

2024 Bill 207

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First Session, 31st Legislature, 2 Charles III

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 207

**SKILLED TRADES AND APPRENTICESHIP EDUCATION  
(VALUING SKILLED WORKERS) AMENDMENT ACT, 2024**

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MEMBER HOYLE

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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# BILL 207

2024

## SKILLED TRADES AND APPRENTICESHIP EDUCATION (VALUING SKILLED WORKERS) AMENDMENT ACT, 2024

(Assented to \_\_\_\_\_, 2024)

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

### Amends SA 2021 cS-7.88

**1 The *Skilled Trades and Apprenticeship Education Act* is amended by this Act.**

### **2 Section 1 is amended as follows:**

**(a) by repealing clause (a) and substituting the following:**

(a) “activity” means

- (i) in respect of a designated trade, a task or function that is recognized by an order of the Board as being associated with undertakings within the designated trade, or
- (ii) in respect of a fully-regulated trade, a task or function prescribed as a task or function related to, or required to carry out, the fully-regulated trade;

**(b) in clause (b) by striking out “Administrator for Designated Trades” and substituting “Administrator for Regulated Trades”;**

**(c) by adding the following immediately after clause (i):**

(i.1) “fully-regulated trade” means a trade referred to in section 11.1;

## Explanatory Notes

**1** Amends chapter S-7.88 of the Statutes of Alberta, 2021.

**2** Section 1 presently reads in part:

- (a) *“activity”, in respect of a designated trade, means a task or function that is recognized by an order of the Board as being associated with undertakings within the designated trade;*
- (b) *“Administrator” means the Administrator for Designated Trades appointed under section 17(1) and includes any individual designated as a deputy Administrator under section 17(2);*
  - (i) *“designated trade” means a trade designated in the regulations under section 12;*
  - (p) *“Registrar” means the individual appointed as the Registrar under section 5(1) and includes any individual designated as a deputy Registrar under section 5(2);*
  - (q) *“restricted activity” means an activity prescribed under section 22(2)(d);*
  - (r) *“trade certificate”, in respect of a designated trade, means*
    - (i) *a certificate issued by the Administrator to an individual who the Administrator is satisfied has met the requirements under this Act for certification in the designated trade, or*

**(d) by adding the following immediately after clause (p):**

(p.1) “regulated trade” means

- (i) a designated trade, or
- (ii) a fully-regulated trade;

**(e) in clause (q) by striking out “section 22(2)(d)” and substituting “section 22(2)(c.2) or (d)”;**

**(f) in clause (r), by striking out “designated trade” wherever it occurs and substituting “regulated trade”;**

**(g) by adding the following immediately after clause (r):**

(r.1) “trade union” means a trade union as defined in the *Labour Relations Code*;

**3 Section 3(1)(b) is amended by striking out “post-secondary institutions” and substituting “post-secondary institutions and trade unions”.**

**4 Section 4(1)(b) is amended by striking out “entities to provide training” and substituting “entities, including trade unions, to provide training”.**

**5 Part 2 is amended by repealing the heading and substituting the following:**

## **Part 2 Regulated Trades**

**6 The following is added immediately after section 11:**

### **Fully-regulated trades**

**11.1** For the purposes of this Act, the following trades are fully-regulated trades:

- (a) appliance service technician;

- (ii) *a document that is issued outside Alberta and is recognized by order of the Board as being the equivalent of a certificate referred to in subclause (i);*

**3** Section 3(1)(b) presently reads:

*3(1) The Minister may*

- (b) engage post-secondary institutions to provide the classroom instruction components of apprenticeship education programs, and*

**4** Section 4(1)(b) presently reads:

*4(1) The Minister may*

- (b) engage or approve persons or entities to provide training to trainees in industry training programs, and*

**5** Part 2 heading presently reads:

*Part 2  
Designated Trade*

**6** Fully-regulated trades.

- (b) auto body technician;
- (c) automotive service technician;
- (d) barber;
- (e) boilermaker;
- (f) crane and hoisting equipment operator;
- (g) electrician;
- (h) elevator constructor;
- (i) gasfitter;
- (j) hairstylist;
- (k) heavy equipment technician;
- (l) ironworker;
- (m) motorcycle mechanic;
- (n) plumber;
- (o) recreation vehicle service technician;
- (p) sheet metal worker;
- (q) steamfitter-pipefitter;
- (r) welder;
- (s) any other prescribed trade.

