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A HISTORY OF LABOUR
AND
SOCIAL WELFARE LEGISLATION
IN ALBERTA

1970

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A HISTORY OF LABOUR AND SOCIAL WELFARE LEGISLATION IN ALBERTA

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A HISTORY OF LABOUR AND SOCIAL WELFARE LEGISLATION

IN ALBERTA

The control of employers and their workers by legislation began in Britain long before the process was passed on to Alberta. There was a need for such legislation in Britain because of the sudden reversion from a rural economy to a more centralized industrial society. This phenomenon became known in history as the Industrial Revolution. Some of its more beneficial effects were the greater mechanization of manufacturing processes, the production of greater quantities of goods and cheaper costs of production. However, to attain these advantages, a large number of people were required to work for very long hours at very low wages. There was no real protection for workers from the whim of the employer.

Gradually, the attitude toward these workers changed so that some legislation was enacted to alleviate their working conditions. In 1824 a law was passed which permitted persons to form trade unions to lobby for the raising of wages. The Factories Act of 1832 prohibited the employment of children under a certain age in factories and limited the hours that older children could work. A system of government inspection was instituted to enforce compliance with the Act.

Canada and its territories drew the model for its labour legislation from the British experience. The Northwest Territories (which included Alberta) adopted the common law of Britain as of July 1, 1870. At first, most of the labour legislation of the Territories and Alberta was of a cautious and conservative nature, but after World War One, it multiplied in volume and became more suited to the Province's own particular needs. Because of the federal character of Canada and because of the nature of the division of powers between the federal and pro-

vincial governments, most of the burden for resolving labour problems and for paying the costs of labour welfare programs has fallen on the individual provincial governments.

The purpose of the following sections of the paper is to canvass the developments which have occurred over a period of about one hundred years in labour legislation and ancillary legislation affecting employees.

AN ORDINANCE RESPECTING MASTERS AND SERVANTS

The protection afforded by this Act was based, to a large extent, upon the existence of a contract of employment which conferred rights and duties on both parties. Often, for financial reasons, the employer was in a better position than the employee with respect to the contract of employment. This Act gave protection for the employee against wrongful dismissal. An employee was also given redress through the courts for non-payment of wages by the employer. Furthermore, the employee was given a general protection against ill-use by the employer, which was not essentially based on the contract, but was a recognition of a need for minimum standards of labour.

AN ORDINANCE EXEMPTING CERTAIN PROPERTY FROM SEIZURE AND SALE UNDER EXECUTION

This Act was one of the earliest pieces of social legislation to deal with the average working man as a debtor. The purposes of the Act appeared to be threefold: to prevent a worker from becoming absolutely destitute and unable to provide for his family, to keep him from becoming a burden to the community and to allow him the opportunity of repaying his debt.

Thus a debtor and his family were permitted to keep necessary clothing, furniture and other household items up to a value of \$500, food for six months, some livestock and forage for the winter months, some farm implements and equipment, the books of a professional man and the tools necessary for the practice of his trade or profession. The debtor could also retain sufficient seed grain to seed all his land up to 80 acres and the family homestead up to 160 acres, also a house and buildings up to a value of \$1500. The rest of his assets were

liable to seizure to pay off debts.

1888

THE MECHANICS' LIEN ORDINANCE

A lien was an old right which grew up under the common law and through practice, allowing one party to seize and hold the goods of another until he was paid for services which had been given. This device later evolved from accepted practice to statutory form which introduced an element of uniformity.

This Act was a form of protection for the workers' salaries. It gave mechanics, machinists, builders and other types of labour an interest in the land or buildings of the employer until they were paid for work completed or machinery used. Neither the employer nor the employees could contract out of the lien between themselves. This eliminated the practice of employees being required in their contract of work to agree not to enforce a lien in order to get the job.

If a party had a lien on some property, he was required to inform the owner within 30 days of the time when the work was done. A claim on the property was also to be filed within the same period of time at the Land Titles Office. The lien lapsed within 90 days unless it was referred to a court and the court made a ruling on it. If a dispute arose as to the amount of a lien, it was settled by arbitration.

THE SCHOOLS ORDINANCE

The importance of this Act stemmed from the fact that it made education compulsory and thus provided some safeguard for keeping children out of the work force until they attained a certain minimum age. It had the further beneficial effect of requiring a minimal standards of education before getting a job. By this Act, children between the age of seven and twelve were required to attend school for at least twelve weeks out of the year.

1892

THE ARBITRATION ORDINANCE

This Act provided a means for resolving a dispute between an employer and an employee or other parties. The dispute had to be submitted to a board of arbitration voluntarily, but once it was submitted it could not be withdrawn. The board of arbitration had the power to make an award based on its findings.

1893

THE COAL MINES REGULATION ORDINANCE

The importance of this piece of legislation derives from the fact that it was one of the first statutes to deal on a comprehensive basis with working conditions. The Act was aimed at alleviating some of the hazards and poor working conditions which existed in coal mines at this time.

This legislation required that the owner or manager of the mine keep a register with certain personal particulars of employees working both above and below ground. Mine owners were required to report annually to the Lieutenant Governor, the number of persons employed at the mine. The Lieutenant Governor was empowered to appoint inspectors to see that the requirements of the Act were being enforced. The mine owner was compelled to have a plan of the mine which must be made available to an inspector when requested.

A large number of safety regulations were set down including the requirement that any seam of the mine have two shafts to facilitate leaving the mine if one shaft should become blocked for some reason. The machinery for moving persons in or out of the mine was to be operated by a person of at least eighteen years of age. Pit openings and moving machinery were to be kept properly fenced. Adequate ventilation was required to allow enough air in proportion to the number of men and animals working in the mine and also to dispel any noxious

fumes which might accumulate in the mine. A mine was to be checked by a competent person for inflammable gasses at least once every twenty-four hours or at the beginning of each shift. If it became apparent that there was a danger due to gasses present in the mine, workers were to be prohibited from entering the mine except where necessary for the purpose of inspection. Workers were to be withdrawn from the mine when dangerous gas was evident. Where there was reason to believe there was an accumulation of gasses, a locked safety lamp was to be used by a suitably competent person. If the means of entry and exit in the mine was machine operated, the machinery was to be attended by a competent and conscientious person at all times.

The Act also provided regulations for the safe operation of equipment for moving loads or safe passage of animals where they were used for carrying loads. There were to be a number of manholes provided along narrow channels, so that workers could step out of the way of moving equipment or animals. Regulations were also provided for the safe operation of other equipment such as steam boilers. Penalties were provided for a breach of these regulations.

1895

THE THRESHERS LIEN ORDINANCE

This Act was another one dealing with liens on property where an employee had not been paid the wages due to him. It provided that where a worker did threshing for another person, the worker could seize grain to cover his wages if he were not paid by the employer.

THE STEAM BOILERS ORDINANCE

The main purpose of this Act was to provide for a system of inspection for steam boilers used in plants and factories. A number of serious accidents had

occurred due to faulty boilers or inadequate care of them. This Act established the Boilers Branch to be responsible for the inspection of steam boilers.

By law, all new steam boilers were to be inspected before use and others were to be inspected once a year for such things as pressure, passage of water and steam. To this end, inspectors of the Boilers Branch were to be permitted at any reasonable hour, to enter a business premises which had a boiler. An inspector could demand that an unsafe boiler be repaired, and he could further order that it not be used until it was repaired. Inspectors were required to keep a record of the boilers inspected and the repairs order, also the number of injuries and casualties attributed to boilers. This was to be compiled into a report annually.

To operate a steam boiler, a person was to hold a certificate of qualification as an engineer. The Act provided for examination of a party to determine whether he had a competent knowledge of boilers before issuing a certificate. To train as a boiler operator, an individual was permitted to assist a qualified boiler operator until he was competent enough to be examined.

Penalties were provided for contravention of the Act.

THE SCHOOLS ORDINANCE

An amendment was made to this law which provided compulsory schooling for children between the ages of seven and fourteen.

1899

THE COAL MINES REGULATION ORDINANCE

This Act was amended to provide that a person could not work underground for more than eight hours in a twenty-four hour period.

Boys under the age of twelve and women and girls were prohibited

from working in a mine.

1900

THE WORKMEN'S COMPENSATION ORDINANCE

If an employee was injured while working due to the negligence of another employee, the employer could not use this fact as a defence if the injured employee brought an action against the employer to recover damages.

Prior to this enactment, the injured employee very often had no recourse for the loss suffered, particularly where his injuries prevented him from working and the employer could usually disclaim responsibility where the accident was due to the fault of another employee.

1905

The year 1905 represented the division of the Northwest Territories into the provinces of Alberta and Saskatchewan. This meant that each of the newly-formed provinces had a greater measure of power to deal with their own affairs. Furthermore, each had the right to adopt the legislation of the Territories, to change it as they saw fit, or to enact entirely new laws.

1906

THE STEAM BOILERS ACT

The newly formed Department of Public Works was to administer The Steam Boilers Act.

The amendments to this piece of legislation included the provision that a person operating a boiler be eighteen years of age or over. Furthermore, examinations for boiler operators were divided up into first, second and third

classes of competency. This classification regulated the size of boiler which a person could operate.

1906

THE COAL MINES ACT

This Act was also put under the jurisdiction of the Minister of Public Works.

