

1971 Bill 71

Fourth Session, 16th Legislature, 20

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 71

**An Act to amend The Firefighters and
Policemen Labour Relations Act**

THE MINISTER OF LABOUR

First Reading

Second Reading

Third Reading

Printed by L. S. Wall, Queen's Printer, Edmonton

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1971

AN ACT TO AMEND THE FIREFIGHTERS AND POLIEMEN LABOUR RELATIONS ACT

(Assented to _____, 1971)

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

1. *The Firefighters and Policemen Labour Relations Act is hereby amended.*

2. *Section 11, subsection (1) is amended by adding after the words "board of arbitration" the words "of three members".*

3. *Section 12 is amended*

(a) *by striking out subsection (1) and by substituting the following:*

12. (1) Where the matters in dispute are referred to a board of arbitration

(a) each party shall appoint one member, and

(b) the two members shall appoint the third member who shall be the chairman.

(b) *as to subsection (4) by striking out clause (a) and by substituting the following:*

(a) fails to appoint a member of the board of arbitration as required by subsection (1) within seven days after receipt by the second party of the notice to refer the dispute to a board of arbitration, or

(c) *as to subsection (5) by striking out the words "any of the members" and by substituting the words "either of the members".*

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

Explanatory Notes

1. This Bill amends chapter 143 of the Revised Statutes of Alberta 1970.

2. Section 11 (1) presently reads:

11. (1) If
- (a) no application for the appointment of a conciliation commissioner is made to the Minister under section 9, or
 - (b) the conciliation commissioner reports to the Minister that he is unable to bring about any settlement of the dispute,
- either party to the dispute may by notice in writing to the other party require all matters in dispute to be referred to a board of arbitration or the parties jointly may apply to the Minister for a referral of all matters in dispute to a tribunal to be appointed by the Minister.

3. Section 12, subsections (1), (4) and (5) presently read:

12. (1) Where the matters in dispute are referred to a board of arbitration
- (a) the board shall consist of five members, with each party appointing two members, or
 - (b) if the parties so agree, the board shall consist of three members, with each party appointing one member,
- and the other member, who shall be chairman, shall be appointed by the members appointed pursuant to clause (a) or (b).
- (4) Where either party,
- (a) fails to appoint any member of the board of arbitration as required by subsection (1) within seven days after receipt of the notice to refer the dispute to a board of arbitration, or
 - (b) having appointed a person who is unable or unwilling to act, fails to appoint another member of the board of arbitration within seven days after receiving notice of the inability or unwillingness of the member to act,
- the Minister, upon the written request of the other party, may appoint a member in lieu thereof.
- (5) Where the members of the board of arbitration appointed by the parties under subsection (1) or by a party and the Minister under subsection (4) fail to agree, within five days after the appointment of the member last appointed, upon an additional member, the Minister upon notice in writing of the failure given to him by any of the members of the board or by either of the parties, may appoint an additional member to be chairman of the board.