

1977 BILL 94

Third Session, 18th Legislature, 26 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 94

THE ALBERTA UNION OF PROVINCIAL EMPLOYEES ACT

MR. YOUNG

First Reading

Second Reading

Third Reading

Explanatory Notes

1 Definitions.

2 Transfer of certain assets, liabilities, rights, duties and obligations.

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THE ALBERTA UNION OF PROVINCIAL EMPLOYEES ACT

(Assented to , 1977)

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

1 In this Act

(a) "Society" means the society incorporated as The Alberta Union of Provincial Employees under *The Societies Act*;

(b) "Union" means the organization having

(i) a written constitution, rules or by-laws, and

(ii) as one of its objects, the regulation of relations between employers and employees

and named "The Alberta Union of Provincial Employees".

2(1) Subject to subsection (3), upon the coming into force of this subsection, the Union becomes the successor of the Society and

(a) all chattels, contracts, rights, assets, liabilities and property of every kind owned, held, incurred or used by the Society, including any branch of it, are hereby transferred from the Society and vested in the Union;

(b) the interest, rights, duties and obligations of the Society

(i) as a certified bargaining agent under *The Public Service Employee Relations Act*,

(ii) under any agreement entered into under *The Crown Agencies Employee Relations Act* or under *The Public Service Act* and referred to in section 100 of *The Public Service Employee Relations Act*, and

(iii) under a collective agreement entered into under *The Public Service Employee Relations Act*,

are hereby transferred from the Society and vested in the Union;

(c) any proceedings taken by or against the Society pursuant to *The Public Service Employee Relations Act* continue in the name of the Union and any interest, right, duty and obligation arising from the proceedings that would, but for this Act, have vested in the Society, vest in the Union;

(d) all persons who are members of the Society become members of the Union;

(e) the members of the Provincial Executive and the members of the Finance Committee, the Legislative Committee, the Membership Services Committee, the Discipline Committee and the Bargaining Committees of the Society become respectively the members of the same Committees of the Union and hold office pursuant to the constitution of the Union;

(f) the Executive Officers and employees of the Society become respectively the Executive Officers and employees of the Union.

(2) Upon the coming into force of this subsection, the Society is dissolved.

(3) Subsection (1) does not apply to the interests, rights, duties and obligations of the Society

(a) as a certified bargaining agent under *The Alberta Labour Act, 1973*, or

(b) under any collective agreement entered into under *The Alberta Labour Act, 1973*.

3 *The Public Service Pension Act is amended as to section 3(1)(b)(i) by striking out "incorporated under The Societies Act".*

4 This Act comes into force on a date or dates to be fixed by Proclamation.

3 Amends chapter 298 of the Revised Statutes of Alberta 1970.