming after years of ignoring the problem, attempting to put a good public face on it, and handing it along to the companies to do the same. The events of this period were both a culmination of the past and harbinger of things to come.

Chapter 6: 1963-1969: Labour Relations, Industrial Disease, Workers' Compensation, and the Royal Commission on St. Lawrence

Introduction

During the 1960s, Newfluor maintained high levels of production and in 1968 reopened the Tarefare mine to meet the sustained demand for fluorspar. Alcan also purchased the fluorspar claims and other St. Lawrence assets of the defunct St. Lawrence Corporation, amid some controversy. A major development on the labour relations scene was the union's decision to once again abandon its independent status and affiliate with an outside organization, this time with the Quebec-based Confederation of National Trade Unions (CNTU), a process which was completed in 1963. On the labour relations front, the remainder of the 1960s was relatively peaceful compared to the period from 1960 to 1963, at least in terms of open disputes such as strikes and lockouts. The labour relations climate continued to be marked by suspicion and hostility, however, as the union and management clashed over a variety of issues. Rampant disease and death among the workforce and controversy over such issues as radiation monitoring intensified an already strained relationship between the union and the company. Ongoing concerns over health and safety, combined with inadequate financial support for victims of disease and their dependants, also led to increased pressure for the provincial government to take action in response to the St. Lawrence crisis. In 1966, the government appointed a Royal Commission to investigate "Radiation, Compensation, and Safety at the Fluorspar Mines, St. Lawrence." In the midst of increasing publicity about the St. Lawrence situation,

especially after the appointment of the Royal Commission, the company embarked upon a concerted public relations campaign. Such measures did little, however, to ease the fears and doubts of the union and the workforce. This chapter examines developments in industry, labour relations, occupational health and safety, workers' compensation and public relations during this period.

6.1 Newflour's Acquisition of the Corporation's Holdings

The expansion and mechanization program which Newflour undertook during the late 1950s, combined with a sustained high demand for aluminum, allowed the company to maintain high levels of production throughout most of the 1960s. In 1964, Alcan moved to strengthen its hold on the St. Lawrence fluorspar mining industry -- and in effect on most of the commercially viable fluorspar deposits in Canada -- by purchasing the mineral properties and other St. Lawrence assets of the St. Lawrence Corporation. When the possibility of this occurring had surfaced before, in 1962, it had drawn criticism from, among others, the mayor of St. Lawrence, who argued that such a move would give Newflour complete control over the fluorspar resource, which they might choose never to develop, and this would be contrary to the long-term interests of the town and the province.¹ At that time, Premier Smallwood informed the president of Alcan that in the government's view such a development would constitute "a severe blow struck at the

¹Theo Etchegary, Mayor of St. Lawrence, to Smallwood, 12 November 1962, Coll 075, File 3.20.025, CNSA.

interests of Newfoundland,” and would not be looked upon favourably by his government.² According to Smallwood, Alcan’s president had stated that the company had no plans to purchase the Corporation holdings at that time, but that position might change depending on the dictates of supply and demand.³

In 1964 the company had apparently decided it might want to acquire the Corporation’s assets, and began the process of entering into an option agreement giving it the right to do so. Newflur management was obviously aware of the controversial nature of this issue, and assured Premier Smallwood that, should Alcan exercise its option and purchase the mineral properties, the company would likely develop at least some of them in the future. He also attempted to forestall any potential government opposition to the move by reminding Smallwood that, “Our relationship with your Government has always been very cordial. We value this relationship highly and we trust that if we do in fact acquire the Seibert properties it will be viewed favourably by your Government.”⁴ Throughout the summer and fall of 1964, while Newflur carried out assessment work on the Corporation’s St. Lawrence properties,⁵ the Union and others continued their

²Smallwood to the President, Aluminum Company of Canada, 13 November 1962, Coll 075, File 3.20.025, CNSA.

³Smallwood to Etchegary, 15 November 1962, Coll 075, File 3.20.025, CNSA.

⁴F.G. Barker, Managing Director, Newflur, to Smallwood, 30 July 1964, Coll 075, File 3.20.087, CNSA.

⁵Department of Mines, Agriculture, and Resources, *Annual Report for Year Ended 31 March 1965*, 125.

opposition to the impending sale. Turpin impressed upon Smallwood the moral as well as the economic issues at stake and suggested that the sacrifices made by the people of St. Lawrence, in terms of work labour, disease, and death,

should prick the conscience of Mrs. Seibert [nominal President of the Corporation after her husband's death] to release some of her concession for a reasonable amount of money to some Company who would be willing to invest in it and I'm sure there's a moral obligation on the part of government to see that it should be done under such circumstances without fear or favour.⁶

Despite these arguments, however, in October 1964 Newfluor entered into an option agreement with the Corporation which gave Newfluor first rights to acquiring the assets.⁷

In April 1965 Newfluor informed the Corporation of its intention to purchase the assets.⁸ At a meeting held in June 1965, the Corporation's "affiliated creditors" (shareholders and affiliated companies to whom the Corporation owed money) agreed that any proceeds from the sale, after taxes and other fees, would first be used to pay debts to non-affiliated creditors. Any funds remaining would be used to pay the debts owed to affiliated creditors, which included: St. Lawrence Fluorspar, Inc. (the Wilmington affiliate which was still, in 1965, processing imported fluorspar for the American market),

⁶Turpin to Smallwood, 28 August 1964, Coll 075, File 3.20.025, CNSA.

⁷"Excerpts from Minutes of Meeting of Board of Directors of St. Lawrence Fluorspar, Inc. held June 9, 1965," AA.

⁸Newfoundland Fluorspar Limited to St. Lawrence Fluorspar Inc., St. Lawrence Corporation of Newfoundland, and Estate of Walter E. Seibert, Wilmington, Delaware, 6 April 1965, AA.

Newfoundland-St. Lawrence Shipping, Ltd. (a Panamanian registered company) and a number of individual stockholders (including former manager Donald Poynter).⁹ The purchase deal was finalized in July 1965, when Alcan paid the Corporation \$210,000, the balance remaining on the purchase price.¹⁰

6.2 Affiliation with the CNTU and the Labour Relations Environment, 1962-65

Late in 1962, the SLWPU once again sought to affiliate with an outside organization. While not made explicit, the reasons for this move might be inferred from developments during the period since the union had broken its affiliation with the NFL/AFL in 1956. For instance, Turpin himself conceded in 1957 that neither he nor anyone else on the union executive was competent to make a submission to the Tariff Board hearings on fluorspar. Also, the union had made few advances in terms of wages and working conditions after it reverted to independent status in 1956, and during the work stoppages of 1960-62, the drawbacks of the Union's independent status were made clear by the fact that workers had no strike fund. In 1959, Turpin had hired a Montreal research firm to provide information on wages paid to Alcan workers at Arvida -- which turned out to be an average of \$1.95 per hour plus a cost-of-living bonus, compared to an

⁹St. Lawrence Corporation of Newfoundland, Creditors Agreement, 15 June 1965, AA.

¹⁰J.R. Turgeon, Aluminum Company of Canada, Montreal, to Ross T. Clarkson, Montreal (representing the Corporation's New York solicitor), 23 July 1965, AA.

average wage of just \$1.55 per hour at Newfluor.¹¹ Also, when findings of radiation in the St. Lawrence mines began to be made public in February 1960, Turpin had contacted the International Union of Mine, Mill and Smelter Workers (Mine-Mill) seeking information on radiation hazards in mines. Mine-Mill responded with a report on radiation hazards at the Elliot Lake uranium mines.¹² It is not surprising, therefore, given its increasing reliance on outside assistance during the late 1950s, that the Union sought to affiliate with an outside body in 1962.

The organization to which the union eventually affiliated was the Confederation of National Trade Unions (CNTU). A Quebec-based organization, the CNTU was founded in 1921 as the Confédération des Travailleurs Catholiques du Canada (CTCC), an amalgamation of 88 Catholic unions. Formed, according to one account, as a “fearful response” by the Catholic church to the increasing influence and the radicalism of international unions, such as the AFL, in Canada,¹³ the CTCC was originally conservative in nature. The Catholic clergy played a direct role in CTCC locals, and strikes were

¹¹Research Associates Limited, Montreal, to Turpin, 27 June 1959, SLMM.

¹²International Union of Mine, Mill and Smelter Workers, Toronto, to Turpin, 25 February 1960, SLMM.

¹³Black Rose Books Editorial Collective, “Introduction,” in *Quebec Labour: The Confederation of National Trade Unions Yesterday and Today*, Revised 2nd Edition, edited by Black Rose Books Editorial Collective. (Montreal: Black Rose Books, 1975), 14. (First published in Montreal by Black Rose Books, 1972).

viewed as a last resort.¹⁴ Throughout the 1930s and 1940s, the CTCC battled other groups, such as Congress of Industrial Organizations (CIO), the Canadian Labour Congress (CLC), the Trades and Labor Congress (TLC), the AFL, and the Federation Provincial du Travail (FPT) for the allegiance of the Quebec unions. After losing many members to these various organizations during that period, a shift to a more radical stance resulted in a major growth in CTCC membership during the late 1940s.¹⁵ During the 1950s, over 40 per cent of the unionized labour force in Quebec belonged to the CTCC.¹⁶ Strikes became more acceptable and widespread, and the CTCC began to be regarded as a threat to conservative forces in Quebec, such as the Duplessis government. By 1960, the organization had over 94,000 members in 442 locals and had changed its name to the Confédération des Syndicats Nationaux, or Confederation of National Trade Unions.¹⁷

From its inception in 1921, the CNTU had represented workers from a wide range of industries, including pulp and paper, the service industry, clerical and office trades, the textile industry, metal trades, and mines. Local unions within these industry groups were organized into Federations. During the early years of the CNTU's existence, the mining

¹⁴It has been alleged that this position played into the hands of corporations like Alcan, which preferred dealing with CTCC affiliates in such places as Arvida, where the company kept wage levels low by agreeing to the "inexpensive, nationalist demands of the clergy and the CTCC." Black Rose Books Editorial Collective, *Quebec Labour*, 16.

¹⁵Jacques Rouillard, *Histoire de la CSN, 1921-1981* (Montreal: Boréal Express/CSN, 1981), 113, 167.

¹⁶Black Rose Books Editorial Collective, *Quebec Labour*, 16.

¹⁷Rouillard, *Histoire de la CSN*, 167.

sector represented a relatively small proportion of the membership. In 1931, the CNTU had just one miners' union, with 115 members. That had increased to five unions with 2,863 members by 1946. The Metal Trades Federation (MTF), to which workers at Alcan's aluminum smelting plants in Quebec were affiliated, had more unions than the Miners Federation but was comparable in the number of individual members.¹⁸

Throughout the 1950s the miners and metal trades unions won valuable gains in wages, hours and benefits. Membership also grew rapidly: by 1960, the Mine Workers Federation (MWF) had 12 unions with nearly 5,000 members, while the MTF had 47 unions with over 15,000 members.¹⁹

Thus, when the SLWPU approached it about possible affiliation 1962, the CNTU had, during its 40-year history up to that point, gone from being a relatively insular, conservative, religious-based organization to a more radical and secular one, with a broad base of support. While the possible reasons for the SLWPU seeking some sort of affiliation at this time have already been touched upon, its reasons for approaching the CNTU in particular were neither clear nor explicit. The information which the SLWPU received from Research Associates of Montreal in 1959 on wage levels at Arvida may have piqued its interest in the CNTU, since those workers were CNTU members and were employed by Newfluor's parent company, Alcan. Turpin later claimed that he had

¹⁸In 1946, the Metal Trades Federation had 22 unions and 2,738 individual members. Rouillard, *Histoire de la CSN*, 184.

¹⁹Rouillard, *Histoire de la CSN*, 184.

contacted his son, who was living in Montreal in 1962, and asked him to look into the status of the Quebec unions who had collective agreements with Alcan, and had come to the CNTU by this route. The CNTU, he stated, was not the only organization seeking to affiliate the SLWPU in the early 1960s; the CLC was also interested, and the Bell Island miners' union, which was affiliated with the CLC, approached the SLWPU to join that organization. In fact, Turpin later implied that had he not already entered into a verbal agreement with the CNTU when the Bell Island union approached him in late 1962, he would have steered the St. Lawrence union toward the CLC.²⁰

Having apparently already entered into an informal agreement with the CNTU, in October 1962 the SLWPU held a Special General Meeting and voted 132 to 2 in favour of a motion that “a request be made to the Confederation of National Trade Unions ... for affiliation.”²¹ The CNTU replied favourably to the formal request, informing the Union that there was “no doubt that, as far as the CNTU is concerned, we accept your affiliation,” and that it was simply a matter of working out the procedural details.²² CNTU vice-president Ted Payne, who was appointed Technical Advisor to the St. Lawrence union, informed Turpin that his organization was “deeply impressed by the militant efforts of your local to improve the deplorable conditions of work and health hazards to which

²⁰Interview with Aloysius Turpin, MUNFLA.

²¹Extract of the Minutes of a Special General Meeting of the St. Lawrence Workers' Protective Union held on October 29 1962, SLMM.

²²Marcel Pepin, Secretary General, CNTU, to Turpin, 8 November 1962, SLMM.

the workers of Newfoundland Fluorspar Limited are subjected,” and promised to assist the Union in every way possible.²³ Once some minor legal matters regarding the certification vote and conformity to the Labour Relations Act had been dealt with, the union in its newly affiliated status was officially certified on 22 January 1963.²⁴

The CNTU Federation to which the St. Lawrence Union was affiliated was the National MTF, which in 1963 was comprised of approximately 50 unions representing workers in the metal fabrication, foundry, and smelting industries, including aluminum workers at Arvida, Shawinigan, Baie-Comeau, Lévis, and Beauharnois.²⁵ The most likely rationale for affiliating the SLWPU to the MTF rather than the MWF was that many Quebec workers within the MTF were also employed by Alcan, and the Newflour mine was directly linked to the Quebec aluminum industry through the Arvida connection. Affiliating the SLWPU to the MWF Federation, on the other hand, might have had certain advantages not offered by affiliation with the MTF, particularly when it came to the issue of occupational health and safety. Unions in the MWF were familiar with the legislative and industrial relations aspects of occupational health and safety issues, since they had their roots in the asbestos mining industry in such places as Asbestos, Thetford, and East

²³Ted Payne, Vice-President, CNTU, to Turpin, 8 November 1962, SLMM.

²⁴T.A. Blanchard, Chief Executive Officer, Newfoundland Labour Relations Board, to St. Lawrence Workers' Protective Union, 22 January 1963, SLMM.

²⁵Rouillard, *Histoire de la CSN*, 245, states that there were 47 unions in the Metal Trades Federation in 1960. A list of member unions from May 1964 has 54 unions.

Broughton. In the 1940s, for instance, what was then known as the National Catholic Mining Federation (of the CTCC) had spearheaded a campaign to pressure the Quebec government into taking action on the potential health impacts of the asbestos industry.²⁶ Whether the SLWPU would have ultimately been better served by affiliation with the MWF as opposed to the MTF is impossible to say with certainty, but given the fact that the Newfluor operation was a mine where a good knowledge of occupational health and safety concerns in the mining industry was crucial, there is certainly some grounds for believing so.

While the SLWPU was going through the process of affiliating with the CNTU, it was also negotiating a new collective agreement with Newfluor (the collective agreement having expired in November 1962). Negotiations during the fall of 1962 did not go well, and reached a stalemate in December. Negotiations were restarted in February, with Ted Payne, as well as John McLellan, Vice-President of the Arvida Aluminum Workers Union and Secretary of the MTF, assisting and advising the executive of the SLWPU. The new collective agreement, reached in March 1963, embodied some important gains for the Union. It improved and standardized the seniority system and contained improved provisions in such areas as overtime and grievance procedures. The agreement also provided for two wage increases, one of six cents per hour effective 9 March 1963, and another of seven cents per hour effective 30 September 1963. These two increases

²⁶Rouillard, *Histoire de la CSN*, 132-3.

combined would bring the average salary to \$1.87 per hour. It was to be in force until 30 September 1964.²⁷

At the outset, relations between the SLWPU and the parent body were very amicable, and Turpin's relationship with the CNTU was in sharp contrast to his earlier relationship with the NFL/AFL-TLC. He conveyed his appreciation for the CNTU's assistance in reaching the collective agreement and, again in sharp contrast to the attitude he displayed about paying such fees during the 1950s, claimed that it was with "great pleasure" that he forwarded the first installment of the per capita fees from the SLWPU.²⁸ The Union membership was also apparently pleased with the CNTU's assistance in negotiating the 1963 contract; in February 1964 the membership unanimously supported a resolution to have representatives from the NMTF and the Arvida aluminum workers' union assist in negotiations to renew the collective agreement, set to expire in September of that year.²⁹

The CNTU also apparently believed it had much to gain from its relationship with Turpin and the SLWPU, and saw the affiliation as an opportunity to gain other Newfoundland unions. Turpin was apparently assigned the task of seeking out other

²⁷Collective Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers' Protective Union, 9 March 1963, AA.

²⁸Turpin to S.T. Payne, Vice-President, CNTU, 21 March 1963; and Turpin to Dion, Treasurer, CNTU, 22 March 1963, SLMM.

²⁹Copy of Resolutions at a General Meeting of the St. Lawrence Workers' Protective Union (CNTU) 22 February 1964, SLMM.

possible affiliates in Newfoundland. In September 1963, for instance, he was asked whether he had contacted truck drivers at Corner Brook (a pulp and paper town on the island's west coast) about the possibility of affiliating with the CNTU:

We, in the CSN are anxious to know how much we can gain in Newfoundland. Brother Proude was asking me the other day how far you advanced in organizing or contacting other workers.... We will give you all the help you need as Ted Payne and I told you before.³⁰

It is unclear how much effort Turpin or the CNTU actually put into this campaign. In July 1964 Turpin volunteered to visit other Newfoundland mining towns to gauge interest in the idea of affiliation,³¹ but if he went, nothing concrete came of it, as no other Newfoundland or Labrador miners' union ever joined the CNTU.

In the months leading up to the expiration of the 1963 agreement, relations between the union and the company continued to be very strained. There were numerous disagreements and grievances concerning job descriptions, discipline, safety and a host of other matters. Turpin blamed these ongoing problems on the attitude of Newflour manager Wiseman, whose "dictatorial attitude, since the contract was signed ... means a continual cold war between employees and management."³² Given this atmosphere, it is not surprising that negotiations for a new collective agreement, which began in August 1964, dragged on for nearly six months before an agreement was reached in January 1965.

³⁰John McLellan, Secretary, MTF, to Turpin, 13 September 1963, SLMM.

³¹Turpin to Dion, CNTU, 28 July 1964, SLMM.

³²Turpin to Parent and Proude, MTF, 1 February 1964, SLMM.

The new agreement contained several adjustments in the areas of seniority, grievance procedures, annual vacations, and health and safety.³³ It also provided for three across-the-board wage increases over the life of the agreement, which was set to expire on 30 September 1967: seven cents per hour as of January 1965, five cents per hour as of September 1965, and four cents per hour as of September 1966.³⁴ This was a moderate improvement on the company's offer of increases of 4, 5 and 4 cents per hour for the same periods.³⁵ These increases would raise the average wage to \$1.94, \$1.99, and then \$2.03 per hour over the life of the agreement.

While the Union was apparently pleased with the wage increases and other improvements won during the first few years of its affiliation with the CNTU, there was continuing hostility on the labour relations front. According to Turpin, Newflour management resented the presence of the CNTU, and would have preferred dealing with an independent union. At the conclusion of negotiations to renew the collective agreement in 1965, for instance, Turpin remarked that,

When negotiations had to be delayed from time [during 1964], Mr. Wiseman, Manager, called me on the phone and asked me, who's running this affair, he thought it was Newfoundland Fluorspar, Ltd., and the St.

³³The health and safety provisions of this agreement will be dealt with in more detail in the next sub-section.

³⁴Memorandum of Agreement between the St. Lawrence Workers Protective Union and the Newfoundland Fluorspar Company, 19 January 1965, SLMM.

³⁵Company Offer, 18 January 1965, SLMM.

Lawrence Workers' Protective Union, I said no we both have some higher ups looking after both of us....³⁶

Obviously, the Union was coming to see the labour relations situation in increasingly polarized terms and to view its affiliation with a powerful external body as an appropriate response to Newflour's affiliation with a powerful parent company.

One area of continuing concern and controversy was occupational health and safety. While the government and the company took measures aimed at alleviating workers' concerns about health and safety, especially with regard to the radiation problem, relations in this area continued to be marked by suspicion and hostility. One former miner who worked underground at Director during this time stated that while the company had a monitor who checked radiation levels, it was widely believed that "they could rig that" so that the reported level would be lower than the actual one: "I didn't believe the readings, not really, that the company would take ... no one trusted it, no sir." This former miner also recalled that if workers in a given area were believed to have been exposed to a high level of radiation, they were supposed to have been taken out of that area until the level was reduced. Asked if the company followed that policy, he replied, "Sometimes."³⁷

The union sought to have some of its health and safety concerns specifically covered in collective agreements. In the 1963 agreement -- the first one signed under CNTU affiliation -- the union won the right to have two designated union members trained

³⁶Turpin to Adrian Proude, Secretary, MTF, 9 March 1965, SLMM.

³⁷Interview with Leo James.

at company expense in the operation and reading of monitoring equipment, and to have them participate in the monitoring of radiation and dust levels at least every two weeks. The agreement also required that in cases where radiation or dust exceeded the Safe Working Levels (SWLs), all employees were to be immediately removed from the affected area, except those required to enter in order to rectify the situation. The 1963 agreement also required the formation of Safety Committee with two company and two union representatives, whose responsibility it was to conduct periodic tours of the underground and surface areas and report on potential hazards.³⁸

The union also continued to make complaints to government authorities and to demand action on what it believed to be unacceptable conditions and practices. The Department of Mines was less than cooperative in dealing with these complaints. In April 1963, for instance, the Minister gave what the union's solicitor described as a "truculent" reply to a number of complaints -- a reply which implied that responsibility for ensuring that the mine regulations were enforced rested with the company, and that the union was outside its rights in demanding action on health and safety issues from his department.³⁹ When the Department of Mines insisted that the Union's "vague indictments" were not sufficient grounds for investigation, the union responded with a list of specific grievances: men being moved at the company's convenience from their regular jobs to others for

³⁸Collective Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers' Protective Union, 9 March 1963, AA.

³⁹Lewis to Turpin, 11 April 1963, SLMM.

which they were unqualified; workers being ordered off the job for going to the lunch room for drinking water because all other water in the underground was contaminated by radiation; men working out of sight and sound of other workers; the union's ventilation monitor being pressured to concur with the company on radiation and dust readings; and the company interfering in the appointment of the Union's monitor in order to get a man more amenable to the company's position. Add to this the number of injuries routinely sustained on the job, the union charged, and the result was that the men had become "slaves" and the workplace a "sweatshop."⁴⁰

Newflour's official lost-time accident frequency for 1963 was in fact much higher than that of the Buchans lead and zinc mine, and more than double that of the Bell Island Iron ore mines.⁴¹ The union also charged that the official rate, high as it was, was actually lower than the actual rate, because the company often neglected to report lost-time accidents in order to keep down compensation premiums. There are reports of a similar practice taking place at other Canadian mines. Testifying before the Ham Commission on Health and Safety in Ontario mines in 1975, for instance, a union representative claimed that many accidents went unreported at the International Nickel Company's (INCO's) mine in Sudbury where, to avoid reporting lost-time accidents to the Workers'

⁴⁰Turpin to W.J. Keough, Minister, Mines, Agriculture, and Resources: "Union Report with Regards to the Fluorspar Industry Operated by the Newfoundland Fluorspar Company," 16 April 1963, SLMM.

⁴¹Department of Mines, Agriculture and Resources, Annual Report for the Year Ended 31 March 1964, 171, DME.

Compensation Commission, “these walking wounded still received their wages.”⁴² A smelter worker in Sudbury at the time corroborated this claim, stating that in one instance he was brought to and from work by the company and sat in the office for three weeks in order to avoid recording a lost-time accident, partly because the company was “trying for an award.”⁴³ To the allegation that Newflour had adopted this practice in St. Lawrence, the Mines Minister vaguely replied that the regulations required that all lost-time accidents be reported, and that “the safety of workmen in the mines of St. Lawrence is of prime importance to my Department.”⁴⁴

In 1963, Newflour issued a comprehensive set of accident prevention measures.⁴⁵ These rules were broken down by occupation or task and dealt mainly with the prevention of accidents during drilling, hauling, hoisting, riding cages, welding, working with electrical equipment or explosive devices, and so on.⁴⁶ While the only reference to air quality in the 1963 rules was a directive not to tamper with ventilation equipment, this was a continuing source of controversy. In January 1964, for instance, the Union informed the

⁴²Quoted in Clement, *Hardrock Mining*, 224.

⁴³Clement, *Hardrock Mining*, 224.

⁴⁴Keough to Carter, 26 August 1963, and forwarded to Turpin, 20 September 1963, SLMM.

⁴⁵Companies were permitted, under the regulations, to issue such rules, provided they were designed to accompany, and not replace, any provincial regulations.

⁴⁶Newfoundland Fluorspar Limited, St. Lawrence, “Plant and Mine Safety Rules and Instructions for the Prevention of Accidents,” 1963, AA.

Department of Mines that a month previous two men had been “gassed” in the underground, one to the point where he had to leave his job. The Department of Mines simply replied that it had not been informed of any such incident, and that if it had occurred the Company was required to report it as a lost time accident, in which case it would appear in the Annual Report.⁴⁷ The alleged incident did not appear in the Annual Report.⁴⁸ Throughout the winter of 1963-64, the Union complained repeatedly that there were serious problems with air quality and ventilation and charged that the government’s inspectors were indifferent and “incompetent.”⁴⁹ The Department’s responses grew increasingly defensive and even dismissive. It defended its inspectors and its general handling of the St. Lawrence situation, and claimed that until Turpin was willing to trust someone else’s assessment and to offer constructive criticism, his claims would not be considered or addressed:

It is evident from Mr. Turpin’s letter that he is not prepared to accept the views or assurances of this Department or the Department of Health or the Workmen’s Compensation Board.... We do not propose to enter into any further discussion or correspondence with him, or with anyone acting on his behalf, unless his complaints are specific, verifiable, reasonable, and

⁴⁷Carter to Turpin, 15 January 1964, re: reply from Keough to Carter, 10 January 1964, SLMM.

⁴⁸Because the incident allegedly occurred after September 1963, it should have appeared in the Annual Report for 1964, which it did not. Accident statistics were broken down by type, one of which was “Asphyxiation or Noxious and Toxic Gasses.”

⁴⁹Turpin to C.H. Ballam, Minister of Labour, Government of Newfoundland, 11 March 1964, SLMM.

applicable, and unless his suggestions, if he has any, are specific, reasonable and applicable.⁵⁰

Turpin replied with a number of specific complaints: that to cut costs the company shut down the ventilation system during weekend and holidays so that men returning to the workplace after such breaks entered an atmosphere filled with “fumes, dust, and radiation,” that men were sent back into radiation-contaminated areas shortly after others had been taken out, that ventilation equipment was in some cases inadequate and too easily tampered with and that blasting was carried out all through working hours.⁵¹ The union was then informed that a telephone call to the mine manager had “confirmed” that the ventilation system was in continuous operation, and that as the radiation level was checked every two weeks by the company and periodically by the government inspector, there was no cause for concern and no need to issue further recommendations to the company.⁵²

The company’s own monitoring, however, reported at least three excessive readings during 1963, one of which showed a radiation level nearly 7 x SWL. There were also several excessive readings during 1964, including one of more than 4 x SWL, and seven during 1965, including three in July alone. Some explanation was usually offered in

⁵⁰Keough to Lewis, 24 March 1964, SLMM.

⁵¹For example: Turpin to Lewis, 31 March 1964, SLMM.

⁵²Lewis to Turpin, 26 May 1964, re: Deputy Minister of Mines to Lewis, 14 May 1964, and Brian J. Trevor, Chief Inspector of Mines, to Keough, 28 May 1964, SLMM.

such cases, such as damaged vent tubing or malfunctioning fans, and it was stated that workers were removed from such areas as soon as the danger was discovered.⁵³ Also, company and government officials could claim that levels were within allowable limits because the final results of surveys were calculated as an average of the individual readings. The results for the week of 21-25 July 1965, for instance, show three readings in excess of the SWL, but the *average* of all the readings for that week was just 0.59 x SWL.⁵⁴ Periodic tests by the Chief Inspector showed similar results: on two occasions during 1964 the Inspector reported readings in excess of the SWL, but that the average reading was just under 0.30 x SWL.⁵⁵ For 1965, when there were at least seven readings in excess of the SWL, the reported average for 645 readings was just 0.20 x SWL.⁵⁶

Such instances demonstrate that despite such measures as increased ventilation and monitoring, workers continued to be exposed to dangerous levels of radiation, and that the radiation problem was a highly unpredictable one -- readings for the same area could fluctuate a lot in a matter of days. They also point to the fact that the average reading reported was simply a *mathematical* calculation; miners worked in areas where the

⁵³Results of Mine Ventilation Surveys Conducted by Newfoundland Fluorspar Limited, 1963, 1964, and 1965, SLMM.

⁵⁴Results of Mine Ventilation Surveys Conducted by Newfoundland Fluorspar Limited, 21-25 July 1965, SLMM.

⁵⁵Trevor to Keough, 15 June 1964, and 23 November 1964. SLMM.

⁵⁶"Survey Lung Cancer of St. Lawrence Miners," GN78/1/B, 220, File 290/G/07, PANL.

radiation level was below or above the average reading -- no one actually worked in the average reading. As the company's weekly tests were observed by a union representative every second week and the results forwarded to the union, it is safe to assume that the workforce was aware of such readings, and that this contributed to the suspicion and hostility that marked the union's relationship to the management and to the government.

In addition to affiliation with the CNTU in 1963, another important development for the SLWPU in the 1960s was the ousting of Turpin and the election of a new president in 1966. The reasons for this change are unclear, but Turpin himself later claimed that he had come under some mild criticism because his wife was being paid to clean and paint the union offices.⁵⁷ What is clear is that Turpin did not approve of the man elected to replace him or the procedure by which he was elected. According to Turpin, the man who replaced him, Leo Slaney, had worked with Newflur just three years, and won on a secret ballot by just 15 votes. By Turpin's account, there were just 84 union members present at the meeting during which the vote was held, on 3 April 1966, as well as some non-union men who also cast votes. After Slaney's election, Turpin said, he simply "got out of town."⁵⁸ He moved to Montreal, where he stayed for the remainder of his life.

⁵⁷Interview with Aloysius Turpin, MUNFLA.

