

in 1978 and 1984, was the first general legislation passed by Parliament to deal exclusively with occupational safety and health. It obliges employers and employees to perform their duties in a safe manner, authorizes regulations to deal with safety and health problems, and provides authority for the establishment of joint labour-management safety and health committees with specific powers. It gives workers the right to refuse to work where their health or safety could be endangered and provides for research into causes and prevention of accidents and for an extended safety education program. Federal public service employees are given similar protection under Treasury Board policy and occupational safety and health standards.

Regulations govern coal mine safety, elevating devices, first aid, machine-guarding, noise control, hand tools, fire safety, temporary work structures, confined spaces, safe illumination, boilers and pressure vessels, building safety, dangerous substances, electrical safety, materials handling, protective clothing and equipment, sanitation, hours of service in the motor transport industry, occupational safety and health in the uranium mining industry, safety and health committees, and accident investigation and reporting.

### 5.2.2 Provincial labour legislation

**Industrial relations.** All provinces have legislation designed to establish harmonious relations between employers and employees and facilitate settlement of industrial disputes. These laws guarantee freedom of association and the right to organize, provide for labour relations boards or other administrative bodies to certify trade unions as bargaining agents, and require an employer to bargain with the certified union representing its employees. In some jurisdictions, legislation requires that parties comply with conciliation or mediation procedures before a strike or lockout may legally take place. Every collective agreement must provide for settlement, without work stoppage, of disputes arising out of its interpretation or application. Strikes and lockouts are prohibited during the life of a collective agreement, and unfair labour practices are prohibited. In some provinces, labour relations are regulated by separate statutes for groups such as teachers, municipal and provincial police personnel, municipal firemen, hospital workers, civil servants and employees of Crown corporations.

In Alberta, New Brunswick, Newfoundland, Nova Scotia, Ontario and Prince Edward Island,

the general labour relations statutes contain special provisions pertaining to collective bargaining in the construction industry. In British Columbia, the accreditation procedure is not limited to this industry. Quebec has a separate law regulating collective bargaining in the construction industry.

## 5.3 Conditions of work

### 5.3.1 Employment standards

**Hours of work.** The labour code sets a standard workday and workweek for employees in undertakings in the federal labour jurisdiction and requires payment of an overtime rate for work done beyond the hours specified. It establishes a maximum workweek, overtime hours being restricted to eight in a week, except in special circumstances.

The number of hours that may be worked at regular rates of pay are limited to eight in a day and 40 in a week. Hours in excess of these may be worked, provided one and one-half times the regular rate is paid, up to a maximum of 48 hours a week.

Provincial and territorial governments also have legislation governing hours of work of employees under their jurisdiction.

**Minimum wage.** The labour code sets a minimum rate for employees in the federal industries. This rate may be increased by order of the Governor-in-Council.

Employees paid on other than a time basis, such as pieceworkers and persons paid a mileage rate, must be paid the equivalent of the minimum wage.

An employer who is providing on-the-job training to increase the skill or proficiency of employees may be exempted from paying the minimum wage during all or part of the training period.

All provinces and territories have minimum wage legislation. These laws vest authority in a minimum wage board or the Lieutenant Governor-in-Council to set wages. Minimum wage orders are reviewed frequently. In most provinces such orders cover practically all employment. Alberta, British Columbia, Manitoba, Nova Scotia, Ontario and Prince Edward Island have special rates for young workers or students. Manitoba, however, is in the process of eliminating its youth differential.

In Northwest Territories and Yukon, labour standards regulations are issued under labour standards ordinances.