Amendments to this legislation included provisions that boys under the age of sixteen were prohibited from working in or around the mine unless they were certified to be able to read and write and do some arithmetic. The manager of a mine was required to be a holder of a mining certificate and to have a general knowledge of mining. Each mine was to have a certified pit boss who was the holder of a miner's certificate, to be in charge of the daily workings inside the mine. Wages were to be paid in proportion to the amount of coal mined by each person. An individual was to be appointed by the miners whose job it was to measure the amount of coal mined by each person.

Subject to the approval of the Minister of Public Works the manager of a mine could formulate additional rules for the safe operation of the mine.

1908

THE WORKMEN'S COMPENSATION ACT, 1908

The purpose of this Act was to provide some financial relief for persons who were injured while at work. Not all classes of employees came within the confines of the Act, but generally manual workers on a railway, or in a factory, mine, quarry or building were included in the legislation. Agricultural workers were excluded from the protection of the Act.

The employer was liable for injury to his employee except where

the worker was incapacitated for less than 2 weeks or where the injury was due to willful misconduct on the part of the employee himself. The employee was entitled to be compensated by the employer either through the provisions of this Act or by bringing a court action, but he could not pursue both means.

An employer could set up his own scheme of compensation in which the workman could be required to contribute provided that the latter's contribution was in addition to the amount required from the employer under this Act. The employer's own plan was subject to approval by the Attorney General. A scale of rates was provided for different types of injuries and there was a provision for arbitration if a settlement could not be reached as to the amount owing for an injury.

1908

THE COAL MINES ACT

Some changes were made in the legislation relating to coal mines so that workers were not to be below ground for more than eight hours in a twenty-four hour period, except in the case of an emergency or accident. A register was to be kept of the times of ascent and descent to and from the mine for each worker.

1909

THE ARBITRATION ACT, 1909

The purpose of this Act was to provide a means for settling a dispute between an employer and an employee or any other two parties. Before this legislation could be applied in any situation, the parties had to agree in writing to have a dispute settled by arbitration. The parties were also required to decide whether they wanted one arbitrator or a panel of three

arbitrators. At this point, the court could intervene to appoint an arbitrator if the parties were unable to agree on a suitable person or if a person refused to act. Where each of the disputing parties had appointed an arbitrator, but the arbitrators were unable to agree on a third member of the panel, the court could intervene and appoint someone. The arbitrator had powers similar to a court as he could subpoena witnesses and his award could be enforced like the decision of a court.

1911

THE BOILERS ACT

This was an important amendment to The Boilers Act because of its emphasis on the safety of the establishments where boilers were used. Boiler manufacturers were required to submit to the Department of Public Works a drawing of the boiler and its accessories for approval.

A large part of the Act dealt with the qualifications of person who worked with boilers. An inspector employed by the Boilers Branch was to have been an experienced machinist or boilermaker and the holder of a first class engineer's certificate. Boiler operators were subdivided into two main classes based on their proficiency and skill. These main classifications were engineers and firemen. These classes were further subdivided into first, second, and third class certification reflecting the size of boiler which one would be allowed to operate. A person could qualify to take an examination for a higher classification if he was a certain minimum age and if he had a required number of years of experience. Depending on the amount of skill which a person showed he might be given a different certificate than that for which he applied.

to be awarded a diploma.

1913

THE BUILDING TRADES PROTECTION ACT

The general purpose of this Act was to encourage the use of greater precautions while in the process of construction. It was aimed at employers and company owners. The municipality was to administer this legislation and to appoint inspectors to insure its enforcement. The Act contained a general prohibition against the use of unsafe or unsuitable scaffolds, hoists, ladders or mechanical devices. Floors were to be completed as each storey was added on a building. Sidewalks were to be covered and excavations were to be fenced if construction was being carried on or near a public street.

THE WOODMANS' LIEN ACT

Where an employee was working with lumber or timber, he had a claim on that wood to the extent of any wages which had not been paid to him. A person could apply to a district court to enforce his claim. The court could order that the logs be seized to pay the wages.

1915

THE TRUANCY ACT

This Act provided that children between the ages of seven and fifteen must attend school.

1916

THE EQUAL SUFFRAGE STATUTORY LAW AMENDMENT ACT

Through this legislation, women were to have the same rights and

privileges and to be subject to the same disabilities as men. One of the major changes brought by this Act was the granting of the right to vote to women. The Act also gave the names of a number of statutes under which women were to be considered the equals of men.

1916

THE VOLUNTEERS AND RESERVISTS RELIEF ACT

This Act was passed during World War I. It recognized the contribution of the average soldier to the service of his country and attempted to give him some relief from personal concerns during the course of the War. Creditors were prevented from enforcing debts against soldiers and their families until one year after the end of the fighting. Any court actions against soldiers were also to be suspended until a year after the end of the War.

1917

THE ELECTRICAL WORKERS PROTECTION ACT

The object of this legislation was to a large extent to set out safety precautions for the protection of workers dealing with electricity because of the degree of danger arising from high voltage electrocution and the possibility of fire. This Act came under the jurisdiction of the Board of Public Utilities Commissioners. It sets out in detail how wires carrying specified voltages were to be attached to poles and cables and what safety precautions were to be taken for electrical workers dealing with them. Generator and motor operators were to have insulated platforms on which workers could stand when operating machinery. Each piece of machinery was to be clearly marked with voltage. Switches were to be installed with a protection against overload and approved

circuit breakers. Each piece of machinery was to be equipped with an oil switch and a disconnecting switch. Where the capacity of a piece of machinery was greater than 600 volts, two competent persons were to operate it.

1917

THE FACTORIES ACT

This was perhaps the most comprehensive piece of labour legislation of the period up to 1917 and it affected the working conditions of more people than any other statute of its day. Inspectors were appointed to see that factories, offices, and plants maintained the minimum standards required by this Act. An inspector could enter a factory at any reasonable time to see that the Act was being complied with by employers. He could require the production of any files or records for his use.

No child under the age of fifteen was to be employed in a factory, shop, office or office building. Each person was to be paid at least \$1.50 per shift, except for apprentices who had to be paid at least \$1.00 per shift. If an employee were working the day shift, he was not to begin work before 7 a.m. nor finish after 6 p.m. A person working on the night shift was not to work for more than eight hours a day.

The employer was to provide employees with a suitable place for eating away from toxic substances such as paints, varnish and dyes and to allow one hour for meals. Furthermore, the employer was to provide a sufficient number of sanitary washrooms and clean drinking water. The working area was to be heated to a comfortable temperature, properly ventilated and not overly crowded. Where possible, dangerous moving machinery was to be fenced or guarded and not to be cleaned while moving. Women were to have their hair fastened in such a way that it would not get caught in the moving parts of the machinery.

At this time manufacturers, particularly in the garment industry, had a practice of allowing some of their work to be done in private homes. To protect the public from the dangers of this practice, the Act required that employers keep a register of names and addresses of persons to whom this work was sent. This place could then be inspected to insure that it was sanitary.

As far as general safety measures the legislation provided that elevators and hoists were to be constructed and operated according to certain specifications and were subject to the approval of an inspector. There was also a requirement of fire extinguishers and fire escapes on the premises.

1918

THE WORKMEN'S COMPENSATION ACT, 1918

A Workmen's Compensation Board was constituted under this Act to administer its provisions and deal with grievances. This Board was appointed by the Lieutenant-Governor in Council and it had the powers of court in a limited area. It could summon witnesses and examine them under oath and it could compel the production of papers, documents and other evidence. The Board could make a report of findings and act upon that report. It also had the power to make regulations.

Employers were required to submit to the Board a statement of total wages paid out to people working for them. From this statement, each employer was assessed a certain amount to contribute to the administration of the Act and for a reserve fund kept by the Board. Separate accounts were kept for each employer and if an employer had a large number of accidents, his assessment was raised. A workman could not make an agreement with an employer to waive his rights to compensation.

The Act provided a scale of compensation for a party and his dependants

in the case of death, total disability, partial disability, temporary disability and for medical aid and industrial disease.

1918

THE BOILERS ACT

The important change in The Boilers Act was that manufacturers were required to submit detailed plans of boilers and their accessories to the Department of Public Works before building the boilers. These plans were then registered and had to be approved before being used. The Chief Inspector of the Boilers Branch could order changes to the design which had to be complied with before making the boiler.

1918

THE SOLDIERS RELIEF ACT

This Act repealed The Volunteers and Reservists Relief Act, but it offered similar protection against debts and legal actions for a period of two years after the end of the War instead of the previous one year.

1918

THE FACTORIES ACT

At this time very little change was made in this already comprehensive piece of legislation, except a provision for the protection of women. No woman was to be employed in a factory, office or shop between 11 p.m. and 7 a.m. except with special permission from an inspector.

1918

THE SOLDIER'S HOME TAX EXEMPTION ACT

This Act likewise recognized the service that soldiers were giving to their country and also recognized the fact that soldiers were not holding down regular jobs for wages. Thus a soldier's home and land were exempt from tax for one year after the declaration of peace.

1919

THE ALBERTA GOVERNMENT EMPLOYMENT BUREAU ACT

After World War I, there was a vast undertaking to place people in suitable jobs. Thus, the Alberta Government Employment Bureau was set up to find jobs for both skilled and unskilled workers. The Bureau had the further task of collecting information and statistics on trade and industry.

1919

THE EMPLOYMENT OFFICES ACT

To prevent the exploitation of persons looking for work, The Employment Offices Act prohibited the establishment of any agency to procure employment for others and to charge a fee.

1919

THE ELECTRICAL PROTECTION ACT

An amendment to this Act provided that the Workmen's Compensation Board could make regulations with respect to the safety and protection of electrical workers around generators, transformers and other electrical equipment.

