

No. 109

4th Session, 14th Legislature, Alberta
10 Elizabeth II

BILL 109

A Bill respecting the Public Service

HON. MR. HINMAN

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Edmonton, Alberta, 1962

Explanatory Note

1. General. This new Act will repeal and replace The Public Service Act and The Public Service Commissioner Act. It contains many of the provisions of those Acts which have been revised and brought up to date. In addition, it contains a number of provisions presently found in the regulations and some new provisions.

2. Definitions.

BILL

No. 109 of 1962

An Act respecting the Public Service

(Assented to _____, 1962)

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

1. This Act may be cited as "*The Public Service Act, 1962*".

2. In this Act,

- (a) "Commissioner" means the Public Service Commissioner appointed under section 10;
- (b) "department" in addition to its ordinary meaning, means
 - (i) the Personnel Administration Office,
 - (ii) the office of the Provincial Auditor,
 - (iii) the office of the Clerk of the Legislative Assembly,
 - (iv) the office of the Clerk of the Executive Council, and
 - (v) any board, commission or establishment that forms part of the public service but that is not part of any department;
- (c) "department head" means a member of the Executive Council for the time being charged with the administration of a department;
- (d) "deputy head" means the deputy minister of a department and includes
 - (i) the Commissioner,
 - (ii) the Provincial Auditor,
 - (iii) the Clerk of the Legislative Assembly,
 - (iv) the Clerk of the Executive Council, and
 - (v) the chairman or chief officer of any board, commission or establishment that forms part of the public service but that is not part of any department;
- (e) "employee" means a person appointed to a position pursuant to this Act;
- (f) "Joint Council" means the Joint Council established under section 44;
- (g) "Minister" means the member of the Executive

3. Application of the Act.

4. The Act is not to interfere with the powers of the Legislative Assembly and the courts.

5. Organization of departments.

6. Appointment of acting officers.

Council charged with the administration of this Act.

3. (1) For the purposes of this Act, the public service of the Province includes

- (a) the Clerk of the Legislative Assembly and the Clerk of the Executive Council, and all employees of the Legislative Assembly and the Executive Council,
- (b) the Provincial Auditor and all employees in the office of the Provincial Auditor,
- (c) the Commissioner and all employees in the Personnel Administration Office, and
- (d) all employees in or under all departments of the Government.

(2) This Act does not apply to members and employees of

- (a) the Public Utilities Board,
- (b) the Alberta Liquor Control Board,
- (c) the Workmen's Compensation Board,
- (d) the Oil and Gas Conservation Board,
- (e) the Research Council of Alberta, or
- (f) any board or agency of the Crown whose employees are excluded by the terms of the Act under which the board or agency is established,

or, subject to section 49, to seasonal employees.

4. (1) This Act does not impair or otherwise affect the rights and privileges of the Legislative Assembly with regard to the appointment or removal of any employee.

(2) This Act does not impair or otherwise affect an already established authority or control of the courts and judges over their officers.

5. (1) Subject to any Act relating to the organization of a department or a branch, each department may be divided into such branches or divisions as may be convenient and effective for the execution of the functions of the department.

(2) The operations of each branch or division shall be performed under the direction and supervision of a chief officer of the branch or division who is responsible to the deputy head.

(3) A deputy head has the powers and may perform the duties of his department head unless the performance of any of the duties of the department head is otherwise provided for by the Lieutenant Governor in Council.

6. (1) The Lieutenant Governor in Council may appoint an employee as an acting officer of any kind in the public service.

7. Delegation of signing authority.

8. Employees may be transferred from one position to another.

9. Each department to have a personnel officer.

10. Appointment of Public Service Commissioner.

11. Establishment of Personnel Administration Office.

12. Duties of Commissioner.

- (2) An acting officer appointed under subsection (1)
- (a) shall act only in the absence from duty of the person for whom he acts, or in case of a vacancy, and
 - (b) has, when so acting, the power and authority of the office for which he is appointed to act.

7. Where a department head or any officer of a department is authorized or required by an Act to sign any documents, the Lieutenant Governor in Council may delegate such signing authority to any other specified officer or officers of that department.

8. Subject to this Act and the regulations, an employee may be transferred from one position in the public service to another position in the public service.

