1980

536 Woodmen's Employment Act

Ontario
CHAPTER 536
Woodmen’s Employment Act

1. In this Act, Interpre-

(a) “Crown timber” means trees standing, growing or -tation
being on ungranted public lands or on other lands where the timber thereon or any portion thereof is the property of the Crown;

(b) “employees” means persons in the employ of an operator or in the employ of any person carrying on work under a contract, subcontract or other arrangement or agreement authorized by or relating back to the licence, permit, contract, agreement or other instrument granted or made by the Crown under which the operator enjoys the right to cut and remove Crown timber;

(c) “Minister” means the Minister of Natural Resources;

(d) “Ministry” means the Ministry of Natural Resources;

(e) “operator” means any person holding a licence, permit, contract, agreement or other instrument granted or made by the Crown under which exists the right to cut and remove Crown timber. R.S.O. 1970, c. 503, s. 1; 1972, c. 4, s. 12.

2.—(1) The Lieutenant Governor in Council, upon the recommendation of the Minister, may appoint an inspector under this Act. R.S.O. 1970, c. 503, s. 2 (1).

(2) Such office may be assigned to some person performing other duties in the Ministry unless the duties are so onerous as to require a separate appointment. R.S.O. 1970, c. 503, s. 2 (2); 1972, c. 1, s. 1.

(3) The Minister or the Deputy Minister of Natural Resources may appoint any Crown timber agent or other officer of the public service of Ontario to be an assistant inspector, and such assistant inspector has the same duties and powers as the inspector and shall act for such period
of time as may be authorized by the Minister or Deputy
Minister. R.S.O. 1970, c. 503, s. 2 (3); 1972, c. 4, s. 12.

3. It is the duty of the inspector to investigate from
time to time as may be directed by the Minister or the
Deputy Minister of Natural Resources the undertaking or
operations of any operator or of any person carrying on
work under a contract or subcontract or other arrangement
or agreement authorized by or relating back to the licence,
permit, contract, agreement or other instrument granted
or made by the Crown under which the operator enjoys
the right to cut and remove Crown timber, and such
investigation shall be made with reference to,

- **wages and hours of labour**
  
  - (a) the computation of the wages or earnings of
    employees, the hours and times of working, and the
    method of paying such wages or earnings;

- **food supplies**
  
  - (b) the sufficiency and wholesomeness of food supplied
    to employees whether such food is supplied as
    part of the wages or earnings of such employees
    or is paid for in cash by such employees, or is
    deducted from the wages or earnings of such
    employees;

- **charges for supplies**
  
  - (c) the prices charged for meals, living accommoda-
    tion, clothing, boots, supplies, tools, tobacco and
    any other article sold to, provided for or offered
    for sale to employees;

- **deductions for services**
  
  - (d) the amount charged against or deducted from the
    wages or earnings of employees for medical, dental,
    transportation or other services or facilities of
    any nature whatsoever;

- **assessments**
  
  - (e) the assessments, levies, fines, penalties or other
    deductions charged against the wages or earnings
    of any employee;

- **camp quarters**
  
  - (f) the rooms, tents, cabins, houses, camps or other
    places of accommodation provided for the living or
    working places of employees and the sanitary
    conditions thereof, or of any storehouse, kitchen,
    dining room or other places used for the preparation,
    storing and serving of food;

- **contracts**
  
  - (g) the details of any contract, subcontract, arrange-
    ment whether written or otherwise, the carrying
    out of which involves in any manner the employ-
    ment of any person;
(h) the conditions under which employees labour, the hazards to which employees are subjected in the course of work, and the methods employed in carrying out timbering and lumbering operations;

(i) such other matters respecting woodmen's employment as may be directed by the Minister or the Deputy Minister of Natural Resources. R.S.O. 1970, c. 503, s. 3; 1972, c. 4, s. 12.

4. Every operator is responsible to the Crown for all things done or required to be done in the course of carrying out the timbering or other operations authorized under the licence, permit, contract, agreement or other instrument held by such operator, notwithstanding that such operator by contract, agreement, permit or other instrument, or in any other manner, has authorized or permitted work to be undertaken or performed, or services to be supplied by contractors, subcontractors, permittees, jobbers or by any other person whatsoever. R.S.O. 1970, c. 503, s. 4.

5. The inspector shall transmit to the Minister a report as soon as practicable after each investigation made by him, and the Minister, upon receipt of the report, may make such recommendations to the operator or operators referred to therein or to the Lieutenant Governor in Council as the Minister may consider advisable. R.S.O. 1970, c. 503, s. 5.

6. The Lieutenant Governor in Council may make regulations respecting any of the several matters made the subject of investigation under this Act, or respecting the procedure to be followed in carrying out the provisions of this Act. R.S.O. 1970, c. 503, s. 6.

7. The inspector for the purpose of making an investigation under this Act may,

(a) upon production of his appointment as an inspector, enter at any reasonable time upon any land and premises upon which Crown timber is being cut and removed or which are used in connection with the cutting or removal of Crown timber and examine the interior of any room, tent, cabin, house or other place of accommodation provided for the living or working places of employees and of any kitchen, dining room, storeroom or other place used for the preparation, serving or storing of food provided to employees; and
(b) for purposes relevant to the subject-matter of the investigation, make inquiries from any person and require the production of and examine documents, books and papers, including payrolls, price lists, diet sheets and shanty books, and for those purposes the inspector has the powers of a Commission under Part II of the Public Inquiries Act, which Part applies to such inquiries as if they were inquiries under that Act. 1971, c. 50, s. 91, part.

8. No proceeding under this Act is invalid by reason of any defect of form or technical irregularity. R.S.O. 1970, c. 503, s. 10.