⁵⁸Interview with Aloysius Turpin, MUNFLA; and Turpin to J.Malone, Department of Labour, St. John's, 5 April 1966, SLMM. Turpin was fairly accurate about Slaney's experience with the company, as a Seniority List from 31 December 1964 shows he had been employed at that point for 18 months.

Immediately after his election, Slaney signaled to the CNTU his intention to establish a new working relationship between the St. Lawrence union and the parent organization, including more communication with and assistance from the CNTU. He also implied that he was willing to take a strong stand when necessary: one of the first questions he put to the MTF executive was how much money was in the SLWPU's strike fund.⁵⁹ This initial correspondence implies that Slaney, at least, felt that Turpin did not demand enough attention and assistance from the MTF and was not willing to take decisive measures, such as strike action, when necessary. While this does not necessarily mean the membership also felt that way, it may partly explain why Turpin was challenged for the leadership and voted out.

Under Slaney's leadership, the union continued to be concerned with working conditions, and especially with possible exposure to radiation. In May 1966 the Newfoundland government began to direct more attention to this issue as well, by appointing a radiation monitor, David Rex, to take daily readings at the St. Lawrence mines. Shortly after, in June, Gerald Drover arrived to take up the position as Newflour's Safety Officer, whose duties included weekly monitoring of mine air. Drover trained under his predecessor, John Tosney, for about three months before Tosney left in September 1966. This was his only training in this type of work; before coming to St. Lawrence he had worked for three years in the Safety Division of J.C. Pratt, a St. John's construction

⁵⁹Leo Slaney, to S.T. Payne, MTF, 4 May 1966, SLMM.

supply company.⁶⁰

With the government's appointment of the daily monitor, the monitoring system reportedly worked like this: Rex took readings at selected sites -- not every site -- every day and Drover took readings once a week. Drover was accompanied every two weeks by a union representative, in accordance with the collective agreement. The results of both these sets of readings were sent to Newflur's Chief Engineer, Claringbull, and to the union. Newflur manager Wiseman received the weekly average of these daily and weekly readings. The Department of Mines received these weekly averages on a quarterly basis, except for instances where the reading was in excess of the SWL, which were supposed to be reported to the department immediately. In cases where the reading exceeded the SWL, workers were supposed to be removed from area and not allowed back until adjustments were made and further tests showed that level had returned to at or below the SWL.⁶¹ The fact that there were any excessive radiation readings, however, continued to be a source of concern for the workforce. The monitoring system and even the appointment of a daily monitor by the government did little to ease their minds or to improve relations in that area. Asked later whether the introduction of daily readings in 1966 had improved

⁶⁰Transcript of a public hearing of the Royal Commission on Radiation, Compensation, and Safety, at the Fluorspar Mines, St. Lawrence, Newfoundland (hereafter called "Royal Commission on St. Lawrence"), held at St. Lawrence, 27 November 1967, 188, GN 6, 2, PANL.

⁶¹Transcript of a public hearing held at St. Lawrence, 27 November 1967.

morale among the workforce, Wiseman simply replied, "Not that I've noticed."⁶²

An important legislative change regarding the monitoring of the radiation hazard at St. Lawrence was introduced by an amendment to the mines regulations which came into effect in July 1967, setting more specific allowable limits for exposure to radiation than those in effect up to that point. Allowable limits up to this time were determined by a combination of the general requirement contained in the regulations of 1957, which required the removal of harmful amounts of dust and "noxious impurities" and the supplying of adequate ventilation to "ensure the health of anyone employed in the mine," and the 1960 amendment requiring operators to "carry out such tests of the air in all workings that are in use or to be used by workmen."⁶³ The 1967 amendment grew out of recent changes in regulations governing radiation exposure in the United States. There, studies conducted in 1962 and in 1964 had found that uranium miners were still dying from respiratory cancer at a rate five to ten times that of the general population, despite various measures which had been introduced in the 1950s. In 1967, the United States introduced a new radiation exposure standard in response to this trend. The new standard shifted the emphasis from the maximum allowable *concentration of radiation in the air*, to the maximum allowable *dosage to which a worker could be exposed*.⁶⁴ This distinction

⁶²Transcript of a public hearing held at St. Lawrence, 27 November 1967.

⁶³The Mines (Safety of Workmen) Regulations, 1957, Section 91(1) and the Mines (Safety of Workmen) (Amendment) (No. 4) Regulations, 1960.

⁶⁴Tataryn, *Dying for a Living*, 78-9.

can be translated as the difference between the Working Level (WL) itself and a Working Level Month (WLM). A WLM is defined as exposure to 1 WL for 4 $\frac{1}{3}$ weeks of 40 hours each. Thus, the 1967 Newfoundland amendment required that: "Occupational exposure to radon daughters in underground mines shall be controlled so that no individual will receive an exposure of more than 1.8 working level months in any consecutive three-month period and no more than 3.6 working level months in any consecutive 12-month period."⁶⁵

Because the emphasis was now on exposures, the amendment required not only the taking and recording of air tests, but also the monitoring of which areas workers were in at any given time and thus how much radiation they were exposed to over a given period. While it was introduced ostensibly to provide further protection, the shift from levels to dosages could be seen as a way of dealing with the ongoing problem of readings in excess of 1 WL and the suspicion and unrest they generated. The WL could now be above 1 at a given time or place but, because the emphasis was on employee exposure rather than the level itself, individual readings in excess of 1 WL could be justified on the grounds that other readings, below 1 WL, meant that an employee's exposure over a given period did not exceed the maximum dosage. The shift also made it more difficult to monitor exposures and to protect workers, since it required an account of how long workers had been in particular areas and what the level had been during that time, an extremely difficult task

⁶⁵The Mines (Safety of Workmen) (Amendment) (No. 1) Regulations, 1967 (which became Section 96B of the Mines (Safety of Workmen) Regulations, 1957). The new standard was also adopted for uranium mines in Canada. See Tataryn, *Dying for a Living*, 78-9.

when levels were not constantly monitored and with workers constantly moving through the mine.

6.3 Industrial Disease and Worker's Compensation, 1960-1966

Other factors contributing to the atmosphere of mistrust and conflict during the first half of the 1960s were continuing illness and death among the workforce and further official confirmation of the number of workers who had already died. While those close to the situation had been aware for many years that miners were becoming ill and dying in disproportionate numbers, the matter began to receive systematic study only in the wake of the 1960 revelations about radiation levels in the mines, when a team of experts from the National Department of Health and Welfare undertook research into illness and mortality patterns.⁶⁶ In 1964, de Villiers and his research team released the official results of their study of St. Lawrence miners begun in 1960. It was confirmed that from 1933 to 1961 there were 119 deaths among all employees of both mining companies. Of these, 22 were attributed to tuberculosis and/or silicosis (including 12 in this category from 1949 to 1958), 26 to cancer of the lung, 17 to other cancers, 21 to diseases of the circulatory system, 29 to other causes, and 4 to unknown causes. The study found that the average age of death for lung cancer victims among the mining population was 46.8 years, and that the youngest victim up to that point was just 33 years old and the oldest 56. The average

⁶⁶“Survey Lung Cancer of St. Lawrence Miners,” GN78/1/B, 220, File 290/G/07, PANL.

duration of underground exposure for lung cancer victims was 12.5 years. The average “induction period” (the time from first exposure to death) was 19.1 years, and the average “lag period” (the time from last exposure to death) was just 1.8 years. The rate of death from lung cancer among St. Lawrence miners was nearly 29 times the provincial average.⁶⁷

Comparing the St. Lawrence case with cases associated with mines in other parts of the world, the study found that the death rate from lung cancer in St. Lawrence miners was worse even than some of the most notorious cases known up to that time. In the uranium mines of Jachymov, Germany, and Schneeberg, Czechoslovakia, rampant illness in miners exposed to uranium was confirmed as lung cancer in 1879. There, the average age at death for miners with lung cancer was higher than that in St. Lawrence, and the average induction period several years longer.⁶⁸ The de Villiers study noted that in the uranium mines of South Africa, the percentage of lung cancer deaths among the mining population was just 3.5, compared to 45 per cent in St. Lawrence, and that the average age at death for lung cancer victims in the South African case was 10 years higher than

⁶⁷A.J. de Villiers and J.P. Windish, “Lung Cancer in a Fluorspar Mining Community: Radiation, Dust and Mortality Experience,” *British Journal of Industrial Medicine*, 21 (1964), 94-109.

⁶⁸R.W. Thompkins, “Radioactivity and Lung Cancer: A Critical review of Lung Cancer in the Miners of Schneeberg and Joachimsthal,” *Journal of the National Cancer Institute*, 5 (1944).

that at St. Lawrence.⁶⁹

The de Villiers team also studied the health status of the 280 men employed at the mines in August 1960, as well as that of nearly 100 former miners. These men were given clinical tests and completed questionnaires regarding such factors as smoking and diet. This study concluded beyond a doubt that exposure to radiation was the explanation for the high incidence of lung cancer among the mining population.⁷⁰ By 1963, six more miners had died from cancer of the lung and respiratory system, bringing the total to thirty-two.⁷¹ In addition, in 1965 it was confirmed that 41 others were suffering from lung cancer, and that the peak incidence had shifted to a younger group, likely signaling an impending decline in the average age of death.⁷² Furthermore, since the average induction period was nearly twenty years, and many men had developed cancer after less than ten years underground, others would likely become ill in the near future.

The rate of disease and death associated with the mines and the government's handling of the situation to that point had understandably created a deep-seated suspicion

⁶⁹de Villiers and Windish, "Lung Cancer in a Fluorspar Mining Community," 94-109.

⁷⁰W.D. Parsons, A.J. de Villiers, L.S. Bartlett, and Margaret R. Becklake, "Lung Cancer in a Fluorspar Mining Community: Prevalence of Respiratory Symptoms and Disability," *British Journal of Industrial Medicine*, 21, 1964, 110-116.

⁷¹A.J. de Villiers, "Cancer of the Lung in a Group of Fluorspar Miners," *Proceedings of the Sixth Canadian Cancer Research Conference, Honey Harbour, Ontario, 1964*, 6 (1966), 460-474.

⁷²"Lung Cancer - Progress Report," 18 November 1965, GN78/1/B, 220, File 290/G/07, PANL.

and resentment of government representatives on the part of the people of St. Lawrence. One instance which illustrated the depth of this feeling occurred in 1966, when a team of students hired to assist in a health survey of several communities on the Burin Peninsula encountered a lot of resistance in St. Lawrence, in contrast to the other communities they entered. It was reported that they had so much trouble getting any cooperation in St. Lawrence that they were on the verge of quitting.⁷³

Rampant illness and death among the male, bread-winning workforce also had devastating economic consequences. Many miners incapacitated by industrial disease, as well as many widows, had little or no means to support themselves and their families. Lung cancer arising from exposure to radiation was included in the Workmen's Compensation Act's Schedule of Industrial Diseases under an amendment which came into effect on 5 July 1960.⁷⁴ While the 1960 amendment was retroactive to 1951 (when the original Act was passed), so that cases arising from 1951 to 1960 could also be compensable, it did not cover claims for death or disability before 1951. When Workmen's Compensation Board Chairman Irving Fogwill visited St. Lawrence in 1960 to assess the situation firsthand and to get some idea of the potential costs involved in covering claims, he pointed out that even with limited retroactivity, the cost associated

⁷³L.G. Vey, Senior Administrative Assistant, Department of Health, Government of Newfoundland, to de Villiers, 16 July 1966, "Health Survey – Burin Peninsula," GN 78/1/B, 220, File 290/G/01, PANL.

⁷⁴An Act to Amend the Workmen's Compensation Act (1951), 5 July 1960.

with pending and future claims associated with industrial disease in St. Lawrence would be “staggering.” It was decided, in fact, that the Workmen’s Compensation premiums paid by the mining industry itself could not be expected to cover the cost, and that the money would have to come from the Board’s Disaster Reserve Fund, a fund into which a portion of premiums from all industries was directed.⁷⁵

In making the decision to compensate St. Lawrence cancer claims from this fund, the WCB in effect absolved the mining companies of their financial responsibility for the cancer tragedy, since their compensation premiums would not increase. This decision was therefore a blatant example in support of the argument that employers are often protected from much of the financial liability for their negligence, and an undermining of the principle that employers would take an active role in promoting health and safety in order to keep their premiums to a minimum. Newflour manager Wiseman later stated that this decision by the WCB prompted Newflour to change its policy on refusing to hire former Corporation miners after confirmation of the radiation problem in 1960. Wiseman claimed that Newflour was initially reluctant to hire former Corporation miners because it did not want its compensation assessment to increase because of claims arising from lung cancer cases among those who had worked in the Corporation mines. After Newflour was assured that the claims would come out of the Disaster Fund and therefore not affect the

⁷⁵“Report of a Visit to St. Lawrence, 18-22 September 1960, by Irving Fogwill,” GN6, 3, PANL.

company's assessment, he stated, that policy was changed.⁷⁶

In addition to the cost involved, Fogwill also argued that making lung cancer claims retroactive to before 1951 was complicated by the difficulty in assessing the credibility of all retroactive claims:

The present Act cannot be held to include those miners who died prior to 1 April 1951, or those who terminated their mining employment at dates antecedent to 1 April, 1951, only to become ill and die, perhaps years later, from lung cancer, since the fatal lesion may have been quiescent for years merely awaiting a type of chemical or metabolic change in the person to become activated.⁷⁷

That argument could, of course, equally apply to claims arising after 1 April 1951 and considered legitimate under the legislation; in those cases, a pre-existing condition might also have contributed to the development of the compensable disease. More importantly, because the 1951 Act treated industrial diseases in essentially the same manner as industrial accidents, the time of disablement was assumed to be the time at which a worker left his job. Therefore, anyone who had left the job, even because of disablement, before 1 April 1951 was not entitled to compensation, and nor were the dependents of a deceased worker who had left the job or died because of a workplace accident or industrial disease before 1 April 1951. As would become clear in the St. Lawrence case, however, the limit on retroactivity bore little relation to the real circumstances under which workers grew

⁷⁶Transcript of a public hearing held at St. Lawrence, St. Lawrence, 27 November 1967.

⁷⁷"Report of a Visit to St. Lawrence, 18-22 September 1960, by Irving Fogwill," GN6, 3, PANL.

too ill to work and eventually died, and to the hardship to which surviving widows and children were left.

In addition to the limit on retroactivity, another serious problem with the compensation system was the inadequacy of benefits, especially in cases where a widow had a number of children under her care. While there had been several moderate increases in benefits since the original amounts were set in 1951, in 1961 payments were still very low. The monthly amount paid to the widow of a deceased worker (provided she did not remarry) had been increased by just \$25.00, up to \$75.00 in 1961, while the monthly amount paid to dependent children (under 16 years old) had increased by just \$15.00, to \$25.00. The maximum amount payable per month, regardless of the number of dependents or, in the case of living, disabled workers, wages before the disability, was \$250.00 per month in 1961. The strict limit on retroactivity, the low level of benefits and other features of the legislation would become increasingly pressing problems and the source of much hostility and resentment in St. Lawrence during the 1960s.

While many in St. Lawrence and surrounding communities struggled on a daily basis with industrial disease and inadequate financial support, the issue only began to gain wider public attention in 1965, when it was brought to the notice of a committee appointed to review the Workmen's Compensation Act. Unlike other Canadian jurisdictions, where regular, independent reviews of provincial Acts had been a requirement since their introduction in the early 20th century, until 1962 the Newfoundland government relied upon the WCB and its chairman to assess the effectiveness of the

Newfoundland Act and to shape policy accordingly.⁷⁸ When a newly consolidated Act was passed in 1962, it contained a requirement that the Lieutenant-Governor appoint a committee every five years, retroactive to 1959, to “review, consider, report and make recommendations upon such matters respecting this Act and the regulations and the administration of each as the committee deems fit.”⁷⁹ The first such committee was appointed in 1964 and began its review in 1965.

The Review Committee received and responded to a number of submissions on a variety of topics in the course of its proceedings. There was one brief in particular, however, which in the committee’s words was “so extraordinary,” and “so startling” that it demanded special attention.⁸⁰ This brief was submitted in February 1965 by St. Lawrence resident Rennie Slaney. Slaney had been one of the original Corporation workers. He later moved into a supervisory role and then a clerical position with that company, before taking a clerical job with the Town Council until his retirement. He had also been a witness to the Issac Slaney autopsy in 1952. Slaney’s brief described working conditions from the start of mining in St. Lawrence and the impact of industrial disease on miners and their families. Slaney recounted how men had begun to get sick and die

⁷⁸“Report of the Review Committee Appointed to Review, Consider, Report Upon and make Recommendations Respecting the Workmen’s Compensation Act,” 1966, unpublished document, CNS.

⁷⁹Workmen’s Compensation Act, 1962, Section 104(2).

⁸⁰“Report of the Review Committee on Workmen’s Compensation Act,” 1966, 42.

around 1945, and how many were sent to the sanitarium to be treated for tuberculosis but never recovered. His submission included a list of 84 names of dead miners, more than 70 of whom, he claimed, had died from lung cancer and respiratory diseases. Slaney claimed that in only about 25 cases had dependents received any compensation. He also listed thirteen cases of living, former miners too sick from cancer and respiratory diseases to work, only six of whom were being compensated.⁸¹

While conceding that these figures were unofficial, the Review Committee nonetheless accepted them as “fairly reliable” given Slaney’s interest in, and first-hand knowledge of, the subject.⁸² Information that the Review Committee requested from the WCB, however, indicated that the first recorded death from industrial disease associated with the St. Lawrence mines occurred in 1952, and that from then until 1965 there were 34 deaths from lung cancer in St. Lawrence miners, as well as four deaths from silicosis/tuberculosis. In addition, the WCB’s records showed just seven cases of silicotic miners still living, with varying degrees of disability. Regarding the apparent discrepancy between Slaney’s figures and those provided by the WCB, the Review Committee stated that the explanation was “a simple one”: that many cases, especially in the pre-1951 period, simply had not been counted and therefore had not been compensated. The

⁸¹“Report of the Review Committee on Workmen’s Compensation Act,” 1966, 42-3.

⁸²“Report of the Review Committee on Workmen’s Compensation Act,” 1966, 43-9.

Review Committee claimed that the figures provided by Slaney were “much nearer the truly ghastly total than the fifty-odd in the Board’s files.”⁸³ Based on this belief, the Review Committee concluded that “if every claim that has really been created were evaluated,” the payments due would far outstrip the capacity of the Board, and that “the tragedy of St. Lawrence, its very dimension and character, has far exceeded the scope of the Act.” Calling the St. Lawrence case a “national disaster,” the Committee made a decisive recommendation:

The only positive recommendation we can make, but it is one which we feel is our duty to make, is that the whole history of fluorspar mining at St. Lawrence, from its start in 1933, be investigated and examined in the utmost detail and in its every aspect. What form the inquiry should take it is for the proper authorities to decide, whether it be by the appointment of a Royal Commission or in some other way.⁸⁴

Only such an inquiry, the Committee insisted, could uncover not only the medical and scientific aspects of the St. Lawrence case but also the “the sociological and human side of the tragedy, the tale of which has been only partially and superficially told.”⁸⁵

6.4 “Keeping the Company’s Skirts Clean”: Labour Relations, Public Relations, and the Proceedings of the Royal Commission, 1967-1969

In February 1967 the Newfoundland government, forced to take action by the

⁸³“Report of the Review Committee on Workmen’s Compensation Act,” 1966, 50.

⁸⁴“Report of the Review Committee on Workmen’s Compensation Act,” 1966, 51.

⁸⁵“Report of the Review Committee on Workmen’s Compensation Act,” 1966, 51.

sheer magnitude of the problem and by the harsh and decisive conclusions of its own Review Committee, announced that a Royal Commission would be appointed to investigate matters of industrial disease and workers' compensation associated with the St. Lawrence fluorspar mines. The Royal Commission's composition and Terms of Reference were made official on 7 March 1967.⁸⁶ The Commission was to be headed by St. John's lawyer Fintan Aylward, a native of St. Lawrence (and son of Patrick Aylward, who had started the first "union" in 1939). The other original members of the Commission were: Dr. Bliss Murphy, a prominent Newfoundland radiologist; Frederick Gover, Deputy Minister of Mines and former Chief Inspector of Mines; and Irving Fogwill, former Chairman of the Workmen's Compensation Board. Just a month after his appointment, however, Fogwill resigned from the Commission, stating that investigating past actions by the WCB might give the appearance of a conflict of interest and call into question his objectivity. He was replaced by Dr. David Parsons, who had assisted de Villiers in earlier investigations of the radiation/cancer issue at St. Lawrence.⁸⁷ The Commission's original Terms of Reference were:

1. To investigate all Workmen's Compensation claims from any miner or dependant of a deceased miner who had at any time worked in any of the St. Lawrence mines and make recommendations based upon the findings of that investigation.
2. To determine the number of dependants of miners not receiving compensation in cases

⁸⁶*The Newfoundland Gazette*, Vol. XLII, 7 March 1967.

⁸⁷T. Alex Hickman, Minister of Justice, Government of Newfoundland, to Leo Slaney, 6 April 1967, SLMM.

where “the husband or father apparently died of lung cancer or any other industrial disease *from the date of commencement of mining activities in St. Lawrence* and to make recommendations with regard to the same.” (emphasis added)

3. To determine whether the Workmen’s Compensation Board has been accepting the claims of miners who are suffering from or apparently suffering from lung cancer, and if necessary to recommend changes for more rapid and efficient handling of such claims, and to establish the number of claims from miners and dependants thus far rejected by the Board and the reasons for rejection.
4. To determine whether the mines of St. Lawrence are now safe and if not to recommend any changes necessary to ensure that workers are free from health risks arising from radiation or other industrial hazards.
5. To determine what, given that fluorspar itself is not radioactive, is the cause of the radiation problem at the St. Lawrence mines.
6. To examine any features in around the town, in addition to the mines, which may be hazardous to the health of the residents.⁸⁸

The establishment of the Royal Commission, combined with disclosure of the findings of the Workmen’s Compensation Review Committee, intensified both internal and public debate over the handling of the industrial disease and workers’ compensation issue in St. Lawrence. A newspaper article using the Review Committee’s phrase “national disaster” to describe the situation in St. Lawrence, for instance, drew criticism from the provincial Department of Health, and from Premier Smallwood himself.⁸⁹ An official with the Department of Health suggested that the article was an example of how the situation at St. Lawrence had been “blown out of proportion.” He also complained of the fact that

⁸⁸*The Newfoundland Gazette*, Vol. XLII, 7 March 1967.

⁸⁹“Tragedy Termed ‘National Disaster’,” *Evening Telegram*, 31 March 1967.

for all the publicity given to St. Lawrence, no one had mentioned the “vast sums of money pumped into the St. Lawrence mines project” by the Newfoundland government.⁹⁰

Smallwood criticized media coverage of the St. Lawrence case as “greatly exaggerated,” and dismissed much of it as “history.”⁹¹

That Newflour management saw that the Royal Commission was shaping up to be partly a public relations campaign is indicated by the fact that on 17 February 1967, Wiseman issued a press release to try to present what was, in his view, a more balanced view of the situation. To Wiseman, the publicity given the St. Lawrence situation had been “very much one-sided, with the grim side of the picture being highlighted and exaggerated, and the brighter side of the picture being entirely eliminated.” The result, he claimed, was that the general public, especially outside of the St. Lawrence area, had been “grossly misinformed.” Wiseman went on to give a brief account of the economic benefits the mining industry had brought to St. Lawrence, and to defend Newflour’s health and safety record.⁹² The “grim side of the picture,” however, continued to be displayed, no doubt to the consternation of the company and the government. A television special aired on 2

⁹⁰L.G. Vey, Senior Administrative Assistant, Department of Health, Government of Newfoundland, to de Villiers, 16 February 1967, “Health Survey – Burin Peninsula,” GN 78/1/B, 220, File 290/G/01, PANL.

⁹¹Vey to de Villiers, 17 February 1967, “Health Survey – Burin Peninsula,” GN 78/1/B, 220, File 290/G/01, PANL.

⁹²“Press Release Issued by Mr. R. Wiseman, General manager, Newfoundland Fluorspar Limited, 17 February 1967,” GN 6, 3, PANL.

March 1967, for instance, explored the history of mining and industrial disease in the community. On 31 March, a lengthy and scathing newspaper article by Rennie Slaney described the history of working conditions in St. Lawrence, the toll it had taken on the people, and the government's mishandling of the issue.⁹³ Shortly after, Newflur brought in an expert, Harry Ethridge of Alcan's Public Relations Department, to assist in its public relations campaign and in drafting Newflur's submission to the Royal Commission.⁹⁴

While the public relations battled raged, and the Royal Commission proceeded with its work, the union focused on the preparation of its brief for the Royal Commission and on day-to-day issues. In February 1967, Leo Slaney informed the district's MHA, Justice Minister T. Alex Hickman, that the workforce was still concerned that individual radiation readings were often well in excess of the SWL, and that in many cases men had worked in contaminated areas for several days. Slaney also disputed management's claim that a decrease in production in 1966 was due to a shortage of skilled miners. Production did drop by about 20,000 tons in 1966,⁹⁵ but according to Slaney, the decrease was caused not by a shortage of skilled men, but by the continuing problem of "rockbursts" at

⁹³"Compensation Should be Paid Says St. Lawrence Miner," *Evening Telegram*, 31 March 1967.

⁹⁴Harry Ethridge, Public Relations Manager, Newflur, to John C. Crosbie, Minister of Health, Government of Newfoundland, 10 May 1968, "Survey Lung Cancer St. Lawrence Miners," GN 78/1/B, 220, File 290/G/07, PANL.

⁹⁵Department of Mines, Agriculture and Resources, *Annual Report for the Year Ended 31 March, 1967*, 193.

Director mine.⁹⁶ Defined simply, a rockburst is a sudden shifting of the surrounding rock in an underground area. The results can range from the harmless splitting of a rock face to a major fall of rock. Rockbursting had been a source of concern at Director since at least 1959, when the company first began studying the problem.⁹⁷ It was also an important daily safety concern for workers. One veteran miner recalled an incident from the mid-1960s when he and a fellow driller heard the noise that often accompanied rockbursting while working underground at Director mine. The two decided to get out of the area and were walking out the drift when they met an assistant superintendent, a “mainland” man. The assistant superintendent asked where they were going and when the two explained that they believed a rockburst was coming, they were told that unless they returned to their work they would be fired. The two replied that if that was their choice, they preferred to be fired. They continued walking out the drift when they heard the sound of a rockfall. This former miner recalled that when he went back in to investigate, nearly 100 tons of rock had fallen in the area where they had been working. The assistant superintendent, he said, told him he was “one lucky man,” to which he replied, “No thanks to you... If I’d listened to you I’d be under that now.” Eventually, he said, the rockbursting got so bad he could not sleep at night, and in 1966 he and several other

⁹⁶Leo Slaney to T. Alex Hickman, Minister of Justice, Government of Newfoundland, St. John’s, 13 February 1967, SLMM.

⁹⁷Newfoundland Fluorspar Limited, “Supplementary Submission to the Royal Commission on St. Lawrence: Rock-stress, Rock-bursts, Mining Methods, Newfluor Safety Policy and Practice, Accidents, Safety Training,”GN 6, 3, PANL.

miners left St. Lawrence and went to the recently opened Gullbridge copper mine in northeastern Newfoundland.⁹⁸

By 1966, rockbursting at Director had become so frequent and intense that it was seriously affecting operations and Newfluor decided that to meet production goals it would have to re-open the Tarefare shaft, which had last been worked on a small scale in 1947.⁹⁹ When it decided to re-start operations at the Tarefare site, Newfluor hired contractors to do much of the development work, such as sinking the shaft and driving raises and drifts. The union opposed this contracting-out on the grounds that the contractors' men were taking jobs which the union felt should go to local men, that the presence of contractors' men constituted non-unionized labour in the workplace, and that the men were paid more than those employed directly by Newfluor, which created tension in the workplace and the community. The union also claimed that the contracting firms were less concerned about industrial hazards than were regular employees.¹⁰⁰ One reported instance which illustrated that the union had grounds for this belief occurred in 1966, when a team of contractors' men removed the vent tubing from an area of Tarefare mine in order to speed up their work. When the government monitor checked the radiation level there shortly after, it was 66 x SWL. Management's defense in this instance was that,

⁹⁸Interview with Jim Roberts.

⁹⁹Department of Mines, Agriculture and Resources, *Annual Report for the Year Ended 31 March, 1967*, 193.

¹⁰⁰Leo Slaney to S.T. Payne, CNTU, 31 May 1967.

“The Company doesn’t have any control over that -- what is going on there with the contractor’s men.” Regular employees working in the same areas as contract men were, nonetheless, exposed to such dangers.¹⁰¹

Another ongoing source of friction during 1967 was the Union’s persistent allegation that the company continued to find ways to avoid recording lost-time accidents in order to keep down its official accident rate. According to the union, this was usually accomplished by finding an excuse to lay off or otherwise get rid of an injured worker or by simply paying an injured worker for time on the job without having him actually do any work.¹⁰² If it was the company’s intention to reduce the reported lost-time accident rate in this way, it worked: in 1967, Newfluor recorded Newfoundland and Labrador’s lowest official accident rate and was therefore the province’s top contender for the John T. Ryan Safety Trophy, awarded annually to the safest mine in Quebec and Atlantic Canada.¹⁰³

While these ongoing grievances would have been sufficient to create a tense environment during the months leading up to the first public session of the Royal Commission (scheduled for November 1967 in St. Lawrence), the situation was made more tense by a major accident that occurred on 15 September 1967. Three miners, John Slaney, 35, and Robert Edwards, 36, of St. Lawrence, and Noel Warren, just 24, of Burin,

¹⁰¹*Report of the Royal Commission on St. Lawrence*, 79.

¹⁰²Leo Slaney to S.T. Payne, CNTU, 31 May 1967.

¹⁰³Department of Mines, Agriculture and Resources, *Annual Report for the Year Ended 31 March, 1968*, 220.

were killed when a rockburst at Director mine caused a major fall of rock. The men were buried under several tons of ore on the 550-foot level of Director mine and it took rescue crews several days to recover their bodies.¹⁰⁴

This incident provoked outrage from the union, community residents, and the press. Under a headline describing Director as the “Killer Mine,” the *Evening Telegram* quoted the union president stating that the men had known for some time that someone would be killed in that area as there had been many rockbursts and narrow escapes in the past. Activist Rennie Slaney remarked that “three more” had been added to the death toll, and that 27 men who had lived within a 250-foot radius of his house had been killed by industrial diseases or mining accidents.¹⁰⁵ Four St. Lawrence miners quit their jobs immediately following the accident, and Newfluor workers refused to report for work for the day following the funerals for the three men. The union president stated that many men went underground believing “they are going to their doom,” and one ex-miner suffering from lung cancer remarked that, “That death trap ought to be closed and never allowed to be opened again.”¹⁰⁶ Because the most recent victims had left a total of 18 dependents, the accident also provoked further public attention to the plight of the widows and

¹⁰⁴Department of Mines, Agriculture and Resources, Annual Report for the Year Ended 31 March, 1968, 222-4.

