

TABLE OF CONTENTS

CANADA LABOUR CODE	
SHORT TITLE	
1	Short title
INTERPRETATION	
2	Definitions
PART I — INDUSTRIAL RELATIONS (SS. 3–121.5)	
<i>Interpretation</i>	
3	Definitions
<i>Application</i>	
4	Application of Part
5	Crown corporations
5.1	Canadian carriers
6	Employees of Her Majesty
<i>Major Projects</i>	
7	Major projects
DIVISION I — BASIC FREEDOMS	
8	Employee freedoms
DIVISION II — CANADA INDUSTRIAL RELATIONS BOARD	
<i>Establishment and Organization</i>	
9	Establishment of Board
10	Appointment of Chairperson and Vice-Chairpersons
10.1	Residence of members
11	Full-time occupation
12	Reappointment
12.001	Appointment of external adjudicator
12.01	Functions of Chairperson
12.02	Meetings
12.03	Acting Chairperson
12.04	Remuneration
12.05	Compensation
12.051	Limitation of liability
12.06	Inquiries
12.07	Measures
12.08	Appointment of inquirer
12.09	Powers
12.10	Staff
12.11	Inquiry in public
12.12	Rules of evidence
12.13	Right to be heard
12.14	Report to Minister

Table of Contents

12.15	Transmission of report to Governor in Council	11
13	Head office	11
13.1	[Repealed 2014, c. 20, s. 417.]	11
14	Panels	11
14.1	Continuation of proceeding	12
14.2	Decision of panel	12
<i>Powers and Duties</i>		
15	Regulations	12
15.1	General power to assist parties	13
16	Powers of Board.....	14
16.1	Determination without oral hearing	15
17	Determination of the wishes of the majority of the employees	15
18	Review or amendment of orders	15
18.1	Review of structure of bargaining units	16
19	Application of orders	16
19.1	Interim orders	16
20	Interim decision	16
21	Exercise of powers, duties and functions	17
<i>Review and Enforcement of Orders</i>		
22	Order and decision final	17
23	Filing in Federal Court	17
23.1	Filing in provincial superior court	18
DIVISION III — ACQUISITION AND TERMINATION OF BARGAINING RIGHTS		
<i>Application for Certification</i>		
24	Application for certification	18
24.1	Exception	19
25	Where certification prohibited	19
26	Where certification prohibited	19
<i>Determination of Bargaining Units</i>		
27	Determination of appropriate unit	19
<i>Certification of Bargaining Agents and Related Matters</i>		
28	Duty to certify trade union	20
29	Representation vote	20
30	Conduct of vote	21
31	Result of representation vote	21
32	Council of trade unions	21
33	Designation of employers' organization	22
34	Certification in long-shoring and other industries	22
35	Board may declare single employer.....	23
36	Effect of certification	23
36.1	Just cause requirement	24
37	Duty of fair representation	24
<i>Revocation of Certification and Related Matters</i>		
38	Application for revocation of certification	24
39	Order revoking certification or declaring bargaining agent not entitled to represent bargaining unit	25
40	Application where fraud	25
41	Application for revocation of certification of a council of trade unions	26
42	Effect of revocation or declaration	26

Table of Contents

<i>Successor Rights and Obligations</i>		
43	Mergers, etc., of trade unions	27
44	Definitions	27
45	Review of bargaining units	28
46	Board to determine questions	28
47	Where portion as federal business	28
47.1	Where notice to bargain collectively given prior to deletion	29
47.2	Order	30
<i>Successive Contracts for Services</i>		
47.3	Definition of "previous contractor"	30
DIVISION IV — COLLECTIVE BARGAINING AND COLLECTIVE AGREEMENTS		
<i>Obligation to Bargain Collectively</i>		
48	Notice to bargain to enter into a collective agreement	31
49	Notice to bargain to renew or revise a collective agreement or enter a new collective agreement	31
50	Duty to bargain and not to change terms and conditions	31
<i>Technological Change</i>		
51	Definition of "technological change"	32
52	Notice of technological change	32
53	Application for order respecting technological change	33
54	Application for order to serve notice to bargain	34
55	Conditions precedent to technological change	34
<i>Content and Interpretation of Collective Agreements</i>		
56	Effect of collective agreement	34
57	Provision for final settlement without stoppage of work	34
58	Decisions not to be reviewed by court	35
59	Copy to be filed with Minister	35
60	Powers of arbitrator, etc.	36
61	Procedure	36
62	Decision of arbitration board	36
63	Arbitration costs, fees and expenses	36
64	Order or decision within sixty days	37
65	Questions may be referred to Board	37
66	Filing of orders and decisions in Federal Court	37
67	Term of collective agreement	38
68	Collective agreement may contain certain provisions	38
69	Definition of "referral"	39
<i>Compulsory Check-Off</i>		
70	Union dues to be deducted	39
DIVISION V — CONCILIATION AND FIRST AGREEMENTS		
<i>Federal Mediation and Conciliation Service</i>		
70.1	Federal Mediation and Conciliation Service	39
<i>Conciliation Procedures</i>		
71	Notice of dispute	40
72	Options of Minister	40
73	Delivery of notice to conciliation officer	40
74	Delivery of notice	41
75	Time limits	41
76	Reconsideration of report	41