1919

THE WORKMEN'S COMPENSATION ACT

This amendment to the Act provided that the Board in its discretion could compensate an employer and his family if the employer was on the payroll and his wages were included in the statement to the Compensation Board. It was further provided that the employer could not deduct from an employee's wages any amount that the employer was required to contribute under this Act. If an injury was due to a workman's own misconduct, he might still receive some compensation, but the amount of his award could be reduced.

1920

THE WORKMEN'S COMPENSATION ACT

Under this amendment, employers, not already covered by the provisions of The Workmen's Compensation Act, could apply to have themselves covered by it, if a majority of the employees did not object. This was subject to approval by the Compensation Board in each individual instance.

The Board had the power to investigate whether employers were using reasonable safety devices and officials of the Board could enter working premises for this purpose. A member of the Board could require an employer to install additional safety devices.

1920

THE FACTORIES ACT

An advisory committee was appointed under the Act to determine a minimum wage for female workers and for persons under the age of eighteen. The committee was also to consider the maximum number of hours per day and per week that any employee should be obliged to work.

1921

THE WORKMEN'S COMPENSATION ACT

The Act was changed to provide that, if a majority of workers in a trade or industry agreed to the application, they could be brought within the provisions of this Act and be entitled to the accident benefits.

1922

THE WAREHOUSEMEN'S LIEN ACT

A person whose job it was to store goods for other persons had a lien on those goods for any labour, transportation or other expenses which he might have incurred on their behalf. The warehouseman was required to give notice of his holding the goods and might, as a remedy, sell the goods and use the proceeds to cover his expenses.

1922

THE BUREAU OF LABOUR ACT

This Bureau, which was the predecessor of the present Department of Labour, was established to collect, systematize and publish information related to labour. It was not placed under the jurisdiction of any particular department at that time.

1922

THE MINIMUM WAGE ACT

This Act set up a Minimum Wage Board under the jurisdiction of the Lieutenant-Governor in Council, but not any department in particular. Its function was to inquire into prevailing wage rates. The Board could unilaterally

establish a minimum wage for any industry, but it was given the power to hold a conference of an equal number of employers and employees to allow them to work out a minimum wage among themselves.

The Board was restricted to dealing with female employees who were not domestic servants. Among the more important provisions of the Act was the prohibition against an employee accepting less than the minimum wage as stipulated by the Board for her services. ✓

1924

THE WORKMEN'S COMPENSATION ACT (ACCIDENT FUND) AMENDMENT ACT

The Workmen's Compensation Board could charge an employer a certain amount for the administration of this Act and The Electrical Protection Act, to cover amounts payable from the accident fund, to provide a reserve for the future and to create a disaster fund.

A worker's compensation was based on his average weekly wages, but if the workman had only been employed for a short time, the Board could take the average wage of other persons working at the same job.

1924

THE FIRE DEPARTMENT'S HOURS OF LABOUR ACT

The purpose of this Act was to help alleviate the situation of the fireman who spent long hours away from home. It provided that every fireman must be off-duty for a full twenty-four hours in a week without loss of pay except where an emergency required the attendance of all officers.

1924

THE FIRE DEPARTMENT'S TWO PLATOON ACT

This Act provided that in a city or town with a population of 10,000 or more and a full-time fire department there should be two shifts, composed as follows, either

- (a) working for twenty-four hours with twenty-four hours off,
- or
- (b) working a day shift of ten hours with another group working a night shift of fourteen hours, and alternating weekly.

1925

THE MINES ACT

This amendment provided that where workers were not being paid their wages, the Chief Inspector of mines could arrange for a charge to be put on profits coming from the mine.

1925

THE MINIMUM WAGE ACT

This Act was put under the jurisdiction of the Department of Public Works. The Minimum Wage Board could fix wage rates and make them uniform within a trade. An employer was subject to a penalty if he paid less than the minimum wage. The Board could determine shifts and times for meals in any industry. Inspectors of the Board could enter a place of work at any reasonable hour and question female employees about their jobs. Work agreements between employers and employees were subject to the Act.

1926

THE FACTORIES ACT

With this amendment to The Factories Act, that Act was put under the jurisdiction of the Bureau of Labour. The Act further provided that an individual's hours of work were not to exceed nine in a day or fifty-four in a week.

1926

THE LABOUR DISPUTES ACT

When a dispute occurred between an employer and his employees, either of the parties could apply to the Minister of Public Works for a Conciliation Board to resolve the disagreement. The Minister could in his discretion either accept or reject the application. Each party could appoint a member to the Board and the two members, so appointed, could select a chairman. If either party did not make a choice, the Minister could appoint members to the Board. The Conciliation Board had the powers of a court to summon witnesses, administer oaths and compel evidence. The duty of the Board was to procure a settlement and, to attain this end, the members could make suggestions to the parties. If a dispute was settled, a memorandum of settlement was drawn up; if it was not settled, the Board would make recommendations to the Minister.

1927

THE BOILERS ACT AMENDMENT ACT

This Act was put under the jurisdiction of the Bureau of Labour.

1927

THE MINES ACT AMENDMENT, 1927

This amendment to the coal mines legislation empowered the Minister to

establish a Board of Examiners to determine the qualifications of a person applying for a certificate of competency as a miner. To be deemed a coal miner with a certificate, an individual had to be at least eighteen years of age, he must have been employed underground for a year and he must have passed an examination to show his ability.

1927

THE WORKMEN'S COMPENSATION ACT (ACCIDENT FUND) AMENDMENT ACT, 1927

This amendment to The Workmen's Compensation Act provided that if a majority of workers in a particular trade wanted to be brought under the Act, the Board could in its discretion deem the industry to be one to which the Act applied.

Furthermore, where a dependant child was receiving compensation for loss of or injury to a parent, the age of compensation could be extended from sixteen to eighteen to further a child's education, at the discretion of the Board.

1928

THE WORKMEN'S COMPENSATION ACT (ACCIDENT FUND) AMENDMENT ACT, 1928

This amendment provided that where a worker was disabled and receiving compensation, the Board could make expenditures to re-train the disabled party in an occupation suitable to his disability.

1928

THE COAL MINERS WAGE SECURITY ACT

A mine owner was required by this legislation to submit a list of wages for the year, paid in respect of the mine. The owner was then required to post a

bond or give an equal sum in cash to the government for the greatest amount of wages paid out in one month. If the owner failed to pay his employees, this amount was used to cover the cost of their wages.

1929

THE OLD AGE PENSIONS ACT, ALBERTA

The purpose of this Act was to provide a small stipend for persons who were unable to support themselves in their later life. The money to cover these pensions was to come out of the general revenue fund. The Act set up a Board to determine who should and who should not receive a pension.

1929

THE WORKMEN'S COMPENSATION ACT (ACCIDENT FUND) AMENDMENT ACT

Under previous compensation acts, an injured worker could claim from the accident fund or bring a court action to cover his injuries, but he could not use both. Under this amendment, an employee could bring an action in court for his injuries and if he obtained less compensation than he would be entitled to under this Act, he could apply for the balance from the accident fund.

1929

THE BOILERS ACT

An amendment to The Boilers Act required that welders working on boilers and other pressure equipment had to have special skills and a special certificate. The Chief Inspector of the Boilers Branch could hold an enquiry to determine the reason that a pressure vessel exploded.

1930

THE COAL MINES REGULATION ACT

The revision of the legislation relating to coal mines constituted a major updating although many of the provisions were similar to those of past amendments. A Board of Examiners existed to check the qualifications of miners. A mine could not employ any women or any boys under the age of sixteen. Workers in a mine were to be paid twice a month unless there was some other agreement. Wages could be determined by the amount of coal mined by each person. Each worker could be below ground for one shift of eight hours in a period of twenty-four hours. The mine owner was required to keep a register of the times of raising and lowering workmen at the mine.

Each mine was required to have a manager to personally supervise the general workings of the mine and an overman to oversee the underground workings of the mine.

Certificates of competency were divided into first, second, third and miner's class depending on skill and years of experience.

A mine was required to have more than one proper outlet. Washing facilities and first aid equipment were required at the mine site. An inspector of the Department of Public Works had a right to inspect a mine and its records.

The Act enumerated safety regulations with respect to use of lamps, explosives, moving carts, hoists and other necessary items within the mine.

1930

THE UNEMPLOYMENT RELIEF ACT

This Act came at a time when there was a serious economic depression in the country and a large number of people were unemployed. It provided for a fund of up to \$100,000 to be set aside out of the general revenue of the province.

to give relief to those not employed.

1930

THE SEX DISQUALIFICATION (REMOVAL) ACT

This Act provided that a person was not to be disqualified by sex or marriage from holding any civil or judicial office or entering any profession or vocation. It removed, to the extent any legislation could, the prohibition against women entering public life.

1931

THE UNEMPLOYMENT RELIEF ACT

The Provincial Government was empowered by this Act to enter agreements with municipalities to provide relief for persons without jobs and to cover the costs of administering the Act. The municipality could, in turn, enter agreements to carry out the purposes of the Act and to borrow to the extent of its contributory share, for this purpose. The Act also provided for an agreement with the Federal Government to provide unemployment relief.

1931

THE TRADE SCHOOLS REGULATION ACT

This Act required that a trade school had to be registered with the Provincial Government and that the registration had to be renewed each year. The applicant trade school was required to have competent instructors, satisfactory equipment for teaching trades and reasonably priced courses. An inspector could enter the trade school premises during operating hours to see that the provisions of the Act were being complied with by the owner or operator. If a person did

not maintain the standard prescribed for a trade school, his license could be revoked.