9. In each department there shall be a personnel officer who shall

- (a) keep such records as may be required for the purposes of the department respecting the positions and employees in the department,
- (b) assist and advise the deputy head and any employee in the department in matters relating to the administration or operation of this Act and the regulations,
- (c) transmit to the Commissioner such forms, documents and reports as are required to be submitted pursuant to this Act or the regulations, and
- (d) perform such other duties as the department head or deputy head may require.

10. (1) The Lieutenant Governor in Council shall appoint a Public Service Commissioner and fix his salary.

(2) Subject to the general direction of the Minister, this Act shall be administered by the Commissioner who shall have the same status as a deputy minister.

11. (1) The Commissioner shall establish and have charge of a Personnel Administration Office and may divide it into appropriate branches.

(2) Subject to this Act, such officers, clerks and other employees as are required to assist the Commissioner may be appointed to the staff of the Personnel Administration Office.

(3) The Commissioner may delegate to any designated officer of the Personnel Administration Office any of the functions, duties or powers that are assigned to the Commissioner by this Act or the regulations, except those referred to in sections 31, 32 and 34.

12. Subject to this Act, the Commissioner shall

- (a) prepare and maintain lists of eligible candidates for employment, re-employment and promotion,

13. Each position to be designated as permanent, temporary, part-time or seasonal.

14. Staff establishment of department.

- (b) prepare and keep records of the employment, attendance, qualifications and salary of each employee,
- (c) assist and advise departments with respect to the organization and conduct of staff training programs and devise and carry out such general training schemes as may be necessary,
- (d) upon the direction of the Minister, investigate and prepare reports upon the staff establishment or staff organization of any department, branch, board or commission of the Government,
- (e) administer, as required, the regulations governing the appointment, promotion, attendance and leave of employees and the operation of the classification plan and General Pay Schedule,
- (f) carry out investigations, prepare reports and draft recommendations for the Joint Council with respect to salaries, hours of work, overtime duty, subsistence allowances, leave of absence and other matters with which the Joint Council may be concerned,
- (g) keep such records and do such other things as may be necessary for the proper administration of this Act or as may be directed by the Minister.

13. The Commissioner shall designate the status of each position in the public service as

- (a) a permanent position, where the duties thereof are of a full-time and indefinitely continuing nature, or
- (b) a temporary position, where the duties thereof are of a full-time nature but of limited or uncertain duration, or
- (c) a part-time position, where the duties thereof are required to be performed during only part of the normal work day or work shift or on less than the full number of work days in each week or month, or
- (d) a seasonal position, where the duties thereof are required to be performed during a specific portion of the year and the wages payable to the incumbent thereof are payable on an hourly, daily, weekly or monthly basis.

14. (1) The staff establishment of a department consists of those positions in the department

- (a) for which salaries are provided by vote of the Legislative Assembly, or
 - (b) that are authorized under subsection (5).
- (2) A permanent position remains in being
- (a) during the time a salary therefor is annually provided by vote of the Legislative Assembly, or
 - (b) until it is abolished pursuant to section 42.

15. Preparation and establishment of plan of classification of positions.

16. Review of plan of classification.

(3) A temporary position that is not established for a fixed period of time expires at the end of the fiscal year in which it comes into being.

(4) Where a department proposes to add a new position to its staff establishment

(a) by providing for the position in its departmental estimates for the next ensuing fiscal year, or

(b) by order in council pursuant to subsection (5), the deputy head of the department shall forthwith advise the Commissioner who shall examine the need therefor and report thereon to the Minister.

(5) Subject to subsection (4), the Lieutenant Governor in Council

(a) may authorize the addition of a new position to the staff establishment of a department, and

(b) shall provide for the payment of a salary to the employee who is appointed to the position until such time as the salary for the position is provided by vote of the Legislative Assembly.

15. (1) The Commissioner shall

(a) cause a survey to be made, when required, of the duties and responsibilities of all positions comprising the staff establishment of each department, except the position of deputy minister and such other positions as are excluded by the Lieutenant Governor in Council from the operation of this section, and

(b) draft a plan of classification defining and designating the classes of positions in the public service.

