

Bill No. 55 of 1941.

A BILL TO AMEND THE INDUSTRIAL CONCILIATION AND ARBITRATION ACT.

NOTE.

This Bill makes several amendments to section 2 of *The Industrial Conciliation and Arbitration Act*. The definition of "dispute" has been altered to conform with the wording in the Dominion Act and to cover the case of a dispute between an employer and any class or group of his employees. In many large industrial plants employees are not all within one category. It is advisable that a dispute between one class of employees and the employer, irrespective of whether or not it affects the rest of the employees engaged in the general enterprise, should come under the Act. The amendment to paragraphs (d) and (j) of subsection (1) of section 2 and the change in subsection (1) of section 5 are designed to effect this end.

It is also desirable to bring the members of the teaching profession within the scope of the Act, and the definitions of "employer" and "employee" have been amended by inserting words which will accomplish this end.

The definition of "organization" has been clarified by specifically providing that "organization" includes a negotiating committee duly appointed by resolution of the majority of the employees affected by any dispute.

The amendment to section 26 is designed to strengthen the intent of the Act which is to effect the settlement of industrial disputes as rapidly as possible. The new subsection (2) to this section taken together with subsection (1) of section 40 enables the Department to see that arbitrators proceed immediately with their duties.

W. S. GRAY,
Acting Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 55 of 1941.

An Act to amend The Industrial Conciliation and
Arbitration Act.

(Assented to _____, 1941.)

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

1. This Act may be cited as "*The Industrial Conciliation
and Arbitration Act Amendment Act, 1941.*"

2. *The Industrial Conciliation and Arbitration Act*,
being chapter 57 of the Statutes of Alberta, 1938, is hereby
amended as to section 2 thereof,—

- (a) by striking out the words "a majority of his employees", where the same occur in paragraph (d) of subsection (1) thereof, and by substituting therefor the words "one or more of his employees";
- "(b) by striking out paragraphs (e) and (f) of subsection (1) and by substituting therefor the following:
- "(e) 'Employee' means any person employed by an employer to do any work for hire or reward in any employment to which this Act applies, and shall include every teacher engaged under *The School Act, 1931*, and amending Acts, but does not include employees in domestic service or in agriculture;
- "(f) 'Employer' means any person employing one or more persons, or any number of employers acting together or who, in the opinion of the Minister, have interests in common, and shall include every Board of Trustees of a school district and every Divisional Board constituted pursuant to *The School Act, 1931*, and amending Acts;" and
- (c) by striking out paragraphs (j) of subsection (1) thereof and by substituting therefor the following:
- "(j) 'Organization' when used in relation to employees, means any organization or association of employees formed for the purpose of regulating relations between employers and employees, and includes a trade union or a negotiating committee duly appointed by resolution of the majority of the

employees affected by any dispute or by resolution of the majority of any class or category of employees affected by any dispute, and when used in relation to employers, means any organization or association of employers formed for the purpose of regulating relations between employers and employees;”

3. The said Act is further amended as to section 5 by striking out subsection (1) thereof and by substituting therefor the following:

“**5.—(1)** It shall be lawful for employees to bargain collectively with their employers and to conduct such bargaining through representatives of employees duly elected by a majority vote of the employees affected, or by a majority vote of any class or category of employees affected, and any employer refusing so to bargain shall be liable to a fine not exceeding five hundred dollars for each offence.”

4. The said Act is further amended as to section 10 by striking out the words “for a term of not than thirty days”, where the same occur in subsection (4) thereof, and by substituting therefor the words “for a term of not more than thirty days”.

5. The said Act is further amended as to section 26 by renumbering the present section as subsection (1) and by adding thereto the following new subsection:

“(2) If in the opinion of the Minister the board or any member of the board after accepting office is unduly or unnecessarily deferring or delaying the proceedings for the hearing and determination of the dispute, the Minister may remove the board or any member of the board from office, and may serve notice on the representative of the employer, or the representative of the employees, or the representatives of both, or on the remaining members of the board, if any, requiring within the time limited by the notice, and in the manner directed by the notice, the appointment of a person or persons to act as arbitrators on the board in substitution for the member or members removed.”

6. This Act shall come into force on the day upon which it is assented to.

FIRST SESSION
NINTH LEGISLATURE
5 GEORGE VI
1941

BILL

An Act to amend The Industrial
Conciliation and Arbitration Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. MANNING.

EDMONTON:
A. Shnitka, King's Printer
1941