Table of Contents

77	Release of report	41
78	Report binding by agreement	41
79	Agreement	42
<i>Settlement of First Agreement</i>		
80	Minister may refer dispute to Board	42
<i>Establishment of Conciliation Boards</i>		
81	Composition	43
82	Nomination by parties	43
83	Notification to parties of establishment of board	43
<i>General</i>		
84	Powers of board	43
85	Sittings	44
86	Proceedings prohibited	44
87	Report and testimony not evidence	44
DIVISION V.1 — OBLIGATIONS RELATING TO STRIKES AND LOCKOUTS		
87.1	Definitions	44
87.2	Strike notice	44
87.3	Secret ballot — strike vote	45
87.4	Maintenance of activities	45
87.5	Rights unaffected	46
87.6	Reinstatement of employees after strike or lockout	47
87.7	Services to grain vessels	47
DIVISION VI — PROHIBITIONS AND ENFORCEMENT		
<i>Strikes and Lockouts</i>		
88	Definitions	47
88.1	Strikes and lockouts prohibited during term of collective agreement	47
89	No strike or lockout until certain requirements met	48
90	Right to strike or lockout limited during period between Parliaments	48
<i>Declarations Relating to Strikes and Lockouts</i>		
91	Employer may apply for declaration that strike unlawful	49
92	Declaration that lockout unlawful and prohibition of lockout	49
93	Terms and duration of order	49
<i>Unfair Practices</i>		
94	Employer interference in trade union	50
95	Prohibitions relating to trade unions	52
96	General prohibition	53
97	Complaints to the Board	53
98	Duty and power of the Board	53
99	Board orders	54
99.1	Certification	55
<i>Offences and Punishment</i>		
100	Lockout contrary to this part	56
101	General offences by persons	56
102	Further offences	56
103	Prosecution of employers' organizations, trade unions and councils of trade unions	56
104	Consent of Board before prosecution	57

Table of Contents

DIVISION VII — GENERAL	
<i>Promotion of Industrial Peace</i>	
104.1	Round-table meetings 57
105	Mediators 57
106	Inquiries regarding industrial matters 57
107	Additional powers 57
108	Industrial Inquiry Commission 57
<i>Vote on Employer's Offer</i>	
108.1	Minister may order vote to be held 58
<i>Access to Employees</i>	
109	Application for access order 59
109.1	Communication with off-site workers 59
<i>Access to Financial Statements</i>	
110	Financial statement of trade union and employers' organization 60
<i>Regulations</i>	
111	Regulations 60
111.1	Delegation 62
<i>Miscellaneous</i>	
112	Documents as evidence 62
113	Late report not invalid 62
114	Defect in form or irregularity 62
115	Collective agreement to be filed 62
116	Remuneration and expenses 63
117	Persons deemed not to be employed in public service 63
118	Witness fees and expenses 63
119	Not required to give evidence — Part I 63
119.1	No disclosure 63
<i>Arrangements with Provinces</i>	
120	Where uniform provincial legislation 64
<i>Annual Reports</i>	
121	Annual report of Board 64
<i>Application of Provincial Laws</i>	
121.1	Provincial Crown corporations 64
121.2	Exclusion from application 65
121.3	Non-application of <i>Statutory Instruments Act</i> 65
121.4	Definition of "regulation" 65
121.5	Regulations 66
PART II — OCCUPATIONAL HEALTH AND SAFETY (SS. 122–165)	
<i>Interpretation</i>	
122	Definitions 66
<i>Purpose of Part</i>	
122.1	Prevention of accidents, injuries and illnesses 67
122.2	Preventive measures 67
122.21	Head of Compliance and Enforcement 68
<i>Methods of Communication</i>	
122.3	Rights of Employees 68