The Lieutenant-Governor in Council could prescribe minimum hours of instruction, maximum fees on the courses and method of managing the schools.

1932

THE WORKMEN'S COMPENSATION ACT (ACCIDENT FUND) AMENDMENT ACT, 1932

A change was made in the Act to provide for employers who had a large increase in the number of accidents on the part of their workers. It provided that the Workmen's Compensation Board could make an additional assessment on an employer if the cost of the accidents of his workers had risen 5% over the previous year.

A disabled worker could request re-training and the Board in its discretion could comply. By means of this Act the Board could enter into reciprocal agreements to compensate Alberta workers injured outside of the province.

1933

THE UNEMPLOYMENT RELIEF ACT

This Act was to be renewed from year to year.

1934

THE COAL MINERS WAGE SECURITY AMENDMENT ACT, 1934

This amendment to the Act provided for an order of priority if a mine owner could not pay his debts. In such a case expenditures could be made from the bond which a mine owner was required to pay to the Provincial Government. Wages were first to be paid to the miners from the bond, then the expenses of the Minister

and finally persons legally entitled to payment from the mine owner. The Minister was to issue a certificate as evidence of security.

1934

THE INDUSTRIAL STANDARDS ACT

This Act was a giant step toward a comprehensive labour act covering all workers. One of the main purposes of this piece of legislation was to provide for the investigation of conditions of labour and prevailing practices for standard uniform rates of wages, hours and days of work. The administration of the Act was to come under the jurisdiction of the Bureau of Labour.

The province was to be divided into zones by area for the purposes of subdividing the various industries. A conference of employers and employees could be brought together to negotiate wage rates, hours and days of labour for an industry in a zone. The Minister might then approve the conditions agreed upon and the Lieutenant-Governor in Council might approve a schedule of rates.

A Board could be established to hear the complaints of employers and employees. Employers were not to pay lesser wages than required by the schedule nor require longer hours of work and no employee was to give his consent to work outside the provisions of the schedule. Provision was also made for inspectors to enforce compliance with the Act and for this purpose, information from employees, registers and financial statements could be required. Women could not be paid a lesser wage than under The Minimum Wage Act, 1925 or The Factories Act, 1926.

1935

THE TEACHING PROFESSION ACT, 1935

The Alberta Teachers' Association was constituted under this Act to promote education and advance the interests and status of teachers.

1936

THE TRADESMEN'S QUALIFICATION ACT

A list of designated trades was enumerated under the Act and any other trade where 66% of the persons engaged in it agreed could be added to the list of designated trades. The Act provided that any person engaged in these regulated trades must hold a current certificate of proficiency. The Lieutenant-Governor in Council could appoint a Board of Examiners, to prescribe the nature and scope of the examinations, prescribe the standards of proficiency for a certificate and classes of certificates of proficiency and make regulations.

1936

THE MALE MINIMUM WAGE ACT

A Male Minimum Wage Board was established under this Act. The Board could fix a minimum wage for all employers except farm labourers and domestic servants. Inspectors were empowered to examine books and documents, and question employers under oath. Inquiries were to be made into the wages and working conditions of those under 21 years of age. An employer and an employee could not agree to a lower wage than was prescribed by the regulations of this Act.

1936

THE TRADE SCHOOLS REGULATION ACT AMENDMENT ACT, 1936

The amendment required that a person who had taken a course at a trade school was required to take a standard examination before receiving a certificate of competency.

1936 - Second Session

THE HOURS OF WORK ACT

The Board of Industrial Relations was established under this Act.

The maximum hours of work for a female employee were to be 48 in a week and for a male employee were to be 54 in a week. This was subject to an exception for persons who worked in a managerial or supervisory capacity. Each employee was to have one day off in seven.

The Board could hold an inquiry with respect to hours of work in a factory, plant, or shop and could examine books, payrolls and records concerning employees.

1936 - Second Session

THE MINIMUM WAGE ACT 1925, AMENDMENT ACT 1936

This amendment brought the Act under the jurisdiction of the Board of Industrial Relations.

It provided that where a person worked in excess of the maximum hours prescribed by The Hours of Work Act, that employee was to be paid at the rate of time and a half for the hours overtime.

1936 - Second Session

THE MALE MINIMUM WAGE ACT AMENDMENT ACT, 1936

This amendment brought the Act under the jurisdiction of the Board of Industrial Relations.

1936 - Second Session

THE FACTORIES ACT, 1926, AMENDMENT ACT, 1936

Special provision was made for regulations regarding the inspection and safety of passenger and freight elevators in factories, offices and shops.

1937

THE EMPLOYMENT OFFICES ACT, 1937

The Alberta Government Employment Service was constituted under this Act. The Province was divided up into employment districts with an employment office in each one. The service was to help in the distribution of male and female labour throughout the Province. It was also designed to put employers in touch with workers and vice versa. To help with its basic aims, the employment service was to collect statistical information about trade and industry around the Province.

At this time, the Act prohibited a person from operating an employment agency for a fee.

1937

THE BOILERS ACT, 1929, AMENDMENT ACT, 1937

This amendment required that the owner of a pressure vessel to register it each year.

It further provided that an inspector could not inspect a steam plant larger than the size covered by his engineer's qualifications.

1937

THE INDUSTRIAL STANDARDS ACT AMENDMENT ACT, 1937

Jurisdiction over this Act was transferred from the Bureau of Labour to the Board of Industrial Relations.

1937

THE BUREAU OF LABOUR ACT AMENDMENT ACT, 1937

The Bureau of Labour was dissolved and most of its functions went to

the Board of Industrial Relations.

1938

THE WORKMEN'S COMPENSATION ACT

The Workmen's Compensation Act underwent a major consolidation and updating in this year. Very few substantial changes occurred in it, but its major provisions will be set out briefly.

The main administrative body of the Act was the Workmen's Compensation Board. It had an exclusive right to hear and determine all matters relating to industrial injuries. At its hearings, the Board could compel the attendance of witnesses and the production of documents, could administer oaths and adduce evidence. The major functions of the Board were to determine the existence and degree of disability, the extent of loss of earnings and the number of persons dependent on this wage earner. The Board could order that certain safety measures be carried out by an employer and inspect the premises to see that safety regulations were being complied with in the plant or factory. The Board could determine if an employer should be relieved from liability in a particular instance or whether he should be assessed a further contribution.

The Board could compensate a worker for an injury in any instance, except where the injury was due to his own wilful misconduct. Even in this latter case, a workman's family could be compensated if the injury resulted in death. To receive compensation for an injury, a worker was required to report an accident within 12 months of its occurrence. The Act had a scale of compensation based on the seriousness of the injury and the number of dependents of the injured worker. An accident fund was created under the Act by contributions required from employers for the administration of the Act, for compensation to injured workers and for a reserve fund if an emergency ever arose. A separate account was kept for each

employer and the Board could reduce or increase the assessment made on an employer depending on the number of accidents that he had and the number of precautions that he took.

1938

THE WORKMEN'S COMPENSATION BOARD (ADDITIONAL DUTIES) ACT

The jurisdiction of the Workmen's Compensation Board was extended to cover The Boilers Act, 1929, The Factories Act, 1926, and The Coal Mines Regulation Act, 1930.

1938

THE FARM CULTIVATION LIEN ACT

A worker who had cleared or cultivated land belonging to another had a lien against the crops grown on that land for wages not paid. The lien must have been registered against land and a claim could be made against crops not yet grown on the land.

1938

THE HOURS OF WORK ACT AMENDMENT ACT, 1938

The definition of overtime was adjusted to mean more than nine hours in a day for a female employee and more than ten in a day for a male employee. However the working week was still required to work out to the same number of hours. Overtime was more than forty-eight hours in a week of six days for a female employee and more than fifty-four hours in a week of six days for a male employee.

1938

THE INDUSTRIAL STANDARDS ACT AMENDMENT ACT, 1938

This Act provided that if the employers and employees of a particular industry in a zone could agree on a standard schedule of wages, hours and other conditions, they could submit them to the Minister for approval.

1938

THE INDUSTRIAL CONCILIATION AND ARBITRATION ACT

This was one of the most important pieces of legislation in developing machinery for labour relations. It recognized the right of employers and employees to organize for any lawful purpose. Employees were given the right to bargain collectively. Employers were prohibited from preventing employees, by means of their contract of work, from organizing into a union or similar group.

If a dispute arose between an employer and his employees, the parties could apply for a Conciliation Commissioner. His duty was to promote a settlement based on good feeling. If the Commissioner was unable to settle a dispute, it went before a Board of Arbitration. Each party in the dispute appointed one arbitrator and the two so appointed had to agree on a third member of the Board. The Board had the power of a court to call witnesses and hear evidence. Based on its findings, the Board made an award of a majority of its members. The award was voted on by the employer and the employees. A strike or a lockout between the time of conciliation and the votes was illegal.

1938

THE MALE MINIMUM WAGE AMENDMENT ACT

The Board of Industrial Relations could determine a fair wage

for all classes of employees engaged in the same occupation. Workers were to be paid at the same rate if engaged in a similar kind of work.

1938

THE MINING INDUSTRY WAGES SECURITY ACT

If the amount of wages payable at a particular mine increased drastically, additional security could be required to cover this increased amount. Security could be either cash or bonds. The Minister of Public Works was to give a certificate as evidence of security. If an employer failed to pay wages, the Minister could order cessation of mining operations and distribute the amount posted as security with the Department, as wages for the workers.

