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c 161 Government Contracts Hours and Wages Act

Ontario

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CHAPTER 161

The Government Contracts Hours and Wages Act

1. In this Act,

Interpre-
tation.

- (a) "fair wages" means such wages as are generally accepted as current for competent workmen in the district in which the work is being performed for the character or class of work in which such workmen are respectively engaged, but shall in all cases be such wages as are fair and reasonable;
- (b) "Government of Ontario" includes every department thereof and every commission or board created by any Act of the Legislature;
- (c) "Minister" means Minister of Labour or such other member of the Executive Council as may be for the time being charged with the administration of this Act;
- (d) "regulations" means regulations made under this Act. R.S.O. 1937, c. 199, s. 1.

2.—(1) Every contract entered into with the Government of Ontario for the construction, remodelling, renewal, repair or demolition of any building or work shall be subject to the following conditions respecting wages and hours:

Government
contracts
for work
subject to
certain
conditions.

- 1. All persons in the employ of the contractor, sub-contractor or any other person doing or contracting to do the whole or any part of the work contemplated by the contract shall during the continuance of the work be paid fair wages.
- 2. The working hours of persons while so employed shall not exceed eight hours per day or forty-four hours per week except in such special cases as the Lieutenant-Governor in Council may otherwise provide, or except in cases of emergency as may be approved by the Minister.

(2) This section shall not apply to the purchase of materials, supplies or equipment for use in the work contemplated under any contract of sale and purchase. R.S.O. 1937, c. 199, s. 2.

Exception.

Wages and hours where Government aid granted.

3.—(1) Whenever a grant or payment of any public moneys of Ontario is authorized or made by way of contribution, subsidy, loan, advance or guarantee for or in aid of the construction, remodelling, renewal, repair or demolition of any building or work, whether such grant or payment is to be received by any municipal or other body or person whatever, the wages and hours of all workmen employed on such work shall be those set forth in subsection 1 of section 2.

Exception.

(2) This section shall not apply to the purchase of materials, supplies or equipment for use in the work contemplated under any contract of sale and purchase. R.S.O. 1937, c. 199, s. 3.

Penalties.

4.—(1) Every contractor, subcontractor, municipal or other body and every person who is responsible, directly or indirectly, for the payment of wages, who fails to comply with any of the provisions of this Act or the regulations 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 \$500.

Disposition of penalties.

(2) The penalties provided by this Act shall be payable to the Treasurer of Ontario. R.S.O. 1937, c. 199, s. 4.

Regulations.

5. The Lieutenant-Governor in Council may make regulations providing for,

- (a) the method of determining what are fair wages and the preparation and use of schedules of rates relating thereto;
- (b) rates of wages for overtime;
- (c) classification of employment or work;
- (d) the persons or classes of persons who may be employed in the performance of any work mentioned in this Act;
- (e) the publication and posting of wage schedules;
- (f) the payment of wages to employees in case of default by the contractor or other party charged with such payment and recovery thereof from such contractor or other party;
- (g) the keeping of proper books and records and the examination and inspection thereof;
- (h) the furnishing of such information as may be required

by the Minister to ensure compliance with the provisions of this Act;

- (i) any other matter necessary or advisable to carry out effectively the intent and purpose of this Act and the regulations. R.S.O. 1937, c. 199, s. 5, *amended*.

6. This Act and the regulations shall be read and construed subject to *The Industrial Standards Act*, *The Minimum Wage Act* and *The Public and Other Works Wages Act* and any regulations and schedules made thereunder. R.S.O. 1937, c. 199, s. 6. Act to be subject to provisions of Rev. Stat., cc. 179, 235, 313.