Table of Contents

	<i>Application</i>	
123	Application of Part	68
123.1	Canadian Human Rights Act	69
	<i>Duties of Employers</i>	
124	General duty of employer	69
125	Specific duties of employer	69
125.1	Further specific duties of employer	72
125.2	Employer to provide information in emergency	73
125.3	Coal mines	73
	<i>Duties of Employees</i>	
126	Health and safety matters	74
	<i>Employment Safety</i>	
127	Interference at accident scene prohibited	75
	<i>Internal Complaint Resolution Process</i>	
127.1	Complaint to supervisor	75
128	Refusal to work if danger	77
128.1	Employees on shift during work stoppage	79
129	Head's investigation	80
130	When collective agreement exists	81
131	Compensation under other laws not precluded	81
	<i>Pregnant and Nursing Employees</i>	
132	Cease to perform job	81
	<i>Complaints when Action against Employees</i>	
133	Complaint to Board	82
134	Board orders	83
	<i>Policy Health and Safety Committees</i>	
134.1	Establishment mandatory	83
	<i>Work Place Health and Safety Committees</i>	
135	Establishment mandatory	84
	<i>Provisions Common to Policy Committees and Work Place Committees</i>	
135.1	Appointment of members	86
135.11	Information likely to reveal identity	88
135.2	Regulations	88
	<i>Health and Safety Representatives</i>	
136	Appointment of health and safety representative	88
136.1	Information likely to reveal identity	90
137	Committees or representatives — specified work places	91
	<i>Coal Mining Safety Commission</i>	
137.1	Establishment of Commission	91
137.2	Approval of plans, procedures	92
	<i>Administration</i>	
138	Special committees	92
139	Medical surveillance and examination programs	93
139.1	Annual report	93
139.2	Five-year review	93
	<i>Exercise of Powers in Relation to Health and Safety</i>	
140	Delegation	94

Table of Contents

141	Accessory powers	94
141.1	Inspections	96
<i>General Matters</i>		
142	Duty to assist	96
143	Obstruction and false statements	96
143.1	Provision of information	96
143.2	Permission required for access to residence	97
144	Evidence in civil or administrative proceedings precluded	97
<i>Special Safety Measures</i>		
145	Direction to terminate contravention	98
<i>Appeals of Decisions and Directions</i>		
145.1	Powers, duties and functions	99
146	Appeal of direction	100
146.01	Head informed of appeal	100
146.1	Inquiry	100
146.2–146.4	[Repealed 2017, c. 20, s. 349.]	100
146.5	Wages	101
<i>Disciplinary Action</i>		
147	General prohibition re employer	101
147.1	Abuse of rights	101
<i>Offences and Punishment</i>		
148	General offence	101
149	Minister's consent required	102
150	Venue	102
151	Information	103
152	Injunction proceedings	103
153	Injunction	103
154	Imprisonment precluded in certain cases	103
154.1	[Proposed] Publication	103
<i>Providing of Information</i>		
155	Notice to provide information	103
<i>Orders, Decisions and Directions of Board</i>		
156	Decision final	104
<i>Fees</i>		
156.1	Fees for services, etc.	104
<i>Regulations</i>		
157	Regulations	104
158	Provincial Crown corporations	105
159	Exclusion from application	105
160	Application of certain provisions	106
161	Pilot projects	106
162	Repeal of regulations	106
163–165	[Repealed R.S.C. 1985, c. 9 (1st Supp.), s. 4.]	106
PART III — STANDARD HOURS, WAGES, VACATIONS AND HOLIDAYS (SS. 166–267)		
<i>Interpretation</i>		
166	Definitions	106

