

1975 Bill 7  
(Second Session)

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First Session, 18th Legislature, 24 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

**BILL 7**

THE DEPARTMENT OF MANPOWER AND LABOUR  
AMENDMENT ACT, 1975

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THE MINISTER OF LABOUR

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First Reading .....

Second Reading .....

Third Reading .....

*Bill 7*

## **BILL 7**

1975

(Second Session)

### **THE DEPARTMENT OF MANPOWER AND LABOUR AMENDMENT ACT, 1975**

*(Assented to , 1975)*

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

#### **PART 1**

*1. The Department of Manpower and Labour Act is amended by this Part.*

*2. The title of the Act is struck out and the following title is substituted therefor:*

#### **THE DEPARTMENT OF LABOUR ACT**

*3. Section 1 is struck out and the following section is substituted therefor:*

**1.** In this Act,

- (a) "Department" means the Department of Labour;
- (b) "Minister" means the Minister of Labour.

*4. Section 2 is struck out and the following section is substituted therefor:*

**2.** There shall be a department of the public service of the Province called the Department of Labour over which shall preside the member of the Executive Council appointed by the Lieutenant Governor under the Great Seal of the Province as Minister of Labour.

*5. Section 3 is amended by striking out the words "Manpower and Labour" and by substituting therefor the word "Labour".*

## **Explanatory Notes**

General. This Bill will implement changes in the name and function of the Department of Manpower and Labour resulting from the recent re-organization of the Government.

**1.** This Bill will amend chapter 35 of the Statutes of Alberta, 1972.

**2.** This amendment will change the name of the Act in accordance with the change in name of the Department.

**3.** The definition section will be changed to reflect the change in the name of the Minister and the Department.

**4.** This amendment will make the change in the Department name and reflect the change in ministerial title.

**5.** Section 3 presently reads:

3. In accordance with The Public Service Act there may be appointed a Deputy Minister of Manpower and Labour and such other employees as may be required to carry on the business of the Department.

*6. The following section is added after section 4:*

**4.1** (1) The Minister may make grants if

- (a) he is authorized to do so by regulations under this section, and
- (b) moneys are appropriated by the Legislature for that purpose or the grant is authorized to be paid pursuant to a special warrant.

(2) The Lieutenant Governor in Council may make regulations

- (a) authorizing the Minister to make grants;
- (b) prescribing the purposes for which grants may be made;
- (c) governing applications for grants;
- (d) prescribing the persons or organizations or classes of persons or organizations eligible for grants;
- (e) specifying the conditions required to be met by any applicant for a grant to render that person eligible for the grant;
- (f) prescribing the conditions upon which a grant is made and requiring the repayment thereof to the Government if the conditions are not met;
- (g) providing for the payment of any grant in a lump sum or by instalments and prescribing the time or times at which the grant or the instalments may be paid;
- (h) limiting the amount of any grant or class of grant that may be made;
- (i) authorizing the Minister to delegate in writing to any employee of the Government any duty, power or function respecting the payment of any grant;
- (j) requiring any person receiving a grant to account for the way in which the grant is spent in whole or in part;
- (k) authorizing the Minister to enter into an agreement with respect to any matter relating to the payment of a grant.

(3) Any regulation made under subsection (2) may be specific or general in its application.

## **6. Grants.**

*7. Section 5 is struck out.*

*8. The following sections are added after section 5:*

**5.1** (1) The Lieutenant Governor in Council may make regulations governing the prevention of ill health, diseases and physical disabilities arising from any employment or place of employment.

(2) A person who contravenes any provision of a regulation under subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than \$500 and in default of payment to imprisonment for a term of not more than three months.

**5.2** (1) In this section, “inspector” means an occupational health and safety inspector of the Department.

(2) An inspector or any person authorized by the Minister for that purpose, may at any time enter into the establishment or premises of any employer, including any place of employment where that employer is then engaged in any industry, for the purpose of ascertaining whether

- (a) the ways, works, machinery or appliances therein are adequate and sufficient to promote and maintain health and safety,
- (b) all proper precautions are taken for the prevention of ill health or injury to the workers arising from their employment,
- (c) the protective equipment and appliances, preventive measures and safety procedures prescribed by law are used and employed therein,
- (d) the working conditions, including sanitation, heating where practicable, and ventilation are adequate for health and safety, and
- (e) the provisions of any regulation made pursuant to section 5.1, subsection (1) are being complied with.

(3) Where, in any employment or place of employment, protective equipment or appliances, preventive measures or safety procedures are, in the opinion of the inspector, necessary for the prevention of accidents or ill health, the inspector may order the installation or adoption of the equipment or appliances or the commencement of those procedures or methods, and may fix a reasonable time within which they shall be installed, adopted or commenced, as the case may be, and the inspector shall give notice to the employer accordingly, and the employer shall post or cause to be posted, in a conspicuous place upon the place of employment, a copy of the notice, which shall remain so posted until the order has been complied with and an inspector authorizes its removal.