(2) The plan of classification becomes effective upon being approved by the Lieutenant Governor in Council and from such date as is prescribed by the order.

(3) The Commissioner shall allocate each position in the public service to one of the classes designated in the plan of classification.

16. (1) The Commissioner shall cause the plan of classification to be reviewed from time to time and may

(a) recommend that the plan be amended by the abolition or addition of classes or by alteration of the designation or definition of any class, and

(b) allocate to another class any position, the duties of which are found to have been changed, reduced or added to since the position was last allocated to a class.

(2) Any amendment of a plan of classification recommended under subsection (1) becomes effective upon approval by the Lieutenant Governor in Council and from such date as is prescribed by the order.

17. When new positions are established they are to be brought under the plan of classification.

18. Appointment and powers of classification appeal board.

19. Positions to be referred to by position number, etc.

20. Establishment of General Pay Schedule.

21. Preparation and establishment of Official Pay Plan.

17. Where the addition of a new position to the staff establishment of a department is authorized, the Commissioner shall allocate the position to one of the classes designated in the plan of classification, unless the position is one excluded from the plan pursuant to section 15.

18. (1) The Lieutenant Governor in Council shall appoint a classification appeal board consisting of a chairman and two other members, one of whom shall be a representative of the Civil Service Association of Alberta.

(2) Where the allocation of a position is established or altered,

(a) the employee who occupies the position, or

(b) the deputy head of the department in which the position exists,

may, in the manner prescribed by the regulations, appeal to the classification appeal board.

(3) The decision of the classification appeal board on each appeal is final.

(4) Where the classification appeal board decides that the classification of the position should be altered, the Commissioner shall re-allocate the position in accordance with the decision.

19. In all documents, records, estimates, vouchers and communications relating to positions in the public service, each position shall be designated by

(a) a position number, as assigned by the Provincial Auditor, and

(b) the number and title of the class to which the position is allocated under the plan of classification.

20. The Lieutenant Governor in Council shall establish a General Pay Schedule, showing the scales and rates of salaries to be paid to employees whose positions are included in a plan of classification.

21. (1) When a plan of classification is prepared, the Commissioner shall conduct a study of

(a) the prevailing rates of salaries and wages being paid by other employers to their employees whose duties and conditions of employment are comparable to those of employees whose positions are included in the plan of classification,

(b) the comparative value of pensions and other benefits,

(c) the relative weight of the duties and responsibilities of the various positions included in the plan of classification, and

(d) such other factors as may have a bearing upon the equitable determination of salary scales for such positions,

22. Review and alteration of General Pay Schedule and Official Pay Plan.

23. Employees entitled to annual increase as provided by the regulations.

and on the basis of the information so obtained shall draft an Official Pay Plan showing the scale of pay under the General Pay Schedule to be assigned to each class of positions included in the plan of classification.

(2) An Official Pay Plan prepared under subsection (1) becomes effective by order of the Lieutenant Governor in Council.

(3) When an Official Pay Plan becomes effective, each employee to whose position a scale of pay is thereby assigned shall, from the effective date thereof, be paid a salary in accordance with that scale, subject to the regulations respecting the application of the Official Pay Plan.

22. (1) A general or partial revision of the General Pay Schedule may be proposed at any time by

- (a) the Minister, on behalf of the Executive Council, or
- (b) the Civil Service Association of Alberta, or
- (c) the Commissioner.

(2) The assignment of a higher or a lower scale of pay to any class of positions under the Official Pay Plan may be proposed at any time by

- (a) a department head, or
- (b) the Civil Service Association of Alberta, or
- (c) the Commissioner.

(3) A proposal under subsection (1) or (2), not made by the Commissioner, shall be referred to him for examination and he shall report thereon to the Joint Council, having regard to the matters set out in subsection (1) of section 21.

(4) The Joint Council shall consider the proposal, together with the report of the Commissioner and such other information as may be relevant, and shall recommend the acceptance, amendment or rejection of the proposal.

(5) The Minister shall report the recommendation to the Lieutenant Governor in Council who may

- (a) amend the General Pay Schedule or the Official Pay Plan, and
- (b) prescribe the manner in which adjustments are to be made in the rates of salary payable to those employees whose scales of pay are altered by the amendment.