Table of Contents

<i>Application</i>		
167	Application of Part	107
167.1	Prohibition	108
167.2	Burden of proof	108
168	Saving more favourable benefits	108
168.1	[Repealed R.S.C. 1985, c. L-2, s. 168.1(3). Added 2020, c. 5, s. 36.]	108
DIVISION I — HOURS OF WORK		
169	Standard hours of work	108
169.1	Break	109
169.2	Rest period	109
170	Modified work schedule — collective agreement	110
171	Maximum hours of work	110
172	Maximum hours of work — collective agreement	110
172.1	Vote	111
172.2	Duration	112
173	Scheduling hours of work	112
173.01	Notice — work schedule	112
173.1	Shift changes	112
174	Overtime pay or time off	113
174.1	Right to refuse	114
175	Regulations for the purpose of this Division	114
176	Excess hours under permit	115
177	Emergency work	115
DIVISION I.1 — FLEXIBLE WORK ARRANGEMENTS		
177.1	Right to request	116
DIVISION II — MINIMUM WAGES		
178	Minimum wage	117
178.1	Minimum wage — rate	118
179	Employees under 17 years of age	118
180	[Repealed R.S.C. 1985, c. 9 (1st Supp.), s. 6.]	119
181	Regulations applicable to Division	119
DIVISION II.1 — BREAKS FOR MEDICAL REASONS OR NURSING		
181.1	Medical break	120
181.2	Nursing break	120
181.3	Regulations	120
DIVISION III — EQUAL WAGES		
182	Application of sections	120
182.1	[Proposed] Prohibition — rate of wages	120
182.2	[Proposed] Request for review	121
182.3	[Proposed] Notice of employment opportunities	121
182.4	[Proposed] Regulations	121
DIVISION IV — ANNUAL VACATIONS		
183	Definitions	122
184	Annual vacation with pay	122
184.01	Calculation of vacation pay	122
184.1	Entitlement to vacation in one or more periods	122
185	Granting vacation with pay	122
186	Vacation pay	123
187	General holiday during vacation	123

Table of Contents

187.1	Interruption	123
187.2	Postponement	123
188	Termination of employment during year	124
189	Transfer	124
190	Regulations in relation to annual vacations	125
DIVISION V — GENERAL HOLIDAYS		
191	Definitions	126
192	Entitlement to holidays	126
193	General holiday falling on day off	126
194	Exemption under collective agreement	126
195	Substitution — employees subject to collective agreement	126
195.1	Voting, duration	127
196	Holiday pay	127
197	Additional pay for holiday work	127
198	[Repealed 2012, c. 31, s. 221.]	128
199	Holiday work for managers, etc.	128
200	Holiday pay deemed to be wages	128
201	Application of section 189	128
201.1, 202	[Repealed 2012, c. 31, s. 222.]	128
DIVISION VI — MULTI-EMPLOYER EMPLOYMENT		
203	Definition of “multi-employer employment”	128
DIVISION VI.1 — [PROPOSED] TEMPORARY HELP AGENCIES		
203.01	[Proposed] Application	129
203.1	[Proposed] Prohibition	129
203.2	[Proposed] Equal treatment	129
203.3	[Proposed] Request for review	130
203.4	[Proposed] Inspections and complaints	130
203.5	[Proposed] Regulations	130
DIVISION VII — MATERNITY-RELATED REASSIGNMENT AND LEAVE AND OTHER LEAVES		
<i>Maternity-related Reassignment and Leave</i>		
204	Reassignment and job modification	131
205	Employer’s obligations	131
205.1	Entitlement to leave	131
205.2	Employee’s duty to inform employer	132
<i>Maternity Leave</i>		
206	Entitlement to leave	132
<i>Parental Leave</i>		
206.1	Entitlement to leave	132
206.2	Aggregate leave — maternity and parental	134
<i>Compassionate Care Leave</i>		
206.3	Definitions	134
<i>Leave Related to Critical Illness</i>		
206.4	Definitions	136
<i>Leave Related to Death or Disappearance</i>		
206.5	Definitions	137
<i>Personal Leave</i>		
206.6	Leave — five days	138

