

1986 BILL 206

First Session, 21st Legislature, 35 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 206

AN ACT TO AMEND THE LABOUR RELATIONS ACT

MR. STRONG

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 206
Mr. Strong

BILL 206

1986

AN ACT TO AMEND THE LABOUR RELATIONS ACT

(Assented to , 1986)

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

1 The Labour Relations Act is amended by this Act.

2 The following is added after section 81:

81.1(1) Upon the signing of a collective agreement, all employees who were employed under an immediately preceding agreement at the time it ended have the right to return to work according to the terms of the collective agreement.

(2) No employee so returning shall be dismissed or laid off by reason of having been supplanted by an employee engaged by the employer during a strike or lockout.

3 The following is added after section 112:

112.1 For the duration of a strike or lockout caused pursuant to this Act, every employer being struck or engaging in the lockout is prohibited from

(a) commencing the employment of a person to discharge the duties of an employee who is a member of the bargaining unit that is striking or that is locked out between the day collective bargaining commenced between the parties pursuant to section 73(4) and the end of the strike or lockout;

(b) utilizing the services of a person employed by another employer or the services of a contractor to discharge the duties of an employee who is a member of the bargaining unit that is striking or that is locked out;

Explanatory Notes

1 This Bill will amend chapter L-1.1 of the Revised Statutes of Alberta 1980.

2 New section will secure re-employment of previous employees when a new collective agreement is finalized.

3 New section will forbid use of strikebreakers during a strike or lockout except to protect the safety of any person or prevent deterioration of property.

(c) utilizing the services of an employee who is a member of the bargaining unit then on strike or locked out unless and to the extent that an agreement has been reached for that purpose between the parties to the strike or lockout;

(d) utilizing, in any other place of business owned, controlled or operated by him, the services of an employee who is a member of the bargaining unit then on strike or locked out;

(e) utilizing, in the place or places of business where a strike or lockout has arisen under the terms of this Act, the services of an employee he normally employs at a different place of business.

112.2(1) The application of section 112.1 does not operate to prevent an employer from taking necessary measures to avoid danger to any person or the destruction or serious deterioration of property.

(2) Any measures taken pursuant to subsection (1) shall be exclusively protective or conservation measures and not measures designed to enable the continuation or re-commencement of the production of goods and services which otherwise would not be produced as a consequence of the strike or lockout.

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