23. Every employee may be granted an annual increase of salary, within the scale of pay assigned to his position, subject to

- (a) his good conduct and satisfactory performance of his duties, and
- (b) the rules contained in the Official Pay Plan and the regulations.

24. Salaries of deputy ministers and certain other employees fixed by the Lieutenant Governor in Council.

25. Advertisement of vacant positions in the public service.

26. Conditions governing the appointment of persons to positions in the public service.

27. Employment to be on the basis of competitive examination.

28. For certain classes of positions eligibility lists may be established and new employees selected from the best qualified persons listed.

24. The Lieutenant Governor in Council shall prescribe the scales of pay and salary rates for

- (a) deputy ministers, and
 - (b) employees whose positions are excluded from the plan or classification pursuant to section 15,
- and the manner in which such scales and rates are to be applied.

25. Except as is otherwise provided by this Act, the Commissioner shall oversee and direct the preparation and publication of all advertisements and notices issued for the purpose of informing prospective applicants with regard to vacant positions included in the plan of classification that are required to be filled from time to time.

26. No person shall be appointed to or be engaged for employment in any position of a class that is included in the plan of classification, unless

- (a) the position is included or is authorized to be included in the staff establishment of the department,
- (b) the status of the position has been designated pursuant to section 13,
- (c) the position has been allocated to a class under the plan of classification, and
- (d) the Commissioner certifies that the qualifications and merits of the person whom it is proposed to appoint have been examined and appraised as provided by this Act and that such person has been found eligible for appointment to the position.

27. (1) Except as otherwise provided in this Act, every person to be appointed to a vacant position shall be selected on the basis of competitive examination.

(2) The qualifications and relative merits of the applicants competing for an appointment shall be determined by any or all of the following methods:

- (a) written aptitude and intelligence tests;
- (b) written examinations in specific subjects relating to the duties to be performed by the appointee;
- (c) practical or manual tests;
- (d) appraisal of the personal qualities and other qualifications of the candidates by means of oral interviews and character and employment references;
- (e) appraisal of the education and prior experience of each candidate.

28. (1) The Commissioner shall establish eligibility lists for employment

- (a) in the clerical and related classes, and
- (b) in any other classes designated by the Minister,

29. Other employees are to be selected by a selection committee.

30. Method of appointing persons selected under clauses 28 and 29.

31. Certain positions may be exempted from competition.

on which shall be entered, in order of merit, the names of all applicants for employment in such classes whose qualifications have been determined as provided by section 27 and who are found eligible for appointment by qualified personnel examiners of the Personnel Administration Office.

(2) Where an appointment is to be made to a position in a class for which an eligibility list exists, the person among those named on the eligibility list who is best qualified, by reason of prior experience and other relevant considerations, to perform the duties of the position shall be selected for appointment.

(3) This selection shall be made by an officer of the department in which the appointment is to be made, designated by the deputy head, in consultation with an officer of the Personnel Administration Office, designated by the Commissioner, who shall jointly report the selection to the Commissioner.

29. (1) Where an appointment is to be made to a position to which section 28 does not apply, the selection shall be made by a selection committee appointed by the Commissioner and consisting of three persons,

- (a) two of whom shall be nominated by the deputy head of the department in which the appointment is to be made, and
- (b) one of whom shall be a qualified personnel examiner of the Personnel Administration Office who shall act as chairman of the committee.

(2) The selection committee shall, in a fair and uniform manner conduct such tests, interviews and appraisals of the qualifications of the candidates competing for the position as the Commissioner may prescribe and, when all the candidates for appointment to the position have been so examined, shall report their selection to the Commissioner.

30. Upon receipt of a report under section 28 or section 29, the Commissioner shall issue a certificate in writing as to the eligibility of the person selected for appointment, and upon endorsement of the certificate by the head of the department in which the appointment is to be made, the appointment of that person to the specified position becomes effective upon such date and at such salary rate as the certificate prescribes.

