

1950

## c 95 Department of Labour Act

Ontario

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## CHAPTER 95

## The Department of Labour Act

## 1. In this Act,

Interpretation.

- (a) "Board" means Industry and Labour Board;
- (b) "Department" means Department of Labour;
- (c) "Deputy Minister" means Deputy Minister of Labour;
- (d) "Minister" means Minister of Labour. *New.*

2. The Department shall be presided over by the Minister. Minister to preside.  
R.S.O. 1937, c. 69, s. 1.

3. The Lieutenant-Governor in Council may appoint a Deputy Minister and such other officers, clerks and servants Deputy Minister and staff. in the Department as may be deemed necessary or expedient.  
R.S.O. 1937, c. 69, s. 2.

4. The Deputy Minister shall perform such duties as may be assigned to him by the Lieutenant-Governor in Council or Duties of Deputy Minister. by the Minister. R.S.O. 1937, c. 69, s. 3.

## 5. The Department shall administer:

Administration of certain Acts assigned to Department.

- (a) *The Apprenticeship Act*;
- (b) *The Building Trades Protection Act*;
- (c) *The Employment Agencies Act*;
- (d) *The Factory, Shop and Office Building Act*;
- (e) *The Industrial Standards Act*;
- (f) *The One Day's Rest in Seven Act*;
- (g) *The Operating Engineers Act*;
- (h) *The Steam Boilers Act*;
- (i) Regulations respecting the protection of persons working in compressed air, tunnels, or open caissons,

Rev. Stat., cc. 19, 41, 114, 126, 179, 260, 265, 374.

and such other Acts or regulations as may from time to time be designated by the Lieutenant-Governor in Council. R.S.O. 1937, c. 69, s. 4.

Duties of  
Department,

**6.** The Department shall,

statistics  
and  
information;

(a) collect such statistical and other information respecting trades and industries in Ontario as may be deemed necessary or expedient from time to time;

distribution  
of employ-  
ment;

(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  
bureaux;

(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 bureaux;

Rev. Stat.,  
c. 114.

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  
parts of  
Empire and  
in foreign  
countries;

(g) inquire into, consider and report upon the operation of laws in force in other parts of the Empire 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 may be deemed 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. 1937, c. 69, s. 5, cls. (a-h).

**7.**—(1) The Minister shall after the close of each fiscal year file with the Provincial Secretary an annual report upon the affairs of the Department. Annual report.

(2) The Provincial Secretary shall submit the report 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. 1949, c. 95, s. 5 (2). Tabling.

**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 Department. R.S.O. 1937, c. 69, s. 6 (1); 1938, c. 9, s. 2 (1), *amended*. Industry and Labour Board.

(2) The Board shall be a body corporate and with the approval of the Lieutenant-Governor in Council may pass by-laws and regulations governing its proceedings. R.S.O. 1937, c. 69, s. 6 (2). 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 which may be assigned to it by the Lieutenant-Governor in Council. R.S.O. 1937, c. 69, s. 6 (4). 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 may deem necessary for the proper carrying out of this Act or of any of the Acts or regulations administered by the Department. Powers of Deputy Minister as to obtaining information.

(2) For the purpose of procuring such information or for the purpose of assisting the Department in carrying out any of the provisions of section 6, the Minister may authorize the Board or any member or members of the Board to conduct a public inquiry, and the Board or member or members thereof acting under such authority shall, for the purpose of conducting such public inquiry, have all the powers, rights and privileges that may be conferred upon a commissioner appointed under *The Public Inquiries Act*. Public inquiries by board.

(3) Any officer or inspector of the Department acting under the written authority of the Deputy Minister, shall have Right of access.

access to 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 Department.

Refusing information or interfering with officers.

(4) Every person who refuses to furnish any returns or information which 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 Department shall be guilty of an offence and on summary conviction shall be liable to a penalty of \$20.

Falsifying records.

(5) Every person who falsifies his records or returns or supplies incomplete or untrue information shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$50 and not more than \$300. R.S.O. 1937, c. 69, s. 7.

Regulations for protection of workmen.

**10.**—(1) The Minister, with the approval of the Lieutenant-Governor in Council, may make such regulations as may be deemed necessary for the safety and protection of persons engaged,

- (a) on work in the construction of which men are employed in compressed air;
- (b) in the construction of tunnels and open caisson work;
- (c) in the construction of coffer dams and crib work in water or other places where pressure of sand, water or soil is likely to endanger human life. R.S.O. 1937, c. 69, s. 8 (1); 1938, c. 9, s. 3.

Other regulations not interfered with.

(2) Such regulations 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. 1937, c. 69, s. 8 (3).

Stopping work when conditions unsafe.

**11.** Whenever any inspector appointed under this Act or under any of the Acts or regulations administered by the Department is of the opinion that any work or installation to which any such Act or regulations apply or any portion of such work or installation is being carried on or has been installed in such manner as to be dangerous to life or property, he may, by written order to the employer, person, firm or corporation responsible for such work or installation, or to the contractor for any part thereof, order the immediate cessation of the work or operation of the plant or equipment or any portion thereof, which he considers unsafe. R.S.O. 1937, c. 69, s. 9.



**12.** Any person, firm or corporation employing persons on any work or installation to which any of the Acts or regulations administered by the Department apply, who refuses or neglects to comply with any order, direction or recommendation lawfully given in connection with the safe conduct of such work or installation shall be guilty of an offence and on summary conviction shall be liable to a penalty of not less than \$50 and not more than \$300. R.S.O. 1937, c. 69, s. 10. <sup>Penalty for non-compliance.</sup>

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