

1937

c 202 Woodmen's Employment Act

Ontario

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CHAPTER 202.

The Woodmen's Employment Act.

1. In this Act,—

Interpretation.

- (a) "Crown timber" shall mean trees standing, growing, or being on ungranted public lands or on other lands where the timber thereon or any portion thereof is the property of the Crown; ^{"Crown timber."}
- (b) "Department" shall mean Department of Lands and Forests; ^{"Department."}
- (c) "Employees" shall mean and include persons in the employ of an operator or in the employ of any person carrying on work under a contract, sub-contract or other arrangement or agreement authorized by or relating back to the license, 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; ^{"Employees."}
- (d) "Minister" shall mean Minister of Lands and Forests; ^{"Minister."}
- (e) "Operator" shall mean any person holding a license, permit, contract, agreement or other instrument granted or made by the Crown under which exists the right to cut and remove Crown timber. 1934, c. 66, s. 2. ^{"Operator."}

2.—(1) The Lieutenant-Governor in Council, upon the advice and recommendation of the Minister, may appoint an inspector under the Act. ^{Appointment of inspector.}

(2) Such office may be assigned to some person performing other duties in the Department unless and until the duties are so onerous as to require a separate appointment. ^{Who may be appointed.}

(3) The Minister or deputy minister of the Department may appoint any Crown timber agent or other officer of the public service of the Province of Ontario to be an assistant inspector, and such assistant inspector shall have 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. 1934, c. 66, s. 3. ^{Assistant inspectors.}

Duties of
inspector—
investiga-
tions.

3. It shall be the duty of the inspector to investigate from time to time as may be directed by the Minister or deputy minister of the Department, 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 license, 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 accommodation, 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, arrangement whether written or otherwise, the carrying out of which involves in any manner the employment of any person;

Labour
conditions.

(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 employ-^{Other}ment as may be directed by the Minister or deputy ^{matters.}minister of the Department. 1934, c. 66, s. 4.

4. Every operator shall be and remain responsible to the ^{Responsi-}Crown for all things done or required to be done in the course ^{bility of}of carrying out the timbering or other operations authorized ^{operators}under the license, 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. 1934, c. 66, s. 5.

5. The inspector shall transmit to the Minister a report as ^{Report of}soon as practicable after each investigation by him made and ^{inspector.}the Minister upon receipt of such report may make such recommendations to the operator or operators referred to therein or to the Lieutenant-Governor in Council as the Minister may deem advisable. 1934, c. 66, s. 6.

6.—(1) The Lieutenant-Governor in Council may make ^{Regulations.}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, and all such regulations not being inconsistent with this Act shall have the full effect of law on publication in the *Ontario Gazette*.

(2) Such regulations shall be laid before the Assembly ^{Regulations}within fourteen days after being published in the *Ontario* ^{to be laid}*Gazette* if the Legislature is in session and if it is not in session ^{before the}then within the first fifteen days of the ensuing session. 1934, ^{Assembly.}c. 66, s. 7.

7. The inspector for the purpose of making an investigation ^{Powers of}under the provisions of this Act shall have power,— ^{inspector.}

- (a) to enter upon any land and premises of any operator ^{Entry upon}and to examine the interior of any room, tent, ^{lands, etc.}cabin, house, or other place of accommodation provided for the living or working places of employees, and of any kitchen, dining-room, store-room or other place used for the preparation, serving and storing of food;
- (b) to summon any person to attend as a witness before ^{Summoning}him with or without the production of documents, ^{of witnesses.}

payrolls, price lists, diet sheets, shanty books, or other books or documents relevant to the investigation, and in the case of any person so summonsed refusing to attend after payment or tender of his proper fees, application may be made in a summary way to a justice of the peace having jurisdiction in the city, town or district wherein the investigator may be sitting, for an order compelling such attendance, and such justice of the peace may make such order as might be made in any case wherein such justice has power to compel appearance before him in pursuance to *The Summary Convictions Act*; and

Rev. Stat.,
c. 136.

Administra-
tion of oaths.

(c) to administer an oath to any person attending as a witness before him and to examine such person on oath or affirmation. 1934, c. 66, s. 8.

Power of
keeping
order during
hearing.

8. The inspector during the taking of *viva voce* evidence shall sit and conduct himself as in open court and for the purpose of preserving order during the taking of such evidence shall have all the powers of a judge of a county or district court, except the power of committing for contempt. 1934, c. 66, s. 9.

Witness
fees.

9. Witnesses shall be entitled to the same fees as in a division court. 1934, c. 66, s. 10.

Irregularity
in form
not to
invalidate.

10. No proceeding under this Act shall be deemed invalid by reason of any defect of form or technical irregularity. 1934, c. 66, s. 11.