31. Notwithstanding section 27, the Commissioner may exempt an appointment from competition

- (a) when a department head or a deputy head recommends that a vacant position be filled by the appointment thereto of a designated employee of the department, if the Commissioner is satisfied that that employee is properly qualified to fill the position, or

32. Selection and appointment of new employees may be made by the department when convenient.

33. Appointment of deputy ministers and certain other employees.

34. The initial appointment of a new employee is probationary.

- (b) when a suitable appointee can be selected from a list of eligible applicants who have previously been examined with respect to their qualifications for employment in the class of positions in which the vacant position is included, or
- (c) when it is a matter of urgency that an appointment be made, if the Commissioner is satisfied that a suitably qualified person is available for appointment to the position.

32. (1) Where, in the opinion of the Commissioner, the recruitment and selection of appointees to positions in

(a) any branch or division of a department, or

(b) any class of positions peculiar to one department, can be more expeditiously or conveniently undertaken by the department alone than through the agency of the Personnel Administration Office, he shall so report to the Minister, and the Lieutenant Governor in Council may order that, subject to section 27, the recruitment and selection of appointees to those positions shall be undertaken accordingly.

(2) Upon the issue of an order under subsection (1), the deputy head of the department shall cause to be published any required advertisements or notices, issue certificates of eligibility and do such other things as the Commissioner would otherwise do in connection with appointments to such positions.

33. The Lieutenant Governor in Council shall appoint

(a) deputy ministers, and

(b) employees whose positions are excluded from the plan of classification pursuant to section 15, upon the recommendation of the head of the department in which they are to be employed.

34. (1) The appointment of a new employee to a permanent position included in the plan of classification is probationary during such initial period not exceeding twelve months as the Lieutenant Governor in Council may prescribe for the class to which the position is allocated.

(2) Notwithstanding subsection (1), a deputy head may, with the approval of the Commissioner, extend the probationary appointment of a new employee in his department for a further period or periods, each not exceeding six months and not exceeding one year in total.

(3) An employee who, during his probationary appointment, is found to be incompetent or otherwise incapable of satisfactorily performing the duties assigned to him may

(a) be discharged from the public service by the deputy head, or

(b) with the approval of the Commissioner, be transferred to another position.

35. Oath of office to be taken by employees.

36. New employees required to give proof of age.

(4) When an employee, other than a married woman, has satisfactorily performed his duties during his probationary appointment, the Commissioner shall by certificate confirm his appointment and designate him as a permanent employee.

(5) When a married woman who occupies a permanent position has satisfactorily performed her duties during her probationary appointment, the Commissioner shall by certificate confirm her appointment and her employment in that position may be continued for such period as the department head authorizes.

(6) In this section, "married woman" means a married woman who is not divorced or judicially separated from her husband and whose husband is capable of gainful employment.

35. (1) Every new employee shall take and subscribe an oath in the following form:

I,....., do swear that I will diligently, faithfully and to the best of my ability execute according to law the office of..... and that I will not, without due authorization, disclose or make known any matter or thing which comes to my knowledge by reason of my employment in the public service of the Province.

(2) The Clerk of the Executive Council shall take and subscribe the oath before the Lieutenant Governor or someone appointed by him to administer the oath.

(3) In all other cases the oath shall be taken and subscribed

- (a) before the Clerk of the Executive Council, or
- (b) before a person duly authorized to administer oaths in the Province who shall forward the oath to the Clerk of the Executive Council.

(4) The Clerk of the Executive Council

- (a) shall keep a record of the oaths taken and subscribed under this section, and
- (b) shall file with the Commissioner a monthly return showing the names of the employees who have taken and subscribed the oath.

36. Every employee who may be employed in any position for a period of more than twelve months shall, within six months of the commencement of his employment, deliver to the Commissioner

- (a) a birth certificate stating the date of birth of the employee, or
- (b) if a birth certificate is not procurable, such other proof of his age as is acceptable to the Commissioner.

37. Conduct and efficiency reports are to be given.

38. Promotions.

39. Promotion lists.

40. Suspension and dismissal of employees.

37. The deputy head of each department shall, in accordance with the regulations, file from time to time with the Commissioner a report of the efficiency, capability and conduct of each employee in the department except,

- (a) the heads of branches and divisions, and
- (b) such other classes of employees as are exempted by the regulations.