¹⁰⁵“Killer Mine Snuffs Out Three More Lives,” *Evening Telegram*, 18 September 1967.

¹⁰⁶“Most Dangerous Sections of Deadly Mine Closed,” *Evening Telegram*, 19 September 1967.

children in St. Lawrence. One miner's widow described having lived for 10 years on welfare in a "two room shack," while another described the experience of watching your husband die of cancer "while nine children gather at your back waiting to be fed."¹⁰⁷

Newflor management attempted to respond to the most recent outpouring of negative publicity by correcting what it called "inaccuracies" in the media's coverage of the accident. In a Letter to the Editor, Wiseman pointed out, lest people be misled by figures recently circulated in the press, that seven miners had been killed by accidents over the entire life of the Director mine. He did not mention the number killed by industrial diseases. Wiseman also refuted recent claims that the company was having difficulty getting St. Lawrence men to work underground, quoting figures to the effect that the majority of underground employees were still from St. Lawrence, while most of the remainder were from nearby communities.¹⁰⁸

Given recent events and the long history of hostility and suspicion, management's efforts to stem the tide of criticism likely had little effect, and the Royal Commission's first public session, held in St. Lawrence on 27 November 1967, opened in an understandably charged atmosphere. The session was taken up primarily with the presentation and discussion of the Newflor submission. Union president Leo Slaney attended the session, but no CNTU representative was present, despite assurances given to Slaney that one

¹⁰⁷"Most Dangerous Sections of Deadly Mine Closed," *Evening Telegram*, 19 September 1967.

¹⁰⁸"Mine Fatalities," *Evening Telegram*, 29 September 1967.

would attend.¹⁰⁹ Immediately following the appointment of the Royal Commission, Slaney had contacted the CNTU and requested that they send a representative to St. Lawrence and assist in writing and presenting a brief on behalf of the Union.¹¹⁰ He had repeated the request several times in the months leading up to the hearing, but no representative had arrived and no submission had been prepared. Like other audience members, Slaney was permitted to ask questions from the floor.

Various representatives from the company gave verbal summaries of different parts of the Newflour submission. Much of the actual written submission was devoted to defending Newflour's safety record and to arguing that the company had always cooperated with government and medical officials in detecting and responding to health hazards. One example cited in this regard was the issuing of two sets of Special Rules to help protect the health and safety of Newflour employees. The second of these, issued in 1965, contained special instructions regarding protection from radiation and other industrial hazards.¹¹¹ The submission also expressed the company's hope that the Royal

¹⁰⁹Slaney stated that he had been told the previous week that a CNTU representative would be at the session, and that he had heard nothing about that or about the submission since. Transcript of a public hearing held at St. Lawrence, 27 November 1967, 215. Commission Chairman Aylward had also contacted the CNTU, informing them of the Commission's schedule and inviting them to make a presentation. Fintan Aylward, Chairman, Royal Commission on St. Lawrence, Newfoundland, to S.T. Payne, CNTU, 9 October 1967, SLMM; and Aylward to Payne, 26 October 1967. SLMM.

¹¹⁰Leo Slaney, SLWPU, to S.T. Payne, MTF, 17 April 1967, SLMM.

¹¹¹Newfoundland Fluorspar Limited, "Submission to the Royal Commission on St. Lawrence," 46, GN 6, 3, PANL.

Commission would “inspire confidence among the present Newfluor work force and all members of the general public in Newfoundland that working conditions in Director mine are not a hazard to health today and have not constituted a hazard to the health of fluorspar mines for the past seven years.”¹¹² According to the Newfluor submission, negative distortion of the St. Lawrence situation had caused, among other things, a shortage of skilled miners, which had led to production problems. It provided figures to the effect that of 70 underground miners employed by Newfluor in 1959, only 17 remained on the payroll in 1967.¹¹³ While there was no further analysis of these figures, it is safe to assume that at least some of these men were either dead or too sick to work, and that what Newfluor called the “exodus of local experienced miners” was due in part to an exodus to the local hospitals and cemeteries.

Based on its interpretation of the situation, the company submitted four recommendations: that a third doctor be stationed in the community; that a single radiologist be put in charge of analyzing chest x-rays of St. Lawrence miners; that the Workmen’s Compensation Act be amended to remove the limit on the time a worker suffering from an industrial disease had from cessation of employment to the filing of a claim; and that a “Special Fund” be established to provide financial assistance to former miners incapacitated prior to 1967 or to their dependents, in cases where it could be

¹¹²Newfluor, “Submission to the Royal Commission on St. Lawrence,” 33.

¹¹³Newfluor, “Submission to the Royal Commission on St. Lawrence,” 27.

shown that workers' compensation and other forms of support were not adequate.¹¹⁴

The discussion of the Newflour submission at the November 1967 hearing provided further insight into the company's handling of the St. Lawrence situation. Wiseman revealed, for instance, that the company had conducted tests for radiation at Director mine as early as 1952, but had found no significant levels. Asked why the company had checked for radiation at Director in 1952, Wiseman responded that it was prompted by the discovery of valuable uranium deposits around Elliot Lake and the company had checked the mine out of "curiosity."¹¹⁵ He stated that when the 1959-60 tests revealed high levels of radiation at Director mine and at the St. Lawrence Corporation mines, the company assumed that the testing instrument used in 1952 must have been malfunctioning. Furthermore, Alcan's Chief Industrial Medical Officer, Dr. Brent, stated in his testimony that when he had come to St. Lawrence in 1957 to investigate the apparently high incidence of lung cancer he suggested that the company check for radiation, but that apparently it was not done because nothing about the geology of the area suggested that possibility.¹¹⁶

At one point, union president Slaney interjected to ask Wiseman why if, as he had testified, the company had been told informally by Windish in November 1959 that there

¹¹⁴Newflour, "Submission to the Royal Commission on St. Lawrence" 176-7.

¹¹⁵Transcript of a public hearing held at St. Lawrence, 27 November 1967, 25-27.

¹¹⁶Transcript of a public hearing held at St. Lawrence, 27 November 1967, 73-80.

were dangerous levels of radiation at Director mine, had the men not been informed of this and been permitted to continue working there until March 1960. Slaney also challenged Wiseman's testimony that no work was done in the most contaminated area, 550-foot level, after the discovery of radiation, until the installation of additional ventilation there.¹¹⁷ Before Wiseman could respond to the challenge, the chairman advised Slaney that he and the union would have the opportunity to speak at the end of the session or to present a brief, so that "both sides" of the story could be heard. At this point, James Cameron, Alcan's Managing Director, who had been brought in from Montreal for the hearing, objected to use of the term "both sides." "I think we are striving for the facts here," Cameron insisted, "there is no such thing as 'both sides'."¹¹⁸ Several times during the proceedings, Brent, Wiseman, and Cameron insisted that the company had taken adequate steps to deal with the problem based on the information available to it at the time. At one point, Brent declared that the company could not rightly be accused of "foot-dragging," and that "Everyone was most anxious to find out what was the cause of this great misfortune." He added, tellingly, that, "Certainly we wanted to do everything we could to keep the Company's skirts as clean as possible."¹¹⁹

¹¹⁷Transcript of a public hearing held at St. Lawrence, 27 November 1967, 50-1.

¹¹⁸Transcript of a public hearing held at St. Lawrence, 27 November 1967, 51-2.

¹¹⁹Transcript of a public hearing held at St. Lawrence, 27 November 1967, 82, 107.

Wiseman also testified that of the three government inspectors who periodically visited St. Lawrence, two had never entered the underground.¹²⁰ Regarding the procedure for dealing with a radiation-contaminated area, whether it was sealed off from the other working areas in any way to limit the movement of radon gas through the mine, Wiseman stated that such areas were simply blocked from access by a couple of boards.¹²¹ Newflour Safety Officer Gerry Drover, asked whether he had ever received any instructions about where to position the radiation measuring instrument when taking a test, replied “No.”¹²² Drover was also asked whether he could in any way sense when the radiation reading in a particular area might be high, to which he replied, “I can’t, but some of the miners claim they can.” He also stated that the miners were very interested in the radiation readings and asked him about it “all the time.”¹²³ At the conclusion of the session, the union president was asked whether he had anything to add and when the union’s submission might be ready. He simply replied that he had been told it would be ready for the current session and that a CNTU representative would be present, and that he hoped to have the submission soon.¹²⁴

¹²⁰Transcript of a public hearing held at St. Lawrence, 27 November 1967, 122-3.

¹²¹Transcript of a public hearing held at St. Lawrence, 27 November 1967, 47.

¹²²Transcript of a public hearing held at St. Lawrence, 27 November 1967, 210.

¹²³Transcript of a public hearing held at St. Lawrence, 27 November 1967, 215.

¹²⁴Transcript of a public hearing held at St. Lawrence, 27 November 1967, 203, 206.

The Royal Commission's second public hearing was scheduled for May 1968 in St. Lawrence, and Leo Slaney was determined to have the union's submission ready before then. In December 1967, Slaney wrote directly to CNTU President Marcel Pepin to complain that work had apparently still not begun on the union's submission for the Royal Commission.¹²⁵ Shortly after, Commission Chairman Aylward wrote to CNTU General Secretary Robert Sauvé reminding him of an earlier promise to get the submission in.¹²⁶ There are several possible reasons for the CNTU's delay in getting the submission in. Ted Payne, who had been acting as the SLWPU's Technical Advisor on behalf of the CNTU since affiliation in 1963, was ill and off the job during the fall and winter of 1967-68.¹²⁷ At the administrative level, the Mines Federation and the Metal Trades Federation were going through a complex process of amalgamation that was completed in 1968.¹²⁸ Also, the Quiet Revolution and increasing political unrest in Quebec were bringing new pressures to bear on organizations such as the CNTU during the latter half of the 1960s. While it attempted to maintain its traditional stance of non-affiliation with any political party or movement, the CNTU could not resist being drawn, to some extent, into the political

¹²⁵Leo Slaney to Marcel Pepin, President, CNTU, 4 December 1967, SLMM.

¹²⁶Fintan Aylward, Chairman, Royal Commission on St. Lawrence, to Robert Sauvé, General Secretary, CNTU, 19 December 1967, SLMM.

¹²⁷Leo Slaney to Marcel Pepin, President, CNTU, 4 December 1967, SLMM.

¹²⁸Rouillard, *Histoire de la CSN*, 258-60.

upheaval sweeping the province.¹²⁹ In short, factors within the CNTU and within Quebec were not conducive to the St. Lawrence union receiving prompt attention.

Payne was back on the St. Lawrence case in January 1968, but there are indications that he was not very familiar with the health and safety issues being considered by the Royal Commission: Slaney had to explain to him in very simple terms what a rockburst was and what dangers it presented, as well as what the radiation hazard consisted of and the methods for dealing with it.¹³⁰ Payne's lack of knowledge in these areas is not surprising, for despite the fact that he had been the SLWPU's Technical Advisor for five years, he had had limited involvement with occupational health and safety issues apart from where they arose in the context of collective agreements. Also, Payne was from the Metal Workers' Federation, not the Miners' Federation, and this limited his knowledge of these areas.

Despite the limitations, the union's submission was ready in time for the May 1968 hearing and Payne was in attendance to help present it. The submission itself charged that both the historical and current conditions at the mines was evidence that the company was "unable or unwilling to apply control measures" and that this indicated the need for

¹²⁹See Ralph P. Gützel, "Rapprocher les lieux du pouvoir," *Labour/Le Travail*, 46 (Fall 2000), 269-96; and Jacques Rouillard, *Histoire de la CSN, 1921-1981* (Montreal: Boréal Express/CSN, 1981), 369-96.

¹³⁰Leo Slaney to S.T. Payne, CNTU, 18 January 1968. SLMM.

increased government intervention.¹³¹ Summarizing the history of mining and industrial disease in St. Lawrence, the brief claimed that the bitterness and mistrust harboured by the people of St. Lawrence was the result, not of a lack of understanding of the facts, but of the people's knowledge that so many had died, and would die a horrible and unnecessary death for the sake of "industrial development and corporate profits."¹³² In exchange for this "terrible price," the brief argued, many had been left unable care for themselves and their families because of illness and a lack of financial support. The submission cited the example of one former miner who had to take up fishing to supplement his compensation benefits, and was so incapacitated he had to be helped from his boat onto the wharf by a rope.¹³³ The submission contained several specific recommendations to improve conditions at the mines, including increased ventilation and monitoring, and it recommended establishment of a pro-active health and safety program to replace the "trial and error" method used in the past. The submission also requested a detailed study of medical and work histories back to 1933, an increase in the scope of workers' compensation coverage, and an increase in benefits. It also demanded that the government "accept responsibility for inaction" and compensate all claims dating back to 1933.¹³⁴

¹³¹St. Lawrence Workers Protective Union (CNTU), "Submission to the Royal Commission on St. Lawrence," 45, GN6, 3, PANL.

¹³²SLWPU, "Submission to the Royal Commission on St. Lawrence," 3..

¹³³SLWPU, "Submission to the Royal Commission on St. Lawrence," 51.

¹³⁴SLWPU, "Submission to the Royal Commission on St. Lawrence," 90-1.

The Commission's third and final public hearing was held in St. Lawrence in April 1969. The main topic at this hearing was the submission of the St. Lawrence Town Council, which was presented by Mayor Fabian Aylward (the brother of the Commission Chairman). Though brief, the Town Council's submission was direct and highly critical, especially of the provincial government:

Rigid and proper inspection in the mines would have reduced substantially the hazardous conditions prevailing in the stopes long before this [ventilation and monitoring] system was introduced.... The time has come when procrastination on the part of all Departments of Government must be frowned upon, condemned and proscribed by those responsible¹³⁵

Furthermore, the Town Council submission argued, most improvements in working conditions at the mines over the years had been brought about, not out of concern and action by the government and the companies, but by "persistent and insistent demands for intervention, regulation and control by Union leaders and respectable citizens."¹³⁶ The Council submission also harshly criticized the 1965 sale and transfer of the Corporation's St. Lawrence holdings to Alcan. That move, the submission stated, added to the people's "deep seated sense of injustice" by simply handing over, without consultation, something which the people, because of the history of the industry, considered "part of their natural

¹³⁵Town of St. Lawrence, "Submission of the to the Royal Commission on St. Lawrence," 16, GN 6, 3, PANL.

¹³⁶Town of St. Lawrence, "Submission to the Royal Commission on St. Lawrence," 6.

inheritance.”¹³⁷ The Council submission also pressed the need for alternate industries, particularly in a context where dependence on a single industry left the people “particularly susceptible to the hazards associated with industrial activity.”¹³⁸

In addition to the acceptance of written submissions and the holding of public hearings, the Royal Commission also sought to find out as much as possible about the work and health histories of mine employees, the impact of industrial disease on workers and their dependants, and their experiences with compensation claims. This was accomplished partly by accessing and compiling employment, medical and death records. In the case of the St. Lawrence Corporation, and both companies in the pre-1950 period, this proved difficult to accomplish in some cases, and the evidence had to be supplemented by the testimony of witnesses. Another major component of the Royal Commission’s work involved interviewing miners, former miners and dependants. The Commission met with about 150 individuals for this purpose. In addition, there were two general meetings with widows already in receipt of compensation benefits.

The evidence gathered and compiled in these case files presents a vivid picture of the impact of industrial disease on miners and their families over the years. In some cases, incapacitated miners, as well widows and children, had subsisted for years on social

¹³⁷Town of St. Lawrence, “Submission to the Royal Commission on St. Lawrence,” 9.

¹³⁸Town of St. Lawrence, “Submission to the Royal Commission on St. Lawrence,” 14.

assistance payments because the claimant had been out of the place of employment for more than twelve months prior to the claim being made, because death or incapacity occurred before 1951, because of an inability conclusively to diagnose the ailment, or because of some other bureaucratic or technical reason.

One man had worked at the Corporation for a few years beginning in 1940 before moving to Newfluor in 1942. He was badly hurt in a groundfall in 1944, returned to work in 1947, and worked until 1961, when he was forced to quit because of "shortness of breath." His compensation claim had been refused because his disease was not covered by Act, and he and his wife and five children had been living on welfare in the meantime.¹³⁹

Another man, who had worked underground at Newfluor from 1948 until being transferred to a surface job in 1960, had been told in 1963 that he had a chronic obstructive lung disease but had his claim repeatedly denied because he had neither cancer nor silicosis. He had been told to do only "light work" but, having no education, could find no such employment.¹⁴⁰

In another case, a miner had worked with both companies for seventeen years and continued working until two weeks before he died of cancer in 1949, at the age of 39. His wife died three months later. The compensation claim had been denied because the miner died before the Act came into effect. A son had since worked to raise his seven brothers

¹³⁹Case Files, Royal Commission on St. Lawrence, GN 6, 1, PANL.

¹⁴⁰Case Files, Royal Commission on St. Lawrence, GN 6, 1, PANL.

and sisters, with some help from the grandfather.¹⁴¹

A man who had become incapacitated in 1957 and had his claim denied had tried to return to work with contractors at the Tarefare mine in 1967. He had worked just eight shifts before having to take to his bed, and was told by a doctor that he could never work in a mine again. The plight faced by these people is starkly illustrated by the fact that, in a letter to this claimant in 1960, the WCB noted its confusion that the man did not appear relieved that his x-ray showed no silicosis.¹⁴² For men in this situation, a compensable disease was their only hope for a modicum of income support.

Many claimants had found the WCB far from helpful and in some instances insulting and condescending. For example, one disabled miner -- who was later compensated for a chronic obstructive pulmonary disease resulting from his approximately twenty years as a miner -- had been told by a WCB Medical Officer that, "I think the impression in St. Lawrence is that all ailments, infections, allergies, etc., will be covered by the Board."¹⁴³ Claims had been rejected because the Act covered only specific illnesses, whereas many men were suffering or had died -- some at a very early age -- from cancer of the stomach, bowels, spine, or of the throat or some part of the respiratory system other than the lungs. There were also cases in which former miners were diagnosed as

¹⁴¹Case Files, Royal Commission on St. Lawrence, GN 6, 1, PANL.

¹⁴²Case Files, Royal Commission on St. Lawrence, GN 6, 1, PANL.

¹⁴³Case Files, Royal Commission on St. Lawrence, GN 6, 1, PANL.

partially disabled and were being compensated based on the WCB's assessment of their potential earning capacity, but the fact was that many of these men, incapacitated, lacking education and other skills and living in what was essentially a single-industry community, simply could not earn any money to supplement their compensation benefits. In addition, job opportunities for women were very limited, and it was unlikely that they could acquire paying work to supplement the family income.

These are just a few of the many cases examined by the Royal Commission, revealing the toll that industrial disease and bureaucratic strictures had exacted from these people, and the inadequacy of the existing compensation regime in dealing with a problem of this magnitude.

While the Royal Commission proceeded with its public hearings and investigations and with the compiling of its report, the union and the company were busy with other matters. In August 1967, the union had notified the company of its desire to re-negotiate the collective agreement, which expired in August.¹⁴⁴ The Union's chief demands were in the areas of wages and "union security," including the issue of contracting out. The union claimed that in many cases the men employed by contractors earned up to \$1.00 an hour more than Newfluor men doing the same work and that, to correct this "glaring injustice," the contractors should be made to comply with the terms of the collective agreement. Also under "security," the union was once again forced to combat an attempt by Newfluor to

¹⁴⁴Leo Slaney to Wiseman, 15 August 1967, SLMM.

absolve the company of responsibility for the dues check-off. The union also demanded an across-the-board wage increase of 50 cents per hour as of 30 September 1967, and another 50 cents as of 30 September 1968.¹⁴⁵

Negotiations went slowly during the winter of 1967-68, partly because of the focus on the Royal Commission, and partly because of the same factors which delayed preparation of the union's submission to the Commission. The agreement which was finally signed in April 1968 retained the company's obligation to perform the dues check-off, but did not address the issue of contracting out. Also, though they were far short of the union's demands, the agreement did secure some wage increases: fourteen cents per hour as of 1 April 1968, ten cents as of 1 April 1969, and nine cents as of 1 April 1970. The agreement was set to expire on 31 March 1971.¹⁴⁶

Newfluor, meanwhile, continued to refine its public relations campaign. A key element in this was the 1968 establishment of a newsletter called the *Newfluor News*. This publication was used for a variety of purposes -- it advertised local events, provided sports and other community news and served as a forum for local service organizations, such as the Lions Club (which Wiseman had helped found). Its chief aim, however, was to put a good face on Newfluor's safety record and its contribution to the community. The

¹⁴⁵Georges Cantin, Technical Advisor, CNTU, to L.K. Lossing, Alcan, 23 January 1968, SLMM.

¹⁴⁶"Collective Labour Agreement between Newfoundland Fluorspar Limited and St. Lawrence Workers' Protective Union, April 1968 - March 1971," AA.

March 1968 issue, for example, contained an article about a piece published in the magazine *Canadian Scientist*, stating that ventilation and monitoring had rendered Director mine free of radiation hazards, as well as an article summarizing Newfluor's handling of the rockburst problem at Director.¹⁴⁷ The October 1968 issue had an article on a recent visit of the "Alcan Medical Team" to St. Lawrence, with sub-headings such as "Employees Express Satisfaction," and "Doctors Impressed."¹⁴⁸ The Alcan Medical Team itself, which began visiting St. Lawrence annually in early 1968 was part of the public relations campaign. According to Dr. Brent, it had been established to give St. Lawrence "the kind of Company health program that is available to Alcan employees in other parts of Canada."¹⁴⁹ The company also began a ritual of handing out Safety Medallions to employees who had gone a certain number of hours without a lost-time accident, instituted a "Twenty-Five Year Club" which inducted and honoured workers achieving that length of service, and established a "Wise Owl Club" which recognized workers who protected their own health and safety.¹⁵⁰ *The Newfluor News* was also used as a forum for publishing average radiation readings, and anything else that contributed to polishing the

¹⁴⁷"Newfluor Brief Submitted," *Newfluor News*, 2, 3 (March 1968), 1-2.

¹⁴⁸"Medical Team Completes Examinations," *Newfluor News*, 2, 11 (October 1968), 1.

¹⁴⁹"Medical Team Completes Examinations," *Newfluor News*, 2, 11 (October 1968), 1.

¹⁵⁰For instance: "Four New 25-Year Club Members," *Newfluor News*, 2, 12 (November 1968), 1.

company's image.

Newflor had also begun using community organizations as part of its public relations efforts. Safety Officer Gerry Drover and other staff members became involved in community groups such as the Lions Club, and the company became involved in sponsoring local sports teams and competitions. In 1968, Newflor began sponsoring an annual Christmas event where children of current or former Newflor employees received a gift, compliments of the company, from "Santa Claus." Newflor also continued its attempts, through more private channels, to win the support of various government officials. In May 1968, for instance, Ethridge sent to provincial Health Minister John C. Crosbie a 1967 magazine article called "Alcan Companies Play Major Role in Eradicating Miner's [sic] Sickness." The article stated that it was Alcan's Dr. Frank Brent who first suggested the St. Lawrence mines be checked for radiation, in 1957.¹⁵¹ The article did not mention that the radiation tests were not done.

In March 1968, the company brought in additional professional help for its public relations campaign. It obtained the services of Eric Trist, an expert in "Organizational Theory" from the University of California, to conduct a field study in the community and provide recommendations on improving community morale and labour relations. Trist was in St. Lawrence during 18-23 March 1968. Trist claimed to have found that there was still

¹⁵¹Harry Ethridge, Public Relations Manager, Newflor, to John C. Crosbie, Minister of Health, Government of Newfoundland, 10 May 1968, "Survey Lung Cancer St. Lawrence Miners," GN 78/1/B, 220, File 290/G/07, PANL.

a lot of anxiety about the radiation hazard among those not actually employed in the mines, such as the “wives and mothers of those likely to be exposed” and among people outside the community, but that most of those actually working underground believed the mine to be safe.¹⁵² The best possibility for instilling wider confidence, he suggested, would be a “favourable report from the [Royal] Commission.”¹⁵³ He commended management for what he considered good public relations moves, such as the recent decision to post daily radiation readings. He pointed out, however, that any trust which existed was “brittle,” and cited as evidence the union’s claim that if and when the government’s daily radiation monitor left St. Lawrence, the company would not conduct the daily readings because it simply would not be willing to pay a man to do it.¹⁵⁴ According to Trist, the establishment of the *Newfluor News*, the formation of the Alcan Medical Team and the introduction of a company-sponsored weekly radio broadcast called “St. Lawrence Report” had done much to “communicate a more rational understanding” of the situation and to project a more positive image of the company. The *Newfluor News*, in his assessment, was especially effective since, “Anything it says about radiation is the more readily believed because the facts it reports about community activities can be verified by

¹⁵²Eric L. Trist, “The Situation at Newfoundland Fluorspar Limited in relation to the St. Lawrence Community,” unpublished document, CNS.

¹⁵³Trist, “The Situation at St. Lawrence,” 4.

¹⁵⁴Trist, “The Situation at St. Lawrence,” 5.

the readers.”¹⁵⁵ He recommended that the company continue and increase such efforts, make more use of community groups such as the Lions Club, and make a sizeable contribution to a fund being proposed for the construction of a recreational facility.¹⁵⁶

Trist also pointed out that an important factor contributing to the morale problem plaguing the workplace and the community was the fact that supervisory staff were almost invariably from mainland Canada or Europe and the lack of local men in these positions contributed to social differentiation and resentment.¹⁵⁷ According to Trist, health and safety problems at the mines had also eroded the sense of self-worth among the underground workforce and given rise to the belief, especially among young people, that the mine was somewhere you might be forced to go if you did not do well in school.¹⁵⁸

The Trist Report also touched upon the dilemma in which workers in such situations, lacking employment alternatives, often found themselves. During 1966, work associated with the opening of the Tarefare mine brought the Newfluor workforce up to 250.¹⁵⁹ The closure of sections of Director mine after the rockburst accident of September

¹⁵⁵Trist, “The Situation at St. Lawrence,” 6-8.

¹⁵⁶Trist, “The Situation at St. Lawrence,” 26.

¹⁵⁷Trist, “The Situation at St. Lawrence,” 15-16.

¹⁵⁸Trist, “The Situation at St. Lawrence,” 16-17.

¹⁵⁹Department of Mines, Agriculture and Resources, *Annual Report for the Year Ended 31 March 1967*, 173.

1967, however, had resulted in a decrease in employment, down to about 200 men.¹⁶⁰

Trist stated that in discussing with the union president and others the closure of sections of the Director mine after the 1967 accident, he found that the men were torn between their belief that the Director mine was dangerous and their desire to get the mine back into full production and get displaced miners back to work.¹⁶¹

When Newfluor staff met to discuss Trist's report on 29 May 1968, several of his conclusions were called into question. Management pointed out, for example, that there was no longer any shortage of local men willing to apply for jobs, and that Trist's assessment of the different levels of anxiety among different segments of the population did not seem to be accurate. Management also rejected the suggestion that the company assume responsibility for daily radiation readings should the government withdraw that service, since in its view daily radiation readings were unnecessary.¹⁶² Management agreed, however, with other suggestions made by Trist. It was agreed that efforts should be made to try to get the union president to become a paid employee of the company rather than of the union and to then get him involved in radiation readings and other health

¹⁶⁰Department of Mines, Agriculture and Resources, *Annual Report for the Year Ended 31 March 1968*, 212.

¹⁶¹Trist, "The Situation at St. Lawrence," 10-13.

¹⁶²"Report on the meeting held in St. John's 2 May, 1968, to discuss the report of Professor Eric Trist, on the sociological aspects of the St. Lawrence problem," 1, unpublished document in possession of the author. I am grateful to Dr. Elliot Leyton of Memorial University for providing me with this document.

and safety measures, something which Trist claimed the union president was in favour of.¹⁶³ This, it was believed, would have the combined effect of giving the president's stamp of approval in health and safety matters and familiarize him with the daily operations of the mine.¹⁶⁴ Management also agreed that the company should continue and increase its public relations efforts, and more specifically that it would provide further funding for the establishment of community organizations.¹⁶⁵

The opening of the new Tarefare mine in the fall of 1968 provided another opportunity for a public relations event. Minister of Mines W.R. Callahan detonated the underground blast that signaled the official opening, and both he and Newfluor officials pointed to the Tarefare project as an indication of Alcan's long-term commitment to the St. Lawrence fluorpsar industry. Callahan also used the occasion to praise the work of the Royal Commission and Newfluor's efforts in making the St. Lawrence mines "as safe as any in the world."¹⁶⁶ These public relations efforts continued throughout 1969, especially by way of the *Newfluor News*, which continued to run articles extolling the many economic benefits the company had brought to St. Lawrence, its professed commitment to continued industry expansion and its support of local community and sports organizations. The newsletter also continued to be a forum for attempting to improve the company's

¹⁶³Trist, "The Situation at St. Lawrence," 10-13.

¹⁶⁴"Report on the meeting to discuss the report of Professor Eric Trist," 2.

¹⁶⁵"Report on the meeting to discuss the report of Professor Eric Trist," 2.

¹⁶⁶*Newfluor News*, 2, 10 (September 1968), 1, 4.

image on health and safety issues, publishing articles on inductions into the “Wise Owl Club,” visits by the Alcan Medical Team and results of radiation surveys (including explanations for any excessive readings). Another strategy undertaken by way of the *Newfluor News*, beginning in 1969, was an effort to put a more human face on the company. A two-part article published in April and May 1969 presented a personal profile of newly-appointed Alcan president Paul Leman, including a description of his family life.¹⁶⁷

6.5 The Findings of the Royal Commission

The Royal Commission submitted its report and recommendations to the government in July 1969. The report did not deal in detail with the historical aspects of the case, though there was a brief discussion of the circumstances surrounding the establishment of the mining industry and of the findings of the Trade Dispute Board in 1942. The report noted that at that time the union had requested that x-rays be taken to determine whether conditions at the mines were harmful to the workers' health. The Royal Commission report remarked that, “It is indeed most unfortunate that the x-ray examinations of the miners as requested by the Union at that time were not taken. Subsequent events proved that this was indeed a most important submission and a

¹⁶⁷*Newfluor News*, 3, 4 (April 1969), 1; and 3,5 (May 1969), 4.

reasonable request but no action was taken.”¹⁶⁸ Apart from this and a brief account of the 1960 strike, there was little discussion of the role played by the union or others in demanding better working conditions and action on the industrial disease problem.

