1960

c 97 Department of Labour Act

Ontario
CHAPTER 97

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; R.S.O. 1950, c. 95, s. 1, cls. (a-c).

(d) "inspector" means an inspector appointed under this Act or any other Act or regulation administered by the Department; 1957, c. 25, s. 1.

(e) "Minister" means the Minister of Labour. R.S.O. 1950, c. 95, s. 1, cl. (d).

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. 1950, c. 95, s. 2, amended.

3. The Lieutenant Governor in Council may appoint a Deputy Minister and such other officers, clerks and servants and staff in the Department as are deemed necessary or expedient. R.S.O. 1950, c. 95, 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. 1950, c. 95, 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. 1960, c. 24, s. 1.

6. The Department shall,

(a) collect such statistical and other information respecting trades and industries in Ontario as is deemed 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;

(c) ascertain and report upon sanitary and other conditions relating to the health, comfort and well-being of the industrial classes;

(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;

(e) ascertain and report upon the rates of wages paid to employees in the various trades and industries carried on 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;

(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 deemed advisable;

(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. 1950, c. 95, s. 6.

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.
(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. 1950, c. 95, s. 7.

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. 1950, c. 95, 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 deems 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.

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(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. 1950, c. 95, s. 9.

**10.—(1)** The Minister, with the approval of the Lieutenant Governor in Council, may make such regulations as are 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,

and may make regulations 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. 1950, c. 95, s. 10 (1); 1960, c. 24, s. 2.

(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) regulating 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) requiring and prescribing 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 regulating or prohibiting 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 the use thereof.

(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. 1957, c. 25, s. 3.

11. Whenever an 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 regulation applies, or any part 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 part thereof, that he considers unsafe. R.S.O. 1950, c. 95, s. 11.

12. 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. 1957, c. 25, s. 4.