**11.2** The following classes of individuals may perform an activity of a fully-regulated trade:

- (a) an individual who holds a trade certificate in the trade;
- (b) an apprentice of the trade in accordance with an apprenticeship education agreement approved by the Registrar under the regulations.



**7 Section 14 is amended as follows:**

**(a) in subsection (1)**

- (i) in clause (a) by striking out “to consult” and substituting “subject to subsection (4), to consult”,**
- (ii) in clause (b)(i) by striking out “designated trades” and substituting “regulated trades”,**
- (iii) in clause (c) by striking out “to advise” and substituting “subject to subsection (4), to advise”, and**
- (iv) in clause (d) by striking out “designated trades” and substituting “regulated trades”;**

**(b) in subsection (2)**

- (i) in clause (a) by striking out “specifying the undertakings and activities” and substituting “subject to subsection (4), specifying the undertakings and activities, other than activities in a fully-regulated trade,” and**
- (ii) by repealing clause (b) and substituting the following:**
  - (b) subject to subsection (4), establishing standards and requirements for certification in respect of regulated trades;

**(c) by adding the following immediately after subsection (3):**

- (4) The Board must consult with the committee established under section 15(1.1) before**
  - (a) advising or making a recommendation to the Minister under subsection (1)(a) or (c), or
  - (b) making an order under subsection (2)(a) or (b).



**7** Section 14 presently reads:

*14(1) The functions of the Board are*

- (a) to consult with industry and make recommendations to the Minister respecting the designation of trades and the rescission of the designation of trades,*
- (b) to consult with industry respecting
  - (i) standards and requirements for certification in designated trades,*
  - (ii) any other matters requested by the Minister, and*
  - (iii) any other matters in respect of which the Board considers it should engage with industry,**
- (c) to advise and make recommendations to the Minister respecting
  - (i) restricted activities and the classes of individuals who may perform them, and*
  - (ii) any other matter on which the Minister requests the input of the Board,**
- (d) to promote the value of designated trades careers and certification, and*
- (e) any other functions assigned by the regulations.*

*(2) The Board may make orders*

- (a) specifying the undertakings and activities that fall within a designated trade;*
- (b) establishing standards and requirements for certification in respect of designated trades;*
- (c) recognizing documents issued outside Alberta as being the equivalent of a trade certificate, if the Board considers it appropriate to do so;*
- (d) recognizing the successful completion of education or training, other than an apprenticeship education program or an industry training program, as meeting some or all of the requirements for certification under this Part;*
- (e) respecting other matters in accordance with any additional order-making power conferred on the Board by the regulations.*

*(3) The Regulations Act does not apply*

- (a) in respect of any documentation prepared by or on behalf of the Board relating to the carrying out of any functions under subsection (1), or*

**8 Section 15 is amended by adding the following immediately after subsection (1):**

(1.1) The Board must establish a committee to advise the Board on the matters referred to in section 14(1)(a) and (c) and (2)(a) and (b) and appoint at least 6 individuals as members to the committee as follows:

- (a) members must be appointed to represent each of the following:
  - (i) the interests of employers of individuals employed in a regulated trade;
  - (ii) the interests of individuals employed in a regulated trade;
- (b) subject to clause (c), at least 1 member referred to in clause (a)(ii) must hold a trade certificate in a fully-regulated trade;
- (c) at least 1 member referred to in clause (a)(ii) must be an apprentice in a fully-regulated trade and in the final year of an apprenticeship education program, unless the Board is unable to identify an individual with those qualifications, in which case at least 2 members must be appointed under clause (b);
- (d) the number of individuals appointed under clause (a)(i) and (ii) must be equal.