38. (1) Where an appointment is to be made to a vacant position that is included in the plan of classification, preference in selecting an appointee from among the eligible applicants shall be given

- (a) firstly to employees in the department in which the appointment is to be made, and
- (b) secondly to other employees,

if the qualifications of such employees are not inferior to those of any other applicants.

(2) Subject to subsection (1), when a choice of an appointee is to be made between two or more employees and their qualifications for the position applied for are deemed to be equal, preference shall be given to that employee whose employment in the public service has been the longest.

39. (1) The Commissioner may from time to time conduct tests and examinations for the purpose of appraising the knowledge and capabilities of employees occupying positions in any class and of identifying those who may be best qualified for future promotion.

(2) On the basis of

- (a) the results of any tests or examinations conducted under subsection (1),
- (b) the reports made pursuant to section 37, and
- (c) such other information as may be relevant,

the Commissioner may cause to be prepared for any class of positions a list to be known as a promotion list on which the names of employees who are considered to be qualified for promotion to future vacant positions in that class shall be entered in order of their merit.

(3) Where an adequate promotion list exists, the Commissioner may, with respect to the selection of an appointee to any vacant or new position, exempt the appointment from competition and may certify the appointment of an employee selected from the promotion list for the class in which the position is included.

40. (1) Subject to the regulations a department head or the deputy head

- (a) may suspend from the performance of his duty an employee for negligence in the performance of his duties, or for misconduct or improper conduct, and
- (b) may remove a suspension made under clause (a).

41. Clerk of the Legislative Assembly.

42. Abolition of positions in the public service.

(2) A suspension under subsection (1) may be made for a fixed period of time or with a recommendation for demotion or dismissal.

(3) No salary or wages shall be paid to an employee for any time or part of any time during which he is under suspension unless the Lieutenant Governor in Council otherwise orders.

(4) The department head or the deputy head may dismiss an employee, other than a permanent employee.

(5) The Lieutenant Governor in Council may demote or dismiss an employee.

(6) A permanent employee who is suspended, demoted or dismissed may request the Joint Council to review his case and the Joint Council shall report thereon to the Lieutenant Governor in Council.

41. When a Clerk of the Legislative Assembly is removed from his office, a statement of the reasons for his removal shall be laid on the table of the Legislative Assembly within the first fifteen days of the first session after his removal.

42. (1) The Lieutenant Governor in Council may abolish a position when the performance of the duties thereof is no longer required or when those duties can conveniently and economically be assigned to another position.

(2) When a permanent position occupied by a permanent employee is abolished, the employee occupying that position

- (a) may retire from the public service if he is not less than fifty-five years of age and is eligible upon being so retired to receive a pension under *The Public Service Pension Act*, or
- (b) may be transferred to another position, in which case his former position shall not be abolished until the transfer is effected, or
- (c) may be discharged from the public service if he is less than fifty-five years of age and he cannot be transferred to another position, in which case the name of the employee shall be placed on a re-employment list maintained by the Commissioner.

(3) A discharged employee whose name is placed on the re-employment list pursuant to subsection (2) shall, for a period of twelve months after the date of his discharge be deemed to be an applicant for appointment to any vacant or new position in the public service and if he is satisfactorily qualified for any such position, he shall, subject to section 38, be given preference for appointment thereto over other eligible applicants except those whose names are also on the re-employment list.

(4) When two or more discharged employees whose names are on the re-employment list are equally qualified for a

43. Retirement of employees at age 65.

44. Functions of the Joint Council.

45. Suggestion award plan.

vacant or new position, preference shall be given to that employee whose former employment in the public service was the longest.

43. When an employee attains the age of sixty-five years, he shall retire from the public service unless the Lieutenant Governor in Council, upon report of the Minister, authorizes the continuation of his employment for a limited time.

44. (1) The Lieutenant Governor in Council shall establish a Joint Council consisting of the Minister and two other members of the Executive Council and three persons appointed by the Civil Service Association of Alberta.

(2) The functions of the Joint Council are

- (a) to consider any proposals or requests made by or on behalf of employees with respect to their salaries or pensions or other working conditions that may apply to employees generally or any class of employees and to make recommendations thereon to the Executive Council,
- (b) to consider any grievance submitted by or on behalf of an employee or employees and to recommend to the Executive Council or to any department head or any board or commission suitable measures for the remedying of such grievances as appear to be justified,
- (c) to examine and report to the Executive Council upon any regulations, rules of procedure, plans of classification, official pay plans or schedules that may be prepared under this Act or any other Act affecting employees, and
- (d) to perform such other functions as are assigned by this Act to the Joint Council.