The report was mildly critical of the St. Lawrence Corporation’s handling of the industrial disease question, noting that even after official diagnosis of the first silicosis case in 1952, the Corporation manager “refused to believe that silicosis was present.”¹⁶⁹ The report stated that since the confirmation of the radiation hazard in 1960, both Newflour management and the government had done a good job of keeping levels down and controlling the hazard.¹⁷⁰ There was very little discussion, and no criticism, of the role played by the Department of Mines and its inspectorate. The report did, however, criticize the provincial Department of Health for being “slow in its acknowledgment of serious occupational health hazards in the mines at St. Lawrence.”¹⁷¹ The report also charged that the federal Department of Health and Welfare had been “unwarrantedly bureaucratic” in its response to the situation in the 1950s. According to the report, in 1950 the physician at St. Lawrence (Dr. Pepper) wrote the Department of National Health and Welfare asking for help in starting a health survey among St. Lawrence miners, and was told that the federal department would act on such a request only if put to them by the provincial

¹⁶⁸*Report of the Royal Commission on St. Lawrence*, 24.

¹⁶⁹*Report of the Royal Commission on St. Lawrence*, 164.

¹⁷⁰*Report of the Royal Commission on St. Lawrence*, 62.

¹⁷¹*Report of the Royal Commission on St. Lawrence*, 42.

Department of Health. Six years later, according to the Commission's report, the same request was made by the provincial Department of Mines, and the same answer received, so the provincial Department of Mines asked the provincial Department of Health to request the survey, and the federal Department then complied.¹⁷²

The technical portion of the report included scientific discussion of the nature of radiation and radon gases, and the pathologies of cancer and respiratory diseases. The report also discussed mortality rates, workers' compensation claims, and the plight of disabled miners and dependants. As of 1967, 240 deaths were known to have occurred among those who had worked for either company since 1933. Of these, 25 were said to have been caused by silicosis and tuberculosis, 9 by other diseases of the respiratory system, 53 from cancer of the trachea and lungs, 21 from cancer of the stomach and digestive system, 10 by other cancers, and 61 from diseases of the heart and cardiovascular system. Of the 53 deaths from cancer of the trachea and lungs, 24 had occurred in the period 1963-67 alone, 35 of the victims had been under 55 years old, and all but 2 had worked mostly underground as opposed to on the surface.¹⁷³

In addition to the incidence of cancer of the trachea and lungs, the other striking figure, in the Commission's view, was the incidence of cancer of the digestive system, which accounted for two-thirds of all other cancer deaths. While the rate of death from

¹⁷²*Report of the Royal Commission on St. Lawrence*, 34.

¹⁷³*Report of the Royal Commission on St. Lawrence*, 178-9.

cancer of the stomach and digestive system was roughly the same among surface and underground employees, there was a striking difference in the average age of deaths in this category; for surface employees with this type of cancer, the average age at death was 71.2 years, while for underground employees it was just 52.6 years. In the words of the report, this “may be suggestive of an as yet unrecognized aspect of occupational exposure.” The Commission suggested that this phenomenon might have been related to the ingestion of local water from both the mines’ and the community’s public water supply. These supplies had been tested and were known to contain much higher than normal levels of radon-222.¹⁷⁴ The Commission noted that while the incidence of death from stomach cancer among the general population in St. Lawrence did not appear higher than the average for the Burin Peninsula, “the age at death definitely showed a shift to the younger age group,” but that the evidence on whether this was caused by an environmental factor was thus far inconclusive.¹⁷⁵ It is worth noting that many miners had been drinking radon-contaminated water for years, sometimes directly off the rock face, and had been claiming since the 1930s that the water was not fit to drink, and demanding proper drinking and sanitary facilities.

Examining the level of compensation benefits being received by widows and disabled miners, the Commission found them inadequate to meet even basic needs. In

¹⁷⁴*Report of the Royal Commission on St. Lawrence*, 136-7.

¹⁷⁵*Report of the Royal Commission on St. Lawrence*, 134.

1969, the widow of a deceased miner received, upon her husband's death, a \$300.00 lump sum payment plus \$300.00 for burial expenses and, after that, \$100.00 per month for herself and \$35.00 per month for each dependent child. In the event that she remarried, her benefits and her children's benefits were terminated and she received a lump sum payment of \$1,200, or twelve times her monthly payment, whichever was the greater amount. In cases of disabled workers with a permanent partial disability, compensation was based upon the WCB's assessment of the percentage of earning power lost because of the disability. In cases of permanent total disability, the benefit was calculated as 75 per cent of the average weekly earnings in the twelve months prior to the disability. The maximum amount of compensation payable per month, in cases of both disability and death, and regardless of the number of dependents, was \$312.50.¹⁷⁶

In 1969, there were 43 widows and their dependent children receiving compensation benefits arising from industrial diseases associated with the St. Lawrence mines, and another seven received benefits arising from fatal accidents. In addition, there were ten cases of men receiving compensation for silicosis. The official percentage of their disability ranged from 25 to 100 per cent, and their monthly payments from \$46.88 to \$250.00. Three other miners were receiving compensation for lung cancer; and their benefits ranged from \$57.69 to \$72.11 per month. One of the serious problems with the

¹⁷⁶Act No. 58, 1967. An Act to Amend the Workmen's Compensation Act, 1962. (A new consolidated Act was passed in 1962, embodying the amendments made since 1950.)

administration of benefits arose from the way in which the principle of retroactivity was applied. Since the introduction of the Act in 1951, there had been periodic, moderate increases in benefits. The level of benefit actually paid for a compensable injury or disease, however, did not reflect these increases but was based on the amount in effect at the time of disablement or death. Thus, if a widow began receiving compensation in 1953, she did not receive any increase in payments as a result of amendments made thereafter. This not only left payments abysmally low in many cases, but also created a serious inequity in amounts received. The Commission found that in 1967 there were many cases where widows with the same number of dependents received very different amounts of compensation because some received, for instance, the 1962 rate and others the 1954 rate. This inequity was “a major complaint of the widows interviewed.” So pressing was this problem that the Commission urged the WCB to address it immediately and an amendment was passed on 1 July 1967 making all widows eligible for rates then in effect.¹⁷⁷ The 1967 amendment did not, however, grant widows *retroactive* payments to make up for benefits they had lost over the years because they had not received the periodic increases.

The Commission discovered many instances where widows had no indoor plumbing, could not carry out basic maintenance on their homes and were unable to

¹⁷⁷*Report of the Royal Commission on St. Lawrence*, 233-4.

provide decent winter clothing for their children.¹⁷⁸ Widows receiving compensation benefits, especially those with large families, were in many cases worse off financially than those on social assistance.¹⁷⁹ Many of these women, it was pointed out, had no access to other means of support, and could hardly turn to their family or neighbours for help, when so many in the community were in the same position. The Commission concluded that it was “unjust, humiliating and degrading for widows of deceased workmen who died as a result of an occupational disease” to be left in this position.¹⁸⁰

The Commission also examined compensation claims which had already been made and the claims which might be made based on the medical and employment information which had been gathered. The purpose of this was two-fold: to assess the WCB’s reasons for rejecting past claims, and to recommend whether certain claims should be now be rejected or accepted. The question of acceptance or rejection depended on both the Commission’s assessment of the WCB’s handling of past claims and on which of the Commission’s recommendations the government accepted or rejected. In other words, the Commission could decide that some claims should be accepted *if* the Commission’s recommendations were accepted.

¹⁷⁸Case Files, Royal Commission on St. Lawrence.

¹⁷⁹*Report of the Royal Commission on St. Lawrence*, 232-3.

¹⁸⁰*Report of the Royal Commission on St. Lawrence*, 260-1.

The Commission found that 18 claims had been rejected by the Board, some because they arose from deaths or disabilities which occurred before 1951, others because the person had died from an illness other than lung cancer. This second group included deaths from bowel cancer, stomach cancer and kidney cancer, as well as deaths attributed to tuberculosis and chronic bronchitis.¹⁸¹ In assessing the WCB's justification for rejecting these claims, the Commission, while questioning the scope of the Newfoundland legislation in dealing with a situation such as that which existed in St. Lawrence, nonetheless concluded that based on the legislation as it was constituted up to that point, "the Workmen's Compensation Board was reasonably efficient in handling the majority of the claims for compensation arising out of ... the fluorspar mines at St. Lawrence."¹⁸² The Commission examined 122 cases in all. Of these, 23 were already receiving compensation or had received it at some point. Of the others, 47 were judged to be "Not entitled to compensation under our recommendations," and 52 to be "Entitled to compensation under our recommendations."¹⁸³ Those judged to be not entitled were of two groups: (1) deaths not considered related to underground employment," including deaths from cardiovascular diseases, gastro-intestinal and urinary system diseases, and cancers other than that of the respiratory system and lungs, and (2) deaths of individuals with no record of underground

¹⁸¹*Report of the Royal Commission on St. Lawrence*, 260-1.

¹⁸²*Report of the Royal Commission on St. Lawrence*, 266.

¹⁸³*Report of the Royal Commission on St. Lawrence*, 266-72.

employment or with a record of underground employment “incompatible with disease causing disability or death.” The Commission was careful to note that it did not have the final word on any case -- the emergence of new evidence or some other development might affect the status of any claim.¹⁸⁴ Furthermore, those determined to be entitled would not necessarily be compensated and nor would those determined to be not entitled necessarily be rejected. In either case, that judgement would depend on whether or not the relevant recommendations were ultimately accepted and made into law. The final Report of the Royal Commission, submitted in July 1969, contained 69 “Conclusions and Recommendations.” The fate of widows, disabled miners, and workers now hinged on the government’s response to those recommendations -- which ones it would institute and which it would reject.

6.6 Conclusion

Shipments and employment levels remained high through the 1960s, and Newfluor re-opened the Tarefare mine to meet sustained demand for fluorspar. In their new status as an affiliate of the CNTU, the union was able to win some key concessions in several collective agreements, in the areas of wages and occupational health and safety. Union-management relations continued to be strained, however, especially over workplace health issues such as radiation and rockbursts. The government attempted to allay the

¹⁸⁴*Report of the Royal Commission on St. Lawrence, 272.*

workforce's fears and suspicions by introducing new legislative measures and by issuing assurances, sometimes at the request of the company, that the mines were safe. Radiation readings in excess of safe working levels continued to be common, however, and workers were not reassured by the pronouncements of the government and the company. Another factor contributing to the hostility that marked this period was the inadequacy of financial support paid to widows and disabled miners and the legislative restrictions that cut many off from any kind of compensation benefits. Based upon a brief submitted by St. Lawrence resident Rennie Slaney, the Workmen's Compensation Review Committee appointed in 1965 urged the provincial government to recognize the extent of the St. Lawrence tragedy and to take action to address it. The result was the appointment of a Royal Commission in 1967, which revealed some of the history of neglect which had contributed to the tragedy as well as the toll it had exacted in physical, financial, psychological, and social terms. The company's response to increased public attention to the St. Lawrence situation was to embark on a well-planned public relations campaign to counteract negative publicity and to polish its corporate image. The Royal Commission itself was perceived by the company and the government as an important part of that campaign. That workers were not placated by the efforts of the company and the government indicates the depth of the animosity and suspicion which had become ingrained over the years. Furthermore, while the findings of the Royal Commission were generally favourable to the demands of compensation claimants, it was still up to the government to accept or reject those recommendations. The government's response to the

Royal Commission and subsequent events during the 1970s forms the subject of the next chapter.

Chapter 7: Labour Unrest, Public Protest, and Industry Closure, 1970-78

Introduction

The company and the government had clearly hoped that the Royal Commission would help bring a measure of peace and stability to the St. Lawrence situation, just as widows, disabled miners, and the union had hoped that the commission would address their concerns over health and safety and workers' compensation. The 1970s turned out, however, to be a time of unprecedented labour unrest and public protest. During the 1970s, the unrest and hostility which had marked the labour relations climate for years spilled into the community itself in a more open way than it ever had before, as the wives of miners staged protests and blockades to support their husbands and to demand action on occupational health and safety and workers' compensation issues. While the company proceeded with development and expansion plans as well as possible within this climate, in 1977 it announced its decision to shut down the St. Lawrence mines. This chapter explores labour and public unrest, the legislative and corporate response to it, and the complex array of factors and forces which shaped this tumultuous period in the history of the St. Lawrence mines, culminating in complete industry closure in 1978, after nearly five decades of mining.

7.1 The Response to the Royal Commission

Initially, the 1970s promised to be good years for the St. Lawrence mines. Both the Director and Tarefare mines were in production, milling and loading facilities were

being upgraded and expanded, two new staff residences had been constructed at a combined cost of over \$50,000 and Newfluor employed 335 workers at the end of 1969. In 1970, the company shipped a new record 158,000 tons of fluorspar, an increase of about 40 per cent over 1969. Plans were also underway to open a third mine at the old Blue Beach site which Alcan had purchased from the St. Lawrence Corporation in 1965.¹ After submission of the Royal Commission's report, Newfluor continued its efforts to polish its corporate image, sponsoring events such as the annual Santa Claus visit and various sporting events, and supporting organizations such as the Boy Scouts, Girl Guides and Lion's Club. The company also continued to publicize radiation readings and to claim that problem areas were immediately addressed, and to draw attention to its other health and safety initiatives, such as the "Wise Owl Club." The company also repeatedly congratulated its workers for achieving record production levels while paying close attention to health and safety considerations.²

Alongside the expansion of the mining industry and the image of harmony portrayed by the public relations material, however, hostilities and grievances still simmered. These were sometimes manifested in such things as increased vandalism and theft of company property, to the point where Newfluor was compelled in 1969 to hire

¹Canada, Department of Mines and Technical Surveys, *Canadian Mineral Industry*, (Ottawa, 1970), 227-8.

²These subjects were regular features of the *Newfluor News* throughout 1969 and 1970.

professional security officers.³ A major source of grievance during late 1969 and early 1970 was the perceived lack of action on the part of the government in response to the Royal Commission. From the time the report was submitted to the government in July 1969, various parties, including the union and the Town Council, pressed the government to make public its position on the report's recommendations.⁴ The government's response to the recommendations, which it finally released in May 1970, neither addressed the grievances nor alleviated tensions in the workplace and the community. In fact, the government's response further eroded standards in some areas and increased hostility in the workplace and the community.

Many of the Royal Commission's "Conclusions and Recommendations" were routine and non-controversial reiterations of what had already been established by previous studies. Others, however, became far more contentious, especially those dealing with radiation monitoring and with compensation coverage. The Commission had recommended that a second radiation monitor be employed at St. Lawrence. The government proposed that in the future radiation monitoring would be the responsibility of the company, which would bear the costs of as many monitors it chose to employ.⁵ This

³"Security Police for Newfluor," *Newfluor News*, 3, 6 (June 1969), 3.

⁴SLWPU to Smallwood, 24 November 1969, and Joint Councils of the Burin Peninsula to Smallwood, 2 February 1970, Coll 075, File 3.27.037, CNSA.

⁵"Decisions of the Government Made in Respect of the Conclusions and Recommendations Set Forth in the Report of the Royal Commission Respecting Radiation, Compensation and Safety at the St. Lawrence Fluorspar Mines," 2-3,

reply grew out of a suggestion made several months earlier by Mines Minister W.R. Callahan, who hoped that Newflour would employ the government monitor then in St. Lawrence and thus free up resources to allow the Mines Inspection Division to hire a clerk.⁶ In concurring with this suggestion, the government was in effect absolving itself of responsibility for monitoring and leaving workers with no independent monitor.

The government's initial response to the recommendations also signaled little improvement in the area of workers' compensation and widows' benefits. The Commission had recommended that anyone still employed at a St. Lawrence mine in 1970 who had worked in a St. Lawrence mine before 1960 be given regular medical examinations and then given the option to either continue or discontinue working underground based on the results of those examinations. It had recommended that, should they choose to discontinue, they be compensated accordingly. The problem with this recommendation, from the government's point of view, was that it included anyone working in a St. Lawrence mine "before 1960," for the government still sought to limit retroactivity of claims to when the Act came into force in 1951. The government's response, therefore, was to agree on the issues of examination and of compensation where appropriate, but to limit the potential qualifying group to those who "did not terminate

unpublished document, CNS.

⁶W.R. Callahan, Minister of Mines, Agriculture and Resources, to Smallwood, 19 February 1970, Coll 075, File 3.27.037, CNSA. Callahan had recently replaced Keough, who became Minister of Labour.

their employment prior to 1951.”⁷

This limit on retroactivity set the standard for the government’s response to many of the other recommendations dealing with compensation. Recommendation 28 had noted that since the medical evidence on the complex interaction of the causes of reduced pulmonary function (bronchitis, silicosis, tuberculosis, tumors, etc.) was in some cases indeterminate, “the symptom of loss of pulmonary function” should be taken into account when considering compensation to those employed in the mines before 1960. To this, the government replied that any decision to award compensation in such cases would be subject to a limit on retroactivity to 1951.⁸ Similarly, to a recommendation that “the dependents of every miner who died or may die as a result of lung cancer or silicosis regardless of the date of death should receive compensation,” the government agreed, with the qualification that this apply to those who died or may die “as a result of lung cancer or silicosis contracted while working in a mine since 1951.” Other recommendations called for compensation for anyone disabled by lung cancer or silicosis who had worked in a St. Lawrence mine “at any time.” Here the government explicitly rejected the phrase “at any time,” and stated that it should be replaced with “since 1951” anywhere it was used in the recommendations.⁹ The only consideration given to claims

⁷“Decisions of the Government on the Report of the Royal Commission,” 4.

⁸“Decisions of the Government on the Report of the Royal Commission,” 6-7.

⁹“Decisions of the Government on the Report of the Royal Commission,” 14-16.

arising in cases where the worker had terminated employment prior to 1951 was under the “Special Fund” which had been suggested by the company in its submission and been incorporated as a recommendation. The government stated that in cases where a disabled or deceased worker had ceased employment in the mines prior to 1951, consideration would be given to including such cases under this Special Fund, and that it would pursue the possibility of having such a fund established with the assistance of the other relevant parties.¹⁰

In addition to extending retroactivity, the Commission had also recommended extending compensation coverage to cases of tuberculosis, any chronic obstructive pulmonary disease and cancers other than lung cancers, such as those affecting the nose and throat. The government responded that these diseases would not be added to the Schedule of Industrial Diseases and therefore would not be compensable. The government did agree, however, to include silico-tuberculosis as a compensable disease.¹¹ The Commission had also recommended raising the compensation rates paid to widows, and the government agreed to remove the monthly limit of \$375.00 (which had been in effect as of 1 July 1969) and to pay \$100.00 per month to widows and \$35.00 for each dependent child regardless of the number of children.¹²

¹⁰“Decisions of the Government on the Report of the Royal Commission,” 4.

¹¹“Decisions of the Government on the Report of the Royal Commission,” 14-16, 10.

¹²“Decisions of the Government on the Report of the Royal Commission,” 16.

By retaining the 1951 limit on potential compensation claims, apart from possible consideration under the yet to be established Special Fund, the government's response did nothing to address those cases where workers had terminated employment -- in many cases because of an industrial disease -- before 1951. Apart from a relatively small number of cases where workers had developed silico-tuberculosis *and* had terminated their employment after 1951, its response also did nothing to address those many documented cases of workers whose death or disability arose from other diseases developed while working in the mines before and after 1951. The removal of the \$375.00 monthly limit on widows' benefits would also benefit only a few cases. The ceiling of \$375.00 per month was based on \$100.00 per month for a widow and \$35.00 for each dependent child up to a maximum of eight children, so the removal of the limit would result in an increase only for those widows with more than eight dependent children.

Not surprisingly, the government's response to the recommendations drew sharp criticism from some quarters. The union charged that the government's position on the compensation issues demonstrated its complete lack of regard for the "misery and suffering that have faced the widows and dependents of deceased and disabled miners." The union also argued that the decision to make the radiation monitor an employee of the company had reversed what little progress had been made in that area in recent years and had revealed that the government's real intent in appointing a monitor at the union's insistence in 1967 was "to bury a very controversial issue that was a source of

embarrassment to the Government.”¹³ Burin MHA Alex Hickman (one of several politicians who had recently crossed from the Liberal to the Progressive Conservative side of the House) charged that by handing responsibility for radiation monitoring over to the company, the government was “abdicating” its duty to protect the health of St. Lawrence miners.¹⁴ In the House of Assembly, Mines Minister Callahan was repeatedly called on to defend the government’s decision in this regard, but did little other than repeat the claim that it was the “legal responsibility” and the “moral responsibility” of the company to protect the health of its employees. Hickman reminded Callahan that the union president had stated that this decision would cause increased suspicion of the company and labour unrest at St. Lawrence. Callahan replied that the government would conduct its own inspections to ensure that the company was fulfilling its duties, and repeated that the law required operators to ensure that their mines were safe.¹⁵

The government also came under sharp criticism for its handling of the issue of widows’ benefits. In March 1970, just before release of the government’s response to the Royal Commission, the Department of Public Welfare reported on an investigation into the circumstances of about 20 widows in St. Lawrence, which it had carried out at the request

¹³Leo Slaney, SLWPU, to W.J. Keough, Minister of Labour, 28 May 1970, SLMM.

¹⁴“Government Response to St. Lawrence Study Draws Fire,” *Evening Telegram*, 3 June 1970.

¹⁵*Journal of the House of Assembly of Newfoundland*, 4 June 1970, Vol. 96, 6137-45.

of the union. The department conceded that in many cases compensation benefits were inadequate and families were living in sub-standard housing, but stated that little that could be done except to advise these women of their right to apply for welfare to supplement their compensation benefits. The department also suggested that these women try to supplement their incomes through such activities as “small scale gardening, berry picking, mending and sewing.”¹⁶

After the release of the government’s response to the Royal Commission, Hickman pointed out that widows in St. Lawrence were still no better off and that in many cases widows receiving compensation were still financially worse off than others receiving welfare. While conceding that some of these women might receive welfare benefits to supplement their incomes if they chose to apply, Hickman pointed out that they were not entitled to other welfare benefits, such as those covering housing and school supplies. In addition, he pointed out, many widows refused to apply for welfare on the grounds that they believed there was a fundamental difference between welfare and compensation and saw no justification for having to go on welfare when they should be entitled to a sufficient income from the compensation for which their husbands had worked. To this, the Minister of Public Health and Welfare simply replied that these women had been

¹⁶Stephen A. Neary, Minister of Public Welfare, to Leo Slaney, SLWPU, 31 March 1970, SLMM.

informed of their rights under the legislation.¹⁷

Criticism of the government's response to the Commission's recommendations continued through 1970. In November, Commission Chairman Fintan Aylward wrote to the Premier charging that the government had essentially ignored the Commission's recommendations regarding compensation and stating that he had been contacted by many widows and disabled miners who were frustrated by the government's response to their plight.¹⁸ One source of confusion was the fact that the Commission's report had listed 51 names of men who were "Entitled to compensation under our recommendations" and many people apparently interpreted this as meaning they were automatically entitled. Many of the recommendations, however, had not been accepted and consequently only 7 of these 51 claims had actually been accepted.¹⁹

7.2 Public Protest and Labour Unrest, 1971

It was within this highly charged atmosphere that the union notified the company, in February 1971, of its desire to re-negotiate the collective agreement.²⁰ The union's main demand was for an across-the-board wage increase of \$1.25 per hour, which would

¹⁷*Journal of the House of Assembly of Newfoundland*, 8 June 1970, Vol. 100, 6431-3.

¹⁸Fintan Aylward to Smallwood, 30 November 1970, Coll 075, File 3.27.037, CNSA.

¹⁹Keough to Smallwood, 17 November 1970, Coll 075, File 3.27.037, CNSA.

²⁰SLWPU, Press Release, 5 February 1971, SLMM.

give St. Lawrence workers wage parity with workers at Alcan's Arvida smelter. In making this demand, the union predicted "hard bargaining ahead," a prediction which turned out to be accurate.²¹ A government conciliator appointed in March was unable to facilitate an agreement and on 27 March talks broke down. On 1 April, the union requested appointment of a conciliation board. Under the Labour Relations Act, the Minister of Labour had fourteen days after the request to appoint a board and, if no appointment was made in that time, the union was then in a legal position to strike.²²

On 5 April, however, before expiration of the 14-day waiting period, matters took an unusual turn when about 30 women from St. Lawrence and Lawn began picketing the loading dock to prevent an ore carrier from loading a shipment of ore for Arvida. They spent that night at the dock, under observation by several RCMP officers, and were joined the following day by about ten other women. The union was reportedly "not backing this picketing"; workers stayed on the job, but made no effort to cross the women's protest line and load the vessel.²³ The women were still on the dock two days later, with many carrying placards reading "We Support Our Husbands." A spokeswoman for the group stated that they believed that allowing the ore to be loaded would undercut the union's bargaining position. About a dozen RCMP officers from detachments around the Burin

²¹SLWPU, Press Release, 5 February 1971, SLMM.

²²*Evening Telegram*, 7 April 1971, 3. Steve Neary was Acting Minister of Labour at this time, as W.J. Keough had recently died.

²³*Evening Telegram*, 6 April 1971, 3.

Peninsula continued to patrol the scene.²⁴ The protest ended on 8 April, when the ore carrier sailed without having loaded the ore.²⁵

While brief, the women's protest was significant in a number of respects. Though women had long suffered the adverse effects of industrial disease -- caring for dying husbands, raising children with little financial support, living with the constant fear that their husband or son might be next -- and though they had tried through various channels to draw attention to their plight, the 1971 protest was the first concerted, public action they had taken. Given the hardships and frustration that women of the community had endured for so many years, it is not surprising that labour relations hostilities spilled into the general community in the tense atmosphere of the early 1970s.

The company and the union continued to meet during early April, but could not reach a deal on wages. The company replied to the union's demand of a \$1.25 per hour increase with an offer of a \$1.00 per hour increase for the highest paid workers and considerably less than that for most. On 15 April, union members rejected that offer 299 to 6, and on 18 April the workers went on strike.²⁶ While the official and specific justification for the 1971 strike was the demand for a wage increase, the strike must be viewed as part of the complex web of grievances and forces which were at work. The

²⁴*Evening Telegram*, 7 April 1971, 3.

²⁵*Evening Telegram*, 8 April 1971, 3.

²⁶"St. Lawrence Workers Vote to Strike," *Evening Telegram*, 16 April 1971, 3, and 18 April 1971.

Special Fund, which the government had promised to establish more than a year earlier with contributions from company and government sources, had still not been established by April 1971, and the government was drawing criticism for inaction on this proposal.²⁷ It had also been revealed that Alcan had entered into an agreement in 1970 to purchase fluorspar from a Mexican supplier and that shipments of that ore were reportedly scheduled to commence in April 1971.²⁸ The knowledge that Alcan was turning to Mexican suppliers did little to reduce hostilities at St. Lawrence, especially given the demise of the Corporation's St. Lawrence mines while that company had been importing Mexican ore for Canadian consumers.

At the more general level, labour unrest increased dramatically across the entire province in 1971. In 1970, there was a total of just 8 strikes involving less than 1,000 workers in the province; in 1971, there were 29 strikes involving nearly 6,000 workers.²⁹ About a week before St. Lawrence miners took to the picket line, members of the United Steelworkers of America Local 6960 at the British Newfoundland Exploration copper mine in Springdale on the northeast coast began a month-long strike to demand increased wages and improved benefits.³⁰ On 3 April, the Newfoundland Fishermen, Food and

²⁷"Long Time Before Benefits Come, says St. Lawrence Union President," *Evening Telegram*, 2 April 1971.

²⁸"St. Lawrence Strike," *Evening Telegram*, 10 April 1970.

²⁹Kealey, "History and Structure," 112.

³⁰"Strikes Continue, Over 500 Workers Out," *Evening Telegram*, 12 April 1971. Springdale miners returned to work on 6 May, settling for a 24 cents per hour increase

Allied Workers' Union (NFFAWU) began what would become a long series of strikes and protests around the island. When the St. Lawrence strike began on 18 April, it brought to over 1,000 the number of workers from various sectors on strike around the province.³¹

In addition to this growing labour unrest, the political scene was also in turmoil. The Smallwood government was coming to the end of its term in office and appeared to be losing the grip it had held on Newfoundland politics since 1949. The government was under intense pressure to call an election and was being vigorously challenged by a group of highly vocal Progressive Conservative politicians, including Alex Hickman, the MHA for Burin, who missed no opportunity to raise the St. Lawrence issue in the media and in the House of Assembly.³² This political situation would play a key role in events in St. Lawrence during 1971 and in the media's depiction of the situation there.

Representatives from both Alcan and the CNTU, brought in from Montreal, along with local union and company representatives, began to meet again on 4 May to try to settle the dispute, but talks broke down again just two days later. From the union's perspective, its wage demand was intended not only to help keep pace with the rising cost of living, but also to help compensate for the special dangers encountered by St. Lawrence miners. When company representatives compared its wage offer to the one accepted by

over two years; they had sought 20 cents over one year: "Month-old Strike Ends at Springdale," *Evening Telegram*, 6 May 1971.

³¹"1,000 Workers Now Off Jobs," *Evening Telegram*, 19 April 1971.

³²See Gillespie, *A Class Act*, 130-2.

Springdale miners on 5 May (24 cents over 2 years), the SLWPU president responded that, “There is no comparison. They don’t have the problems in Springdale that we have here.”³³ CNTU representative Peter Curtis, who was participating in the talks, reiterated this position and suggested that in this strike the company was dealing with a different situation than it had grown used to in St. Lawrence. To the company’s suggestion that its offer of a \$1.01 per hour increase was very generous, Curtis replied that there was more at stake than wages and that Alcan was dealing with a “new breed of worker” in St. Lawrence, “men who had watched their fathers and relations snuffed out in the prime of life by lung cancer or mine accidents. Men who have seen these same fathers and relations taken advantage of in other wage settlements.” Curtis suggested that any wage offer made to St. Lawrence miners had to be considered in light of the special dangers that existed there. He charged that the company was being inflexible at the bargaining table and promised CNTU support for as long as the strike lasted. As an indication of the underlying issues at stake and the solidarity they had generated, on 7 May women in the community took over the picket lines while the striking miners marched through the town to the cemetery carrying a coffin and a cancer symbol.³⁴

³³“Breakdown Negotiations, St. Lawrence Strike Still On,” *Evening Telegram*, 7 May 1971.

³⁴“St. Lawrence Strike Could be a Long One,” *Evening Telegram*, 10 May 1971, 3.