**9 Section 17(1) is amended by striking out “Administrator for Designated Trades” and substituting “Administrator for Regulated Trades”.**

**10 Section 18(1)(a) is amended by striking out “designated trades” and substituting “regulated trades”.**

*(b) to orders made under subsection (2).*

**8** Section 15(1) presently reads:

*15(1) The Board may establish committees, or may recognize committees established by other organizations, associations or persons, to assist and advise the Board in exercising its powers and carrying out its functions.*

**9** Section 17(1) presently reads:

*17(1) The Minister may, in accordance with the Public Service Act, appoint an employee of the Department as the Administrator for Designated Trades.*

**10** Section 18(1)(a) presently reads:

*18(1) The Administrator shall, for the purposes of this Part,*

*(a) advise the Minister respecting designated trades, the designation of trades or any other matter requested by the Minister,*

**11 Section 21(1) is amended by striking out “designated trades” and substituting “regulated trades”.**

**12 Section 22 is amended as follows:**

**(a) in subsection (2) as follows:**

**(i) by adding the following immediately after clause (c):**

(c.1) prescribing a fully-regulated trade for the purpose of section 11.1(s);

(c.2) prescribing the activities related to, or required to carry out, a fully-regulated trade for the purpose of section 1(a)(ii);

**(ii) in clause (d) by striking out “prescribing activities” and substituting “prescribing activities, except activities that are prescribed as activities related to, or required to carry out, a fully-regulated trade,”;**

**(b) by adding the following immediately after subsection (2):**

**(3)** Within one year of the coming into force of this section and for the purpose of section 11.2, the Lieutenant Governor in Council must, by regulation, define the activities related to, or required to carry out, a fully-regulated trade.

**13 Section 23 is amended by striking out “designated trade” wherever it occurs and substituting “regulated trade”.**

**11** Section 21(1) presently reads:

*21(1) The Minister is responsible for the administration of this Part and for general administrative matters with respect to designated trades and the issuance of trade certificates and endorsements.*

**12** Section 22(2) presently reads in part:

*(2) The Minister may make regulations*

*(c) further defining, for the purposes of this Act and the regulations, a term that is defined in this Part;*

*(d) prescribing activities within a designated trade as restricted activities and providing that restricted activities may be performed only by prescribed classes of individuals;*

*(e) prescribing classes of individuals for the purposes of clause (d);*

**13** Section 23 presently reads:

*23(1) No person shall use the term “certified”, “journeyperson” or “trade certificate”, or any form or derivative of one of those terms, in any combination with the name of a designated trade in such a way as to represent, expressly or by implication, that the person holds a trade certificate in that designated trade, unless the person holds a valid trade certificate in that designated trade.*

*(2) No person shall, expressly or by implication, represent that the person holds a trade certificate in a designated trade unless the person holds a valid trade certificate in that designated trade.*

*(3) No person shall, expressly or by implication, represent that the person is permitted under this Act to perform a restricted activity in a designated trade unless the person is authorized under this Act to perform the restricted activity in that designated trade.*

**14 Section 30(1)(c) is amended by striking out “designated trade” and substituting “regulated trade”.**

**15 Section 34(2)(a) is amended by striking out “designated trade” and substituting “regulated trade”.**

*(4) No person shall perform a restricted activity unless the person falls within a prescribed class of persons authorized to perform the restricted activity.*

*(5) No person shall direct or allow an employee of the person to perform a restricted activity unless the employee falls within a prescribed class of persons authorized to perform the restricted activity.*

**14** Section 30(1) presently reads:

*30(1) For the purposes of ensuring that this Act and the regulations are being complied with, an officer may, without an order under section 31 or a search warrant, at any reasonable time enter any premises or location at which*

- (a) an individual is receiving classroom instruction or on-the-job instruction as part of an apprenticeship education program;*
- (b) an individual is receiving training as part of an industry training program,*
- (c) an individual is performing an activity in a designated trade, or*
- (d) an individual is preparing for or participating in an examination or assessment*

*and carry out an inspection.*

**15** Section 34(2) presently reads:

*(2) In a prosecution of an offence under this Act, a certificate purporting to be signed by the Administrator stating that on the date the offence occurred*

- (a) an individual did not hold a valid trade certificate in a designated trade, or*
- (b) an individual's trade certificate had been suspended or revoked*

*shall be admitted in evidence as proof, in the absence of evidence to the contrary, of the facts stated in the certificate without proof of the signature or the official character of the person signing the certificate.*

# Record of Debate

STAGE	DATE	MEMBER	FROM	TO	TOTAL	CUMULATIVE TOTAL