1939

THE MINES ACT, 1939

This Act was primarily a consolidation and updating of provisions which had been enacted in past years. These will be set out briefly.

The Act provided for the appointment of inspectors who could enter the mine or its buildings at any reasonable hour. To insure that the Act was being complied with, an inspector could require the production of papers and documents, and talk to employees.

No women were to be employed in a mine nor any boys under the age of seventeen years. Each employee was to have a certificate of health before he was to be employed. A person operating moving machinery was to be at least twenty-one years of age.

An employee was to work below ground no more than eight hours in a period of twenty-four. There was to be a register of times of commencement and completion of each worker. Wages were to be paid twice a month unless

otherwise agreed.

To determine the level of competence of a worker, a central Board of Examiners had been established to conduct examinations for a first, second, and third class miner's certificate and a mine surveyors certificate. A miner's examination board could determine qualifications for miner's certificate. A Board of Examiners for Mine Electricians could determine the competency of those who were working in that capacity at a mine. All mines were required to have a mine electrician if they used a certain minimum amount of electric power.

The Act also set out a large number of rules with respect to machinery, explosives and lamps for the safe operation of the mine.

1939

THE MALE MINIMUM WAGE ACT AMENDMENT ACT

Overtime was defined as working time in excess of ten hours a day and fifty-four hours in a week of six days.

1939

THE FIRE DEPARTMENT'S TWO PLATOON ACT AMENDMENT ACT, 1939

This amendment provided that towns of a population of 8,000 or more who had a permanent fire department were to arrange the schedule so that firemen were on duty in three separate platoons or shifts of eight hours each.

1940

THE SOLDIER'S RELIEF ACT, 1940

This piece of legislation was very similar to some that were passed during World War I for the protection of soldiers and their families.

It provided that a soldier's home property was exempt from assessment and taxation until he ceased to be a soldier. No debt action could be brought against a soldier without a permit.

1941

THE TRADE SCHOOLS REGULATION ACT, 1941

This act was primarily a consolidation of provisions enacted in previous years.

The Department of Trade and Industry had jurisdiction over this Act. Each trade school was required to be registered with this Department. Inspectors could be sent out to the trade schools to examine their teaching materials and teaching methods.

Regulations could be enacted prescribing minimum hours of instruction, maximum fees, terms of payment and level of competence for diplomas and certificates. The Department could also have an official overseer, examinations of proficiency, and prohibit misleading advertising.

1941

THE INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT ACT, 1941

This Act permitted employees to bargain with their employers through a negotiating committee or trade union.

An employee was to include a teacher under The School Act. Teachers were thus permitted to bargain collectively with their employer school boards and were among the first of the non-industrial workers to do so.

1941

THE HARVESTING LIENS ACT, 1941

A worker on land belonging to another who was cutting, harvesting,

or threshing a crop had a claim on the crop for wages which he had not been paid.

1941

THE ELECTRICAL PROTECTION ACT, 1941

This Act came under the jurisdiction of the Minister of Public Works. It provided for regulations prescribing the design, construction, and installation of electrical equipment. The Department could appoint examiners to determine the proficiency of electrical workers. It could also prescribe the nature and scope of examinations.

1941

THE WELDING ACT, 1941

The Minister of Public Works had jurisdiction over this Act. It required that welders take an examination of proficiency. The Department could determine the nature and scope of an examination. There was a number of classes of proficiency and a certificate could be issued at each level.

An Inspector of the Department could enter a premises where welders were working and examine a welder's qualifications and the equipment that was being used for welding. An inspector was not to be liable for loss or injury due to equipment or a welder's ability.

A welder was required to have a valid certificate to work and no employer was to hire a welder who was not duly qualified.

1941

THE FACTORIES ACT AMENDMENT ACT, 1941

Special safety precautions were to be observed where persons were

working with poisons and these workers were to be examined by a doctor periodically.

1942

THE OLD AGE PENSIONS SUPPLEMENTARY ALLOWANCES ACT, 1942

This Act provided that where a person was entitled to a pension payable under The Old Age Pensions Act, Alberta, he was entitled to an additional \$5.00 payable at the same time.

1943

THE WORKMEN'S COMPENSATION ACT

This was another major consolidation and updating of the Workmen's Compensation Act. Its major provisions will be enumerated as briefly as possible.

A Workmen's Compensation Board had been established with exclusive jurisdiction on the matter of payment of compensation to injured workers. It had the power of a Supreme Court to call witnesses and examine them under oath and compel the production of books, papers and documents.

The Board could determine whether an injury arose in the course of employment, the existence and degree of disability, the average earnings of the injured party and the amount of loss of earning power and the number of persons dependent on the injured party. The Board could make and enforce regulations and it could also divide up occupations according to the amount of hazard that each entailed. Inspectors empowered by the Board could investigate to see that employers were using proper safety devices and they could order that necessary devices be installed.

Compensation could be paid to a worker for an injury, except where that injury was due to his own wilful misconduct. Even in this latter case, a worker's family could be compensated if the injury resulted in death. A claim

must have been made against The Accident Fund within twelve months of the accident. The employer must have been notified of the accident by the injured employee or his family. A worker could not contract with his employer to give up his rights to compensation if he were injured. If a worker were injured out of the Province he might still have been entitled to compensation if working at the time.

This Act had a scale of compensation for death, permanent disability temporary disability, and industrial disease. It also provided for payments to the dependents of the injured party and covered the costs of any medical attention required for the injury.

The Accident Fund was composed of the contributions required of employers. A separate account was kept for each employer. The assessment made by the Board against employers was to cover the costs of administration of the Act, to cover the Accident Fund and a reserve fund. The assessment on an employer varied with the hazard and the circumstances of the operation. The Board could reduce an assessment if an employer increased his safety precautions or it could make a super-assessment if the amount chargeable against an employer had increased by 5 per cent over his past assessment.

1943

THE LABOUR WELFARE ACT

This was a new piece of legislation which had adopted many of the provisions for the welfare of employees on the job from other statutes such as The Factories Act. This Act came under the jurisdiction of the Board of Industrial Relations and the Department of Trade and Industry. Its provisions were not to apply to agricultural labourers or domestic servants.

The Board of Industrial Relations had the authority to make regulations

in the field of labour welfare. Its members could hold an inquiry into the conditions of labour in any industry and the general welfare of the employees. Its regulations included such matters as safety garments and safety devices.

The Act provided that women were to be prohibited from lifting heavy objects. Pregnant women were not to be employed beyond a certain stage in their pregnancy. Children under the age of fifteen were not to be employed in a factory, office or shop. Women were to be provided with chairs when not actually engaged in the process of working. The Board could require that an employee be given one week's holiday with pay after a year's employment.

Inspectors appointed by the Board could enter on the working premises at any reasonable hour to see that the Act was being complied with by the employer. To this end, the inspector could examine documents and records or question the employer or any of the employees. He could direct that meals not be taken in a room where the manufacturing process was carried on. The employer could be required to provide a separate room for meals, away from toxic substances.

The Act further provided that the working area was to have been kept clean and to have sufficient washroom facilities. The working area was to be kept at a comfortable temperature, properly ventilated and not overcrowded. Women operating moving machinery were to keep their hair securely tied so it could not get caught in the moving parts. An employer was not to hire anyone with a communicable disease.

1943

THE DEBTORS ASSISTANCE ACT

This Act created a Debtors Assistance Board to assist debtors in adjusting their debts and to arrange terms between debtors and creditors. The role of the Board was essentially to give advice and to act as a mediator between debtors and creditors.

1943

THE INDUSTRIAL CONCILIATION AND ARBITRATION ACT

It was lawful for employees to bargain collectively with their employers and to bargain through a negotiating committee or trade union which was elected by a majority vote of the employees. The representative of the employees may serve forty-eight hours notice on the employer to meet and bargain and the employer or his representative was required to attend. An employee was not to be prevented from have a membership in a union by threats from the employer.

1944

THE APPRENTICESHIP ACT

The Department of Trade and Industry had jurisdiction over this new piece of legislation. A Provincial Apprenticeship Board was set up under this Act to govern apprentices of all designated trades and register contracts of apprenticeship. Trades were designated as under the jurisdiction of the Board by an order of the Lieutenant-Governor in Council or by a petition of a representative number of workers in a particular trade.

To apprentice an individual had to be at least sixteen years of age. A contract for apprenticeship had to be registered with the Board. Inspectors, appointed by the Board, could make inquiries at training or business premises to insure that the Act was being complied with by employers and apprentices.

The purposes of the Act were to promote an interest in apprenticeship in trades and to establish a permanent system of training apprentices. The Apprenticeship Board could regulate the qualifications of persons entering the program, the issuance of certificates, the setting of uniform examinations and the standards of hours and wages during apprenticeship.

1944

THE INDUSTRIAL CONCILIATION AND ARBITRATION ACT

This Act expanded on some of the procedures for negotiating a settlement between an employer and employees with respect to the contract of work.

A number of definitions were set out in the Act for reference. These included collective bargaining which meant to negotiate in good faith with the view of reaching a settlement. A bargaining agency was not to include any group affected or assisted by the employer. The acts of a bargaining agent were not to be considered illegal merely because they were in restraint of trade.

One of the roles of the Board of Industrial Relations was to inquire into whether the union or association was a proper bargaining agent and had received an affirmative vote from a majority of employees. Any association claiming nomination as a bargaining agent could apply to the Board who was to make an inquiry and to report findings. The Board could direct a vote to be taken by secret ballot. A bargaining agent was to be appointed for one year unless otherwise agreed upon by employer and employees.

