

1937

# c 69 Department of Labour Act

Ontario

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## 7. LABOUR.

## CHAPTER 69.

## The Department of Labour Act.

Department  
of labour.

**1.** The Department of Labour shall be presided over by the Minister of Labour. R.S.O. 1927, c. 62, s. 1.

Deputy  
Minister  
and other  
officers.

**2.** The Lieutenant-Governor in Council shall appoint a Deputy Minister of Labour and such other officers, clerks and servants in the Department as may be deemed necessary or expedient. R.S.O. 1927, c. 62, s. 2.

Duties  
of Deputy  
Minister.

**3.** The Deputy Minister shall perform such duties as may be assigned to him by the Lieutenant-Governor in Council or by the Minister. R.S.O. 1927, c. 62, s. 3.

Adminis-  
tration of  
certain  
statutes  
assigned to  
Department.

**4.** The Department shall administer,—

- (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 Boiler Act;*
- (i) *Regulations respecting the protection of persons working in compressed air, tunnels, or open caissons;*

and such other Acts or regulations as may from time to time be designated by the Lieutenant-Governor in Council. R.S.O. 1927, c. 62, s. 4; 1932, c. 15, s. 2; 1937, c. 17, s. 2.

Duties of  
Department.

**5.** It shall be the duty of the Department to,—

- (a) collect such statistical and other information respecting trades and industries in Ontario as may be deemed necessary or expedient from time to time; Statistics and information.
- (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; Distribution of employment.
- (c) ascertain and report upon sanitary and other conditions relating to the health, comfort and well-being of the industrial classes; R.S.O. 1927, c. 62, s. 5, cls. (a-c). Sanitary and other conditions.
- (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; R.S.O. 1927, c. 62, s. 5, cl. (d); 1932, c. 15, s. 3 (1). Employment bureaux. Rev. Stat., c. 248.
- (e) ascertain and report upon the rates of wages paid to employees in the various trades and industries carried on in Ontario; Wages.
- (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; New industries in Ontario.
- (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; Reporting upon laws in other parts of Empire and in foreign countries.
- (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 Changes in the law.

those classes or by any other person; R.S.O. 1927, c. 62, s. 5, cls. (e-h).

Annual report.

- (i) prepare and transmit to the Lieutenant-Governor in Council annually a report containing the reports of the officers employed in the administration of the various Acts and regulations assigned to the Department, and upon the work of the Department during the preceding year, together with such statistical and other information as may have been collected in the Department. R.S.O. 1927, c. 62, s. 5, cl. (i); 1932, c. 15, s. 3 (2).

Establishment of Industry and Labour Board.

**6.**—(1) There is hereby constituted a board to be named "The Industry and Labour Board," herein called the board, which shall consist of five members to be appointed by the Lieutenant-Governor in Council, one of whom shall be designated as chairman, and three of whom shall be officers of the Department of Labour.

By-laws of board.

(2) The board shall be a body corporate and with the approval of the Lieutenant-Governor in Council shall have power to pass by-laws and regulations governing its proceedings.

Per diem allowance.

(3) The Lieutenant-Governor in Council may grant to any member of the board not being an officer of the Department a per diem allowance while transacting business of the board, which shall be payable out of the Consolidated Revenue Fund.

Powers of board.

(4) The board shall have power to administer, enforce and carry out the provisions of 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. 1937, c. 17, s. 3.

Powers of Deputy Minister as to obtaining information.

**7.**—(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. R.S.O. 1927, c. 62, s. 7 (1); 1932, c. 15, s. 4 (1).

Public inquiries by board.

(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 5, 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 pursuant to *The Public Inquiries Act*. 1937, Rev. Stat., c. 19. s. 4 (1).

(3) Any officer or inspector of the Department acting under the written authority of the Deputy Minister, shall have access at all reasonable hours to any office, factory, shop, place of business or other premises for the purpose of carrying out the provisions of this Act or of any Act or regulations administered by the Department. R.S.O. 1927, c. 62, s. 7 (3); 1932, c. 15, s. 4 (1); 1937, c. 17, s. 4 (2). Right of access.

(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 may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of \$20. R.S.O. 1927, c. 62, s. 7 (4); 1932, c. 15, s. 4 (2); 1937, c. 17, s. 4 (3). Penalty for refusing information or interfering with officers.

(5) Every person who falsifies his records or returns or supplies incomplete or untrue information shall be guilty of an offence and may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of not less than \$50 and not more than \$300. 1932, c. 15, s. 4 (3). Penalty for falsifying records.

8.—(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,— Regulations for protection of workmen.

(a) on work in the construction of which men are employed in compressed air;

(b) in the construction of tunnels and open caisson work.

(2) All such regulations heretofore made are declared to be and to have been legal, valid and binding. Confirmation of former regulations.

(3) The 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. 1931, c. 15, s. 2. Existing regulations not interfered with.

9. Whenever any inspector appointed under this Act or under any of the Acts or regulations administered by the Stopping work when conditions unsafe.

Department of Labour 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. 1932, c. 15, s. 5, *part*.

Penalty for  
non-  
compliance.

**10.** Any person, firm or corporation employing persons on any work or installation to which any of the Acts or regulations administered by the Department of Labour 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 may be proceeded against under *The Summary Convictions Act* and upon conviction shall incur a penalty of not less than \$50 and not more than \$300. 1932, c. 15, s. 5, *part*.

Rev. Stat.,  
c. 136.