As the strike continued through May, June and July, the issues of health and safety, workers' compensation and the Special Fund continued to be sources of controversy. After drawing strong criticism, especially from Hickman and the union, for its response to the recommendation regarding radiation monitoring, in May 1971 the government changed its position and proposed that the government monitor in St. Lawrence, David Rex, be posted there permanently at government expense. The government and the union had also reportedly agreed to a program for establishing qualifications for radiation monitors, and to a study to determine how many monitors were needed and the best method of testing and reporting. Mines Minister Callahan stated that a method of personal monitoring being considered by the Inspections Division was one whereby miners leaving the mine at the end of a shift would use an electric razor to shave a few hairs from their arms, which would then be tested for radiation exposure. In response to this suggestion Hickman charged that the government was not taking the matter seriously, but once again trying to "bury the issue and forget it."³⁵

In June 1971, the government introduced changes to the Workmen's Compensation Act designed to embody some of its decisions on the recommendations of the Royal Commission. In amendments scheduled to take effect on 1 July 1971, the monthly payment for widows was increased from \$100 to \$120, and the monthly payment to dependent children from \$35 to \$40. The \$375 monthly ceiling on widows' benefits

³⁵"New Safety Measures Planned for St. Lawrence Mines," *Evening Telegram*, 14 May 1971, 11.

was eliminated. The 1971 amendments also embodied another recommendation of the Royal Commission and gave claimants the right to select, from a prepared list, one member of the three-member medical committee appointed to consider compensation claims.³⁶

Negotiations over the establishment of the Special Fund, meanwhile, were still ongoing. In May 1971, the St. Lawrence Town Council wrote to the government on behalf of potential claimants requesting that the fund be established. The government replied that Alcan and the provincial government had agreed to contribute, but that the federal government had not yet responded and no progress had been made in locating or receiving any reply from anyone associated with the St. Lawrence Corporation.³⁷ By the end of July 1971, the provincial government and Alcan had apparently given up hope that the federal government or the St. Lawrence Corporation would be contributing to the fund and decided to proceed on a fifty-fifty basis. Alcan urged the provincial government to make an announcement to that effect “as quickly as possible” -- a request no doubt made in light of the strike situation at St. Lawrence.³⁸

³⁶Workmen’s Compensation (Amendment) Act, 1971.

³⁷St. Lawrence Town Council to Smallwood, 26 May 1971, and Smallwood to St. Lawrence Town Council, 1 June 1971, Coll 075, File 3.27.037, CNSA.

³⁸J.W. Cameron, Aluminum Company of Canada, to Smallwood, 28 July 1971, Coll 075, File 3.27.037, CNSA.

As the St. Lawrence strike dragged on, other issues began to come into play and to complicate matters for the company and the government. There was the general problem of continuing widespread labour unrest. On 21 June, over 500 miners and electricians at ASARCO's Buchans mine went on strike for improved wages and benefits, joining 800 others from various sectors on strike around the province.³⁹ At the local level, perceived social problems in the community of St. Lawrence also began to attract media attention. The press reported in June that many young people in St. Lawrence had become involved in drug use. The parish priest, RCMP and town residents attributed the apparently higher than usual incidence of drug abuse in the community to a number of factors. It was suggested that, because of its status as an industrial community, St. Lawrence was not like other, more traditional Newfoundland communities and that people there were more apt to "try new things," including drugs. Others pointed out that there were no recreational facilities in the community, though a facility had been promised for years. The most common reason offered for increasing drug use in the town, however, was the number of households without fathers and the belief that the high death rate in the community had instilled in young people the attitude that they should "eat, drink, and be merry for tomorrow we may die."⁴⁰ Many Newfoundland communities had no youth recreational facilities and many communities, such as the pulp and paper towns and other

³⁹"Buchans Strike Could be a Long One," *Evening Telegram*, 23 June 1971, 3.

⁴⁰"Drug Problem Developing in St. Lawrence," *Evening Telegram*, 30 June 1971, 3.

mining communities, did not qualify as “traditional” Newfoundland communities. If drug use by young people in St. Lawrence was higher than in other Newfoundland communities, it was likely related to the high incidence of death among the adult male population. It was not demonstrated, however, that drug use was any higher there than elsewhere in Newfoundland, and only further research could determine whether this was so and why.

In addition to these social problems, the plight of St. Lawrence widows and disabled miners also continued to garner public attention over the course of the strike. A newspaper report in early July depicted the dire circumstances under which many people continued to struggle. One woman, whose husband was classed as 80 per cent disabled but was unable to earn any other income, described trying to raise six children on \$158 a month. Widows talked of raising two children on their own with less than \$200 monthly income. Many widows’ houses were in disrepair and many talked of having no social life because they could not afford even the small amount of money it would take to attend events such as card games or bingo. One widow described how frustrated she and others had become with seeing government reports and studies over the years amount to nothing in the way of real help and of getting only government procrastination and sympathy in response to their efforts. Others suggested that, contrary to the version of events often depicted by Alcan and the provincial government, it was the union and the women of the community who were responsible for any real action taken on issues of health and safety and compensation. The union, it was noted, had included in its original proposal to

renegotiate the collective agreement in February 1971 a clause stipulating that 40 cents per ton of ore shipped be channeled into the Special Fund, a suggestion which the company refused even to consider.⁴¹

The negative publicity continued throughout the summer. A dying miner interviewed in the St. Lawrence hospital talked of regretting “every day I worked in the mine,” and of his grueling and frustrating attempts to get financial support for his family.⁴² Given the circumstances and the publicity surrounding them, it is not surprising that some took a cynical view of a July announcement that government representatives, including Smallwood, would go to St. Lawrence soon to announce the establishment of the Special Fund. Satirist Ray Guy noted that after years of neglect and procrastination, with an election two months away, the “Smallwood flying circus” was off to St. Lawrence to “wring from the sorrow and torment of widows and orphans a few more filthy votes.”⁴³

Though the picket lines themselves remained peaceful as the strike dragged on through summer, there were many underlying points of tension and conflict within the community. Striking workers were becoming deeply resentful of the non-unionized staff members who were carrying out basic duties such as keeping the mine pumps running, and they resented the company’s treatment of these workers and their families. The union

⁴¹“The Widows Of St. Lawrence: Won’t Somebody Out There Help Us,” *Evening Telegram*, 6 July 1971, 8, 12.

⁴²“A Miner’s Fate,” *Evening Telegram*, 8 July 1971, 18.

⁴³*Evening Telegram*, 6 July 1971, 6.

charged, for example, that the company was provoking workers by delivering hampers of food and bottles of wine to these staff members' households and by continuing to host parties at the Staff House every Friday night. There was also growing conflict over the media coverage of the strike and of other issues over the years. Both the union president and the town's long-time resident physician, Dr. Brian Hollywood, charged that the company constantly manipulated the media's coverage of the St. Lawrence situation and used such channels as the *Newfluor News* to present a distorted version of events. The union president claimed that many things he had reported or submitted to the *Newfluor News* had been altered without his knowledge or consent before publication. The company denied all such allegations.⁴⁴

On 2 August, Premier Smallwood made his promised trip to St. Lawrence and announced the establishment of the Special Fund to be jointly financed by Alcan and the provincial government. The details were yet to be worked out, but it was believed that about 100 families then receiving compensation benefits would qualify for the fund initially. Royal Commission chairman Fintan Aylward remarked that while the establishment of the Special Fund would undoubtedly benefit some families, more effort should have been made to locate parties associated with the former St. Lawrence

⁴⁴Alcan Strike Enters 13th Week, Miners Not Feeling the Pinch ... Yet," *Evening Telegram*, 9 July 1971, 7.

Corporation and to force them to contribute to the fund.⁴⁵ One commentator noted that while any financial help was welcome, it was too bad that people had to wait until the Smallwood government needed to improve the electoral chances of its Liberal candidate in the district to get that help.⁴⁶

In setting up the Special Fund, the provincial government and Alcan originally contributed \$500,000 each, for a total of \$1,000,000, to be paid out at a rate of \$100,000 per year. A local committee was established with representatives from the union, the company, the government and widows in the community. Payments would be based on family size. Initially, 51 applicants whose claims had already been approved by the Workmen's Compensation Board were approved, and these would begin receiving Special Fund payments immediately. It was anticipated that at least 30 others would eventually qualify for compensation and thus the Special Fund, and approximately 70 other cases were under medical review. The funds for these as yet unsettled cases would be held in reserve. Based on the amount of money in the fund and the number of qualifying and potentially qualifying recipients, the monthly payments from the fund would be \$30.86 a month for a "head of a family unit" (disabled miner or widow), \$15.43 a month for the wife of a disabled miner, and \$7.72 per month for dependent children. Unlike workers' compensation benefits, the Special Fund was paid for children until they reached eighteen

⁴⁵"Special Fund Set Up in St. Lawrence for Widows and Orphans of Miners," *Evening Telegram*, 2 August 1971, 3.

⁴⁶"At Last, Some Help," *Evening Telegram*, 2 August 1971, 6.

years of age or while they were attending school or a post-secondary institute. The highest amount paid out in the initial qualifying group was \$100.34, to a family consisting of two parents with seven dependent children.⁴⁷

Talks aimed at settling the strike, meanwhile, resumed on 25 August and by 10 September an agreement had been reached. Under the terms of the agreement, workers would receive an immediate raise of 40 cents per hour and another raise of 19 cents after one year. There were also increases in the overtime rate, and in the rate for night shifts. The contract was set to expire on 31 March 1973.⁴⁸ The union president noted that while the wage increase was considerably less than that initially sought, the union had made key gains in other areas, including seniority, sick benefits and annual vacations, and that the agreement represented the largest wage increase in the history of the operation. It was also pointed out that the strike had been instrumental in getting the company and the government to establish the Special Fund for disabled miners and dependents. It was clear, however, that the deal did not have solid support among the membership; only 60 per cent voted in favour of it.⁴⁹ Shortly after settlement of the 1971 strike, union president Leo

⁴⁷“St. Lawrence Special Fund,” (memo for the information of the Premier), Coll 075, File 3.21.048, CNSA.

⁴⁸“Collective Labour Agreement between Aluminum Company of Canada, Ltd., St. Lawrence, and St. Lawrence Workers’ Protective Union, AA.

⁴⁹“23-week old strike ends at St. Lawrence,” *Evening Telegram*, 11 September 1971, 3.

Slaney resigned and took a non-union position with the company, whereupon vice-president George Doyle became Acting President of the union.⁵⁰

In the aftermath of the strike, the company focused on its detrimental effects on the local economy. It was noted that not only were operations suspended and wages lost, but community projects such as the recreation centre were put on hold and the town's retail sector was adversely affected.⁵¹ The company was also eager to point out that the Special Fund had been originally proposed by Newfluor in its brief to the Royal Commission and that Alcan had shown not only a willingness to contribute to the fund but "an anxiety to see it established."⁵² Alcan's willingness is understandable considering what the fund meant in terms of financial liability. Just as the company had been protected from financial liability when cancer claims were made a charge on the WCB's Disaster Fund about a decade earlier, under the Special Fund the company was getting the government and thus the taxpayers of the province to contribute directly one half of the money required to compensate victims of industrial disease. Thus, the company, by proposing and then contributing to the fund, could polish its image as a good corporate citizen and responsible employer while at the same time avoiding much of the actual financial responsibility for the disease and death associated with its mines dating back to the 1940s.

⁵⁰"St. Lawrence Union Head Quits," *Evening Telegram*, 30 September 1971, 1.

⁵¹Strike ends, economy hurt," *Newfluor News*, 5, 4 (September 1971), 1.

⁵²"Special Fund Established," *Newfluor News*, 5, 4 (September 1971), 1.

The St. Lawrence Corporation, meanwhile, paid nothing into the Special Fund and had shouldered no financial liability for its negligence.

7.3 Labour, Politics and Health and Safety, 1972-74

Following settlement of the 1971 strike, relative calm returned to the labour relations front. There was one brief work stoppage in 1972, a wildcat strike that started on 25 July over the firing of an employee whom the workers wanted rehired. All 325 employees walked off the job but returned to work the following day, though the worker was not rehired.⁵³ In January 1972, the Newfluor manager informed the Department of Mines that, while he believed the move was of little practical benefit because the company's radiation reduction program was sufficient, continuing pressure from the union and other "political and social implications" had prompted the company to hire a second radiation monitor. The system, as he described it, would now involve weekly testing of areas which regularly gave no cause for concern, twice-weekly testing of areas which gave readings of between 0 and 0.10 x SWL, and daily testing of areas with readings in excess of 0.10 x SWL. The company suggested that these tests be cross-checked, as often as deemed appropriate, by the government monitor. The company concurred with the union in its desire to have the government monitor stay on in St. Lawrence because, as the manager put it, "the miners trust Mr. Rex's results more than

⁵³"Wildcat Strike at St. Lawrence," *Evening Telegram*, 25 July 1972, 3, and "Wildcat Strikes are Ended," *Evening Telegram*, 26 July 1972, 3.

they do our monitors, even though the actual data collected are similar.”⁵⁴

This correspondence is significant in a couple of respects. First, the remarks regarding the retention of the government monitor are indicative of a persistent mistrust on the part of the union of the company’s monitoring program and of the suspicion which still marked the labour relations climate in general. Also, the fact that the company was establishing target levels and testing frequencies indicates the extent to which it continued to set the agenda with respect to radiation monitoring. While this attempt at a pro-active approach may have been partly a public relations move, it also suggests that the government was willing to let the company continue to set standards for conditions in its own workplace. Furthermore, despite the company’s continuing claims that it had the radiation problem well under control, levels in excess of the SWL continued to be discovered. There were at least fourteen such readings obtained by the company monitor from March to September 1972. In September, the government monitor reported a reading of 28.5 x SWL at Director mine.⁵⁵

While the labour relations scene was relatively quiet in St. Lawrence in the aftermath of the 1971 strike, major changes were taking place in the wider political and labour relations arenas. On the provincial political scene, Smallwood was finally forced,

⁵⁴M.E. Gooding, Manager, Newfluor Works, to Fred Gover, Deputy Minister of Mines, 14 January 1972, SLMM.

⁵⁵Reports of Radiation Readings, 1972; and David Rex to Chief Inspector of Mines (cc: Newfluor Works and SLWPU), 28 September 1972, SLMM.

after a year of public relations maneuvering in which St. Lawrence figured prominently, to call a provincial election in September 1971. The election was held on 28 October and the initial results were 20 seats for Smallwood and the Liberals, 21 for Frank Moores and the Progressive Conservatives, and 1 for the newly-formed New Labrador Party. After a series of resignations (including Smallwood's) and defections during the winter of 1971-72, it became obvious that the government as it stood was unworkable, and Moores called another election for 24 March 1972. The results of that election were more far more decisive – 33 seats for the Conservatives and just 9 for the Liberals. Hickman, the Conservative MHA for Burin District, held his seat in both the 1971 and 1972 elections and was made Minister of Justice under the new administration of Premier Frank Moores.⁵⁶

Meanwhile, major upheavals were also taking place within the SLWPU's parent organization, the CNTU, some of which had direct implications for the St. Lawrence union. While the CNTU had provided public support, negotiating assistance, and financial aid to the SLWPU over the course of the 1971 strike, the parent body was increasingly preoccupied with events in Quebec. As with many parts of Canada, Quebec in the early 1970s was subject to high inflation and unemployment, prompting a wave of labour and public unrest. In Quebec, there was a growing tendency to relate these economic factors

⁵⁶For an analysis of the 1971-72 elections, see Peter Neary, "Changing Government: The 1971-72 Newfoundland Example," in Hiller and Neary, *Twentieth-Century Newfoundland*, 297-320.

to the political situation, giving rise to a marriage of the labour movement and the growing sovereignty movement. Within this context, the CNTU deepened its commitment to Quebec independence and to political radicalism. In September and October 1971, the CNTU issued its first public attacks on the capitalist system itself, identifying it with what it perceived to be the imperialist domination of Quebec by Anglo-Canadian and American capital and concluding that the Quebec labour movement should devote itself to “Québécois socialism.”⁵⁷

Not everyone, however, agreed with the CNTU’s move in a more radical direction, and divisions within the executive and the member unions became apparent at the convention in May 1972, which coincided with widespread labour unrest throughout the province.⁵⁸ The split ultimately resulted in the loss of about 70,000 members, about one-third of the CNTU’s membership, over the course of 1972. About half of these joined a newly-formed breakaway organization known as the Confederation des Syndicats

⁵⁷On the developments of late 1971 and the immediate background to them, see CNTU, *History of the Labour Movement in Quebec*, 248-9, Black Rose Books Collective, *Quebec Labour*, 13-14; and Richard Desrosiers et Denis Héroux, *Le travailleur québécois et le syndicalisme* (Montreal: Les Presses de l’Université du Québec, 1973), 155-6. The October, 1971 manifesto is reproduced in *Quebec Labour*, 137-248. For a summary of the relationship between the Quebec labour movement and Quebec politics, including the role of the CNTU, in this period, see Ralph P. Güntzel, “Rapprocher les lieux du pouvoir”: The Quebec Labour Movement and Quebec Sovereignism, 1960-2000,” *Labour, Le Travail* 46 (Fall 2000), 369-95.

⁵⁸A formative event in the Quebec labour movement’s shift to an increasingly militant position during this period was the formation of the “Common Front” in early 1972, which refers to the unity of over 200,000 public sector workers, including 10,000 from CNTU unions, against the Quebec government.

Democratique (CSD).⁵⁹ Among those who eventually broke with the CNTU were many of the unions in the Metal Trades Federation, including those in the Quebec aluminum sector. By the end of 1973, about 9,000 such workers, or one-third of the Metal Trades Federation membership, had left the CNTU to join the CSD or some other parent body, or to become independent. From 1972 to 1973, the Metal Trades Federation of the CNTU went from 126 locals with over 30,000 members to just 98 locals with about 20,000 members. The newly formed Metal Trades, Mines, and Chemical Products Democratic Federation of the CSD, meanwhile, had 39 locals with over 7,000 members by the end of 1973.⁶⁰ The Arvida union joined the independent Fédération des syndicats du secteur de l'aluminium (FSSA). The loss of so many unions and one-third of its membership was obviously a major blow to the Metal Trades Federation. For the St. Lawrence union, the defection of the Alcan-employed Quebec aluminum workers, especially those at Arvida, meant the loss of a direct connection to fellow CNTU-MTF workers and of one of the very few natural ties between the SLWPU and its parent organization.

At the local level, however, the SLWPU continued to be concerned with more immediate issues, such as increased workers' compensation coverage and the further implementation of the Royal Commission's recommendations. In July 1972, the new

⁵⁹CNTU, *History of the Labour Movement in Quebec* 231-49, and Rouillard, *Histoire de la CSN*, 233-8.

⁶⁰Labour Canada, *Labour Organizations in Canada*, 1972, 31, and 1973, 32-3; and Rouillard, *Histoire de la CSN*, 238, 260.

provincial government passed yet another amendment to the Workmen's Compensation Act, this one directed specifically at the St. Lawrence case. It stated that, because it was known that prior to 1960 miners in St. Lawrence worked in an atmosphere containing silica dust and radioactive particles, in cases where the causal connection between working conditions and the development of certain pulmonary diseases, including silicosis and lung cancer, could not be conclusively established, "rational observation indicates the probability of such a connection." The amendment therefore stated that in cases where (a) a worker employed underground in a St. Lawrence mine between 1 January 1951 and 31 December 1960 was disabled by or his death was caused by a chronic obstructive pulmonary disease, or (b) a worker or former worker was listed in the Report of the Royal Commission as being entitled to compensation under the recommendations, the disease or disability "shall be deemed due to the nature of the employment" and the worker and/or his dependents compensated accordingly. In keeping with the fact that the amendment was intended to embody the recommendations of the Royal Commission, entitlement to compensation was to be effective as of 1 September 1969 or the date of disability or death, whichever was the later date. The compensation to be paid out in such cases would be drawn from the Disaster Fund, in recognition of the fact that, "the people of this Province recognize the disability and death of the miners of St. Lawrence as a continuing disaster."⁶¹

⁶¹Workmen's Compensation (Amendment) Act, No. 54, 1972.

The 1972 amendment was significant in a number of respects. The assumption that pulmonary illnesses which developed while working in the mines were caused by the nature of employment was in fact a tacit recognition of a principle embodied in the original 1951 Act and common to legislation all across the country, but had seldom been applied in the St. Lawrence case up to this time: that in inconclusive cases the claimant should be given the benefit of doubt. Also, the limit on retroactivity of benefits, to 1 September 1969 or to the date of disability or death, whichever came later, meant that no benefits would be paid for those years between the time of disablement and 1 September 1969, despite the fact that the Board now recognized that their disablement or death was caused by working conditions prior to that time. There was still no recourse for those who had become disabled prior to 1951. Also, that the funds to be paid out for potential claims arising from the amendment would be drawn from the Disaster Fund meant that the company still largely avoided financial responsibility for increased claims.

Arguing that the Act still did not cover a variety of cases, the union continued to press for changes. In November 1972, for instance, the union urged the government to expand coverage to those who had worked in such places as the mill and crushing plant and had developed pulmonary diseases listed in the Schedule of Industrial Diseases but were not covered under the Act because they had not worked underground. Also, in the union's view the Act, and especially the 1972 amendment, presumed that the danger from radiation and dust ceased to exist after 1960 and therefore no justifiable claims could arise after that date. The union argued that this was not the case and pointed out that in many

instances after 1960 miners had been moved out of certain underground areas because of radiation exposure. What, the union asked, would happen to such workers should they develop an industrial disease arising from exposure after 1960? The union also continued to demand that compensation coverage be extended to all those who had become disabled prior to 1951, and pointed to the inconsistency in compensating claimants listed in the Royal Commission report who had not worked after 1951 and refusing to consider other potential claims arising before that date simply because they had escaped the notice of the Royal Commission.⁶²

In February 1973, the union presented the government with a formal brief outlining these concerns and demanding appropriate amendments to the Act. The union also requested changes to the practice of calculating benefits based upon wages being earned at the time a worker became disabled. According to the union, this practice, combined with the rising cost of living, left benefits far short of the amount required by disabled miners and their families to have a decent standard of living. To stress the psychological as well as the financial burden thus created, the union pointed out that because death benefits were calculated based upon a set amount regardless of earnings, “it is a tragic fact that some such men live in the realization that rather than contribute to their dependents’ welfare

⁶²George Doyle, President, SLWPU to T. Alex Hickman, Minister of Justice, 27 November 1972, SLMM.

they are an obvious burden, in that compensation payable will increase on their deaths.”⁶³

The union’s 1973 brief also called for the appointment of an additional government radiation monitor at St. Lawrence, which was based on the belief that the one government monitor at St. Lawrence was inadequate, especially given that a third mine (the Blue Beach) had been opened and further expansion was planned.⁶⁴

Before the government could give a formal response to the February brief or the union could pursue the matter further, the collective agreement signed in 1971 came up for renewal at the end of March 1973, and the union notified the company of its intention to seek changes, including a wage increase of \$1.50 per hour. On 1 April, less than 24 hours after expiration of the agreement, the union voted 90 per cent in favour of a strike and set up picket lines, claiming that the company refused to make a wage offer of any kind.⁶⁵

As was the case with the 1971 strike, the 1973 dispute was also part of a continuing wave of labour unrest across the province. When the St. Lawrence workers went out on 1 April, they joined about 600 others from various sectors, including construction, petroleum refining and fish processing already on strike. At the Buchans

⁶³“Brief in Support of Certain Proposed Changes in the Workmen’s Compensation Act Respectfully Submitted to Government of Newfoundland and Labrador by the St. Lawrence Workers’ Protective Union,” 7 February 1973, 6-7, SLMM.

⁶⁴“Brief in Support of Certain Proposed Changes in the Workmen’s Compensation Act,” 1973, 7, SLMM.

⁶⁵“St. Lawrence Miners Strike,” *Evening Telegram*, 2 April 1973.

mine, 570 workers represented by the USWA and the International Brotherhood of Electrical Workers had been on strike since 15 March demanding a wage increase, and USWA members at the Wabush iron ore mine had staged a week-long strike over the dismissal of an employee in March.⁶⁶

Positions hardened very early in the St. Lawrence strike. Only two days after the walkout began, CNTU representative Peter Curtis predicted a long strike and accused the company of refusing to bargain seriously because it would not make a wage offer.⁶⁷ The company, meanwhile, was seeking an injunction to force workers to let management personnel onto company premises. The application came before the Supreme Court on 4 April, but the hearing was postponed until 17 April.⁶⁸ Ten days into the strike, workers submitted to management a petition demanding that the company restart negotiations by making a monetary offer of some kind.⁶⁹ Two weeks after the petition was submitted, management stated that it was still “studying” the document, but was not yet ready to formulate a response. Meanwhile, the company had been successful in obtaining a court

⁶⁶“900 off Jobs in Strikes,” *Evening Telegram*, 2 April 1973.

⁶⁷“Union Representative Foresees Long Strike,” *Evening Telegram*, 3 April 1973, 2.

⁶⁸“Hearing Postponed,” *Evening Telegram*, 5 April 1973, 2.

⁶⁹“Workers’ Petition Requests Renewal of Negotiations,” *Evening Telegram*, 12 April 1973, 2.

injunction limiting the number of picketers permitted at company entrances.⁷⁰

On 3 May, the membership voted in favour of an offer giving them increases of between 55 and 78 cents per hour over the life of the contract, which was due to expire at the end of March 1975. The new contract also contained a clause requiring the transfer and retraining of workers who could no longer work underground for health reasons. The union noted that though it did not get everything it wanted, the wage increases were substantial, and the retraining clause as well as other concessions in areas of holidays and annual vacations were important victories.⁷¹

A couple of factors may have prompted the union to settle for this package at this point. The union president had noted several days before the settlement that workers were under some financial strain because they had as yet received no strike pay from the CNTU, though it had been due to arrive in mid-April.⁷² Also, on 1 May, two days before settlement of the strike, the government had passed further amendments to the Workmen's Compensation Act.⁷³ The 1973 amendments increased the monthly payment to widows from \$120 to \$150 and the monthly benefit to dependent children from \$40 to \$50. In

⁷⁰"St. Lawrence Union Seeks Meet with Government," *Evening Telegram*, 24 April 1973, 2; and "Miners Want Inquiry," *Evening Telegram*, 25 April 1973, 2.

⁷¹"Fluorspar Miners Back on Job," *Evening Telegram*, 4 May 1973, 1.

⁷²"Everything Quiet in St. Lawrence," *Evening Telegram*, 27 April 1973, 2.

⁷³It is worth noting that the changes were made public the day before the strike was settled: "Workmen's Compensation Payments Increased," *Evening Telegram*, 2 May 1973, 2.

addition, a clause directed specifically at the St. Lawrence case repealed the limit which allowed for silicosis and cancer claims arising only from underground employment between 1951 and 1960, and provided for claims for workers “employed at any time, whether before or after the first day of January 1951.” It also allowed claims arising from work in “fluorspar extraction or handling, or both, at St. Lawrence,” thus covering workers who had not been employed underground at the time of their disability.⁷⁴ This clause was a direct response to the union’s brief presented several months earlier, and represented an important victory for the union and others who had been lobbying to have pre-1951 claims and claims for non-underground work recognized. The changes were to be effective as of 1 July 1973.

The 1973 amendment resulted in an increase in claims and a reversal of decisions in some cases. Claims continued to be denied, however, for various reasons, primarily because of a lack of evidence that a medical condition or cause of death was attributable to working conditions.⁷⁵ The union continued to lobby for settlement of such cases and urged the WCB to “stop fooling around with the lives of those sick men... and their families... so that our sick Brother Members may live in a peaceful mind, knowing that at least their children will be taken care of because of their last efforts.”⁷⁶ Furthermore, even

⁷⁴The Workmen’s Compensation (Amendment) Act, No. 115, 1973.

⁷⁵There is various correspondence to this effect in the union documents for 1973.

⁷⁶George Doyle, SLWPU to Allison Bugden, Chairman, Workmen’s Compensation Board, 15 May 1973, SLMM.

with recent increases, benefits remained very low. To take a typical case: one claimant assessed as 30 per cent disabled had his claim approved in July 1973, and began receiving a weekly benefit of \$17.31. This amount was based on his earnings at the time of his disability, which was prior to 1 April 1961. This case also qualified for the Special Fund, which was awarded in September 1973, in the amount of \$115.78 per month. Based on the formula for the Special Fund, this means that there were two adults and nine dependent children in this household, living on a monthly income of \$185.02.⁷⁷ It must also be noted that in cases such as this the claimant received no retroactive benefits to the time of the disablement – only to the time at which the Act or amendment under which his claim was accepted came into force. Also, no consideration was given to the fact that wages and the cost of living had increased dramatically since the time of the disablement. Rather, benefits were calculated based on the worker's wages at that time, which in this case was at least thirteen years before approval of the claim.

Following settlement of the 1973 strike, 1974 was a relatively quiet year on the labour relations front in St. Lawrence. On the industry front, 1974 was another year of increased production and expansion. Alcan established of a second mine shaft at the Tarefare site, known as "Tarefare 2," and by April most of the surface work had been completed by a Nova Scotia construction firm. The shaft-sinking, which was to be carried out by another firm which Newfluor had been contracting for such work since the 1960s,

⁷⁷Various letters to and from the claimant and the Workmen's Compensation Board, July, August, and September, 1973, SLMM.

was set to begin in June, and the mine was scheduled to go into production in 1976.⁷⁸

Fluorspar shipments for 1974 set a new record.⁷⁹

The company also continued to use such channels as the *Newfluor News* to generate publicity regarding its safety efforts and community involvement. During 1974, however, the *Newfluor News* ceased publishing information on radiation readings, though it clearly continued to be a problem and the union continued to be concerned about it. The union submitted to the company in May 1974, for instance, that ventilation was inadequate in several areas of the Tarefare mine and that levels in excess of the SWL continued to be detected by both company and government monitors at Blue Beach, Tarefare, and Director.⁸⁰

Some of the company's public relations efforts bordered on the ridiculous. The December 1974, issue, for example, carried an advertisement for a book on making crafts and decorations using aluminum foil, available to Alcan employees at St. Lawrence for the

⁷⁸"Sixty Percent Surface Work Completed," *Newfluor News*, 8, 4, April (1974), 1.

⁷⁹"Shipments Up" *Newfluor News*, 8, 7 (August 1974), 2; "Fluorspar Production Still Increasing," *Newfluor News*, 8, 8 (October 1974), 2; "Blue Beach Mine Sets Production Record," *Newfluor News*, 8, 9 (November 1974), 2; and Canada, Department of Mines and Technical Surveys, *Canadian Mineral Industry*, 1974, 189.

