

1983 BILL 57

First Session, 20th Legislature, 32 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 57

PUBLIC SERVICE AMENDMENT ACT, 1983

HON. MR. STEVENS

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 57

1983

PUBLIC SERVICE AMENDMENT ACT, 1983

(Assented to _____, 1983)

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

1 *The Public Service Act is amended by this Act.*

2 *The following is added after section 2:*

2.1(1) The Minister shall establish and administer a revolving fund for the Personnel Administration Office to enable the Minister to provide employee training and development services to any Provincial agency, as defined in the *Financial Administration Act*, or to any department.

(2) The Provincial Treasurer shall, on the requisition of the Minister, advance from and out of the General Revenue Fund to the revolving fund any money required from time to time by the Minister to acquire services, supplies, equipment and labour services that are necessary to do anything referred to in subsection (1).

(3) The net amount outstanding at any time in respect of advances under subsection (2) shall not exceed \$500 000.

(4) On or before June 15 in each year the Minister shall cause to be prepared an operating statement and balance sheet covering the revolving fund for the immediately preceding fiscal year.

(5) The operating statement and balance sheet shall be audited by the Auditor General in each fiscal year and included in the Public Accounts for that year.

(6) Any surplus arising from the revolving fund shall be paid into the General Revenue Fund and the amount of any deficit may be deducted from the surplus of any succeeding fiscal year or years before the surplus is transferred to the General Revenue Fund.

3 *Section 11(1) is amended by striking out "Lieutenant Governor in Council" and substituting "Minister".*

Explanatory Notes

1 This Bill will amend chapter P-31 of the Revised Statutes of Alberta 1980.

2 Revolving fund.

3 Section 11(1) presently reads:

11(1) The Lieutenant Governor in Council shall make regulations

4 Section 15(3) is amended by striking out “or” at the end of clause (a), adding “or” at the end of clause (b) and adding the following after clause (b):

(c) the exemption is necessary for the effective utilization of employees.

5 Section 17(2)(b) is amended by adding “under section 15(3)(a) or (b)” after “competition”.

6 Section 21 is amended by striking out “Lieutenant Governor in Council” and substituting “Minister”.

7 Section 26(4) is amended by striking out “Lieutenant Governor in Council” and substituting “Minister”.

- (a) providing for the establishment of one or more classification appeal boards,*
- (b) providing, in the case of each board so established, for the manner in which its members are to be appointed and its chairman designated, and*
- (c) prescribing the procedure for appeals to a classification board and for the conduct of the appeals before a board.*

4 Section 15(3) presently reads:

- (3) The Commissioner may exempt an appointment from competition if he is satisfied that*
 - (a) the person to be appointed has specialized knowledge or qualifications which are unlikely to be bettered through competition, or*
 - (b) the urgency of the requirement is such as to render the competition procedure impracticable.*

5 Section 17(2) presently reads:

- (2) When a position*
 - (a) is to be filled by in-service promotion or by limited or open competition, or*
 - (b) is exempt from competition,**an appointment to the position is subject to certification that the person to be appointed is qualified for the position.*

6 Section 21 presently reads:

- 21 Subject to any collective agreement between the Crown in right of Alberta and a bargaining agent under the Public Service Employee Relations Act, the Lieutenant Governor in Council may make regulations governing:*
- (a) the attendance and hours of work of employees;*
 - (b) the granting of holidays;*
 - (c) overtime;*
 - (d) annual vacation, sick leave, educational leave and any other form of leave of absence;*
 - (e) the application of salary ranges;*
 - (f) the settlement of employee grievances;*
 - (g) the transfer, promotion or demotion of employees;*
 - (h) the conduct, discipline, dismissal or suspension of employees;*
 - (i) any other matter falling within the scope and purpose of this Act.*

7 Section 26(4) presently reads:

- (4) The Lieutenant Governor in Council may make regulations governing the appointment, payment and conditions of service of wage employees.*

8 Section 29(5) is amended by striking out “, with the approval of the Lieutenant Governor in Council,”

9 The Financial Administration Act is amended in section 1(1)(u) by striking out “or” at the end of subclause (vi), adding “or” at the end of subclause (vii) and adding the following after subclause (vii):

(viii) the revolving fund established under section 2.1 of the Public Service Act,

In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.

8 Section 29(5) presently reads:

(5) The Minister, with the approval of the Lieutenant Governor in Council, may make regulations

(a) prescribing the circumstances and conditions under which a department head may enter into a contract of employment under this section;

(b) prescribing any terms and conditions of employment under contracts authorized pursuant to clause (a).

9 Section 1(1)(u) of the Financial Administration Act presently reads in part:

(u) "revolving fund" means

(i) the revolving fund established under section 13(1) of the Department of Government Services Act,

(ii) the revolving fund established under section 14(2) of the Department of Education Act,

(iii) the revolving fund established under section 15 of the Department of Housing and Public Works Act,

(iv) the revolving fund established under section 10(1) of the Department of Transportation Act,

(v) the revolving fund established under section 93(1) of the Water Resources Act,

(vi) the revolving fund established under section 7(2) of the Department of Recreation and Parks Act, or

(vii) the revolving fund established under section 9(1) of the Department of Culture Act,

and includes a fund designated as a revolving fund by the regulations;