

1990 BILL 209

Second Session, 22nd Legislature, 39 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 209

**AN ACT TO PROVIDE FOR EQUAL PAY
FOR WORK OF EQUAL VALUE**

MS. M. LAING

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 209
Ms. M. Laing

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AN ACT TO PROVIDE FOR EQUAL PAY FOR WORK OF EQUAL VALUE

(Assented to , 1990)

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

1 The Individual's Rights Protection Act is amended by this Act.

2 Section 6 is amended,

(a) by repealing subsections (1),(2) and (3) and substituting:

6(1) No employer shall establish or maintain a difference in the rate of pay between male and female employees employed in the same establishment who are performing work of equal or substantially equal value.

(2) For the purposes of subsection (1) in assessing the value of work performed by employees employed in the same establishment the criterion to be applied is the composite of the skill, effort and responsibility required in the performance of the work and the conditions under which the work is performed.

(3) Separate establishments established or maintained by an employer solely or principally for the purpose of establishing or maintaining a difference in the rate of pay between male and female employees shall be deemed for the purposes of this section to be a single establishment.

(3.1) In subsections (1) to (3) "establishment" means a place of business where an undertaking or part of an undertaking is carried on, and

Explanatory Notes

1 This Bill will amend chapter I-2 of the Revised Statutes of Alberta 1980.

2 Section 6(1), (2) and (3) presently reads:

6(1) *No employer shall*

(a) employ a female employee for any work at a rate of pay that is less than the rate of pay at which a male employee is employed by that employer for similar or substantially similar work in the same establishment, or

(b) employ a male employee for any work at a rate of pay that is less than the rate of pay at which a female employee is employed by that employer for similar or substantially similar work in the same establishment.

(2) In subsection (1) "establishment" means a place of business where an undertaking or part of an undertaking is carried on.

(3) Work for which a female employee is employed and work for which a male employee is employed shall be deemed to be similar or substantially similar if the job, duties or services the employees are called on to perform are similar or substantially similar.

(b) by adding at the end of it:

(7) In this section, "rate of pay" means all remuneration and benefits payable for work performed by the individual and includes salary, commission, vacation pay, termination pay, bonuses, reasonable value of board or accommodation supplied or any subsidy provided thereon, payments in kind, and the value of employer contributions to a pension plan, a long-term disability plan or a health insurance plan and any other advantage received directly or indirectly from the individual's employer.

(8) This section applies to employees of the Public Service of Alberta employed:

- (a) in a department of Government;
- (b) in the Legislative Assembly Office; and
- (c) in any other part of the Public Service of Alberta.

(9) This section applies to every employer who enters into or continues a contract with the Crown in right of Alberta, other than a contract for a single retail transaction or the supply of a service in a single instance.

3(1) This Act comes into force on a date to be fixed by Proclamation.

(2) No provision of this Act shall be proclaimed unless, prior to the Proclamation, a resolution has been passed by the Legislative Assembly which authorizes the proposed commencement date of the provision.

3 Coming into force.