⁸⁰"Report of Safety Inspection, Tarefare Mine, 17 May 1974; Rene Fowler, Senior Radiation Monitor, Newfluor Works, to R.R. March, Chief Inspector of Mines, 23 August 1974; David Rex, Radiation Monitoring Technician, to R.R. March, 25 October 1974; and A.B. Dory, Chief Mine Engineer, Newfluor Works, to R.R. March, 4 November 1974, SLMM.

special reduced price of \$3.00.⁸¹ Others showed the extent to which the company had succeeded in infiltrating and using local organizations to its own public relations ends. One article, for instance, quoted at length Mayor Jules Mirault's praise for the company's community improvement efforts in such initiatives as construction of a new soccer pitch; the mayor happened to be the man hired by the company in 1972 as a radiation technician.⁸²

While 1974 was for the most part a relatively quiet year on the labour relations front, developments towards the end of the year signaled more unrest brewing, especially with the collective agreement coming up for renewal again in March 1975. Events as they subsequently unfolded in St. Lawrence must be seen in the context of the CNTU's continuing radicalism and how that intersected with the labour relations situation within Quebec and within Alcan's other Canadian operations. Following the shift to a more radical program during 1971-72, the CNTU and many other Quebec-based labour organizations continued to engage in militant job actions. Striking members of a Quebec Federation of Labour (QFL) union held out for nine months during 1973-74 at the American-owned Firestone tire plant in Joliette, and walked out again in a wildcat strike in the summer of 1974. The Joliette strike was important not only because it became a flashpoint for the anti-American views of many Quebec nationalists, but also because it

⁸¹"The Art of Aluminum Foil," *Newfluor News*, 8,10 (December 1974), 8.

⁸²"Mayor Lauds Alcan," *Newfluor News*, 8, 5 (June 1974), 3. Mirault was moved from Radiation Technician to Geological Technician in August, 1974.

prompted the formation of some inter-union solidarity during a very discordant period in the Quebec labour movement. CNTU-affiliated workers employed by Canadian Gypsum walked off the job in May 1973 and won their demands after twenty months of struggle. In August 1973, 400 workers from 20 companies occupied the offices of the Quebec Department of Labour to demand anti-scab legislation. A formative event in the escalating labour militancy in the province was the strike by 2,000 members of the United Aeronautics Workers (of the QFL) at the Longueuil aircraft plant, which began in January 1974 and became one of the longest and most bitterly fought strikes in Canadian history, lasting until the summer of 1975. Bitter labour battles, as well as intense inter-union rivalry, also gripped the Quebec construction industry in this period. In April 1974, QFL union leaders allegedly instigated violence at the James Bay hydro-electric power project site in an attempt to monopolize the unions there at the expense of the CNTU. Following an inquiry, the Robert Bourassa government introduced legislation designed to deal with such actions. At the same time, workers in the construction industry also displayed solidarity on certain issues, especially that of wage increases to keep pace with the rising cost of living. Forty thousand construction workers staged a demonstration in Montreal in October 1974 over the issue of wage indexation.⁸³

⁸³For a summary of major developments in the Quebec labour movement in this period, see CNTU, *The History of the Labour Movement in Québec*, 241-6; Rouillard, *Histoire de la CSN*, 246-70; and CSN/CEQ, *Histoire du mouvement au Québec*, 177-210.

The question of wage indexation was central to the Quebec labour movement, as it was to all Canadian unions, in this period, as in nearly every sector in every region of the country, inflation continued to outpace wage increases. In March 1974, for instance, several major organizations, including the CNTU, agreed to engage in a concerted campaign to demand indexation of wages to keep pace with inflation. Throughout 1974, several Quebec unions staged strikes and protests to demand cost-of-living increases, including workers at the Montreal Transit Commission, who staged a victorious 44-day strike over the issue in the summer of 1974.⁸⁴

Given this general background, it is not surprising that in the fall of 1974, with the existing collective agreement set to expire in six months, the CNTU began urging the SLWPU to join with it in taking a hard stand on the issue of indexation. The CNTU also outlined the inequity in wage scales among Alcan employees across the country as further justification for demanding a substantial raise. It pointed out that under a recent settlement workers at Alcan's aluminum smelter in Kitimat (members of the Canadian Association of Smelter and Allied Workers and affiliated with the Congress of Canadian Unions), were earning on average \$2.30 more an hour than Alcan employees in St. Lawrence, despite the fact that the cost of living was higher in Newfoundland than in British Columbia. Furthermore, it was argued, inflation during the period 1972 to 1975 meant that Newfoundland and Quebec workers had actually received no increase in real

⁸⁴CNTU, *The History of the Labour Movement in Québec*, 239-40.

wages, while Kitimat workers had received about an 8 per cent increase. For the CNTU, this was about more than wages: it was also an indication that Alcan had “divided its employees in Canada in three classes. A top-rated class of workers out west, a second class in Quebec, and a third class in Newfoundland.”⁸⁵ In other words, the St. Lawrence wage question had become, for the CNTU, an instance of regional disparity and oppression within Canada.

To correct the inequality in wages and to make up for the wage attrition by inflation, the CNTU demanded that Alcan grant St. Lawrence workers an immediate wage increase of 73 cents – 43 cents to compensate for inflation during 1974 and 30 cents to close the gap between workers in St. Lawrence and those in Kitimat. This was more, it was pointed out, than the 63-cent increase offered as cost-of-living adjustment to Quebec workers until the end of their contract in 1976, and more than the 58 cents agreed to for the next nine months in Kitimat, but no more than the St. Lawrence workers deserved.⁸⁶

The battle lines for renegotiation of the contract in 1975 were being established early and firmly, and the St. Lawrence union was being drawn into the arena of wider battles being fought in Quebec and across Canada. The CNTU’s position on wage disparities and its demand for such increases for St. Lawrence workers is also significant in

⁸⁵“Statement for the Press by Gerard Gingras, President of the Aluminum Branch of the Federation of Mines, Metallurgy and Chemical Products (CNTU), 4 November 1974, SLMM.

⁸⁶“Statement for the Press,” 4 November 1974, SLMM.

that it is one of the few times, outside the context of formal negotiations or a strike, that the St. Lawrence union was signaled out for such special attention by the parent body, even to the point of demanding bigger increases for St. Lawrence workers than for Quebec workers. Perhaps the departure of so many members during 1972-73 had been a good thing for the St. Lawrence union: with fewer locals and members to deal with, perhaps the CNTU was able to devote increased attention to unions which had historically been more peripheral to the organization.

7.4 The Dispute of 1975-76

Apparently anticipating substantial monetary demands in the next round of negotiations, Alcan began early in 1975 to portray itself as going through a difficult time and, by implication, unable to grant expected wage demands. The February 1975 issue of the *Newfluor News*, for instance, carried an extensive article on the impact of a recessionary downturn on Alcan and predictions for a “tough year ahead.” Alcan President Paul H. Leman was quoted as saying that he had never seen “as sudden and violent a downturn as we are in right now.”⁸⁷ The demand for fluorspar was beginning to level off after several years of rapid growth.⁸⁸ Aluminum ingot production declined by about 15 per cent from 1974 to 1975, and Alcan’s Quebec smelters were operating at

⁸⁷“Tough Year Ahead Says Alcan President,” *Newfluor News*, 9, 2 (February 1975), 1.

⁸⁸*Canadian Mineral Industry*, 1974, 193.

slightly reduced capacity.⁸⁹ In addition, technological changes in the smelting process had reduced the amount of fluorspar required per ton of raw aluminum.⁹⁰ The company nonetheless continued to show substantial profits, \$169 million (US) in 1974 and \$35 million (US) in 1975.⁹¹ The company attributed the decrease in profits to rising production costs, including increased wages.⁹²

The union, apparently unconcerned about Alcan's alleged economic difficulties, pressed ahead with its demands for a substantial wage increase and other changes to the collective agreement.⁹³ The non-monetary demands included changes in the seniority system, increased sick pay, more frequent radiation monitoring and increased union representation on the Safety Committee. The union also demanded an across-the-board increase of \$2.50 as of 1 April 1975, plus the establishment of a cost-of-living allowance (COLA) system under which wages would increase by 1 cent per hour for every .3 per cent rise in the Consumer Price Index (CPI). The agreement on basic wages was to be in

⁸⁹Litvak and Moule, *Alcan Aluminum Limited*, 91, 150.

⁹⁰*Canadian Mineral Industry*, 1974, 193.

⁹¹Litvak and Moule, *Alcan Aluminum Limited*, 206.

⁹²"Alcan Experiences Recessionary Sales Decline but Medium Term Outlook Encouraging," *Newfluor News*, 9, 3 (March 1975), 2.

⁹³A summary of production cutback figures sent by the company to the union in February, 1975, has the word "Bullshit" scrawled across it.

effect for one year, while the COLA was to be in effect for two years.⁹⁴

The company initially refused to discuss wages until the non-monetary issues had been settled and workers stayed on the job through April and May, two months past expiration of the contract. On 18 May, the company presented a counter-offer on wages which would see an increase of \$1.23 per hour over 2 years and a COLA in year two only. The company claimed this was its final offer on wages.⁹⁵ About a week after that counter-offer, a group of about 200 women staged a much larger version of the 1971 protest and blocked the ore carrier *Hamildoc* from taking on a load of fluorspar. The women kept up the blockade for twelve days. The company tried to get an injunction to clear the women from the loading dock, but it was turned down. Based on what it called the “illegal” occupation of its premises and the CNTU representative’s claim that \$2.50 per hour was the union’s firm demand, on 8 June the company suspended all St. Lawrence mining operations.⁹⁶ The workers were locked out, though the company insisted that it was technically a layoff caused by the women preventing the loading of the ore. A company spokesman described this as an unfortunate but unavoidable development brought about by what he described as the unreasonable and unauthorized actions of the

⁹⁴“1975 Proposals between SLWPU and Aluminum Company of Canada”; and “Status of Negotiations as of 1 April 1975,” SLMM.

⁹⁵“Alcan Labour Dispute still at Standstill,” *Evening Telegram*, 27 June 1975.

⁹⁶“Statement by Mr. J.N. Gillis, Works Manager of Alcan Newflour Works, 7 June 1975, SLMM.

women. A spokeswoman for the group, on the other hand, claimed that their actions had simply delayed the lockout and given the men some paid work they would not have otherwise had. Furthermore, she added, the union would not have allowed the boat to sail anyway and the women had prevented them from resorting to strike action, which the union wanted to avoid if possible.⁹⁷

The day after the company shut down the mines, about 50 workers, in a move reportedly not sanctioned by the union, occupied the pay office and demanded the company issue lay-off slips so that they could apply for Unemployment Insurance (UI) benefits. Otherwise, the men would receive only strike pay of \$30.00 per week for single men and \$50.00 per week for married men. Six of the men were arrested and charged with “intimidating by violence” and participating in an “unlawful assembly.” They appeared in court on 12 June and had their case postponed until 27 June. The miners used the 12 June court appearance as an opportunity to display their solidarity; a large group of miners accompanied by CNTU representative Peter Curtis made the 30-mile trip to Marystown to attend the session. Curtis insisted that the man had had no intention of engaging in violence, and that the evidence of real violence was in the St. Lawrence cemetery, where there was “a whole graveyard of blood and violence.” Curtis also pointed out that the labour dispute was about more than wages: it was also about the history of death and disease in St. Lawrence and the inadequacy of financial support for

⁹⁷“Female Picketers Jubilant,” *Evening Telegram*, 11 June 1975.

widows and disabled miners.⁹⁸

Meanwhile, on 12 May, the same day as the initial court appearance, over 100 miners went to the payroll office to get their layoff slips, where they were met by five RCMP officers outside the building. The men were agitated and threatened that if their layoff slips stated “labour dispute” there would be trouble, as they would then have difficulty qualifying for UI. The men were told they would be permitted into the office one at a time, and at that point they began pushing up against the door and hurling insults at the police. When the first worker emerged from the building and informed the others that the slips said “labour dispute,” the men were enraged and vowed not to let company staff who were tending the mine pumps enter the mine at the four o’clock shift change, or let personnel leave the pay office at five o’clock. The atmosphere was tense, with workers threatening several times to go on a rampage and three RCMP cars from around the peninsula, with fourteen officers equipped for riot control, standing by in the community. A confrontation was averted when the union executive informed the men that negotiations had resumed and called them to a meeting at the union hall, where they were ordered not to return to the pay office that night.⁹⁹

⁹⁸“St. Lawrence Miners Charged with ‘Intimidation by Violence’,” *Evening Telegram*, 12 June 1975.

⁹⁹“Potentially Ugly Confrontation Averted as Alcan, Union Resume Negotiations” *Evening Telegram*, 13 June 1975.

Negotiations resumed on 14 June in St. John's, with a tense atmosphere still pervasive in St. Lawrence. Esther Spracklin, the spokeswoman for the group which had staged the protest in May, stated that they were awaiting the outcome of talks but were prepared for further action if necessary. "They [Alcan] are afraid of us," another woman added, "and that's the way we like to see them." Curtis reiterated that while wages were the most prominent issue at stake in the talks, the union was also concerned about health and safety, compensation and the company's recent "provocative" actions.¹⁰⁰

The union's continuing agitation for further improvements to workers' compensation coverage paid off yet again in June 1975, with the passage of another amendment to the Act. The amendments of 1972 and 1973 had been based on the assumption that there was no risk of those diseases among workers who began work after 1960, an assumption the union had vigorously and steadily opposed. The 1975 amendment extended coverage to silicosis and cancer contracted after 1960.¹⁰¹

The resumption of negotiations did not produce a settlement, but the union agreed with a government mediator's request to have the dispute put to a conciliation board.¹⁰² The company, however, stated that it stood by its previous offer and saw nothing to be

¹⁰⁰"Mining Town Residents Await Outcome of Talks," *Evening Telegram*, 14 June 1975.

¹⁰¹Workmen's Compensation (Amendment) Act, No. 43, 1975.

¹⁰²"Miners Seek Conciliation, Next Move up to Alcan," *Evening Telegram*, 16 June 1975.

gained from agreeing to the appointment of a board. The Department of Manpower and Industrial Relations now also seemed to be losing patience with the company. The Minister, Ed Maynard, challenged the company's claim that since the parties had already failed to reach agreement with the assistance of a conciliation officer the appointment of a board would be redundant. As the Minister pointed out, a board was not the same as an officer; it was the next step available under the Labour Relations Act once an officer had failed to facilitate an agreement.¹⁰³

As the strike dragged on through the summer of 1975, it became a flashpoint for many long-festering grievances. The Newflour manager himself noted that, "There's an emotional feeling of bitterness against Alcan which exists all the time below the surface. A lot of it is ancient history, dating back to pre-Alcan years, but this feeling comes up every time we come to negotiations." The company's public relations manager suggested that the bitterness which marked the labour relations situation resulted in part from an increasing polarization between employees and management personnel. Newflour employee Ben Edwards echoed this belief when he pointed out that Alcan could expect little respect from its employees and others in the community when it showed none in return. He recalled an incident which occurred during the women's most recent occupation of the loading dock, when the company reportedly told the men to "go out and get that mess cleaned up." "Can you imagine that," he asked, "calling the women 'that

¹⁰³"Alcan Rejects Proposal for Conciliation Board," *Evening Telegram*, 18 June 1975.

mess’?” Another employee, Terry Slaney, using the language employed by the CNTU, claimed that the St. Lawrence workers were Alcan’s “third-class citizens” within its hierarchy of Canadian workers. He claimed that Alcan management was so mean-spirited that they would rather bury scrap lumber than give it to an employee like him to repair his house. He related an incident in which the company had distributed turkeys at Christmas in 1974 with tags that, rather than wishing workers Merry Christmas, congratulated them on a good health and safety record. According to Terry Slaney, when he questioned management about this, he was told that if the turkeys had been given as Christmas presents, workers would expect them every year. He also claimed that management did not associate with workers in the community because they felt they were “too good for the likes of us.” As an example, he pointed out that Alcan had built a curling rink at the Staff Club, “on the hill” near management homes, but neither he nor his fellow workers “would think of going up there.”¹⁰⁴ Significantly, this man was one of a large group of workers who were part of the new generation of St. Lawrence miners whose fathers and uncles had been miners in the 1930s, 40s and 50s.¹⁰⁵ His observations were indicative of the new attitude that a CNTU representative had witnessed emerging in the late 1960s and early 1970s among a group of younger men who felt they no longer had to put up with what their fathers did. They were also illustrative of the social divisions that had emerged within

¹⁰⁴“New Contract Won’t Settle Real Issues,” *Evening Telegram*, 21 June 1975.

¹⁰⁵Like many names appearing on union lists in the 1970s, this man can be traced back through the census records as the young son of a miner in 1945.

the community, between rank and file workers and management personnel, and of how those divisions had been sharpened by the labour unrest of the 1970s.

The company, meanwhile, charged that many of the immediate labour problems in St. Lawrence could be attributed to the fact that the local union was being led astray by an “outside union” whose demands might ultimately lead to the withdrawal of the company from St. Lawrence.¹⁰⁶

Other factors which were part of the complex background against which the 1975 dispute was played out were the ongoing deaths among the mining population and increasing public attention to the history of disease and death in the community. Five miners, all under 50 years old, died during late 1974 and early 1975.¹⁰⁷ In May 1975, at a crucial time in the escalating conflict, Memorial University Anthropology professor Elliot Leyton published *Dying Hard: The Ravages of Industrial Carnage*.¹⁰⁸ Based on a series of interviews with widows and sick miners, the book detailed the physical, emotional and psychological pain inflicted by disease and death associated with the mines, as well as the frustrating and often humiliating ordeal of seeking workers’ compensation benefits. Several men spoke of their regret that they had not stayed fishing and kept out of the

¹⁰⁶“‘Outside’ Union Officials Charged with Leading Mine Workers Astray,” *Evening Telegram*, 21 June 1975.

¹⁰⁷“New Contract Won’t Settle Real Issues,” *Evening Telegram*, 21 June 1975.

¹⁰⁸Elliot Leyton, *Dying Hard: The Ravages of Industrial Carnage* (Toronto; McClelland and Stewart, 1975).

mine. Others expressed a deep suspicion of the company, the government and the medical profession. The two women interviewed spoke of the social alienation, the financial hardship and the emotional trauma of trying to raise a family under their circumstances. All those interviewed put a human face on the toll exacted by the St. Lawrence mines over the years, and the book drew unprecedented public attention to the plight of people in St. Lawrence and others affected by the tragedy.

That history was also evident in the words and actions of the women who continued publically to support the miners during the 1975 dispute. As Spracklin, their spokeswoman, pointed out, she and many of these women not only had husbands working in the mines; many of them had watched their fathers and other relatives die and were determined not to repeat that history. Also, Spracklin stated, the women were directly affected by what happened to their husbands in terms of both wages and working conditions. "What happens to the men," she stated, "affects all of us. Any one of us could join the nearly 200 widows in the community, and I say we're involved!"¹⁰⁹

In July, the government appointed an Industrial Inquiry Commissioner to investigate the St. Lawrence dispute and recommend an appropriate settlement. The man appointed was Howard Dyer, who had headed up a similar inquiry into a protracted and

¹⁰⁹"Women Not Afraid of Alcan... 'They're Afraid of Us'," *Evening Telegram*, 29 June 1975.

bitter dispute at the Buchans mines from March to October 1973.¹¹⁰ Dyer concluded that, based on recent and projected inflation rates, an appropriate wage settlement would be \$1.00 per hour in the first year and 40 cents in the second year, with a COLA to take effect in the second year. The CNTU's Economic Research Department submitted to Dyer a detailed account of wage increases and cost of living increases in recent years which showed that any increases granted since 1971 had been wiped out by inflation, that real wages had actually dropped, and that the company's current offer of 83 cents in the first year and 40 in the second would not even cover projected cost-of-living increases, not to mention compensating for the decrease in real wages in the past few years. The union submission also argued that just bringing St. Lawrence workers' wages near par with those of Alcan workers elsewhere in Canada did not take into account the special hazards encountered by St. Lawrence miners. The union argued that just to keep pace with inflation, the workers would need \$1.25 in the first year and 50 cents in the second, retroactive to 1 April 1975, plus a COLA for the two-year life of the contract.¹¹¹ The union was willing to settle for that package.

¹¹⁰See, Howard Dyer, "Report Number One of the Industrial Inquiry Commission into the Dispute between the United Steelworkers of America, Local Union 5457 and the American Smelting and Refining Company, Buchans Unit Newfoundland," 1973, and "Report Number Two....," 1974, unpublished documents, CNS.

¹¹¹CNTU, Economic Research Department, "Submission to the Commission of Inquiry into the Industrial Dispute at the Alcan Fluorspar Works in St. Lawrence, Newfoundland," 13 August 1975, unpublished document, CNS.

The company, however, refused to budge, and in mid-September issued an ultimatum to the workers informing them that the company had already purchased half its winter supply of fluorspar from Mexico and was prepared to purchase the remainder there if need be. If that purchase went ahead, management stated, no ore would be shipped from St. Lawrence until at least the following year. In other words, the workers were being forced to choose between returning to work under the company's conditions or losing their jobs to foreign suppliers. The union pointed out, however, that a board of referees at the Unemployment Insurance Commission (UIC) had recently ruled that the men had been laid off after the company shut down operations because of the actions of the women protesters, not the actions of the union, and therefore the men were not out of work because of a labour dispute. Given this, the union expressed confusion at the company's position and its ultimatum, charging that the company was insisting on treating the matter as a labour dispute when in fact it was a layoff. On 19 September, however, the company followed through on the ultimatum and shut down the mines.¹¹²

The miners were hopeful of obtaining UI benefits after the ruling by the UIC board of referees, but the commission challenged the ruling and by the end of September the men still had not been told if they qualified. According to the union president, however, morale among the men was still high and they were determined not to return to work under the company's conditions, though many were facing a tough winter if they had to live on

¹¹²“Alcan Closes St. Lawrence Mine,” *Evening Telegram*, 19 September 1975.

strike pay.¹¹³ While miners awaited the ruling on their UIC eligibility, the union continued to exert pressure on the company to bargain. At an information session held in St. John's in late October -- to which company officials were invited but did not attend -- a CNTU spokesman called the company's approach to the St. Lawrence situation "savage" and "uncivilized," unlike anything he had witnessed in Quebec. The union continued to point out that it was willing to negotiate and that it had retreated considerably from its original position on wages. The union also continued to insist that the dispute was not a lockout but a layoff, a decision taken by the company because at that time it could get cheaper fluorspar in Mexico and falsely justified on the grounds that the women had blocked the ore boat from loading.¹¹⁴

The question of whether the work stoppage was a labour dispute or a layoff had important financial implications for the CNTU as well as for the St. Lawrence workers. During 1975, the CNTU had lost another 20,000 members, partly as a protest against a request for increased union dues in the context of an unprecedented number of strikes.¹¹⁵ Clearly, the CNTU would have preferred to have the workers on UI rather than strike pay. On 10 November, however, word came that the Supreme Court judge who had adjudicated the UIC's appeal had overturned the board of referees' decision and the St.

¹¹³"Miners Still Wait for UIC Benefits," *Evening Telegram*, 29 September 1975.

¹¹⁴"Union Official Blasts Alcan, Company 'Savage', 'Uncivilized'," *Evening Telegram*, 22 October 1975.

¹¹⁵CNTU, *The history of the labour movement in Québec*, 231.

Lawrence miners would not qualify for UI.¹¹⁶

The union used the 1975 dispute to focus attention on health and safety issues at the St. Lawrence mines. On 13 November, SLWPU and CNTU representatives met with government officials to recommend specific changes to the Mine Safety Regulations, including frequent tests of pulmonary function in miners and the wearing of monitoring devices to assess individual radiation exposure. The miners were assured that new safety regulations would be on the books very soon, perhaps by February 1976.¹¹⁷ At the same meeting, the union also presented a brief prepared by the Centre for Community Initiatives at Memorial University which drew upon the work Leyton had done for *Dying Hard* and called for improved financial and social support for widows and children of dead miners and for improved access to workers' compensation for widows and disabled miners.¹¹⁸

Also in November, the CNTU submitted a brief to a cabinet committee appointed to look

¹¹⁶“No UIC Benefits for Miners in St. Lawrence,” *Evening Telegram*, 10 November 1975; and “St. Lawrence Miners, Cabinet Meeting Today,” *Evening Telegram*, 14 November 1975.

¹¹⁷“Miners Get Government Assurance of Stronger Legislation on Safety,” *Evening Telegram*, 14 November 1975.

¹¹⁸“Miners Get Government Assurance of Stronger Legislation on Safety,” *Evening Telegram*, 14 November 1975. Based on his work in St. Lawrence, Leyton continued to lobby for reforms to the workers' compensation system and for increased support for widows and children. In 1977, he submitted a substantial report and set of recommendations to the provincial government, entitled “The Bureaucratization of Anguish: The Workmen's Compensation Board in an Industrial Disaster,” unpublished document, CNS. See also his “Public Consciousness and Public Policy,” unpublished paper presented at Canadian Ethnological Society Meetings, Halifax, 24 February 1977.

into health and safety regulations in the province. The brief recommended legislation requiring the appointment of a health and safety committee at each mine in the province, as well as the drafting of an official “Workers’ Bill of Health Rights” to enshrine such rights as that to refuse unsafe work and to be informed of any potential health risks in a workplace.¹¹⁹

The CNTU’s increased attention to the issue of health and safety in the St. Lawrence mines at this time was also part of its increasing activity in that area among its Quebec unions. In 1975, for example, 3,000 CNTU and QFL-affiliated asbestos workers at Thetford staged a seven-month strike and eventually forced the Quebec government to pass more stringent dust control regulations and to compensate victims of asbestosis and silicosis.¹²⁰ The Thetford strike and the resulting legislation was part of a nation-wide growth of interest in occupational health and safety during the 1970s. In Ontario, a scenario very similar to that which had unfolded in St. Lawrence was being investigated and exposed by the Royal Commission on the Health and Safety of Workers in Mines. The Ontario commission documented, among other things, how years of neglect, jurisdictional confusion and bureaucratic wrangling had led to an extremely high rate of

¹¹⁹Occupational Health and Safety (with Particular Reference to Mining Operations), Status of Briefs Submitted, 1975, SLMM. In addition to the CNTU, the USWA, which represented miners at Buchans, Baie Verte, and in Labrador, also submitted a brief to the cabinet committee.

¹²⁰Rouillard, *Histoire de la CSN*, 261; and CNTU, *The history of the Québec labour movement*, 243-4.

death from cancer and silicosis in the Elliot Lake uranium mines.¹²¹ As with the St. Lawrence case, the Elliot lake case was characterized by years of denial and public relations posturing, and only received attention and action because of the efforts of several key individuals and the union, and because of media exposure.¹²² Increased attention to occupational health and safety in mines also began to take hold in Newfoundland mines other than St. Lawrence at this time, including the iron ore mines of Labrador West and the asbestos mine and mill at Baie Verte.¹²³

Meanwhile, the government was also being urged to intervene and help settle the St. Lawrence dispute. NFFAWU locals on the Burin Peninsula urged Premier Moores to intervene personally to force Alcan to “sit down and bargain in good faith.” There was

¹²¹The *Report of the Royal Commission on the Health and Safety of Workers in Mines*, 79-80, stated that the mining population at Elliot Lake from 1955 to 1974 was twice as likely as the general male population to die from lung cancer. See also D. Hewitt, “Radiogenic Lung Cancer in Ontario Uranium Miners, 1955-1974”; and Ian Robinson, *The Costs of Uncertainty*, 4-11.

¹²²See Tataryn, *Dying for a Living*, 61-105.

¹²³In 1978, workers at both Labrador City and Baie Verte staged strikes over occupational health and safety issues. See, *Report of the Royal Commission into the cause or causes of three industrial accidents involving death which occurred in January and February, 1977, within the mines and property of the Iron Ore Company of Canada situated near Labrador City* (St. John’s, 1979); Labrador Institute of Northern Studies/Newfoundland and Labrador Department of Labour and Manpower, *Labrador West Dust Study* (Labrador: The Institute, 1982); Irving J. Selikoff, “Clinical Survey of Chrysotile Asbestos Miners and Millers in Baie Verte, Newfoundland, 1976: Report to the National Institute of Environmental Health Sciences, December 22, 1977,” (Baie Verte, Newfoundland: United Steelworkers of America, 1977); and Sandra Martland, “Resisting Multinational Asbestos: The Struggle for Workplace Safety in Newfoundland,” *Alternatives*, 7, 4 (Autumn 1978), 52-4.

even some discussion among NFFAWU of a general strike on the Burin Peninsula to help force a settlement to the St. Lawrence dispute. As a NFFAWU spokesman put it, “the militancy is here to do it. The people would shut her down from Goobies [on the northern part of the peninsula] south.”¹²⁴

At the end of November, the government appointed a lawyer to mediate in the dispute, something the union had requested a couple of weeks earlier.¹²⁵ While the mediator and the two sides resumed bargaining, the union continued to draw public and financial support from various sources. On 11 December, actors and musicians staged a benefit concert in St. John’s to raise money for the union. The concert, sponsored by the New Democratic Party of Newfoundland, the Inter-Church Committee for World Development and Education and Oxfam raised over \$6,000 for the St. Lawrence union. CNTU representative Michel Chartrand addressed the crowd and, apart from a vow that he and other CNTU reps were prepared to go to prison along with the St. Lawrence miners if necessary, focused on issues more general than the St. Lawrence dispute itself. He denounced the capitalist system and called capitalists “sophisticated legal crooks.”¹²⁶

¹²⁴“Government Asked to Intervene in St. Lawrence Dispute,” *Evening Telegram*, 19 November 1975.

¹²⁵“Mediator Appointed in 5-month Dispute,” *Evening Telegram*, 30 November 1975.

¹²⁶The breakdown on proceeds from the benefit concert is in a SLMM document sent by the sponsors to the SLWPU. A description of the concert, and excerpts from Chartrand’s speech, are in “Miners in St. Lawrence Prepared to go to Prison,” *Evening Telegram*, 12 December 1975.

The main target of Chartrand's address, however, was the wage and price controls which the federal government of Pierre Trudeau had introduced on 14 October 1975 (after vigorously opposing the suggestion in the election campaign of 1974). Chartrand, like many other Canadian labour leaders, denounced the wage controls, which required submission of wage increases to the Anti-Inflation Board for approval, as an attack on workers' rights and on the collective bargaining system itself.¹²⁷ Bill C-73 affected workers in nearly every industry sector in Canada, including Quebec, where the provincial government of Robert Bourassa adopted Bill C-73 as the model for a provincial wage control law, Bill C-64, introduced in November 1975, and aimed specifically at workers in the public sector and construction industry -- those sectors where workers had made substantial gains and displayed much solidarity and militancy in recent years. Quebec unions, like those elsewhere in Canada, were outraged at the wage control laws. On 26 November 1975, more than 40,000 workers participated in a demonstration against wage controls at a rally in Montreal. Despite attempts by the Quebec government to quash unrest through the passage of more restrictive legislation (such as Bill 253 introduced against striking hospital workers in December) labour unrest and protest against wage and price controls continued. At its December 1975 convention, the CNTU adopted the

¹²⁷On the controls and labour's response to them, see David Wilton, *An Evaluation of Wage and Price Controls in Canada* (Waterloo Economic Series, No. 130, 1975); Leo Panitch, *Workers, Wages, and Controls* (Toronto: New Hogtown Press, 1976); and Allan M. Maslove and Gene Swimmer, *Wage Controls in Canada: A Study of Public Decision Making* (Montreal: Institute for Research on Public Policy, 1980).

principle of a general strike to combat the wage control laws.¹²⁸ When Chartrand spoke out against wage controls to the St. John's crowd in December 1975, therefore, he was speaking against the backdrop of ongoing battles within Quebec and across the country.

