

REPRINTED BILL

Bill No. 21 of 1945.

A BILL TO AMEND THE FEMALE MINIMUM WAGE ACT

NOTE.

Section 1 of this Bill introduces for the first time into this Act a definition of "overtime". The definition is the same as that proposed to be inserted in *The Male Minimum Wage Act* by an amendment to that Act which repeals the former definition of overtime".

Section 2 of the Bill adds a new subsection (2) to section 12 of the Act which requires employers to preserve for twelve months the records kept as to earnings and working hours of employees.

Section 3 of the Bill proposes to enact two new subsections to section 15 which enables an employee who has received less than the minimum wage to recover the difference by civil action, but action must be brought within twelve months of the date when the cause of action first accrued and the action is limited to wages for six months prior to bringing the action or prior to termination of employment. It is also necessary for the employee to give notice of intention to bring the action within six months of leaving the employment, or if she does not leave, within six months of her entering the employment or the making of a minimum wage order whichever is later.

W. S. GRAY,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

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No. 21 of 1945.

An Act to amend The Female Minimum Wage Act.

(Assented to _____, 1945.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Female Minimum Wage Act*, being chapter 283 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 2 by adding immediately after paragraph (g) thereof the following new paragraph:

“(gg) ‘Overtime’ means any time worked by an employee,—

“(i) during any one day in excess of eight hours or during any time which is not included in the hours of work prescribed pursuant to *The Hours of Work Act* or is in excess of any lesser customary daily hours of work of any employee;

“(ii) during any one week in excess of forty-eight hours or during any time which is not included in the hours of work prescribed pursuant to *The Hours of Work Act* or is in excess of any lesser customary weekly hours of work of any employee;”

2. The said Act is further amended as to section 12 by adding thereto the following new subsection:

“(2) The records required to be kept by employers under the provisions of subsection (1) shall be preserved and retained by the employer for a period of twelve months from the time when each record was made.”

3. The said Act is further amended as to section 15 by adding thereto the following new subsections:

“(2) If any employee is paid less than the minimum wage to which she is entitled under this Act, the employee shall be entitled to recover from her employer, in a civil action, the difference between the amount paid and the amount of the minimum wage, with costs of action; but no action shall be brought by an employee under this section whether before or after the termination of the services, unless the action is commenced within twelve months from the date upon which the cause of action first accrued, and unless,—

“(a) where the employee has terminated her services she gives notice in writing to the employer within six months of her leaving the employment of her intention to bring an action as provided for herein;

“(b) where the employee has not terminated her services, she gives notice in writing to her employer within six months of the making of a minimum wage order affecting her employment, or within six months of her entry into the employment, whichever event is later, of her intention to bring an action as herein provided.

“(3) Subsection (2) shall apply only with respect to the wages of an employee during the period of six months last preceding the termination of her services or the taking of civil action by her pursuant to that subsection, whichever event first occurs.”

4. This Act shall come into force on the day upon which it is assented to.

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No. 21.

FIRST SESSION
TENTH LEGISLATURE

9 GEORGE VI

1945

BILL

An Act to amend The Female
Minimum Wage Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. GERHART.

EDMONTON:
A. Shnitka, King's Printer
1945