(3) The Minister shall be the chairman of the Joint Council and one of the persons appointed by the Civil Service Association of Alberta shall be the vice-chairman of the Joint Council.

(4) The Joint Council shall meet on the second Monday of each calendar month and at such other times as may be necessary for the expeditious conduct of its business, but the holding of any meeting may be waived or postponed by prior agreement between the chairman and the vice-chairman.

(5) The Commissioner and the Executive Secretary of the Civil Service Association of Alberta may participate, without voting power, in the meetings of the Joint Council.

45. (1) The Lieutenant Governor in Council may establish a suggestion award plan whereby awards in the form of money or otherwise may be made to employees who offer practical suggestions for

46. Lieutenant Governor in Council may make regulations for the purposes of the Act.

47. Duty of employees to furnish records and information.

48. Annual report to the Legislative Assembly.

49. Application of Act to seasonal employees.

- (a) the improvement of efficiency,
 - (b) the reduction of costs,
 - (c) the standardizing of procedures,
 - (d) the saving of time, material or supplies, or
 - (e) the reduction of accidents or work hazards,
- in the public service.

(2) The cost of a suggestion award plan established under subsection (1) shall not exceed ten thousand dollars in any one fiscal year and shall be charged to and paid out of the General Revenue Fund of the Province.

46. (1) The Lieutenant Governor in Council may make regulations:

- (a) governing the recruitment and selection of employees;
- (b) respecting the establishment and abolition of positions;
- (c) governing the attendance and hours of work of employees;
- (d) respecting the closing of government offices on statutory and other holidays;
- (e) respecting overtime duty and the rate of remuneration therefor;
- (e) respecting annual vacations, sick leave, educational leave and special leave;
- (g) governing the payment of subsistence and travel allowances to employees or classes of employees who are required to travel on official business;
- (h) governing the conduct, dismissal and suspension of employees;
- (i) prescribing procedures to be followed by the Commissioner in carrying out the duties imposed by this Act;
- (j) respecting such other matters as may be necessary to give effect to this Act.

47. Every employee shall furnish any records or information that the Commissioner or any authorized officer of the Personnel Administration Office may require for the purpose of carrying out this Act or the regulations.

48. The Commissioner shall make an annual report to the Minister on the operations of the Personnel Administration Office for the preceding calendar year which shall be laid before the Legislative Assembly at the next ensuing session of the Legislature.

49. (1) Except as provided in this section, this Act does not apply to positions designated under section 13 as seasonal positions, or to the persons employed in those positions.

50. Effect of references to the former Act in various statutes.

51. Commissioner may prescribe forms.

52. Repealing section.

53. Commencement of Act.

(2) The head of a department shall determine the wage rates payable to persons employed in seasonal positions in his department and the manner in which such rates are to be applied.

(3) The Lieutenant Governor in Council may make regulations respecting the appointment and terms of employment of persons employed in seasonal positions.

50. (1) Where any other Act provides that the Lieutenant Governor in Council may, subject to *The Public Service Act*, appoint employees for any purpose, the employees shall be appointed pursuant to this Act.

(2) A certificate purporting to be signed by a department head and stating that the person named therein holds a designated position or office in the public service is admissible in evidence as *prima facie* proof of that fact without proof of the signature or official character of the person appearing to have signed the certificate.

51. The Commissioner shall prepare and prescribe the use of such forms as may be required for carrying out this Act and the regulations.

52. *The Public Service Act*, being chapter 263 of the Revised Statutes, and *The Public Service Commissioner Act*, being chapter 69 of the Statutes of Alberta, 1959, are hereby repealed.

53. This Act comes into force on the day upon which it is assented to.

No. 109

FOURTH SESSION
FOURTEENTH LEGISLATURE
10 ELIZABETH II
1962

BILL

An Act respecting the Public Service

Received and read the

First time

Second time

Third time

HON. MR. HINMAN