On 18 December, the SLWPU held a general meeting to discuss events up that point and the company's most recent offer. Since the latest round of negotiations, the company had offered the membership a lump sum of \$500 each, but also wanted the start-date of the new contract changed from 1 April to 15 December, which would mean no retroactive increases. The membership voted 129 to 44 against the company's offer.¹²⁹

The following day, the company sent a conciliatory letter to all union members, which it claimed was in the spirit of making a "special effort" achieve to a settlement in the "pre-Christmas season." The letter reminded workers that under the company's most recent offer, each man would get a \$500 lump sum upon settlement. Coming a week before Christmas, the offer of a \$500 signing bonus was obviously timed to take full advantage of the desperation of people who had been raising families on 30 to 50 dollars a week for six months. The letter also explained that any substantial increase the company could grant might be rolled back by the AIB anyway, as had recently happened with a settlement at a K.C. Irving plant in New Brunswick. The letter concluded with a veiled threat, reminding workers that while Alcan could obtain fluorspar cheaper in Mexico, it

¹²⁸CNTU, *The history of the labour movement in Québec*, 222-41; Rouillard, *Histoire de la CSN*, 216-20; and CSN/CEQ, *Histoire du mouvement au Québec*, 195-6.

¹²⁹Minutes of General Membership Meeting, 18 December 1975, SLMM.

would prefer to keep its St. Lawrence mines open, but only as long as it could be assured an “uninterrupted supply,” which it had not had thus far in the 1970s.¹³⁰ The mayor, who was also a member of Newfluor staff, expressed dismay and concern that the union had rejected the most recent offer and suggested that the men would have accepted the offer had they not been under the sway of Curtis and the CNTU. He concurred with the company (also his employer) that the actions of the union were threatening the future of the St. Lawrence mines.¹³¹

The New Year came and went with no settlement in sight. On 5 January, the membership voted 130-33 in favour of presenting a demand package that included the \$500 lump sum, an 83-cent raise as of signing, another 40 cents on 1 April 1975, and a COLA over the life of the contract. The union also wanted charges dropped against the six men who had been charged in the incident of May 1975. The union’s wage demand was considerably less than the \$1.25 and 75 cents it had demanded in August 1975, but the company rejected the demands and countered with a proposal for a 2-year contract as of the signing date, with the 40-cent raise to come into effect a year from signing as opposed to on 1 April 1976.¹³²

¹³⁰Letter from J.N. Gillis, Newfluor Manager, to members of the SLWPU, 19 December 1975, SLMM.

¹³¹“Mayor Concerned Over Rejection of Wage Offer,” *Evening Telegram*, 20 December 1975.

¹³²“Alcan Won’t Accept New Union Proposal,” *Evening Telegram*, 6 January 1976.

Two weeks after rejecting the most recent proposal, the company stated that the monetary demands were in themselves acceptable, but that from its perspective the outstanding issues now were the duration of the contract and the timing of the 40-cent raise. The company still wanted a contract for two years from the date of signing (whereas the union's proposal as it stood was effectively for a fifteen-month contract) and the 40-cent increase to become effective in a year from signing.¹³³ While it was depicted by the company as a non-monetary issue, the timing of the raises was an important financial consideration for the workers. If the second raise became effective a year from signing the proposed contract, in January 1977, instead of April 1976, the escalating cost-of-living would have by then eradicated any real gains; the union's proposal was premised on the timing of the raises in conjunction with inflation. In making known its position on the "non-monetary" issues, the company also took the opportunity to make another veiled threat, pointing out that the future of the St. Lawrence mines depended on "labor peace."¹³⁴

Despite the company's repeated claims that it wanted a settlement to the strike, it continued to offer little in the way of compromise. At the end of January 1976, the union rejected a wage offer which was essentially the same as the one the company had made at the outset of the dispute, except that it would not be retroactive to April 1975.

¹³³"Two Issues Stalling Settlement of Strike," *Evening Telegram*, 22 January 1976.

¹³⁴"Two Issues Stalling Settlement of Strike," *Evening Telegram*, 22 January 1976.

Management was also growing more direct with its threats to shut down the mines for an extended period, claiming that it had “made our offer and it’s been rejected.” The union countered that the company had not been making offers so much as issuing “ultimatums” and demanding that the workers now settle for less than they had been offered at the start of the dispute.¹³⁵ On 28 January, Alcan increased the pressure again by announcing that it would shut down the St. Lawrence mines for an “indefinite period.” The company claimed it was disappointed that this action had to be taken, but that it had done all it could and the union had refused its best offer even though it was aware that the company could buy fluorspar cheaper on the open market than it could produce it in St. Lawrence.¹³⁶

In the wake of this announcement, the government came under increased pressure to help settle the dispute, and it soon announced that it was preparing back-to-work legislation to force the miners back. In the context of this threat, the union and the company met several times and by 5 February had reached a tentative agreement. It included a lump sum payment of \$550 in lieu of a retroactive increase to April 1975, a wage increase of 90 cents per hour effective 1 February 1976, an increase of 45 cents effective 1 October 1976 and a COLA of 1 cent per hour for every 0.5 increase in the Consumer Price Index (CPI). The agreement was to take effect from 1 February 1976 and expire 15 December 1977. The proposed agreement also called for the training of a

¹³⁵“Alcan Reaches ‘End of the Line’,” *Evening Telegram*, 30 January 1976.

¹³⁶“Province Not Left with Many Options,” *Evening Telegram*, 2 February 1976.

radiation monitor from within the union membership.¹³⁷ The agreement was approved by 75 per cent of the 170 union members who voted on it.¹³⁸

The union ended up settling for far less than its original demand of \$2.50 over two years and for just marginally more than the company's original offer. The COLA of 1 cent for each 0.5 increase in the CPI was also less than the 1 cent for each 0.3 increase initially demanded. Perhaps more detrimental, in monetary terms, was the absence of retroactivity; the \$550 lump sum did little to compensate for the loss of nine month's wages. Union president Michael Slaney conceded that the union was ultimately forced to choose "the lesser of two evils... to stay off the job and have legislation forced upon us [or] to accept this contract proposal." He also pointed to the constant threat of having the mines closed permanently, a risk the union just "couldn't afford" to take. On the positive side, he noted, the union had made the company move slightly on the wage issue and the strike had been about more than wages, it had also been about "integrity and principle." Asked whether he thought the strike had damaged relations between the company and the union, Slaney said no, as "we've never had a normal relationship with them anyway."¹³⁹

¹³⁷T.A. Blanchard, Deputy Minister of Manpower and Industrial Relations, to Michael Slaney, President, SLWPU (CNTU), 5 February 1976, SLMM.

¹³⁸"Alcan Miners Going Back to Work," *Evening Telegram*, 7 February 1976.

¹³⁹"Alcan Miners Going Back to Work."

7.5 Industry Decline and Closure, 1976-78

The wage package agreed to under the February, 1976 agreement still required the approval of the AIB, but in the meantime the company resumed operations and began re-hiring workers. By March, 72 unionized men were back on the job and by May about 90 workers had been rehired.¹⁴⁰ In April, the CNTU had submitted a brief to the AIB in support of the new wage increases, tracing the history of wage negotiations and the deterioration of real wages during the 1970s, and showing the historical lack of parity between wages at St. Lawrence and those at other Alcan operations in the country, such as Arvida and Kitimat.¹⁴¹ On 3 June, the AIB confirmed that it had approved the wage increases.¹⁴²

Just as the industry was beginning to get back on track in St. Lawrence, however, the workers were informed that labour disputes at Alcan's aluminum smelting operations elsewhere in Canada might have serious consequences for the St. Lawrence fluorspar mines. Kitimat smelter workers, who had had their wage increase scaled back by the AIB when they negotiated their contract in January 1976 demanded the contract be reopened when pulpworkers in Kitimat subsequently got a higher settlement. When Kitimat workers walked off the job on 2 June to back up this demand, Alcan transferred some

¹⁴⁰Union Lists, March and May 1972, SLMM.

¹⁴¹CNTU Brief to Anti-Inflation Board, Ottawa, 27 April 1976, SLMM.

¹⁴²G. Weir, Compensation Branch, Anti-Inflation Board, Ottawa, to D. Mitchell, Alcan, and M. Slaney, SLWPU (CNTU), St. Lawrence, 3 April 1976, SLMM.

supervisory staff from Quebec to Kitimat to keep the Kitimat smelter running. At the same time, the approximately 8,000 FSSA members at three of Alcan's Quebec plants, including Arvida, who had been without a contract since 1 May, also walked out to demand increases in excess of the AIB guidelines.¹⁴³ Kitimat workers returned to the work on 12 June, but the Quebec workers were out until 15 November.¹⁴⁴

By mid-July, when talks with the Quebec workers had still not produced a settlement, Newflur served layoff notices to about 90 of the 250 men it had re-hired to that point in St. Lawrence.¹⁴⁵ The people of the community were apparently very discouraged by this development. The union president claimed to see no secure future in the St. Lawrence mining industry and urged the government to help come up with ideas for an alternative industry.¹⁴⁶

Even when the Arvida strike ended in November, reactivation of the plant took considerable time because the plant had not been shut down properly and therefore a lot of damage had been done to the equipment (for example, molten metal was left to set in smelting pots). The combination of the St. Lawrence and Quebec labour disputes, plus the amount of ore already stockpiled at the beginning of the year, meant that total

¹⁴³D.J. Mitchell, "Update on Alcan Smelters," 4 June 1976. SLMM.

¹⁴⁴Labour Canada, *Strikes and Lockouts in Canada* (1976) 46.

¹⁴⁵"Fluorspar Miners Being Laid Off," *Evening Telegram*, 12 July 1976.

¹⁴⁶"Good Chance of Further Layoffs at St. Lawrence," *Evening Telegram*, 14 July 1976.

shipments for 1976 were about half the normal amount and at the end of that year there were just over 100 workers on the job.¹⁴⁷

In February 1977, the company informed the union that while it planned to increase production in May or June of that year and to put the mines in two shifts for the first time since early 1975, it had some concerns for the long-term future of its St. Lawrence operations. The company claimed to be considering organizational changes at the staff level or technological changes to help make the St. Lawrence mines more viable given the fact that fluor spar could be purchased more cheaply on the open market.¹⁴⁸ A report on the future viability of the St. Lawrence operations prepared by Newflour during the spring of 1977 reportedly concluded that the mines could be kept open if the company built a more advanced crushing and flotation mill, which would cost from three to five million dollars and might require “some measure of involvement” from the federal and provincial governments.”¹⁴⁹ Mines and Energy Minister Brian Peckford (who soon went on to become provincial Premier) stated in early May that the provincial government might be willing to provide financial assistance to keep the mines open if necessary, but had not yet been approached about the possibility.¹⁵⁰

¹⁴⁷Canada, Department of Mines and Technical Surveys, *Canadian Mineral Industry*, 1976, 211; and Union List, December 1976, SLMM.

¹⁴⁸D.J. Mitchell, Newflour, to M. Slaney, SLWPU, 27 February 1977, SLMM.

¹⁴⁹“No News is Bad News for Alcan Employees,” *Evening Telegram*, 15 June 1977.

¹⁵⁰“Alcan Will Decide Mine’s Future in June,” *Daily News*, 4 June 1977.

Meanwhile, workers and others in St. Lawrence were not optimistic. The union president pointed to several signs of what he believed was an impending closure, including the cancellation of a three-week scheduled holiday shutdown in May and the retraction of a number of job postings in June. He believed that the decision to shut down the mines had already been made and that the company and the government was simply “prolonging the agony under the guise of more studies.” Many others in the community also believed that bad news was imminent.¹⁵¹ The union was unable, however, to get any firm information from either the company or the government and there was uncertainty about whether the company was serious about shutting down or was trying to run some kind of “bluff” in light of recent labour troubles. As the union president put it, with the bargaining unit down to just 130 men and coming off a nine-month labour dispute, “we can’t afford a counter-bluff.”¹⁵²

It was not a bluff, however, and on 22 July 1977 the company officially announced that it was closing the St. Lawrence mines effective 1 February 1978. The company expressed its “deep regret” at having to take this decision and pledged assistance in helping the government find alternative sources of employment and in helping its

¹⁵¹“No News is Bad News for Alcan Employees,” *Evening Telegram*, 15 June 1977.

¹⁵²“St. Lawrence’s Future? Union Head Pessimistic,” *Daily News*, 20 June 1977.

employees cope with the situation.¹⁵³

When Newfluor manager D.J. Mitchell was asked in 1977 whether recent labour troubles had factored in the decision to close the mines, he replied that only in the sense that publicity surrounding the unrest had brought suppliers “knocking at our doors saying look what we can offer.”¹⁵⁴ To understand what Mitchell meant by that remark and the motivations for closing the St. Lawrence mines at this time, it is necessary to look at the industry and the labour relations context over the decade or so prior to the decision.

In one sense, the decision to shut down the St. Lawrence mines was surprising, given the company’s recent activities in St. Lawrence. In 1974, the company had decided to carry out a major extension of the Tarefare mine, including sinking the new shaft, Tarefare 2.¹⁵⁵ Work on that shaft and the associated surface facilities was well underway in 1976 and the mine was expected to go into production in 1977.¹⁵⁶ The new concrete-lined shaft nearly 1,000 feet deep was completed by 1977, but no ore was ever hoisted from there. Newfluor had not exhausted its ore reserves: in 1966 it had proven reserves of 2.5 million tons of usable ore and another 1.5 million tons were believed to exist at Director,

¹⁵³Press Release: “Alcan to Close Fluorspar Mines in Newfoundland,” 22 July 1977, SLMM.

¹⁵⁴“Alcan Will Close Down Mine at St. Lawrence,” *Evening Telegram*, 25 July 1977.

¹⁵⁵“Sixty Percent Surface Work Completed,” *Newfluor News*, 8, 4, April (1974), 1.

¹⁵⁶Alcan, “Brief Mining History of Alcan Newfluor Works, St. Lawrence, Newfoundland,” 1976, AA.

Tarefare, Blue Beach and at other sites, some of which the company had purchased from the St. Lawrence Corporation in 1965. These included the Blue Beach vein, which Newfluor had begun mining in the early 1970s, and the “Grassy Gulch” vein, which was the site of the Tarefare 2 shaft. By 1976, the company had shipped 1.4 million of the total 2.5 million tons known to exist in 1966 and still had probable reserves of another 1.5 million.¹⁵⁷ This, combined with the decision to sink a new shaft, demonstrates that it was not exhaustion of ore which led to the closure.

In 1966, Newfluor had projected that, based on extraction of the proven reserves only, and at a projected average output of 130,000 tons per year, the life of its St. Lawrence mines would be 15 to 20 years. The company noted in 1966, however, that the projected output of 130,000 per year from St. Lawrence would not meet its fluorspar requirements and that Alcan would have to rely on other sources to make up the shortfall.¹⁵⁸ Two years after that prediction, in 1968, it was reported that Alcan had begun acquiring fluorspar from Mexico.¹⁵⁹ Significantly, shipments of fluorspar into Canada from Mexican suppliers had increased substantially during the 1960s, more than doubling in the period from 1963 to 1970.¹⁶⁰ During the St. Lawrence strike of 1971, Newfluor

¹⁵⁷Newfluor, “Submission to the Royal Commission on St. Lawrence,” 169-74.

¹⁵⁸Newfluor, “Submission to the Royal Commission on St. Lawrence,” GN6, Box 2, PANL, 169-74.

¹⁵⁹United States, *Minerals Yearbook*, 1968, 218.

¹⁶⁰Canada, Department of Mines and Technical Surveys, *Canadian Mineral Industry*, 1970, 232.

had used the Mexico supply as a bargaining weapon, shutting down operations temporarily and informing the union that it could do so permanently and purchase cheaper fluorspar from Mexico if the union continued to press its demands. This threat became a regular feature of collective bargaining process throughout the 1970s.

In assessing the St. Lawrence mines' ability to supply Alcan's fluorspar needs, it is important to look not only at total supply but at the consistency of the supply. While Newflour's shipments of fluorspar from St. Lawrence for the period 1967 to 1977 were slightly less than the 130,000 tons per year it had been projected for this period in 1966, the supply was far from consistent. In periods of prolonged labour unrest, such as during 1971 and 1975-76, shipments were well below normal. Shipments in 1971, for instance, were just half what they were in the 1970 and 1972, while in 1975 no ore was shipped. During times of marked decrease in St. Lawrence shipments, imports of fluorspar from Mexico increased sharply.¹⁶¹ In abandoning its St. Lawrence mines in 1977, therefore, Alcan was simply making more permanent a practice which had emerged during the decade previous, when St. Lawrence production was curtailed by labour unrest. The company was at the same time following through on a threat it had been making for several years, by abandoning St. Lawrence for a cheaper, steadier supply of fluorspar from an area where it would have fewer problems with workers demanding decent wages and working conditions.

¹⁶¹See Appendix I.

In the wake of the announcement of the decision to close the mines, Alcan and the federal and provincial governments came under attack from several quarters. Burin-Placentia MHA Patrick Canning criticized the company for abandoning its St. Lawrence workers in order to “exploit the slave labour of Mexico” and called upon the federal government to implement a tariff on fluorspar imported into Canada.¹⁶² Justice Minister Alex Hickman demanded that Alcan make public the findings of its recent feasibility study, which he suggested would reveal that St. Lawrence was still a viable operation. He also criticized the federal government for ignoring the plight of the people of St. Lawrence and for not introducing protective tariffs.¹⁶³ Others criticized the provincial government for not having done more to prevent the closure or at the very least to keep people informed. One St. Lawrence woman claimed that the provincial government should have “fired broadsides into the conglomerate” and “shamed the company into reconsideration of its cruel intention.” She also attacked the CNTU for being “strangely silent during the past few months,” a charge that seems to have some merit: the CNTU apparently had very little to say about the shutdown and seems to have withdrawn from involvement once the

¹⁶²“Alcan Will Close Down Mine at St. Lawrence,” *Evening Telegram*, 25 July 1977. The provincial electoral boundaries in the area had been changed at this point, so that St. Lawrence was now in the district of “Grand Bank,” of which Hickman was the MHA, while Canning was MHA for the neighbouring district of “Burin-Placentia West.”

¹⁶³“If Trudeau Phoned, He Says, St. Lawrence Would Not Close,” *The Southern Post*, 25 July 1977. The *Post* was a weekly paper which began publication in 1970 as a local supplement to the *Daily News*. It contained a lot of social news and advertising, but little substantial news.

announcement was made. The depth of this woman's bitterness is indicated by her claim that,

... the sight of a roll of Alcan foil on the shelf of the supermarket sickens me. The commercial on the screen of the television set, urging me to buy Alcan siding, nauseates me.... Equally nauseating are the noises being made at the government level concerning the reduction of the economic impact on this tiny Newfoundland community.¹⁶⁴

The reaction among many women in the town was a mixture of resentment and relief. It was reported that, "A lot of local residents, especially the women, greeted the news with joy, but were sad to think it hadn't happened before a lot of their husbands died from radiation."¹⁶⁵ Another woman was quoted as saying that, "too bad they didn't leave 20 years ago."¹⁶⁶

In August, the company gave formal notice to the union of its intention to begin layoffs on 1 November, at which time the complete phase-out of operations would begin. The company stated that until that time operations would continue as usual and, perhaps anticipating resistance, advised that an "orderly wind-down" would be in everyone's best interests.¹⁶⁷ While there is no evidence of outright resistance on the part of workers, criticism and bitterness over the impending closure lingered through the fall of 1977. A

¹⁶⁴Column in *The Southern Post*, 28 July 1977.

¹⁶⁵"What Will Save St. Lawrence?" *The Southern Post*, 28 July 1977.

¹⁶⁶"Alcan Will Close Down Mine at St. Lawrence," *Evening Telegram*, 25 July 1977.

¹⁶⁷J.N. Gillis, Newflour, to Michael Slaney, SLWPU, 18 August 1977, SLMM.

miner approached by a journalist in a local bar in September 1977 said, “Why the hell should I talk to the media? When did you ever care that we existed? Soon no-one need care because we won’t exist. Our mine will be gone and all we’ll have as monument is our cemetery.”¹⁶⁸ The government, meanwhile, continued to issue vague assurances that it was doing all in its power to address the situation, including pressuring the federal government on the tariff issue, and to meet with Alcan officials, but nothing concrete grew out of these efforts.¹⁶⁹ By January 1978, the unionized workforce was down to just fifteen men, and on 1 February, the company officially locked the gates for the last time and the last of the ten hourly employees were laid off.¹⁷⁰

7.6 Conclusion

The closure of the Newfluor mines in February 1978 was the conclusion of the most militant and confrontational period in the history of labour relations in St. Lawrence.

¹⁶⁸“The Real Reason Mine is Closing,” *Evening Telegram*, 3 September 1977.

¹⁶⁹Joseph Rousseau, Minister of Labour and Manpower, to W.A. Parsons, United Steelworkers of America, 26 October 1977, SLMM; “Town’s Plight Being Ignored,” *Globe and Mail*, 27 October 1977; and “Peckford Meeting With Alcan,” *The Evening Post*, 29 November 1977. In early November, officials with the Brinex mining company had come up with what they thought was the perfect solution for displaced workers from St. Lawrence: they could work in the uranium mine the company planned to open in Labrador. As one Brinex official put it with reference to the St. Lawrence men: “those miners would do quite nicely.” “St. Lawrence Men Could Work Uranium Mine,” *Evening Telegram*, 7 November 1977. The proposed mine never went into production.

¹⁷⁰Union List, January 1978, SLMM.

Criticism of the government's reaction to the Royal Commission, continuing hostility over health and safety and workers' compensation, the company's uncompromising and sometimes provocative approach to labour relations, and the St. Lawrence union's affiliation with its increasingly radical and militant parent body all converged to make this period one which was marked by frequent and open conflict. In addition, in this period the conflict which had long marked labour relations spilled into the wider community in an open manner as women united in public displays of solidarity with their husbands. The actions of these women, as well as the demands of the union, demonstrated that while wages may have been the explicit issue in the labour disputes which erupted during the 1970s, these disputes took place against the background of the long history of disease and death associated with the St. Lawrence mines, a history which shaped the attitudes of many young workers and made them determined not to succumb to the fate of the older generation of miners. The union and others who engaged in these struggles won some valuable victories, especially in the area of workers' compensation benefits. The lockout of 1975-76 and industry closure in 1978 also revealed, however, the vulnerability of a people so dependent upon a single employer. That some, especially women, in the community looked upon Alcan's departure with a mixture of resentment and relief was an indication of the fact that some people had come to believe, given the knowledge of the toll which the industry had taken since the 1930s, that the price paid for jobs in St. Lawrence had simply grown too high.

Conclusion and Epilogue

When Walter Seibert arrived in St. Lawrence in 1933 with a boatload of dilapidated mining equipment and a promise of paying jobs, he found a people willing to undergo almost any sacrifice to escape poverty and unemployment. The St. Lawrence Corporation took full advantage of the relationship of dependency subsequently created, subjecting workers to abnormally low wages and horrendous working conditions. Fixated on reducing public relief expenditures and other costs, the government did little to alleviate the workers' plight. It refused to update obsolete and useless mining regulations or introduce a badly-needed system for regular mines inspections, and gave priority to protecting the industry and the operators over all other considerations. The industrial relations regime that emerged in this environment was based primarily on paternalism and fear. By the end of the 1930s, the health impacts of corporate exploitation and government neglect had begun to become apparent.

The outbreak of the Second World War and the establishment of a second mining company, Newfluor, a subsidiary of Alcan, ushered in a period of rapid change in the economic and labour relations climate in St. Lawrence. Just as workers in other parts of Newfoundland took advantage of a rejuvenated economy and expanding employment options to reject the harsh conditions which marked the Depression years, workers in St. Lawrence unionized in an attempt to bring attention to their plight and improvements to their circumstances. Formative events in this process were the labour disputes of 1941

and the intervention of the Trade Dispute Board in January 1942. The union had been demanding government intervention throughout the labour disputes of 1941, with occupational health and safety as one of their key concerns. By the time the Board was established, however, the health and safety issue had been pushed to the margins of the agenda by the government and the Corporation. Thus while the Board was beneficial in helping break down the isolation and paternalism which marked the labour relations climate, and in improving wage rates, it ignored the union's explicit demand for chest x-rays which might have confirmed workers' fears about the health impacts of the mines. The lack of adequate medical facilities and the continuing neglect of the mine safety by both the government and the employers left the workforce still vulnerable to the health impacts of their working environment. The government continued periodically to bring in inspectors from Canada, but ignored their calls for an updated Act and for the establishment of a Newfoundland inspectorate, choosing to defer these issues and allowing the mining companies to set the agenda and to police themselves.

A precipitous decline in the mining industry and in employment beginning in 1944, after a few years of rapid expansion, accentuated the community's growing reliance upon a single industry whose fate was determined by distant corporate forces. Within this environment of shrinking employment prospects, the union could do little but try to hold onto the few advances it had made. The late 1940s and the early 1950s, however, brought a revival in the St. Lawrence mining industry and by early 1950s both companies had undertaken expansion of their operations and shipments were at an all-time high. Under

newly-elected president James Cusick, the St. Lawrence union joined an island-wide trend and affiliated with the NFL-AFL/TLC in 1949. Affiliation brought certain benefits to the union, including research and other support services. During the early 1950s, the union was able to take advantage of this and of industry expansion to win some key demands in such areas as wage rates. After Cusick left the presidency in 1954, however, Aloysius Turpin regained the presidency and the union soon reverted to independent status once again.

In the early 1950s, the health impacts of working in the St. Lawrence mines were becoming increasingly apparent. Many miners had died from lung ailments and many others were showing signs of illness. In a covert autopsy performed in 1952, a St. Lawrence physician confirmed the first clear case of silicosis in a St. Lawrence miner. This sparked several years of controversy and bureaucratic procrastination. Officials of the provincial Department of Mines, the Department of Health and Welfare, and the WCB held a series of meetings, but did little other than agree that something should be done. Company officials did little to address the health and safety problem and in fact on occasion denied that one even existed. Poynter of the Corporation, for instance, continued to insist after the 1952 autopsy that tuberculosis was to blame for the high incidence of disease and death. As part of a broad range of legislative changes that accompanied confederation with Canada in 1949, the Newfoundland government had an updated Mines Act and an inspectorate in place by 1953. One of the most striking aspects of the regulatory regime throughout the 1950s, however, was the discrepancy between the

official Department of Mines' description of working conditions in St. Lawrence and the circumstances which actually existed there, as described by the miners themselves. The evidence from the 1950s indicates that the Department's first priority was protection of the industry itself, while the inspectorate functioned primarily as a public relations organ for the government, glossing over rather than investigating occupational hazards.

Employers continued to enjoy free rein to police their own workplaces and from the evidence presented here, it is obvious that the health and safety of workers was well down on their list of priorities.

In 1957, again after years of lobbying on the part of the union, federal government investigators confirmed the presence of dangerous levels of dust in the Newfluor mine and mill. The Corporation, in what had become a familiar pattern over the years, once again escaped the scrutiny of investigators as its operations had been shut down early in 1957 due to a lack of a market for its fluorspar. The fact that the Corporation was forced to shut down its mines, putting hundreds of men out of work, because it had lost its American market was yet another stark reminder of the pitfalls of over-reliance on a single industry whose fortunes depended on international market forces. Adding to the bitterness and resentment created by the shutdown was the fact that the Corporation had for several years been negotiating with Canadian consumers to supply them with fluorspar produced in Mexico, while its St. Lawrence miners were succumbing in alarming numbers to the health impacts of their working conditions.

The 1958 report on dust conditions at Newfluor confirmed what the union had been claiming for years -- that working conditions were the major contributor to respiratory illnesses among the workforce. Excessive dust levels did not, however, explain the apparently high rate of cancer -- especially lung cancer -- among the mining population. Tests conducted in 1959 and 1960 revealed lethal levels of radon gas in the mines of both Newfluor and the Corporation. As was revealed by both the dust and the radiation studies, the health problems associated with these conditions, which had been destroying the health and claiming the lives of workers for years, could have been avoided with the installation of a ventilation system. Ventilation was a standard feature of underground mines the world over and a requirement even of the pre-confederation Mines Act, but had been ignored by the St. Lawrence mining companies and the government despite union demands dating back to 1939. The frustration and suspicion which had been created by years of neglect on the part of employers and the government is demonstrated by the fact that workers walked off the job after revelations about radiation levels in 1960 and refused to return until adequate ventilation had been installed, despite the assurances of management and the government that the danger no longer existed.

The confirmation of the existence of radiation in the Newfluor and the Corporation mines, combined with mounting evidence of illness and death among the workforce, prompted changes in workers' compensation and mine safety regulations. Lung cancer was made a compensable illness, but funds for covering such cases were drawn from the WCB's Disaster Reserve Fund rather than the regular compensation fund. This decision

protected Newflour from financial liability for its negligence since it meant no increase in its compensation premiums as a result of cancer claims. The decision also ran counter to one of the underlying principles of the workers' compensation system: that employers would have an incentive to make workplaces safe since premiums were based on claim rates. The Corporation, meanwhile, escaped all financial liability for cancer claims associated with its mines, since it shut down the last of its St. Lawrence mines in 1961 and sold its St. Lawrence holdings to Alcan in 1964.

The government also passed amendments to the mine safety regulations to address the radiation problem in St. Lawrence and appointed a monitor to help regulate radiation levels. Such measures did little, however, to quell suspicion and unrest in the workplace and the community. Workers continued to be distrustful of both government and company claims about such industrial hazards as radiation and of the inspection system itself. Both the oral and the archival evidence shows that their suspicions were well-founded. Workers continued to be exposed to dangerously high levels of radiation, and the union continued to lobby the government for more stringent safeguards against radiation and other hazards, and for more direct participation in the monitoring process. Following its affiliation with the CNTU in 1963, the union won the right to have such participation embodied in its collective agreements.

