

Bill 158

1ST SESSION, 35TH LEGISLATURE, ONTARIO
40 ELIZABETH II, 1991

Bill 158

*(Chapter 56
Statutes of Ontario, 1991)*

**An Act to amend the
Labour Relations Act with respect to the
Industrial, Commercial and
Institutional Sector of the Construction
Industry**

The Hon. B. Mackenzie
Minister of Labour

1st Reading November 25th, 1991
2nd Reading December 4th, 1991
3rd Reading December 18th, 1991
Royal Assent December 19th, 1991

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Projet de loi 158

1^{re} SESSION, 35^e LÉGISLATURE, ONTARIO
40 ELIZABETH II, 1991

Projet de loi 158

*(Chapitre 56
Lois de l'Ontario de 1991)*

**Loi modifiant la Loi sur les relations de
travail en ce qui a trait au secteur
industriel, commercial et institutionnel
de l'industrie de la construction**

L'honorable B. Mackenzie
Ministre du Travail

1^{re} lecture 25 novembre 1991
2^e lecture 4 décembre 1991
3^e lecture 18 décembre 1991
sanction royale 19 décembre 1991

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**An Act to amend the
Labour Relations Act with respect to
the Industrial, Commercial and
Institutional Sector of the
Construction Industry**

**Loi modifiant la Loi sur les relations
de travail en ce qui a trait au secteur
industriel, commercial et institutionnel
de l'industrie de la construction**

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

SA MAJESTÉ, sur l'avis et avec le consentement de l'Assemblée législative de la province de l'Ontario, édicte :

1. Subsection 137 (1) of the *Labour Relations Act*, as amended by the Statutes of Ontario, 1984, chapter 34, section 4, is further amended by striking out "151" in the first line and substituting "152".

1 Le paragraphe 137 (1) de la loi intitulée *Labour Relations Act* («*Loi sur les relations de travail*»), tel qu'il est modifié par l'article 4 du chapitre 34 des Lois de l'Ontario de 1984, est modifié de nouveau par substitution, à «151» à la première ligne, de «152».

2. Subsection 146 (3) of the Act is repealed and the following substituted:

2 Le paragraphe 146 (3) de la Loi est abrogé et remplacé par ce qui suit :

Expiry of
provincial
agreement

(3) Every provincial agreement shall provide for the expiry of the agreement on the 30th day of April calculated triennially from the 30th day of April, 1992.

3.—(1) Section 149a of the Act, as enacted by the Statutes of Ontario, 1984, chapter 34, section 5, is amended by adding the following subsection:

3 (1) L'article 149a de la Loi, tel qu'il est adopté par l'article 5 du chapitre 34 des Lois de l'Ontario de 1984, est modifié par adjonction du paragraphe suivant :

No counting
until all
voting
completed

(2a) In a vote to ratify a proposed provincial agreement, no ballots shall be counted until the voting is completed throughout the province.

(2) Subsection 149a (3) of the Act, as enacted by the Statutes of Ontario, 1984, chapter 34, section 5, is amended by adding at the end "and with subsection (2a)".

(2) Le paragraphe 149a (3) de la Loi, tel qu'il est adopté par l'article 5 du chapitre 34 des Lois de l'Ontario de 1984, est modifié par adjonction de «and with subsection (2a)».

(3) Subsection 149a (4) of the Act, as enacted by the Statutes of Ontario, 1984, chapter 34, section 5, is amended by striking out "(1) or (2)" in the second line and substituting "(1), (2) or (2a)".

(3) Le paragraphe 149a (4) de la Loi, tel qu'il est adopté par l'article 5 du chapitre 34 des Lois de l'Ontario de 1984, est modifié par substitution, à «(1) or (2)» à la deuxième ligne, de «(1), (2) or (2a)».

(4) Subsection 149a (7) of the Act, as enacted by the Statutes of Ontario, 1984, chapter 34, section 5, is amended by striking out "(1) or (2)" in the second line and substituting "(1), (2) or (2a)".

(4) Le paragraphe 149a (7) de la Loi, tel qu'il est adopté par l'article 5 du chapitre 34 des Lois de l'Ontario de 1984, est modifié par substitution, à «(1) or (2)» à la deuxième ligne, de «(1), (2) or (2a)».

4. The Act is amended by adding the following section:

4 La Loi est modifiée par adjonction de l'article suivant :

Corporation
to facilitate
ICI
bargaining

152.—(1) This section applies with respect to a corporation established under a regulation under this section.

Objects

(2) The objects of the corporation are to facilitate collective bargaining in, and otherwise assist, the industrial, commercial and institutional sector of the construction industry including,

- (a) collecting, analyzing and disseminating information concerning collective bargaining and economic conditions in the industrial, commercial and institutional sector of the construction industry;
- (b) holding conferences involving representatives of the employer bargaining agencies and the employee bargaining agencies; and
- (c) carrying out such additional objects as are prescribed.

Not agency
of Crown

(3) The corporation is not an agency of the Crown.

Members of
corporation

(4) The members of the corporation shall be appointed in the prescribed manner and shall consist of equal numbers of representatives of labour, management and the Government of Ontario.

Board of
directors

(5) The board of directors of the corporation shall be composed of all the members of the corporation.

Funding of
corporation

(6) The employer bargaining agencies and the employee bargaining agencies shall make payments to the corporation in accordance with the regulations.

If non-pay-
ment

(7) The corporation may make a complaint to the Board alleging a contravention of subsection (6) and section 89 applies with respect to such a complaint.

Regulations

(8) The Lieutenant Governor in Council may make regulations,

- (a) establishing a corporation without share capital;
- (b) governing the corporation including,
 - (i) providing for its dissolution,
 - (ii) governing the appointment of members, and
 - (iii) prescribing additional objects;
- (c) governing the payments to be made to the corporation by the employer bargaining agencies and the employee bargaining agencies including prescribing methods for determining the payments.

Idem

(9) A regulation made under subclause (8) (b) (ii) may provide for the selection, by persons or organizations, of persons to be appointed as members.

Commence-
ment

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

5 La présente loi entre en vigueur le jour où elle reçoit la sanction royale.

Entrée en
vigueur

Short title

6. The short title of this Act is the *Labour Relations Amendment Act, 1991*.

6 Le titre abrégé de la présente loi est *Loi de 1991 modifiant la Loi sur les relations de travail*.

Titre abrégé