**7. Section 5 presently reads:**

5. (1) The Minister shall
- (a) promote the development of manpower for the mutual advantage of the individual and Alberta generally;
  - (b) promote the development of training and other programs to permit persons to share to a greater extent in the economy;
  - (c) promote the development of retraining programs to assist those workers affected by technological or other changes;
  - (d) promote the development of programs to increase employment opportunities of persons unskilled or handicapped;
  - (e) take all possible steps to ensure opportunity of employment for all persons;
  - (f) assist and encourage the provision of opportunities for workers to be employed to their full capabilities;
  - (g) promote and assist in maintaining proper relations between employees and employers and between labour and management;
  - (h) promote and encourage the training of qualified workmen in accordance with any approved training plan for the training of workmen;
  - (i) where he considers it advisable, inquire into and consider the operation of laws in force in other parts of Canada and of the Commonwealth and in foreign countries having for their objects the protection, technical training and welfare of the industrial classes or affecting relations between employees and employers;
  - (j) when he considers it advisable, receive or review suggestions for changes in the laws of Alberta relating to any matter affecting relations between employees and employers or between labour and management presented by any labour organization or employers' organization or any other organization representing those classes or by any other person;
  - (k) ensure that adequate information regarding the manpower resources in Alberta is developed by conducting, commissioning or instituting such research studies as may be necessary;
  - (l) co-ordinate the activities of other departments and agencies of the Government that would facilitate the development of a comprehensive manpower program;
  - (m) review and negotiate agreements between the Government of Alberta and the Government of Canada, the government of a province or territory of Canada, municipal corporations and other agencies, organizations or persons with respect to manpower resources, policies and programs;
  - (n) facilitate the operation of federal programs relating to manpower policy within Alberta;
  - (o) in conjunction with the Executive Council, or a committee thereof appointed for that purpose, establish operational guidelines to ensure that a comprehensive manpower program is developed;
  - (p) develop such other programs as are necessary to facilitate the implementation of a comprehensive manpower program for Alberta.
- (2) The Minister may, on behalf of the Government of Alberta, enter into agreements relating to manpower resources, policies or programs
- (a) with the Government of Canada or the government of a province or territory of Canada, if he has the approval of the Lieutenant Governor in Council to do so, or
  - (b) with any municipal corporation, agency, organization or other person.

**8. Industrial health and safety.**

(4) Where protective equipment or appliances, preventive measures or safety procedures are by order of an inspector required to be installed, adopted or commenced or are prescribed by the regulations and the employer fails, neglects or refuses to comply with the order or regulation or where under the circumstances the inspector is of the opinion that conditions of immediate danger exist in any employment or place of employment that would be likely to result in injury to any person, the Minister may

(a) order the employer forthwith to close down the whole or any part of such employment or place of employment, and

(b) shall notify the employer of the order, and a copy of the order, to be provided by the Minister, shall, if the Minister so requires, be posted by the employer in a conspicuous place upon the employer's premises.

(5) Where an employer fails to obey an order given under subsection (4), the Minister may apply to the Supreme Court by way of originating notice, on not less than three days' notice, for an injunction or other order and the Court may grant or refuse the injunction or other order or make any other order that in its opinion the justice of the case requires.





## PART 2

9. *The words "Minister of Manpower and Labour" are struck out wherever they appear in the following enactments and the words "Minister of Labour" are substituted therefor:*

The Firefighters and Policemen Labour Relations Act, section 17, subsection (2), clause (c);

The Alberta Uniform Building Standards Act, section 1, clause (i).

10. *The Public Health Act is amended as to section 7, subsection (1) by striking out clause 28.*

11. *The Radiation Protection Act is amended*

(a) *as to section 2 by striking out clause (b) and by substituting therefor the following clause:*

(b) *"Minister" means the Minister of Labour,*

(b) *as to section 3, subsection (2) by striking out the words "Department of Health and Social Development" and by substituting therefor the words "Department of Labour".*

12. *A reference to the Minister of Manpower and Labour, the Deputy Minister of Manpower and Labour or the Department of Manpower and Labour in any statutory provision not amended by this Act or in any order, regulation, rule, by-law, certificate of title, agreement or other instrument shall be deemed to be a reference to the Minister of Labour, the Deputy Minister of Labour or the Department of Labour, as the case may be.*

13. *The member of the Executive Council who, immediately prior to the commencement of this Act, holds office as, and is designated by the Lieutenant Governor as, the Minister of Labour becomes the Minister of Labour without the necessity of a further designation by the Lieutenant Governor, the issue of a new commission or the swearing of another oath of office.*

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

**9. Consequential amendments.**

**10. Section 7, subsection (1), clause 28 presently reads:**

**7.** (1) The Provincial Board may, subject to the approval of the Lieutenant Governor in Council, make and issue orders, rules and regulations for the protection and improvement of health and the prevention, mitigation and suppression of disease, and may alter or repeal them, and in particular, but without limiting the generality of the foregoing, it may make and issue orders, rules and regulations in respect of the following matters:

28. the prevention and remedying of industrial and occupational diseases;

**11. Consequential amendments.**

**12.** References to Minister, Deputy Minister or Department under its former name will be deemed to refer to the Minister, Deputy Minister or Department by its new name.

**13. Transitional provision.**