Another ongoing source of controversy and unrest throughout the 1960s was the limitations on compensation coverage. Because the WCB refused to accept claims dating back to before the establishment of the first provincial legislation in 1951, or claims for

illnesses other than lung cancer and silicosis, many potential claimants were denied compensation benefits. This left many disabled miners and the widows of deceased miners in dire financial circumstances. Many were forced to turn to social assistance or whatever other meagre resources they could find to support themselves and their families. In 1966, the government was finally forced to take some action on this issue when its own Workmen's Compensation Review Committee urged it to do so. This was in response to a submission from St. Lawrence resident Rennie Slaney documenting the toll that industrial disease and the lack of compensation coverage had taken in the community. In response to the Committee's recommendations, the government appointed a Royal Commission to investigate working conditions and workers' compensation in St. Lawrence.

The appointment of the Royal Commission drew unprecedented public attention to the St. Lawrence case and prompted a public relations battle. The company attempted to use the Royal Commission as a way of dispelling mistrust and unrest, and undertook a professional, concerted campaign to depict itself as a good corporate citizen, deeply concerned about the welfare of its workers and their families. Far from easing tensions and reducing hostility, however, the government's response to the Royal Commission's recommendations actually intensified them. Through its response to the recommendations, the government attempted, among other things, to erode standards in the area of radiation monitoring. It also once again refused to extend compensation coverage to the pre-1951 period or to many illnesses affecting St. Lawrence miners but

not covered under the Act.

By the early 1970s, ongoing grievances over working conditions, compensation and wages, combined with the CNTU's increasingly radical political and labour relations program, had created a high degree of tension in the workplace and the community, which often erupted into open confrontation. The union and miners' wives became increasingly militant in their demands and the 1970s was marked by almost incessant labour unrest and public protest. The company's usual response was to refuse to even negotiate with the union and to threaten to shut down the mines and obtain fluorspar from a cheaper, more reliable foreign supplier. The labour unrest and public protest did result, however, in some important victories in the areas of health and safety, wages and workers' compensation. The government was forced to retain its radiation monitor at St. Lawrence. The union won several wage increases which, while they did not keep pace with high inflation, helped alleviate some of its effects. Compensation coverage was extended to some pre-1951 claims and to diseases other than lung cancer and silicosis. The efforts of the union and its supporters also led to the institution of the St. Lawrence Special Fund for the compensation of victims of industrial disease and their families. The Fund was little more than a public relations stunt on the part of Alcan and the government, however, and provided meagre financial support. It was also another instance in which Alcan all but escaped the financial liability of its negligence and the Corporation once completely evaded any liability.

A remarkable aspect of the labour unrest that erupted repeatedly during the 1970s was the way in which the specific, explicit issues at stake -- such as wages -- were simply the trigger for the playing out of long-standing grievances built up over decades of neglect and hostility. This was abundantly clear in the language used by the women to describe their motivations in coming out to publically support the men in 1971 and again in 1975. The participation of the women also illustrates the way in which the issues of industrial disease and workers' compensation had expanded the labour relations environment beyond the workplace and the union hall, and highlights direct and indirect links between the workplace, the community, and the home. By the 1970s, St. Lawrence had become a community wracked by bitterness and frustration, populated largely by widows and fatherless children, Alcan's 1977 decision to shut down its St. Lawrence mines was yet another reminder of the perils of single-industry dependence and of the power of capital to exploit and then abandon marginalized regions and people at its convenience. This power had been used repeatedly by both companies over the years, both to suppress labour unrest and to win the favour of the government. The fact that St. Lawrence workers and their supporters were willing to engage in sustained and adamant protest under this threat during the 1970s and on several occasions previous is indicative of their determination to risk their livelihoods if necessary to preserve their dignity.

Given the evidence presented in this thesis, it must be concluded that the legacy of illness and death associated with the St. Lawrence mines resulted primarily from exploitation and neglect on the part of employers and the government, who consistently

shirked their moral and legal responsibility to protect the health and safety of St. Lawrence workers. Government repeatedly turned a blind eye to known health hazards, while operators took advantage of the government's abdication of its responsibility. One of the most striking aspects of the St. Lawrence case is the fact that nearly every reform that was instituted over the years in the areas of health and safety or workers' compensation came about as a result of struggle on the part of workers and others in the community. From the confirmation of silicosis among the workforce in the early 1950s, to the installation of ventilation systems in 1960, to improvements in compensation coverage in the 1970s, to name but a few instances, reform consistently came about *against* the objections and efforts of company and government forces. When reform did come, it was usually in the form of damage control rather than prevention. The recognition of dust-related diseases in the 1950s came more than a decade after workers had explicitly pointed out the danger resulting from dry-drilling in the 1930s and 1940s. The installation of ventilation systems in the 1960s came after decades of lobbying and complaints from the union about inadequate ventilation. Compensation reform in the 1970s came about when the government and the company wanted to polish their public image, for their own ends, and after workers and widows in the community had suffered decades of economic deprivation. In the end, workers, their families, and future generations were left to bear the physical, psychological, and financial scars of decades of abuse and negligence, while those who profited from this abominable legacy walked away unscathed.

Epilogue

By the time Alcan left St. Lawrence in 1978, 78 miners had died from lung cancer alone, in addition to those who had died from other cancers, from silicosis and other pulmonary diseases, and from workplace accidents. Moreover, this figure represented only 36 per cent of the total group at risk -- a further 120 from the pre-1960 period alone were still at risk.¹ By 1988, the official number of lung cancer deaths among St. Lawrence miners had increased to 116, and 72 others had died from other types of cancer (including 22 from stomach cancer). The incidence of nearly every type of cancer was higher among St. Lawrence miners than among the general population of Newfoundland. In addition, 28 miners had died from silicosis, pneumoconiosis and other obstructive lung diseases.²

In response to years of repeated complaints and submissions, in 1991 the provincial government conducted a study of workers' compensation issues in St. Lawrence. At that time, there were 200 claimants in various categories in the community. The study found that many recipients, especially widows, were still living in substandard housing and on inadequate incomes. Benefits paid out under the Special Fund had not

¹Earle S. Wright and Cecil M. Couves, "Radiation Induced Lung Carcinoma of the Lung -- the St. Lawrence Tragedy," *Journal of Thoracic and Cardiovascular Surgery*, 74, 4 (October 1977), 495-8.

²H. Morrison, "The Mortality Experience of a Group of Newfoundland Fluorspar Miners Exposed to the Rn Progeny," Research report prepared for the Atomic Energy Control Board of Canada (1988), 45, 52. No systematic mortality studies have been carried out since then.

increased since its introduction in 1971. Many others, including widows and disabled miners, continued to be frustrated by an overly-bureaucratic and sometimes arbitrary compensation system. There were many cases, for example, where women had their compensation benefits terminated upon their husband's death for various technical reasons.³

Following closure of the Newfluor mines, many people left St. Lawrence to seek employment elsewhere. After reaching 2,258 in 1976, by 1981 the population had decreased to 2,012, making St. Lawrence the only community on the Burin Peninsula and one of the very few in the province to experience a population decline in this period.⁴

A fish processing plant was established with the assistance of the provincial government in 1979. In 1982, however, the plant, which had employed between 150 and 200 people, was shut down.⁵ In 1983, a British-based company known as Minworth, taking advantage of generous provincial government tax breaks and other concessions, established a subsidiary called St. Lawrence Fluorspar Inc. and began to reactivate the Blue Beach mine. Minworth went into St. Lawrence under a number of conditions

³The Report is contained in "Brief by the St. Lawrence Town Council to the Statutory Review Committee of Workers' Compensation," 1996, unpublished document in possession of the author.

⁴Statistics Canada, *Selected Population, Dwelling, Household and Census Family Characteristics*, 1981.

⁵Federal Government Action Last Hope for St. Lawrence," *Evening Telegram*, 28 February 1983.

including no strikes, wages ranging from \$9.00 to \$10.00 an hour and only a local, unaffiliated union. Four hundred men signed up for the 100 jobs available under these conditions. Depicting in stark terms the dilemma in which many found themselves, one of the applicants remarked that, "It's just as well to die with money as live without".⁶ This remark encapsulates the desperation of people who feel their lives are defined primarily by a choice between two evils, or for whom "choice" simply does not exist. It also illustrates how little had changed, in fundamental terms, in the decades since the 1930s, when the people of the community faced the same dilemma. The first shipment of fluorspar in ten years left St. Lawrence in 1987, but in 1991 Minworth declared bankruptcy and left town.

Many of the approximately 1,500 people living in St. Lawrence in 2001 rely on seasonal employment at the fish plant, which processes mainly crab. The official unemployment rate in the community is around 25 per cent, and the annual household income is just over half the national average.⁷ Recently, a local company, Burin Minerals Limited, has been doing exploratory work with an eye to reopening the fluorspar mines. Some people in St. Lawrence are dreaming of a return to the boom times; others are dreading a repeat of the nightmare.

⁶Alan Story, "Old Wounds: Reopening the Mines of St. Lawrence," in *People, Resources, and Power: Critical Perspectives on Underdevelopment and Primary Industries in Atlantic Canada* (Fredericton: Acadiensis Press, 1987), 186.

⁷Based on 1996 figures in Statistics Canada, *Selected Population, Dwelling, Household and Census Family Characteristics*, 1996.

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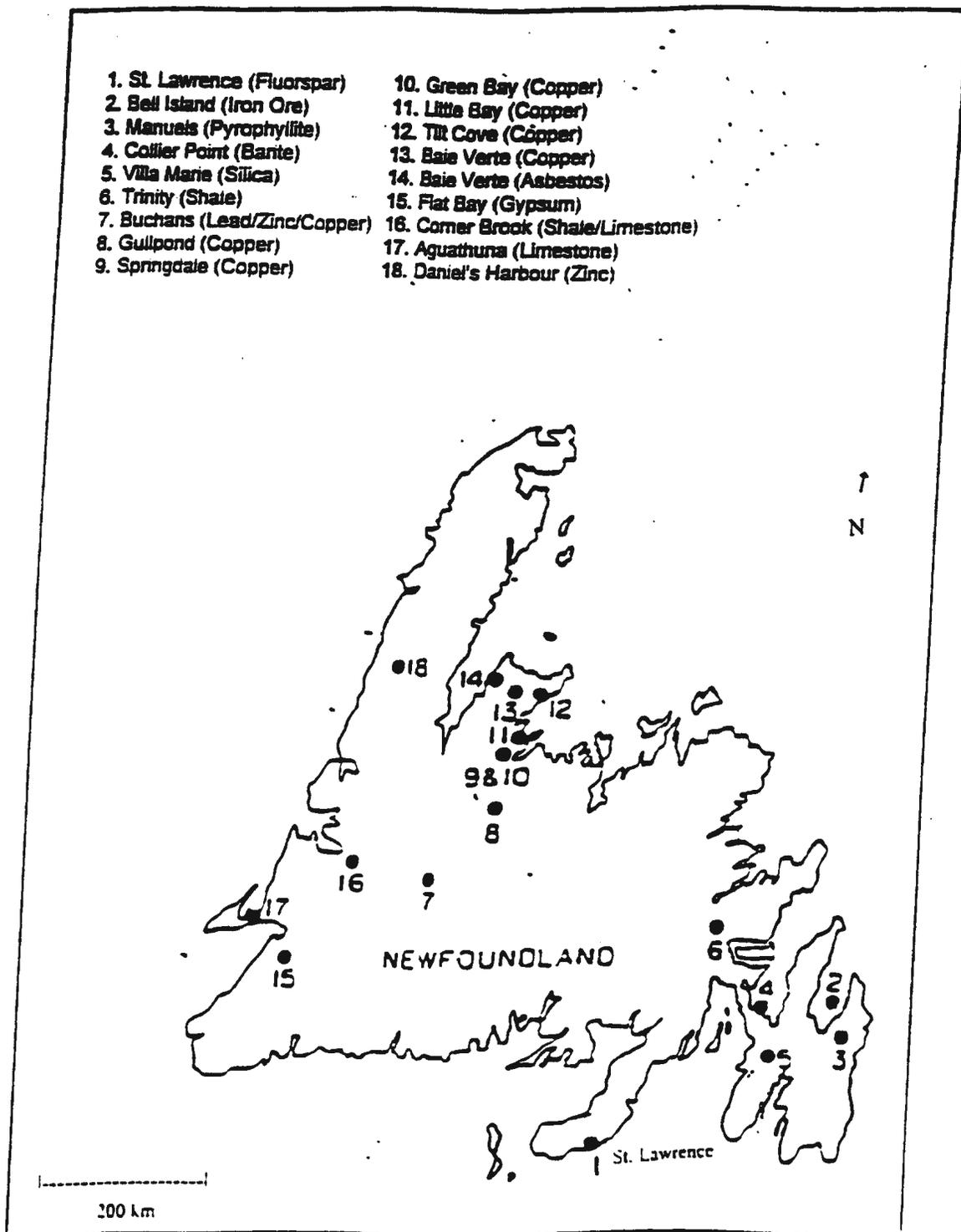
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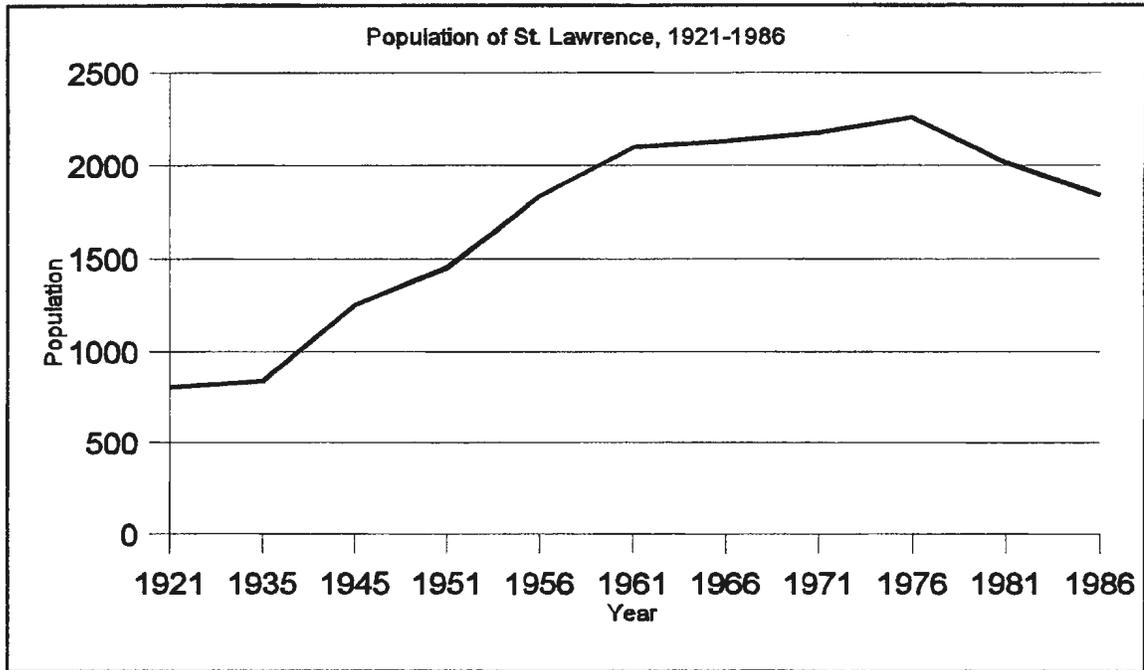
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Appendix A: Map of Newfoundland Showing St. Lawrence and Other Mining Sites



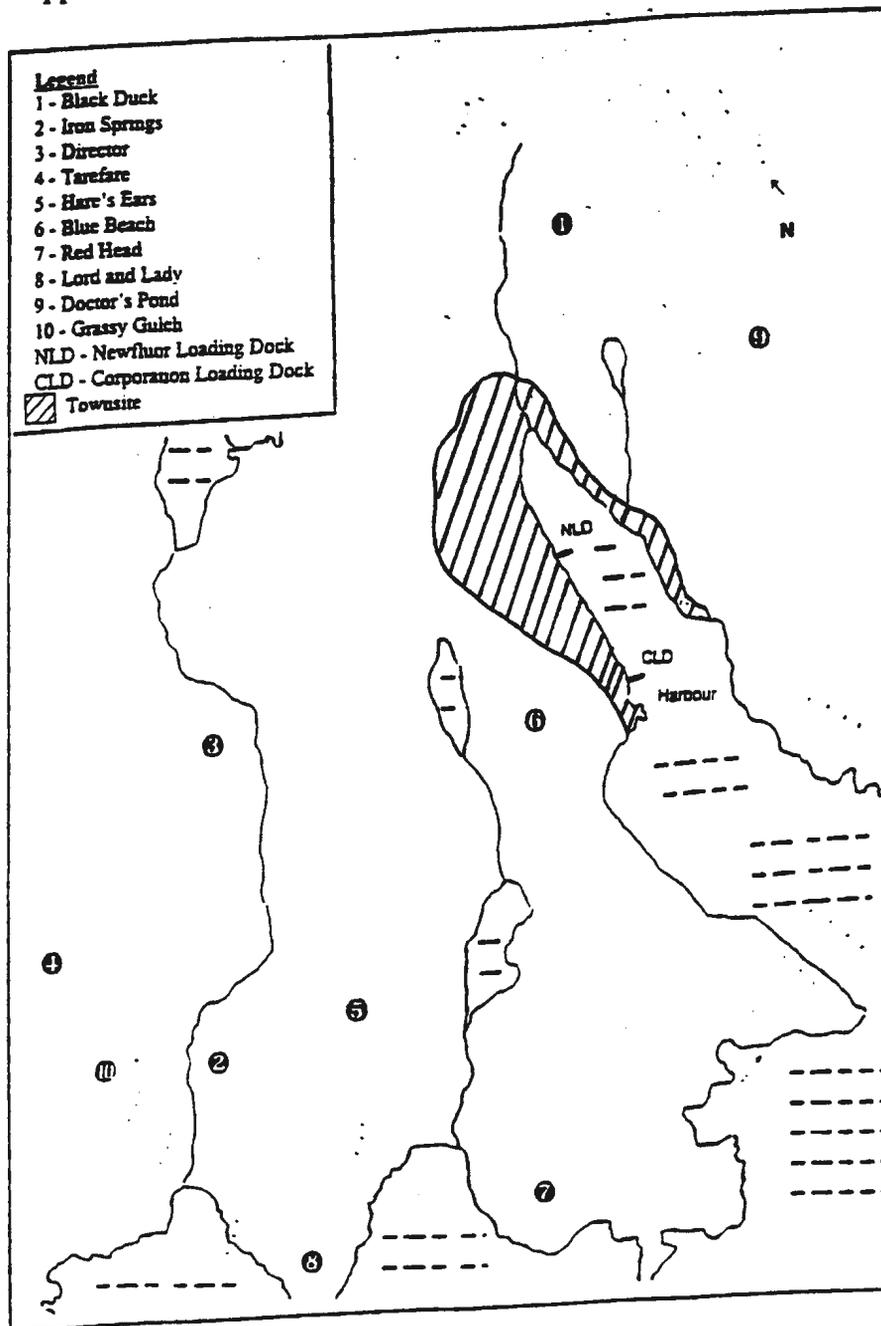
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Appendix B: Population of St. Lawrence, 1921-1986



Source: Newfoundland Statistics Agency. *Historical Statistics of Newfoundland and Labrador*. Volume III, July 1986.

Appendix C: Map Showing Location of St. Lawrence Mines and Town



Appendix D: Average Hourly Wage for Corporation Employees, 1933-1961.

| Time Period | Average Wage (per hour) |
|--------------------|--------------------------------|
| 1933-34 | 0.15 |
| 1934-39 | 0.18 |
| 1939-40 | 0.23 |
| 1940-41 | 0.26 |
| 1941-42 | 0.31* |
| 1942-44 | 0.46 |
| 1944-46 | 0.67 |
| 1946-51 | 0.60 |
| 1951-53 | 0.72 |
| 1953-55 | 1.22 |
| 1955-61 | 1.26 |

*Average of three different average wages paid that year.

Source: GN 38, PANL (Files of the Commission of Government), various; *Report of the St. Lawrence Trade Dispute Board*, 1942, 30-7; Collective Agreements, SLMM. (All figures rounded to nearest cent.)

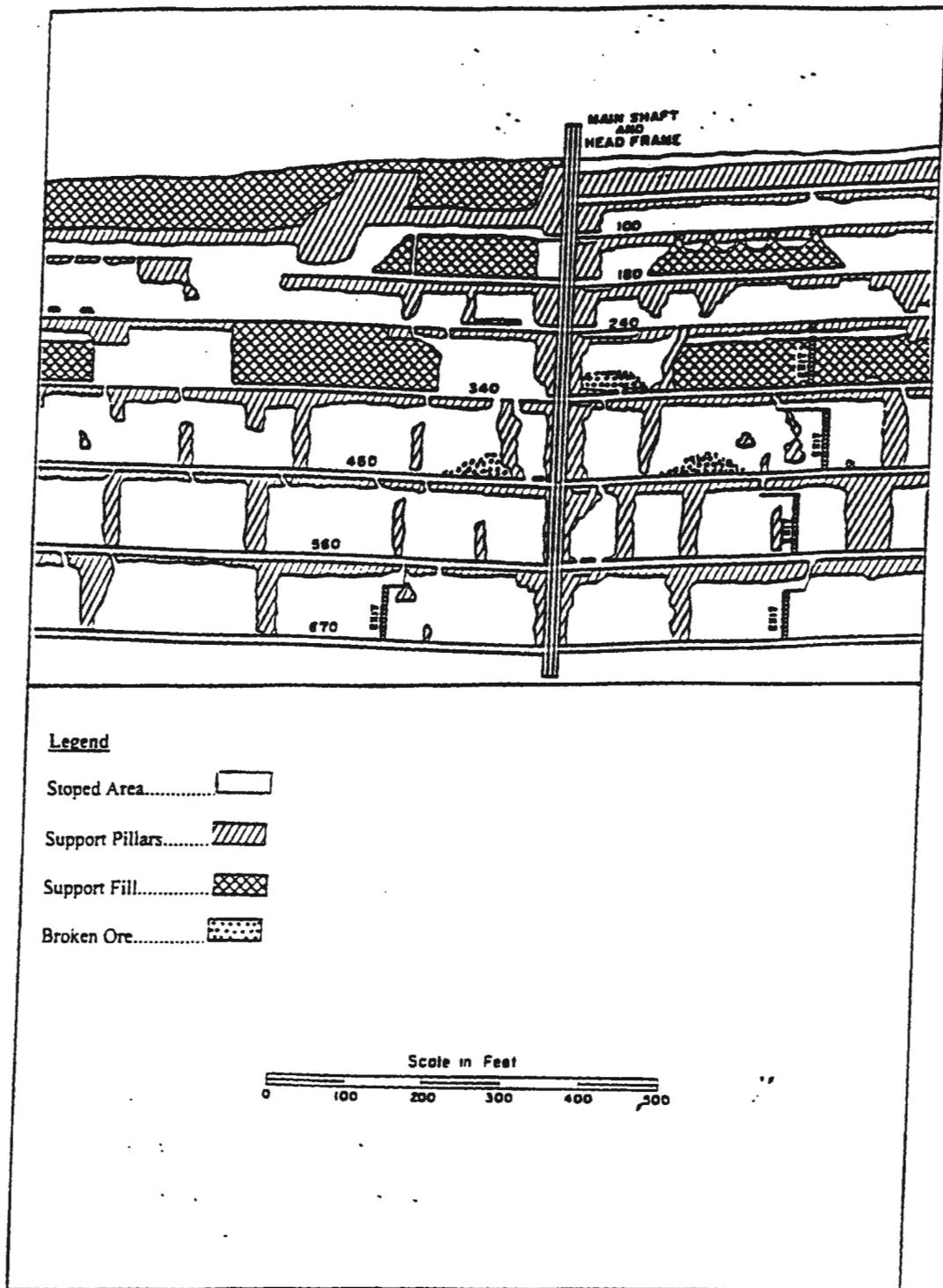
**Appendix E: Annual Fluorspar Shipments by St. Lawrence Corporation,
1933-1961**

| Year | Tons |
|-------------|-------------|
| 1933 | 2,128 |
| 1934 | 2,352 |
| 1935 | 4,480 |
| 1936 | 11,675 |
| 1937 | 12,575 |
| 1938 | 13,163 |
| 1939 | 14,576 |
| 1940 | 14,000 |
| 1941 | unknown |
| 1942 | 17,676 |
| 1943 | 23,084 |
| 1944 | 18,984 |
| 1945 | 22,873 |
| 1946 | 20,272 |
| 1947 | 17,315 |
| 1948 | 23,356 |
| 1949 | 37,317 |
| 1950 | 15,306 |
| 1951 | 43,363 |
| 1952 | 47,966 |
| 1953 | 49,147 |
| 1954 | 74,815 |

| Year | Tons |
|-------------|-------------|
| 1955 | 100,424 |
| 1956 | 111,062 |
| 1957 | 45,000 |
| 1958 | 3,000 |
| 1959 | 4,500 |
| 1960 | 7,500 |
| 1961 | 4,500 |

Source: G.F. Carr, *The Industrial Minerals of Newfoundland*, 52; and *Report of the Royal Commission on St. Lawrence*, 25.

Appendix F: Cross-Sectional View of Typical Underground St. Lawrence Mine



Appendix G: Average Hourly Wage for Newflour Employees, 1941-1978

| Time Period | Average Wage (per hour) |
|--------------------|--------------------------------|
| 1941-42 | 0.40 |
| 1942-44 | 0.46 |
| 1944-49 | 0.67 |
| 1949-51 | 0.82 |
| 1951-53 | 0.94 |
| 1953-55 | 1.33 |
| 1955-59 | 1.49 |
| 1959-63 | 1.55 |
| 1963-65 | 1.87 |
| 1965-66 | 1.99 |
| 1966-68 | 2.03 |
| 1968-69 | 2.17 |
| 1969-70 | 2.27 |
| 1970-71 | 2.36 |
| 1971-72 | 2.76 |
| 1972-73 | 2.95 |
| 1973-76 | 3.62 |
| Feb-Oct 1976 | 4.52 |
| Oct 1976-1978 | 4.97 |

Source: *Report of the St. Lawrence Trade Dispute Board, 1942, 30-7*; Collective Agreements, SLMM and AA. (All figures rounded to nearest cent.)

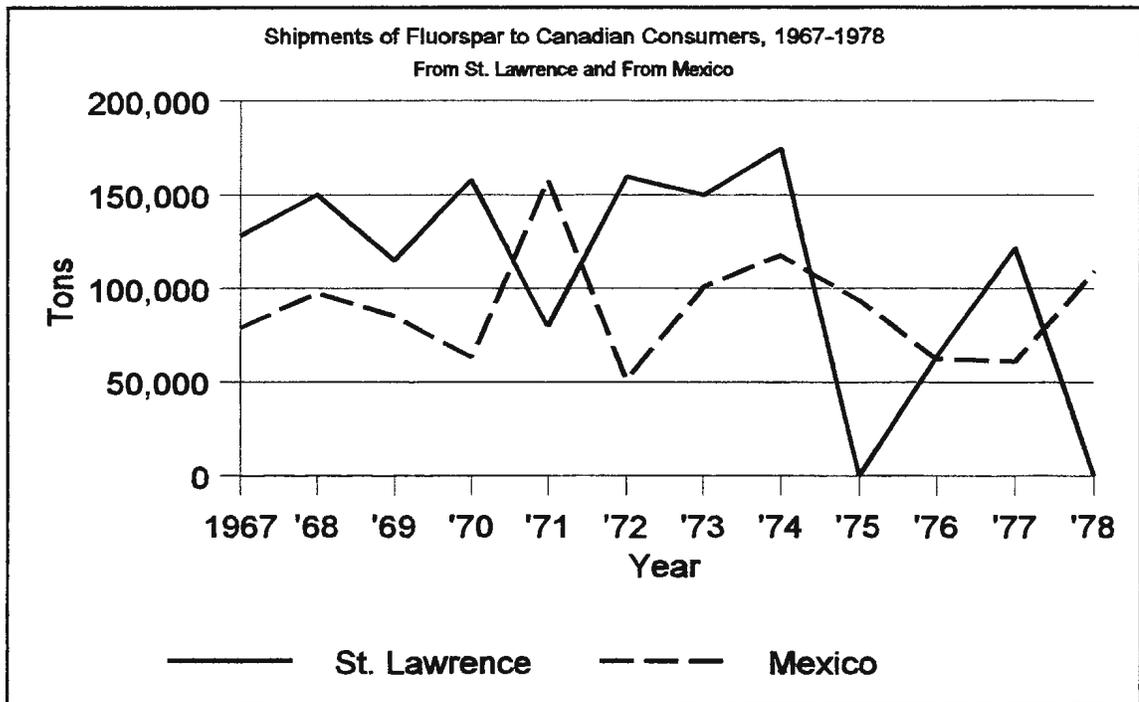
Appendix H: Annual Fluorspar Shipments by Newfluor, 1942-1977.

| Year | Tons |
|-------------|-------------|
| 1942 | 17,413 |
| 1943 | 57,232 |
| 1944 | 33,658 |
| 1945 | 22,369 |
| 1946 | -- |
| 1947 | 10,422 |
| 1948 | 54,428 |
| 1949 | 34,398 |
| 1950 | 39,689 |
| 1951 | 58,197 |
| 1952 | 87,689 |
| 1953 | 104,126 |
| 1954 | 94,997 |
| 1955 | 123,055 |
| 1956 | 118,154 |
| 1957 | 71,167 |
| 1958 | 77,140 |
| 1959 | 66,583 |
| 1960 | 83,885 |
| 1961 | 109,560 |
| 1962 | 138,420 |
| 1963 | 134,436 |
| 1964 | 144,424 |

| Year | Tons |
|------|---------|
| 1965 | 148,643 |
| 1966 | 124,256 |
| 1967 | 128,623 |
| 1968 | 150,381 |
| 1969 | 115,000 |
| 1970 | 158,000 |
| 1971 | 80,000 |
| 1972 | 160,000 |
| 1973 | 150,000 |
| 1974 | 175,000 |
| 1975 | 0 |
| 1976 | 64,000 |
| 1977 | 120,000 |

Source: Figures for 1942-1968 are from *Report of the Royal Commission on St. Lawrence*, 25. Figures for 1969-76 are estimates from Canada, Department of Mines, *Minerals Yearbook*, 1969-1976.

**Appendix I: Shipments of Fluorspar to Canadian Consumers,
from St. Lawrence and from Mexico, 1967-1978**



Source: Canada. Department of Mines and Technical Surveys, Mineral Resources Division, *The Canadian Minerals Industry*, 1967-1978.



