

1980

## c 284 Ministry of Labour Act

Ontario

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CHAPTER 284

Ministry of Labour Act

1. In this Act,

Interpretation

- (a) "Board" means the Industry and Labour Board;
- (b) "Deputy Minister" means the Deputy Minister of Labour;
- (c) "inspector" means an inspector appointed under this Act or any other Act or regulation administered by the Ministry;
- (d) "Minister" means the Minister of Labour;
- (e) "Ministry" means the Ministry of Labour. R.S.O. 1970, c. 117, s. 1; 1972, c. 1, s. 1, *amended*.

2.—(1) The ministry of the public service known as the Ministry of Labour is continued. R.S.O. 1970, c. 117, s. 2 (1); 1972, c. 1, ss. 1, 2. Ministry continued

(2) The Minister shall preside over and have charge of the Ministry. R.S.O. 1970, c. 117, s. 2 (2); 1972, c. 1, s. 1. Minister to have charge

3. The Lieutenant Governor in Council may appoint a Deputy Minister and such other officers, clerks and servants in the Ministry as are considered necessary or expedient. R.S.O. 1970, c. 117, s. 3; 1972, c. 1, s. 1. Deputy Minister and staff

4. The Deputy Minister shall perform such duties as are assigned to him by the Lieutenant Governor in Council or by the Minister. R.S.O. 1970, c. 117, s. 4. Duties of Deputy Minister

5. The Minister is responsible for the administration of this Act and the Acts that are assigned or transferred to him by the Legislature or by the Lieutenant Governor in Council. R.S.O. 1970, c. 117, s. 5. Administration of Act

6. The Ministry shall,

Duties of Ministry

- (a) collect such statistical and other information respecting trades and industries in Ontario as is considered necessary or expedient from time to time; statistics and information

- distribution of employment (b) ascertain the localities in which mechanics, artisans or workmen in any particular trade or industry are required and, wherever practicable, assist in supplying the demand for such work or labour ;
- sanitary and other conditions (c) ascertain and report upon sanitary and other conditions relating to the health, comfort, and well-being of the industrial classes ;
- employment bureaus (d) establish and maintain in the various centres of population throughout Ontario employment offices and similar agencies for obtaining suitable employment for persons, both male and female, in any of the trades, occupations, or professions, and for procuring workers for employment in any of the trades, occupations or professions, and, subject to the *Employment Agencies Act*, to regulate all voluntary, private or municipal employment bureaus ;
- R.S.O. 1980, c. 136
- wages (e) ascertain and report upon the rates of wages paid to employees in the various trades and industries carried on in Ontario ;
- new industries in Ontario (f) inquire and report as to the establishment of new industries in Ontario in any case where, by reason of the production of raw material for such industry in Ontario or the immigration of persons skilled in the particular industry or other circumstances, it appears that such industry can profitably be carried on ;
- reporting upon laws in other countries (g) inquire into, consider and report upon the operation of laws in force in other parts of the Commonwealth and in foreign countries, having for their objects the protection, technical training and welfare of the industrial classes, and make such recommendations and suggestions thereon as are considered advisable ;
- changes in the law (h) consider and report upon any petition for or suggestion of a change in the law of Ontario relating to labour and wages or any matter affecting the industrial classes, presented or made by any trades and labour council or other organization representing those classes or by any other person. R.S.O. 1970, c. 117, s. 6; 1972, c. 1, s. 1.

Annual report

7. The Minister shall after the close of each fiscal year submit an annual report upon the affairs of the Ministry to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1972, c. 1, s. 82 (2).

8.—(1) The Board shall consist of not more than three members appointed by the Lieutenant Governor in Council, one of whom shall be designated as chairman, and all of whom shall be officers of the Ministry. Industry and Labour Board

(2) The Board is a body corporate and, with the approval of the Lieutenant Governor in Council, may pass by-laws and regulations governing its proceedings. By-laws of Board

(3) The Board shall administer, enforce and carry out any Act in which the Board is designated for the purpose in such Act or that is assigned to it by the Lieutenant Governor in Council. R.S.O. 1970, c. 117, s. 8; 1972, c. 1, s. 1. Powers of Board

9.—(1) The Deputy Minister may require from employers, workmen and other persons such information concerning rates of wages, hours of work, regularity of employment, and other matters as he considers necessary for the proper carrying out of this Act or of any of the Acts or regulations administered by the Ministry. R.S.O. 1970, c. 117, s. 9 (1); 1972, c. 1, s. 1. Powers of Deputy Minister as to obtaining information

(2) For the purpose of procuring such information or for the purpose of assisting the Ministry in carrying out any of the provisions of section 6, the Minister may authorize the Board or any members of the Board to conduct a public inquiry and the Board and the member or members thereof acting under such authority have, for the purpose of conducting such public inquiry, the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to such public inquiry as if it were an inquiry under that Act. 1971, c. 50, s. 29 (1); 1972, c. 1, s. 1. Public inquiries by Board

