

1977

## c 12 The Ontario Youth Employment Act, 1977

Ontario

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## CHAPTER 12

**An Act to provide Employment Opportunities for Youth in Ontario**

*Assented to July 12th, 1977*

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** In this Act,

Interpre-  
tation

- (a) "eligible employee" means a person who is resident and eligible to work in Ontario and who at the time of the commencement of the youth employment program has attained the age of fifteen years but has not attained the age of twenty-five years;
- (b) "eligible employer" means a person who has been actively engaged in business or farming in Ontario for at least one year immediately prior to the commencement of the youth employment program but does not include a municipality or local board thereof, the Government of Canada or the government of any province or any agency, board or commission thereof, or any person prescribed not to be eligible as an employer;
- (c) "employee" means an employee within the meaning of *The Employment Standards Act, 1974*;
- (d) "employer" means an employer within the meaning of *The Employment Standards Act, 1974*;
- (e) "farming" includes tillage of the soil, the breeding, raising or grazing of live stock of all kinds, the raising of poultry and the production of poultry products, fur-farming, dairy farming, fruit growing, the growing of food for human consumption or for the feeding of live stock and the keeping of bees;
- (f) "local board" means a local board as defined in *The Municipal Affairs Act*;

1974, c. 112

R.S.O. 1970,  
c. 118

- (g) "Minister" means the Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs or such other member of the Executive Council as is designated by the Lieutenant Governor in Council to administer this Act;
- (h) "municipality" means a city, town, village, township or improvement district and includes a metropolitan, regional or district municipality;
- (i) "prescribed" means prescribed by the regulations;
- (j) "regulations" means the regulations made under this Act.

Purpose  
of Act

2. The purpose of this Act is to provide for the establishment of a youth employment program that will encourage the farming and business communities in Ontario to achieve increased employment of youth in Ontario by creating new summer job opportunities and that will provide young people with work experience and skills that better equip them for full-time participation in the labour market.

Minister  
may make  
grants

3. The Minister may make grants in the prescribed amount to eligible employers who hire eligible employees in accordance with the terms and conditions of the youth employment program established under this Act.

Effect of  
program

4.—(1) The youth employment program established under this Act shall ensure,

- (a) that employment created under the program is in addition to that normally provided by an employer and that it does not result in the dismissal, lay-off or reduction in regular hours or period of work of any existing employees of an employer; and
- (b) that employment is not provided under the program to an employee where the employer is a related person.

Interpre-  
tation

(2) For the purposes of clause *b* of subsection 1, "related person" means,

- (i) any spouse, parent, son or daughter, brother or sister of the employee,
- (ii) any relative of the employee or of his spouse, other than a relative referred to in subclause i, who has the same home as the employee, or

- (iii) any body corporate of which the employee and any of the persons referred to in subclause i or ii or the partner or employer of the employee, either alone or in combination beneficially owns, directly or indirectly, equity shares carrying more than 50 per cent of the voting rights attached to all equity shares of a body corporate for the time being outstanding.

**5.**—(1) Every person who receives a grant of money under the youth employment program established under this Act shall, at such times and in such manner as may be prescribed, make a return to the Minister in such form as the Minister requires. Returns

(2) Every person who fails to make a return as and when required by subsection 1 is guilty of an offence and on summary conviction is liable to a fine not exceeding \$500. Offence

**6.** The Minister, or any person designated by him in writing, may at all reasonable times enter into any premises or place where any business is carried on or any property is kept, or any thing is done in connection with any business or any books or records are or should be kept pursuant to the provisions of this Act or the regulations to ensure that the provisions of this Act and the regulations are being complied with. Inspection

**7.**—(1) Upon an inspection under section 6, the person inspecting, Powers of inspector

- (a) is entitled to free access to all books of account, cash, documents, bank accounts, vouchers, correspondence and records of every description of the person being inspected; and
- (b) may, upon giving a receipt therefor, remove any material referred to in clause a that relates to the purpose of the inspection for the purpose of making a copy thereof, providing that such copying is carried out with reasonable dispatch and the material in question is promptly thereafter returned to the person being inspected.

and no person shall obstruct the person inspecting or withhold or destroy, conceal or refuse to furnish any information or other thing required by the person inspecting for the purposes of the inspection.

(2) Any copy made as provided in subsection 1 and purporting to be certified by the inspector is admissible in evidence Copies



in any action, proceeding or prosecution as being of actual proof of the original.

Offence

(3) Every person who contravenes subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000, or if such person is a corporation, to a fine of not more than \$10,000.

Non-disclosure

(4) No person employed in the administration or enforcement of this Act shall disclose information obtained under section 6 or this section, except where the disclosure is necessary for the administration or enforcement of this Act or where the disclosure is required by a court for the purposes of an action, prosecution or proceeding.

Offence

8. (1) Every person who makes or assists in making a statement in any document required by or for the purposes of this Act or the regulations that, at the time and in related circumstances under which it was made, is false or misleading in respect of any material fact or omits to state any material fact, the omission of which makes the statement false or misleading is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000, or if such person is a corporation, to a fine of not more than \$10,000.

Saving

(2) No person is guilty of an offence under subsection 1 if he did not know that the statement was false or misleading, and in the exercise of reasonable diligence could not have known that the statement was false or misleading.

Recovery of grant made on basis of false application

9. Where any person obtains a grant or disbursement of funds under this Act or the regulations, on the basis of information that is false or misleading or an application that contains any false or misleading statement, the amount of such grant or disbursement together with interest thereon at the prescribed rate, shall be deemed to be a debt due to the Crown and may be recovered by an action in a court of competent jurisdiction.

Regulations

10.—(1) The Lieutenant Governor in Council may make regulations establishing, amending or revoking a youth employment program and fixing the time of commencement and duration of the program, and, without restricting the generality of the foregoing,

- (a) prescribing the amounts of grants that may be made under the program to employers;
- (b) prescribing the terms and conditions upon which grants under the program may be made;

- (c) prescribing the manner in which eligibility for grants shall be determined;
- (d) prescribing the manner and method by which grants under the program shall be made;
- (e) prescribing the books and records to be kept by employers relating to employees in respect of whom grants under the program may be made;
- (f) prescribing the information and returns to be filed by employers in connection with the program;
- (g) prescribing the rate of interest for the purposes of section 9;
- (h) defining any word or expression used in this Act or the regulations that has not already been expressly defined in this Act;
- (i) prescribing any matter that is required or permitted by this Act to be prescribed by regulation;
- (j) prescribing forms and providing for their use and requiring any information given in a form to be verified by statutory declaration.

(2) A regulation made under subsection 1 may be made effective retroactively to a date not earlier than the 19th day of April, 1977. Regulation may be retroactive

**11.** Notwithstanding *The Summary Convictions Act*, proceedings to enforce any provision of this Act or the regulations may be instituted within two years after the time the subject-matter of the proceedings arose. Institution of proceedings R.S.O. 1970, c. 450

**12.** The moneys required for the purposes of this Act shall, until the 31st day of March, 1978, be paid out of the Consolidated Revenue Fund and thereafter shall be paid out of the moneys appropriated therefor by the Legislature. Moneys

**13.** This Act shall be deemed to have come into force on the 19th day of April, 1977. Commencement

**14.** The short title of this Act is *The Ontario Youth Employment Act, 1977*. Short title