1945

THE COAL MINES REGULATION ACT

This was a major consolidation and updating of the law relating to coal mines. The content of the Act will be set out briefly as possible.

The Minister of Lands and Mines had jurisdiction over this piece of legislation. Inspectors under this Act were required to visit each mine in their district and make a report on its conditions, ventilation, safety of the workers and other features. If an inspector found a practice in the mine or a piece of machinery that appeared dangerous, he could inform the manager and

direct that it be remedied. To facilitate his investigation of the mine, the inspector could summon parties before him, administer oaths or require the production of papers, records and documents. The owner of a mine was required to keep a record of each employee with their name, age and date of first employ.

No boy under the age of seventeen was to be employed in a mine nor any female in or about the mine except for clerical or domestic duties. A person in charge of a hoist or transport machinery in or out of the mine was to be at least twenty-one years of age. Before obtaining employment in a mine, a person must have obtained a medical certificate of fitness. A worker was not to be below ground for more than an eight hour shift in a period of twenty-four hours.

Wages were to be paid every two weeks. If there was a default in payment of wages, the owner or his agent were required to inform the Chief Inspector of Mines. A record was to be kept of the wages due to each worker. A miner was to be paid by the weight of mineral actually mined unless other arrangements were made. A check-weighter could be appointed by the miners to determine the amount of coal mined by each person. A check-measurer was appointed to see that the method of measuring and the quantities were accurate.

A Board of Examiners was established to provide for standard examinations and for the issuing of certificates of competence. Certificates were classified as first, second and third class miner's qualifications and certificates for mine surveyors and mine electricians. Every mine which had a total power of 15 kilowatts or more was required to have a mine electrician. The owner of a mine if taking part in its technical management was required to have a first class miners certificate. Every mine was required to have a manager with a first class certificate and the mine was to be under his personal supervision. The underground workings of a mine were to be supervised by an

overman. A mine was also to have an examiner to check ventilation, presence of gas, and the general safety.

A substantial part of the Act was directed toward safety measures. The Act prescribed the size of outlets, the number of shafts and the operation of the machinery in the mine. There was also a requirement of sanitary facilities, wash houses, first aid equipment, and hospital facilities. The Act contained a number of other safety regulations on the use of explosives, hoists and safety lamps.

1945

THE HOURS OF WORK ACT

The maximum hours of work for an employee whether male or female, were to be eight in a day or forty-eight in a week of six days.

1945

THE INDUSTRIAL CONCILATION AND ARBITRATION ACT

To allow continuity and stability in labour relations, a collective agreement between an employer and his employees was to be at least one year in duration and an agreement between the employees and a bargaining agent was to last at least ten months.

1945

THE MALE MINIMUM WAGE ACT

Overtime was redefined in terms of The Hours of Work Act as more than nine hours in a day or more than forty-eight hours in a week of six days.

If an employee was unpaid by his employer, he could bring civil court action for the wages due him and the costs of the action.

1946

THE ALBERTA BILL OF RIGHTS ACT

This Act was substantially a statement of general philosophy and a belief in the worth of the individual and his right to certain freedoms. It also recognized the right to employment, the necessities of life, educational and medical benefits and the right to a pension and medical assistance if disabled.

1947

THE PUBLIC SERVICE PENSION ACT

The Public Service Pension Board was set up under this Act to administer its provisions. Deductions were to be made from employees' salaries at the rate of 5% for a pension which could be drawn on at the age of 65. A person could retire at the age of 60 with full benefits if he had been employed for twenty-five years.

1947

THE ALBERTA LABOUR ACT

This was singularly the most comprehensive piece of labour legislation conceived up to this time. It combined the developments of a number of other statutes into a single document. To the present time, it is still the basic piece of labour legislation to which all related statutes are merely ancillary. The Alberta Labour Act came under the jurisdiction of the Department of Trade and Industry, and the Board of Industrial Relations. The scope of the Act was to include all employers and employees except farm labourers or domestic servants. The Board had the power to hold inquiries into the contractual

relations between parties in a dispute. It could arbitrate in a dispute between employers and employees over hours, wages, and conditions of employment and its settlement was binding on the parties. Furthermore, the Board had powers of inspection to examine books and payrolls, compel witnesses and administer oaths. An employer was required to keep a record of wages and hours of his employees which could be examined by the Board.

The maximum hours of work for an employee were to be eight in a day and forty-eight in a week of six days. The daily limit could be exceeded by one hour if the weekly limit did not exceed forty-eight hours. The employer was required to keep a record of overtime hours of employees. The employee was to have one day's rest in seven.

The Board of Industrial Relations could determine a minimum wage for persons in different classes of employment and direct that no employee should be paid less. It could also prescribe a fair wage for any individual.

The Board could hold an inquiry into conditions of labour and could set down certain minimum standards for employment. It could prescribe the use of safety garments for certain occupations and could prohibit female employees from lifting heavy objects. The Act further provided that children under the age of fifteen were not to work in a factory, office or shop. Pregnant women were not to be employed past a certain term in their pregnancy. Women employees were to be provided with chairs. The Board could direct that the employees were not to eat in a room where the manufacturing process was going on, but that the employer provide a separate, suitable room away from toxic substances. The employer was also required to keep the working area clean and sanitary, well - ventilated, heated to a comfortable temperature and not overcrowded. There was also to be a number of accessible washrooms for the employees. A person with a contagious disease was not to be employed. Women working with moving machinery were required to keep their hair fastened out of the way of the moving parts.

The Minister of Trade and Industry could call a conference of employers and employees in an industry to establish a schedule of maximum hours and minimum wages for the industry. This conference could also determine a rate for overtime pay. If a schedule was agreed upon by a sufficient number of employers and employees, it could be declared in force. The schedule, once agreed upon, could be amended after twelve months.

The Act provided that it was lawful for employees to bargain collectively and through a bargaining agent. The acts of a collective bargaining agent were not to be considered illegal merely because they were in restraint of trade. A collective bargaining agent was to be elected by a majority vote of the employees. A bargaining agent could apply to be certified where there was no collective agreement between the employer and his employees and no bargaining agent, where there was a bargaining agent but it had been ten months since certification, and where there was a collective agreement but it had been in force for a period of ten months. A collective agreement was to be for a term of one year.

The Board could intervene in negotiations for a collective agreement and recommend arbitration. The employer was prohibited from interfering with the union and was not to attempt to prevent an employee from joining one.

If a dispute existed between an employer and his employees, a conciliation commissioner could be appointed to help the parties to come together and make a fair settlement. If conciliation failed, the matter could be referred to a Board of Arbitration. Each party in the dispute was to appoint an arbitrator and the two appointees were to agree on a third member of the Board. In default of the appointment, the Minister could appoint members to the Board. The Arbitration Board had the power to call witnesses, require production of documents, adduce evidence and administer oaths. The parties voted to accept or reject the award of the Board. A strike or lockout was prohibited from the

time of the appointment of a Conciliation Commissioner to fourteen days after the vote of the arbitration award.

This Act repealed:

The Hours of Work Act

The Male Minimum Wage Act

The Female Minimum Wage Act

The Labour Welfare Act

The ^{Industrial} ~~Labour~~ Standards Act

The Industrial Conciliation and
Arbitration Act

1948

THE WORKMEN'S COMPENSATION ACT

The Workmen's Compensation Board was to have power over accident prevention to investigate and enforce requirements on employers for safe working conditions. It could require an employer to post additional security for injuries other than the contribution already required under this Act.

1948

THE BLIND WORKMEN'S COMPENSATION ACT

A blind worker was to be given an additional allowance over and above his payment under the Workmen's Compensation Act. The Institute for the Blind was to have jurisdiction over him and was to help place him in suitable employment. Officers of the Institute for the Blind were to have access to the blind worker on the job at all reasonable hours with permission from his supervisor.

1948

THE RETIREMENT PENSION ACT

The purpose of this Act was to encourage employers to set up pension

plans with their employees and to aid them in the administration of the approved scheme.

1948

THE DEPARTMENT OF TRADE AND INDUSTRY ACT

The Act was amended to create the Department of Industries and Labour. The name showed the growing importance of all aspects of labour in the business of government.

1948

THE EMPLOYMENT OFFICES ACT (REPEALED)

1948

THE OLD AGE PENSIONS ACT, ALBERTA

This Act renewed the covenant between the federal and provincial governments to pay jointly a total pension.

1948

THE OLD AGE PENSIONS (SUPPLEMENTARY ALLOWANCES) ACT

The amount of the supplement to an individual's pension was raised from five to seven dollars.

1948

THE ALBERTA LABOUR ACT

The Act was amended to bring it under the jurisdiction of the Department of Industries and Labour. It provided that trade unions were not to

1913

THE MINES ACT

This Act repealed the consolidated The Coal Mines Act of 1906 and the amendments of 1908. It provided that no boy under the age of sixteen was to be permitted to work underground in a mine. If machinery was used for entering or leaving the mine or for communicating within the mine, no person under the age of eighteen was to be in charge of operating it. No boy under the age of fourteen was to be permitted to work around a mine at all and no boy between the age of fourteen and sixteen was to work around the mine unless he was certified to be able to read and write and had a competent knowledge of arithmetic.

The Act also set out explicit qualifications for persons employed in a supervisory capacity around a mine. A Board of Examiners was created under the Act to give examinations and grant certificates of proficiency. Qualifications were determined for a manager, overman and examiner and also for classes of working miners. Each mine was to have a manager, who was the holder of a first class certificate, and an overman with a first or second class certificate to supervise the daily workings of the mine. The duties of each were enumerated in some detail in the Act.