Table of Contents

<i>Leave for Victims of Family Violence</i>		
206.7	Definitions	139
<i>Leave for Traditional Aboriginal Practices</i>		
206.8	Leave — five days	140
<i>Leave for Court or Jury Duty</i>		
206.9	Entitlement to leave	140
<i>General</i>		
207	Notification to employer	140
207.01	Minimum periods of leave	141
207.02	Interruption	141
207.1	Notice to employer — interruption of leave	141
207.2	Notification to employer — interruption for child's hospitalization	141
207.3	Notice to employer of leave	142
208	Prohibition	142
208.1	Application	143
209	Right to notice of employment opportunities	143
209.1	Resumption of employment in same position	143
209.2	Right to benefits	143
209.21	Effect of leave	144
209.22	Status of certificate	144
209.3	Prohibition	144
209.4	Regulations	144
209.5	Application of section 189	145
DIVISION VIII — BEREAVEMENT LEAVE		
210	Employee entitled	145
DIVISION IX — GROUP TERMINATION OF EMPLOYMENT		
211	Definitions	147
212	Notice of group termination	148
212.1	[Proposed] Redundant employee — employment terminated	149
213	Cooperation with Commission	151
213.1	[Proposed] Transitional support measures	151
214	Establishment of joint planning committee	151
215	Employee representatives	151
216	Time for appointment	152
217	Failure to appoint	152
218	Notice of membership	152
219	Procedure	152
220	Wages	153
221	Object of joint planning committee	153
222	Supplying of information	153
223	Application to Minister for arbitrator	153
224	Appointment of arbitrator	154
225	Applicable provisions	155
226	Implementation of adjustment program	155
227	Regulations	155
228	Waiver of application of Division	156
229	Application of sections 214 to 226	156
DIVISION X — INDIVIDUAL TERMINATIONS OF EMPLOYMENT		
229.1	[Proposed] Application	157

Table of Contents

230	Notice or wages in lieu of notice	157
231	Conditions of employment	159
232	Expiration of notice	159
233	Regulations	159
234	Application of section 189	159
DIVISION XI — SEVERANCE PAY		
235	Minimum rate	159
236	Regulations	160
237	Application of section 189	160
DIVISION XII — GARNISHMENT		
238	Prohibition	160
DIVISION XII.1 — [PROPOSED] REIMBURSEMENT OF WORK-RELATED EXPENSES		
238.1	[Proposed] Entitlement	160
238.2	[Proposed] Regulations	161
DIVISION XIII — MEDICAL LEAVE		
239	Entitlement to leave	161
239.001	[Proposed] Application — 100 or more employees	163
DIVISION XIII.01		
239.01	[Repealed 2021, c. 26, s. 24(2).]	163
DIVISION XIII.1 — WORK-RELATED ILLNESS AND INJURY		
239.1	Prohibition	163
DIVISION XIII.2 — LONG-TERM DISABILITY PLANS		
239.2	Employer's obligation	165
239.3	Regulations	165
DIVISION XIV — UNJUST DISMISSAL		
240	Complaint	165
241	Reasons for dismissal	165
241.1	Suspension of complaint	166
241.2	Rejection of complaint	166
242	[Repealed 2017, c. 20, s. 354(1).]	167
243	Order final	167
244	Enforcement of orders	167
245	Regulations	168
246	Civil remedy	168
DIVISION XIV.1 — COMPLAINTS RELATING TO REPRISALS		
246.1	Complaint to Board	168
246.2	Suspension of complaint	169
246.3	Rejection of complaint	169
246.4	Board orders	170
246.5	Decisions final	170
246.6	Enforcement of orders	170
246.7	[Repealed 2017, c. 20, s. 356(3).]	171
DIVISION XV — PAYMENT OF WAGES		
247	Payment of wages	171
DIVISION XV.1		
247.1–247.4	[Repealed 2018, c. 22, s. 16.]	171
DIVISION XV.2 — LEAVE OF ABSENCE FOR MEMBERS OF THE RESERVE FORCE		
247.5	Entitlement to leave	171

Table of Contents

247.6	Notice to employer	172
247.7	Request for proof	172
247.8	Return to work postponed	173
247.9	[Repealed 2017, c. 33, s. 211.]	173
247.91	Continuous employment — benefits	173
247.92	Application of section 189	173
247.93	Resumption of employment in same position	173
247.94	Not able to perform work	173
247.95	Wages or benefits affected by reorganization	173
247.96	Prohibition — employee	174
247.97	Regulations	174
DIVISION XV.3 — GENETIC TESTING		
247.98	Definitions	175
247.99	Complaint	175
247.991	Order final	177
247.992	Regulations	177
DIVISION XVI — ADMINISTRATION AND GENERAL		
<i>Inquiries</i>		
248	Inquiries	178
<i>Inspections</i>		
249	Delegation	178
250	Administering oaths	179
251	Where underpayments found on inspection	179
<i>Internal Audit</i>		
251.001	Internal audit order	180
<i>Complaints</i>		
251.01	Making of complaint	181
251.02	Suspension of complaint	183
251.03	Assistance — Head	183
251.04	Settlement of amounts due	183
251.05	Rejection of complaint	184
251.06	Compliance order	185
251.1	Payment order	185
<i>Orders — Review and Appeal</i>		
251.101	Request for review	186
251.11	Appeal	188
251.111	Head informed of appeal	188
251.12	Board decision	188
<i>General Provisions — Orders</i>		
251.13	Order to debtor of employer	189
251.131	Administrative fee	189
251.132	Return of security	190
251.14	Deposit of moneys	190
251.15	Enforcement of orders	190
251.16	Regulations	191
251.17	Statutory Instruments Act	191
251.18	Civil liability of directors	191
251.19	Cooperatives	191

