1970

c 117 Department of Labour Act

Ontario
CHAPTER 117

The Department of Labour Act

1. In this Act,
   (a) "Board" means the Industry and Labour Board;
   (b) "Department" means the Department of Labour;
   (c) "Deputy Minister" means the Deputy Minister of Labour;
   (d) "inspector" means an inspector appointed under this Act or any other Act or regulation administered by the Department;
   (e) "Minister" means the Minister of Labour. R.S.O. 1960, c. 97, s. 1.

2.—(1) The department of the public service known as the Department of Labour is continued.

(2) The Minister shall preside over and have charge of the Department. R.S.O. 1960, c. 97, s. 2.

3. The Lieutenant Governor in Council may appoint a Deputy Minister and such other officers, clerks and servants in the Department as are considered necessary or expedient. R.S.O. 1960, c. 97, s. 3.

4. The Deputy Minister shall perform such duties as are assigned to him by the Lieutenant Governor in Council or by the Minister. R.S.O. 1960, c. 97, s. 4.

5. The Minister is responsible for the administration of this Act and the Acts that are assigned or transferred to him by the Legislature or by the Lieutenant Governor in Council. R.S.O. 1960, c. 97, s. 5.

6. The Department shall,
   (a) collect such statistical and other information respecting trades and industries in Ontario as is considered necessary or expedient from time to time;
   (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 bureaus

(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 bureaus;

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 countries

(g) inquire into, consider and report upon the operation of laws in force in other parts of the Commonwealth 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 are considered 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. 1960, c. 97, s. 6.

Annual report

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.

Idem

(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. R.S.O. 1960, c. 97, s. 7, amended.

Industry and Labour Board

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.
(2) The Board is a body corporate and, with the approval of the Lieutenant Governor in Council, may pass by-laws and regulations governing its proceedings.

(3) The Board shall administer, enforce and carry out any Act in which the Board is designated for the purpose in such Act or that is assigned to it by the Lieutenant Governor in Council. R.S.O. 1960, c. 97, s. 8.

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 considers necessary for the proper carrying out of this Act or of any of the Acts or regulations administered by the Department.

(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 has, for the purpose of conducting such public inquiry, all the powers, rights and privileges that may be conferred upon a commissioner under The Public Inquiries Act.

(3) Any officer or inspector of the Department, acting under the written authority of the Deputy Minister, has right of access at 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.

(4) Every person who refuses to furnish any return or information that 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 is guilty of an offence and on summary conviction is liable to a fine of $20.

(5) Every person who falsifies his records or returns or supplies incomplete or untrue information is guilty of an offence and on summary conviction is liable to a fine of not less than $50 and not more than $300. R.S.O. 1960, c. 97, s. 9.

10.—(1) There shall be a council to be known as the Labour Safety Council of Ontario consisting of three or more persons as the Lieutenant Governor in Council may determine.

(2) The Lieutenant Governor in Council shall appoint the members of the Labour Safety Council of Ontario and shall designate one of the members as chairman.
(3) Where a vacancy occurs in the membership of the Labour Safety Council of Ontario from any cause, it may be filled by the Lieutenant Governor in Council. 1961-62, c. 32, s. 1, part.

(4) The members of the Labour Safety Council of Ontario may be paid remuneration and expenses at such rates as may be determined by the Lieutenant Governor in Council, out of the moneys appropriated by the Legislature for the purpose. 1961-62, c. 3, s. 1, part, amended.

(5) It is the function of the Labour Safety Council of Ontario, upon the request of the Minister, to inquire into and advise him upon any matter respecting the safety of workers, and, without restricting the generality of the foregoing, to inquire into and advise him upon any of the laws respecting the safety of workers with a view to the improvement, clarification or extension of the existing laws or the enactment of new laws, or to inquire into and advise him upon any matter designed to co-ordinate the functions of all bodies concerned with the safety of workers. 1961-62, c. 32, s. 1, part.

11.—(1) The Minister, with the approval of the Lieutenant Governor in Council, may make such regulations as are considered 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 caissons; and

(c) in the construction of coffer dams,

and may make regulations excluding any class of work from the application of any or all of the regulations made under this subsection, and providing for and prescribing the fees to be paid for inspection services furnished in connection with any work mentioned in this subsection. R.S.O. 1960, c. 97, s. 10 (1); 1962-63, c. 33, s. 1 (1-3), amended.

(2) The Lieutenant Governor in Council may make regulations for the protection of the health and safety of persons from the effects of ionizing radiation used in industry or commerce,

(a) classifying sources of ionizing radiation;

(b) respecting the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation or any class of them;

(c) requiring notice of any matter respecting the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation or any class of them;
(d) requiring drawings and specifications showing protective measures concerning sources of ionizing radiation;
(e) requiring physicians or other persons to furnish to a designated person information concerning the exposure of any person to ionizing radiation in excess of a prescribed maximum;
(f) respecting the medical examination of persons who have or may come in contact with ionizing radiation, prescribing by whom the cost of the examination is to be borne, and requiring a report of the examination to a designated person;
(g) requiring and regulating the supervision of the processing, use, installation, movement, handling, maintenance, storage or disposal of sources of ionizing radiation, or any class of them, by qualified persons and prescribing their qualifications;
(h) providing for and requiring the registration of any specified persons engaged in the processing, installation, use, movement, handling, maintenance, storage or disposal of a source of ionizing radiation, and prescribing the fees therefor;
(i) defining “vicinity” when used with respect to sources of ionizing radiation or any class of them, and regulating or prohibiting use of the vicinity of sources of ionizing radiation;
(j) designating classes of persons and respecting the employment of any person or class of persons in the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation, or in the vicinity of sources of ionizing radiation;
(k) excluding any class of sources of ionizing radiation or any premises from the application of any or all of the regulations made under this section;
(l) prescribing forms and providing for their use. R.S.O. 1960, c. 97, s. 10 (2); 1962-63, c. 33, s. 1 (4-6).

(3) 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. R.S.O. 1960, c. 97, s. 10 (3).

12.—(1) Where an inspector is of the opinion that any work on any undertaking or any part thereof to which any Act or regulation administered by the Department applies is being done in a manner or under conditions that are dangerous to life or property, he may, by written order to any person responsible for
or in charge of the work, require the immediate cessation of the work or any part thereof that he considers dangerous.

(2) Where an inspector has made an order under subsection 1, he may permit such work as may be done safely and that is necessary to eliminate the dangerous condition. 1962-63, c. 33, s. 2.

13. Every person who contravenes any of the provisions of this Act or the regulations or any notice or direction made thereunder is guilty of an offence and on summary conviction is liable to a fine of not more than $500 or to imprisonment for a term of not more than twelve months, or to both. R.S.O. 1960, c. 97, s. 12.