1913

THE AGRICULTURAL SCHOOLS ACT

This Act came under the jurisdiction of the Department of Public Works. Its purpose was to provide training of a scientific nature to people planning on farming or working in agriculture, generally. Demonstration farms were established in conjunction with the schools to give practical training in scientific farming. The curriculum was also to provide for the teaching of domestic science courses. Upon satisfactory completion of the program, a student was

solicit people into their membership during working hours. For either party to commence collective bargaining upon the expiry of the collective agreement, the one party must give the other two months notice. A collective agreement was to be binding on the bargaining agent, the employer and all the employees in the bargaining unit. The legality of a strike or lockout could be determined by a referral to the Supreme Court of Alberta.

1948

THE COAL MINES REGULATION ACT

If a dispute arose on a matter of safety within the mine, a Board of Arbitration could be appointed under this Act to determine the issue. The Chief Inspector of Mines was to appoint one member to the Board and the owner or manager of the mine, another. The two members so appointed were to choose a third party. If either party failed to appoint a member to the Board, an application could be made to a District Court Judge and his decision was binding.

1949

THE OLD AGE PENSION (SUPPLEMENTARY ALLOWANCE) ACT

The supplement given to persons receiving an old age pension was raised from seven to ten dollars.

1950

THE ALBERTA LABOUR ACT

An employer was required to post conspicuously the hours of work and when shifts were to begin and end. He was also required to give an employee twenty-four hours notice before changing his hours of work. Where the employer's

business was extra-provincial, it was required that there be a bargaining representative within the province with the authority to conclude a collective agreement. An individual's pension rights were not to be affected by a legal strike or lockout.

1950

THE OLD AGE PENSIONS ACT, ALBERTA

This Act revised the joint arrangements between the Federal and Provincial Governments for the payments of old age pensions.

1951

THE OLD AGE PENSIONS ACT

The Lieutenant-Governor in Council was given the authority under this Act to alter the pension scheme so as to make it both effective and adequate should the Federal Government withdraw from the joint field or alter its provisions drastically.

1951

THE TRADE SCHOOLS REGULATION ACT

This Act was amended to provide that a license or certificate or registration issued to a trade school remained in effect until it was cancelled by the Minister.

1952

THE OLD AGE ASSISTANCE ACT

This Act repealed THE OLD AGE PENSIONS ACT, ALBERTA. An Old Age

Assistance Board was created to receive applications and determine the eligibility of persons applying for a pension under the Act. The Board was empowered to appoint a trustee for a recipient who was incapable of handling the pension received.

The Provincial Government was given the authority to enter into any agreements or make any adjustments in its pattern of contributions to a pension scheme if the Federal Government withdrew from the field or radically changed its scheme.

1952

THE SUPPLEMENTARY ALLOWANCES ACT

This Act came under the jurisdiction of the Department of Public Welfare. The coverage of supplementary allowances was extended from old age pensions to blind persons and persons of slight financial means. The maximum allowance was to be ten dollars a month. A Board was established to receive applications for allowances and to determine the eligibility of applicants. Entitlement to this allowance was to be based on a test of financial means.

1952

THE WORKMEN'S COMPENSATION ACT

The Act was amended to allow members of the employers' family to receive compensation if they were injured while working for him and if an application was made to bring them within the Act. The employer himself could receive compensation if he was included on the payroll with the other employees for whom the employer paid an assessment to the Workmen's Compensation Board. The Board could deem a volunteer employee to be covered by the Act if it was in the public interest.

1953

THE FIRE DEPARTMENTS PLATOON ACT

The Minister of Industries and Labour had jurisdiction over this Act. It gave firefighters the right to bargain collectively with their employers. If the parties were unable to make a collective agreement, the matter was to be referred to a Board of Arbitration. The award of the Board was binding on both the town council and the firefighters. An agreement was to be one year in duration or such longer time as agreed upon by the parties. The Board of Arbitration was to be composed of three or five members. Depending on the size of the Board each side in the dispute appointed one or two members who were then required to agree on a chairman. If any party defaulted in appointing a member to the Board, the Minister could make the appointment.

1954

THE COAL MINERS REHABILITATION ACT

This Act was conceived to rehabilitate and give financial aid to unemployed coal miners through retraining or any other feasible means.

1954

THE ALBERTA LABOUR ACT

An employee was defined as a person engaged in an industry and entitled to wages for labour or services performed.

An employer was required to keep the following record for each employee: name, age, address, hours of work, wages paid, date of commencement of work, date of change in wage rate and time of annual holiday.

The Board of Industrial Relations could issue an order fixing maximum overtime hours.

1955

THE GAS PROTECTION ACT

The Act was passed to provide protection to gasfitters and other related workers dealing with gas installation and gas equipment. A board of examiners was established to determine the qualifications of a gasfitter and to issue a certificate of proficiency at an appropriate level to the qualified party. The design, construction and repair of gas equipment was prescribed under the Act. Inspectors were to be appointed to oversee the safety of gas operations.

1955

THE COAL MINES ACT

As well as general mines inspectors, the Act provided for electrical inspectors who were to examine the equipment for generation and transmission of electrical energy in the mine. Electricians for mine work were divided up into first and second class qualifications.

A large mining operation was to have an assistant manager to aid the manager in the supervision of the mine. A mine was also to have a driver boss to oversee the use of some of the equipment. Check-weighters and check-measurers whose jobs were to determine the amount of coal mined by each miner were to be elected by the miners by secret ballot.

1955

THE BOILERS AND PRESSURE VESSELS ACT

This Act was to apply to all pressure plants. It provided detailed regulations on the design, construction and installation of pressure vessels. Inspectors were appointed pursuant to the Act who could enter business premises

that had pressure vessels at any reasonable hour to see that they were being safely operated and maintained by a properly qualified person. An inspector could issue instructions for the safe operation of the boiler and they had to be complied with by the owner or his agent. If the inspector was satisfied with the pressure vessel he could issue a certificate of inspection. A pressure vessel was not to be operated without a certificate of inspection or in breach of the Act by an unqualified person.

Certificates of qualification were subdivided into first, second, third and fourth class engineer's certificate, fireman's certificate, pressure vessel welder's certificate and two temporary types of certificates. The certificate governed the size of boiler over which one could have authority. A boiler was to be under the continuous supervision of a certificate holder.

If an explosion occurred with a pressure vessel, it was to be reported to the Chief Inspector of Boilers. He could hold an inquiry into the accident.

1956

THE WORKMEN'S COMPENSATION ACT, 1948

If a workman was given more compensation than he was entitled to, the amount overpaid became a debt which he had to repay to the Workmen's Compensation Board.

1957

THE ALBERTA LABOUR ACT

The changes in the Act included the provision that an employer was required to give one week's vacation with pay for one year's service and two weeks vacation with pay thereafter.

A female employee was to be paid at the same rate as a male employee

for substantially the same work. A female employee could lodge a complaint with the Board of Industrial Relations if she felt that she was being underpaid and an inspector was to investigate and attempt to settle the issue.

When the weekly maximum hours were exceeded by employees, the employer was required to submit to the Board the reason for exceeding the limit, the number of employees involved and the extent that the limit was exceeded. An employer with more than eleven employees was required to keep a written statement of the hours worked by an employee, the wages earned at the regular rate and the wages earned at the overtime rate.

1959

THE DEPARTMENT OF LABOUR ACT

The singular importance of the growing labour field was recognized when the Department of Industries and Labour was replaced by the Department of Labour.

1959

THE STUDENTS ASSISTANCE ACT

The purpose of this Act was to enable students to better train for a career by tendering financial help in the form of loans and grants to high school and university students.

1960

THE ALBERTA LABOUR ACT

This Act was deemed not to apply to municipal constables. If an emergency arose due to a labour dispute which threatened to cause injury to life or

property, the Lieutenant-Governor in Council could impose emergency measures and do all things necessary to stop the dispute.

If an employer failed to give a vacation with pay the employee could recover in court a sum in lieu of time off for vacation.

A trade union was not to be certified if it had picketed the place where it was attempting to get representation and it appeared that the picketing led to its support. In the case of an illegal strike a union was not to try to dissuade employees, customers or persons carrying freight from entering a place of business.

1962

THE ELEVATOR AND FIXED CONVEYANCES ACT

The major purpose of this piece of legislation was to provide for a uniform service of inspection for all elevators and fixed conveyances whether for passengers or for freight. An inspector appointed pursuant to this Act was empowered to examine an elevator or other conveyance at any reasonable hour and could demand production of an inspection certificate by the owner or his agent. The inspector could direct that some repairs be made to a lift and these were to be carried out before the lift was used again. The alteration, construction and design of a lift had to be approved by an inspector before work was begun on it. An inspector or an engineer accompanying him were not to be held liable for any loss or injury occasioned by the lift.

1962

THE WELDING ACT

A person who did not have a valid welding certificate pursuant to this Act could be employed under the authority of the Provincial Apprenticeship

Board to do welding under supervision and with restrictions on the type of work in which he was to be engaged.

1963

THE TRADE SCHOOL REGULATION ACT

The proprietor of a trade school could be required to put some security with the Minister of Labour, in an amount determined by the Minister, to insure that he performed his contract with the students.