(3) Any officer or inspector of the Ministry, acting under the written authority of the Deputy Minister, has right of access at all reasonable hours to any office, factory, shop, place of business or other premises for the purpose of carrying out this Act or any Act or regulations administered by the Ministry. R.S.O. 1970, c. 117, s. 9 (3); 1972, c. 1, s. 1. Right of access

(4) Every person who refuses to furnish any return or information that may be lawfully required, or who hinders or obstructs any officer or inspector in the performance of his duties under this Act or any of the Acts or regulations administered by the Ministry is guilty of an offence and on conviction is liable to a fine of \$20. R.S.O. 1970, c. 117, s. 9 (4); 1972, c. 1, s. 1. Offence

(5) Every person who falsifies his records or returns or supplies incomplete or untrue information is guilty of an Falsifying records

offence and on conviction is liable to a fine of not less than \$50 and not more than \$300. R.S.O. 1970, c. 117, s. 9 (5).

Regulations  
re ionizing  
radiation

**10.**—(1) The Lieutenant Governor in Council may make regulations for the protection of the health and safety of persons from the effects of ionizing radiation used in industry or commerce,

- (a) classifying sources of ionizing radiation;
- (b) respecting the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation or any class of them;
- (c) requiring notice of any matter respecting the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation or any class of them;
- (d) requiring drawings and specifications showing protective measures concerning sources of ionizing radiation;
- (e) requiring physicians or other persons to furnish to a designated person information concerning the exposure of any person to ionizing radiation in excess of a prescribed maximum;
- (f) respecting the medical examination of persons who have or may come in contact with ionizing radiation, prescribing by whom the cost of the examination is to be borne, and requiring a report of the examination to a designated person;
- (g) requiring and regulating the supervision of the processing, use, installation, movement, handling, maintenance, storage or disposal of sources of ionizing radiation, or any class of them, by qualified persons and prescribing their qualifications;
- (h) providing for and requiring the registration of any specified persons engaged in the processing, installation, use, movement, handling, maintenance, storage or disposal of a source of ionizing radiation, and prescribing the fees therefor;
- (i) defining “vicinity” when used with respect to sources of ionizing radiation or any class of them, and regulating or prohibiting use of the vicinity of sources of ionizing radiation;

- (j) designating classes of persons and respecting the employment of any person or class of persons in the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation, or in the vicinity of sources of ionizing radiation;
- (k) excluding any class of sources of ionizing radiation or any premises from the application of any or all of the regulations made under this section;
- (l) prescribing forms and providing for their use.

(2) Regulations made under this section shall be deemed to be in addition to and not in contradiction of or in substitution for regulations made under any other Act dealing with the safety of workmen and employees. R.S.O. 1970, c. 117, s. 11 (2, 3). Other regulations not interfered with

**11.**—(1) Where an inspector is of the opinion that any work on any undertaking or any part thereof to which any Act or regulation administered by the Ministry applies is being done in a manner or under conditions that are dangerous to life or property, he may, by written order to any person responsible for or in charge of the work, require the immediate cessation of the work or any part thereof that he considers dangerous. R.S.O. 1970, c. 117, s. 12 (1); 1972, c. 1, s. 1. Stop-work orders

(2) Where an inspector has made an order under subsection (1), he may permit such work as may be done safely and that is necessary to eliminate the dangerous condition. R.S.O. 1970, c. 117, s. 12 (2). Idem

(3) Any person who considers himself aggrieved by an order made by an inspector under this section may appeal to the chief inspector or chief officer having supervision over the inspector or, if there is no such chief inspector or chief officer, to the Deputy Minister who shall designate a person to hear and determine the appeal. Appeal

(4) A chief inspector or chief officer to whom an appeal is made under this section or the person designated under subsection (3) to hear an appeal shall hear and dispose of the appeal as promptly as is practicable, but the bringing of such appeal does not affect the operation of the order appealed from pending disposition of the appeal. Hearing

(5) An appeal under this section may be made in writing or orally or by telephone, but the person to whom the appeal is made may require the grounds for appeal to be specified in writing before the hearing. How appeal made

## Parties

(6) The appellant, the inspector from whom the appeal is taken and such other persons as the person to whom the appeal is made may specify are parties to an appeal under this section.

Powers of  
person  
hearing  
appeal

(7) The person hearing an appeal under this section may substitute his findings or opinions for those of the inspector who made the order appealed from and may affirm or rescind the order or make a new order in substitution therefor and has all the powers of the inspector for such purpose and the decision or order on the appeal shall stand in the place of and have a like effect under this Act and the regulations as the decision or order of the inspector. 1971, c. 50, s. 29 (2).

## Offences

**12.** Every person who contravenes any of the provisions of this Act or the regulations or any notice of direction made thereunder is guilty of an offence and on conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than twelve months, or to both. R.S.O. 1970, c. 117, s. 13.