

1993 BILL 213

First Session, 23rd Legislature, 42 Elizabeth II,

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 213

EMPLOYEE RELATIONS STATUTES
AMENDMENT ACT, 1993

MS. LEIBOVICI

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 213
Ms. Leibovici

BILL 213

1993

EMPLOYEE RELATIONS STATUTES AMENDMENT ACT, 1993

(Assented to , 1993)

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

Public Service Employee Relations Act

1(1) *The Public Service Employee Relations Act is amended by
this Act.*

(2) *Section 48(2) is repealed.*

Explanatory Notes

1 This Bill will amend chapter P-33 of the Revised Statutes of Alberta 1980.

2 Section 48 presently reads as follows:

48(1) An arbitration board may only consider, and an arbitral award may only deal with, those matters that may be included in a collective agreement.

(2) Notwithstanding subsection (1), none of the following matters may be referred to an arbitration board and provisions in respect of the following matters shall not be contained in the arbitral award of an arbitration board:

(a) the organization of work, the assignment of duties and the determination of the number of employees of an employer;

(b) the systems of job evaluation and the allocation of individual jobs and positions within the systems;

(c) selection, appointment, promotion, training or transfer;

(d) pensions.

(3) *Section 92.2 is repealed.*

(4) *Section 93 is repealed.*

(5) *Section 93.1 is repealed.*

(6) *Section 94 is repealed.*

Labour Relations Code

2(1) *The Labour Relations Code is amended by this Act.*

(2) *Section 94(1) is amended by repealing clause (b) and substituting:*

(b) those employees of an approved hospital, as defined in the *Hospitals Act*, whose positions are described as essential services in the collective agreement which governs their employment, and the employers of such employees.

3 This cancels the provision that union dues collection is cancelled in the event of a strike.

4 This will restore the right to strike. Section 93 presently reads as follows:

93(1) No person or trade union shall cause or attempt to cause a strike by the persons to whom this Act applies.

(2) No person to whom this Act applies shall strike or consent to a strike.

5 This will remove penalties for strikers. Section 93.1 presently reads as follows:

93.1(1) Any trade union that causes or attempts to cause a strike contrary to section 93 is guilty of an offence and liable to a fine not exceeding \$1000 for each day that the strike continues.

(2) Any officer or representative of a trade union who strikes or causes or consents to a strike contrary to section 93 is guilty of an offence and liable to a fine not exceeding \$10,000.

(3) Any person who is not a trade union or an officer or representative of a trade union who strikes or causes a strike contrary to section 93 is guilty of an offence and liable to a fine not exceeding \$1000.

6 This will remove the provision that forbids lockouts. Section 94 presently reads:

94(1) No person shall cause or attempt to cause a lockout by an employer.

(2) No employer shall lockout or consent to a lockout.

2(1) This Bill will amend chapter L-1.1 of the Revised Statutes of Alberta 1980.

(2) Section 94(1)(b) presently reads:

94(1) This Division applies to the following:

(b) employers who operate approved hospitals as defined in the Hospitals Act, and all the employees of those employers.

This new clause will apply compulsory arbitration only to hospital staff who are described as essential services in a collective agreement.