1964

THE ALBERTA LABOUR ACT

This Act held that a collective agreement was to be in effect until a final settlement was reached on a new collective agreement. Employees were not to go on strike until written notice of such intention had been given to the employer by the bargaining agent. An employer was required to give similar notice before proceeding with a lockout.

1965

THE WORKMEN'S COMPENSATION ACT

If a worker was required to attend classes as part of his employment, the classes were deemed to be part of his employment for the purposes of recovering compensation. When a worker was injured he was required to make a claim against the Accident Fund within one year. If he had notified the employer of the accident, the worker was entitled to make a claim against the Fund within three years.

1966

THE HUMAN RIGHTS ACT

This was another of the philosophical declarations of policy, but it was also given some means of enforcement.

The Act prohibited discrimination against any class of persons based on their race, religion, colour, ancestry or place of origin. An employer could not deny employment or discriminate with respect to employment for any of these reasons. Trade unions also were not to discriminate against persons on any of these bases.

If a person felt he was wronged within the confines of this Act, he was to make a complaint to the Administrator appointed under the Act who would attempt a settlement. If a settlement was not possible a board of inquiry was set up to investigate the situation and report on its findings. If the board of inquiry found the complaint justified, the offending party could be prosecuted in the District Court.

1966

THE WOMEN'S CULTURAL AND INFORMATION BUREAU ACT

The purpose of this Act was to establish a branch of the public service to deal with the particular problems of women in the area of employment and in the legal, cultural, social and public sector of society.

1967

THE AGRICULTURAL AND VOCATIONAL COLLEGES ACT

This Act was conceived to promote post secondary education and training of nature that would be practical and distinct from university training. A Board

of Agricultural and Vocational Colleges was constituted to prepare a curriculum of scientific and practical work, prescribe the course studies and get advisory bodies to coordinate the high school and college educations.

A student was required to take a full course of studies and to demonstrate sufficient practical and theoretical skill, at which time he was to be awarded a diploma.

1967

THE OMBUDSMAN ACT

This Act provided for an independent commissioner to investigate the grievances of private citizens or agencies of government, where a party felt his rights had been infringed by an administrative procedure or other cause and he had no recourse to the courts.

1968

THE CIVIL SERVICE ASSOCIATION OF ALBERTA ACT

An Association for Alberta Government employees was set up under this Act. Its role was to promote harmony between Government and its workers, to develop the skill, education and efficiency of employees, to bring about united action in matters of common interest and to make agreements between Government and the Association.

1968

THE CROWN AGENCIES EMPLOYEE RELATIONS ACT

This Act gave the Civil Service Association of Alberta, the sole right to bargain with an employer in an instance where a majority of the employees were members of the Association.

Either the employer or the Association could request negotiations and a negotiating committee was to be set up. If the recommendations of the committee were not acceptable, the matter could be referred to a mediation board. The mediation board had the power of a court to administer oaths and adduce evidence. If the report of the mediation board was accepted by both parties it became binding. If the report was rejected the matter was referred to arbitration and the award of the arbitration board was to be final and binding.

1968

THE EMPLOYMENT AGENCIES ACT

An employment agency was required to be licensed pursuant to this Act. An agency could not take remuneration from a person seeking employment or for whom it had secured employment. A person seeking work was not to be sent, by an employment service, to a place of business where there was a strike or lock-out. A record was to be kept of persons seeking employment and the places of business to which they were directed.

1968

THE ALBERTA LABOUR ACT

This was a major amendment to a number of diverse areas of the Act. The application of this piece of legislation was defined in greater detail so that it was determined to apply to farm labourers in a commercial undertaking, as opposed to a private farm. Municipal policemen, however, were specifically excluded from the provisions of the Act.

A pay period was not to be longer than one month and an employee was to be paid within ten days of the end of a pay period. An employee was also to be paid right after the termination of his employment.

The provision regarding vacations with pay still required that an employee receive two weeks annual paid vacation. It also required that a proportionately lesser time be allowed when an individual had worked for a term of less than a year. Vacation pay had to be given in lieu of a vacation with pay. The Board of Industrial Relations could determine what constituted the hours, days, weeks or months of work for the purpose of establishing what constituted vacation pay. For this purpose, the Board could also determine what was an individual's wage or pay.

The Board had the power to enquire into an application for certification of a bargaining agent. As part of the enquiry the Board could require production of documents or other evidence by the union or association, and it could hold a vote. The Board could study the membership of a unit and include or exclude individuals put forward by the applicant union as members.

Where two or more unions applied to merge, the Board could require production of evidence of consensus of the members or hold a vote. A decision of the Board was to be final, but it could reconsider its decision or it could ask for judiciary supervision of a decision.

A collective agreement made by a bargaining agent was to be binding upon that agent, all the employees in the unit, and the employer who entered that agreement. A collective agreement between an employer's organization and a bargaining agent was to be binding upon each member of the employers' organization, who was a member at the time of the agreement and on whose behalf the agreement was made. The employers' organization was to give the name of all the employers for whom it was bargaining and in default of this, it was assumed to be bargaining on behalf of all the employers.

Every collective agreement was to have a provision for final settlement by arbitration or similar means. If an agreement did not have any such provision, the machinery in the Act was made part of the agreement. An arbitration board

made an award, but it could not change the terms of a collective agreement. If the employer or the employees or their representatives failed to comply with an arbitration award, one party could apply to the courts to have it enforced.

1969

THE TRADE SCHOOLS REGULATION ACT

The Minister could cancel the registration of a trade school if it had misrepresented the course content or the employment opportunities to a student or if a course was valueless or not adequately taught. In the case of one course, the Minister could merely require that the trade school cease to offer it.

1969

THE WORKMEN'S COMPENSATION ACT

This amendment was an updating and revision of some of the major terms of the Act. It provided that the Workmen's Compensation Board could delegate any of its powers to its officers. The Board or its officers could enter the working premises of an employer who was contributing to the Accident Fund to determine if the working of machinery and appliances was safe, adequate and sufficient, proper precautions were made for workers, safety appliances required by law were being used and the premises was sanitary and properly ventilated and heated. The Board could order that additional appliances or fixtures be installed for safety reasons.

If a workman was injured or killed due mainly to the failure of the employer to comply with safety regulations, the Board could assess the employer with up to half of the cost of the claim against the Accident Fund. If an employer failed to provide safe working conditions, the Board could make an additional assessment on the contribution owing to the Accident Fund. Where an employee was

entitled to compensation under this Act, he could not then bring a court action against his employer.

1970

THE BUILDERS LIEN ACT

An individual who worked on or furnished any material to a building or land was to have a lien against that land and he could not contract out of those rights. The lien could be registered and could be cancelled or enforced by a court order.

1970

THE FIREFIGHTERS AND POLICEMEN LABOUR RELATIONS ACT

All firefighters were to have the right to be a member of a trade union and to bargain collectively. All policemen were to have the right to be a member of a police association and to bargain collectively. These workers were not to be permitted by law to cease working.

Either the bargaining agent or the municipality could initiate bargaining or negotiations through a bargaining committee. Where the parties were not able to reach an agreement, a conciliation commissioner was to be appointed. If still no agreement could be reached, a matter could be referred to arbitration. The award of an arbitrator was to be binding on both parties.

1970

THE ALBERTA LABOUR ACT

This major amendment in the Act was to keep it in line, as much as possible, with the latest trends and developments in labour relations. The application of the Act was extended to include the Alberta Government Telephones,

the first Crown corporation to be brought under the Act.

The Act made provision to formalize group bargaining in the construction industry. An employer's organization could bargain with a trade union or a group of trade unions for all the employers with whom the trade unions had collective bargaining rights. The collective agreement between the employers and the trade union was to be binding on all the employers.

Provision was also made for the establishment of a representative council to deal with jurisdictional disputes. A committee was to be made up from delegates of the employer and the trade union, but if the parties failed to appoint a committee, the Board of Industrial Relations could make a decision. The decision in either case was to be binding on all the parties involved.

To eliminate some disruptions in the construction industry, the Act prohibited anyone from refusing to load or unload goods from a carrier, except in the case of a legal strike or lockout between the carrier and his employees. Picketing was to be carried out in a lawful manner at the employee's place of work and nowhere else.

A significant provision was the recognition of the employer's organization and trade unions as legal entities.

The emergency powers to deal with work stoppages was extended to areas where privation or human suffering would result from a stoppage for an extended period of time.

Where unfair labour practices or unlawful work stoppages occurred, the Board of Industrial Relations was to have the power to hear the circumstances and order unlawful practices to be stopped.

Female employees were to receive equal pay with male employees for similar work. A female employee could file a complaint about wages with the Director of Labour Standards.

CONCLUSION

It might appear at first glance that the amount of labour legislation has dwindled off within the last few years, but in fact it must be remembered that each piece of legislation is compounded from year to year, except insofar as it is amended or repealed. Furthermore, a number of Acts dealing with specific problems such as wages, hours of work and vacations have been consolidated into one comprehensive document, The Alberta Labour Act.

A large body of legislation has evolved in the area of social welfare. There has been a vast increase in the number of statutes dealing with pension plans and the coverage which they give. Hospitalization and comprehensive health care schemes have also been adopted. These have relieved many workers of a formerly great potential burden.

If one reflects for a moment, it becomes patently obvious that labour legislation and all its ancillary fields have come a long way from the time when children worked in the coal mines of early nineteenth century Britain. A large number of changes were brought about between the two World Wars and during the Depression, when the basic dignity of the working man and woman came to be recognized for its worth. Today Alberta in a climate of industrial peace has some of the most progressive labour legislation in Canada or elsewhere.

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