The Crown Employees Collective Bargaining Amendment Act, 1978

Ontario
CHAPTER 79

An Act to amend The Crown Employees Collective Bargaining Act, 1972

Assented to November 30th, 1978

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 18 of The Crown Employees Collective Bargaining Act, 1972, being chapter 67, as re-enacted by the Statutes of Ontario, 1974, chapter 135, section 9, is amended by adding thereto the following subsections:

(3a) Where, in exercising its authority under subsection 3, the Grievance Settlement Board finds that an employee who works in a facility,

(a) has applied force to a resident in the facility, except the minimum force necessary for self-defence or the defence of another person or necessary to restrain the resident; or

(b) has sexually molested a resident in the facility,

the Grievance Settlement Board shall not provide for the employment of the employee in a position that involves direct responsibility for or that provides an opportunity for contact with residents in a facility, but the Board may provide for the employment of the employee in another substantially equivalent position.

(3b) In subsection 3a,

(a) "facility" means,

(i) a children's mental health centre under The Children's Mental Health Services Act, 1978,

(ii) a hospital under The Children's Mental Hospitals Act, R.S.O. 1970,
(iii) a facility under *The Developmental Services Act, 1974*;

(iv) The Ontario School for the Deaf, The Ontario School for the Blind or a school for the deaf or a school for the blind continued or established under section 12 of *The Education Act, 1974*;

(v) a psychiatric facility under *The Mental Health Act*;

(vi) a correctional institution under *The Ministry of Correctional Services Act, 1978*;

(vii) an observation and detention home under *The Provincial Courts Act*, or

(viii) a training school under *The Training Schools Act*; and

(b) "resident" means a person who is an inmate, patient, pupil or resident in or is detained or cared for in a facility.

2. This Act comes into force on the day it receives Royal Assent.