

Subsection 2.—Provincial Labour Legislation

Labour legislation in Canada is mainly a matter for the provincial legislatures as it usually deals with the contract of service between employer and employee, the contract between members of a trade union which forms the basis of the union, or regulates conditions in local workplaces. The right to contract is a civil right and the British North America Act, which distributes legislative powers between the Parliament of Canada and the provincial legislatures, grants to the provinces power to enact laws in relation to "civil rights" and, with certain exceptions, "local works and undertakings".

In each province a Department of Labour (in Alberta, the Department of Industries and Labour) is charged with the administration of labour laws. Legislation for the protection of miners is administered by departments dealing with mines.

Factory legislation and shops legislation in several of the provinces prohibit child labour, regulate the hours of work of women and young persons and provide for safety and health. Most provinces have minimum wage legislation and maximum hours laws, legislation to ensure freedom of association, to promote collective bargaining and to provide for the settlement of industrial disputes, and legislation dealing with apprenticeship and the licensing of certain classes of workmen. The Industrial Standards Acts of Nova Scotia, New Brunswick, Ontario and Saskatchewan, the Labour Act of Alberta and the Fair Wage Act of Manitoba enable the wages and hours of work agreed upon at a conference of representatives of employers and employees in designated trades to be made the minimum standards throughout the trade concerned. The Quebec Collective Agreement Act permits collective agreements between employers and trade unions to be made binding on all in the industry. The workmen's compensation laws in each province are administered by a board appointed by the Lieutenant-Governor in Council.

Provincial labour legislation enacted in 1955 is outlined in the following paragraphs:—

Newfoundland.—Because of a shortage of qualified stationary engineers, the *Boiler and Pressure Vessel Act* was amended to permit persons undergoing training approved by the Apprenticeship Board to act as shift engineers.

An amendment to the *Apprenticeship Act* permits an apprentice to be indentured to a trade union or an employers' association as well as to an individual employer.

Prince Edward Island.—The *Workmen's Compensation Act* was amended by increasing the amount allowed for funeral expenses from \$150 to \$200 and by raising the allowance to each child under 16 from \$12.50 to \$15 a week.

Provision was made for the setting up of a Department of Labour and a Minister of Labour was named.

Nova Scotia.—A *Fair Employment Practices Act* was passed, effective Jan. 1, 1956, forbidding discrimination by employers with regard to employment and by trade unions with regard to membership on grounds of race, national origin, colour or religion. Application forms, advertisements and written and oral inquiries in connection with employment which express any limitation or preference as to race, national origin, colour or religion are prohibited. The Act does not apply to non-profit organizations, nor to employers with fewer than five employees. An individual claiming to be aggrieved may make a complaint in writing to a designated officer of the Department of Labour, who will inquire into the matter and try to effect a settlement. If he is unsuccessful the Minister of Labour may appoint a Commission of Inquiry known as an Employment Practices Commission to investigate and make recommendations. The Minister may issue an order requiring the Commission's recommendations which may include reinstatement, with or without compensation for loss of employment, to be carried out. Failure to comply with the order is an offence punishable by a fine on summary conviction.

Amendments to the *Coal Mines Regulation Act* set out more detailed requirements with respect to mine rescue corps and apparatus. Members of mine rescue teams must undergo an annual medical examination. Stricter rules for safety lamps are also prescribed.