Table of Contents

<i>Information and Returns</i>		
252	Information and returns	191
253	Notice to furnish information	191
<i>Information Related to Employment</i>		
253.1	[Proposed] Copy — employee	192
253.2	[Proposed] Employment statement	193
254	Pay statement	193
<i>Deductions</i>		
254.1	General rule	193
<i>Combining Federal Works, Undertakings and Businesses</i>		
255	Orders of Minister combining federal works, undertakings and businesses	194
<i>Offences and Punishment</i>		
256	Offences and punishment	194
257	Procedure	195
258	Order to pay arrears of wages	195
259	Failure to comply with order	196
259.1	Imprisonment precluded in certain cases	196
259.2	[Proposed] Publication	196
260	Identity of complainants	196
261	Civil remedy	196
<i>Ministerial Orders</i>		
262	Orders	197
<i>Pilot Projects</i>		
263	Regulations	197
263.1	Repeal	197
<i>Regulations</i>		
264	Regulations	197
<i>Application of Provincial Laws</i>		
265	Provincial Crown corporations	199
266	Exclusion from application	199
267	Application of certain provisions	199
PART IV — ADMINISTRATIVE MONETARY PENALTIES (SS. 268–297)		
<i>Interpretation and Application</i>		
268	Definitions	199
<i>Purpose</i>		
269	Purpose of Part	200
<i>Regulations</i>		
270	Regulations	200
<i>Head's Powers</i>		
271	Powers regarding notices of violation	201
272	Delegation	201
<i>Commission of Violations</i>		
273	Violations	201
274	Liability of parties to violation	201
275	Proof of violation — employees	201
276	Notice of violation	202

Table of Contents

<i>Rules About Violations</i>		
277	Certain defences not available	202
278	Continuing violation	202
279	Violation or offence	202
280	Limitation period	203
<i>Reviews</i>		
281	Request for review	203
282	Variation or cancellation of notice of violation	203
283	Review	203
284	Object of review	203
<i>Appeal</i>		
285	Appeal	204
286	Head informed of appeal	204
287	Object of appeal	204
288	Wages	205
<i>Responsibility</i>		
289	Payment	205
290	Failure to act	205
<i>Recovery of Penalties</i>		
291	Debt to Her Majesty	205
292	Certificate	205
<i>General</i>		
293	Admissibility of documents	205
294	Burden of proof	206
295	Publication	206
<i>Pilot Projects</i>		
296	Regulations	206
297	Repeal of regulations	206

2020-260 — ADMINISTRATIVE MONETARY PENALTIES (CANADA LABOUR CODE) REGULATIONS

DEFINITION		
1	Definition of “Act”	206
VIOLATIONS		
2	Designations	206
3	Types of violations	207
PENALTIES		
4	Amount	207
5	Baseline penalty amount	207
6	History of non-compliance amount	207
PAYMENT		
7	Early payment	208
SERVICE		
8	Manner of service	208
REQUEST FOR REVIEW		
9	Manner	209

Table of Contents

	REGULAR RATE OF WAGES	
10	Calculation and determination	209
	PUBLICATION	
11	Other information	210
	TRANSITIONAL PROVISION	
12	Type A violations	210
	COMING INTO FORCE	
13	S.C. 2017, c. 20	210
	SCHEDULE 1 — VIOLATIONS UNDER PART II OF THE ACT AND ITS REGULATIONS	
	SCHEDULE 2 — VIOLATIONS UNDER PART III OF THE ACT AND ITS REGULATIONS	
	SCHEDULE 3 — PENALTY AMOUNT	
	Part 1 — Definitions	
	Part 2 — Amount	

2011-87 — AVIATION OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

	PART 1 — GENERAL	
	<i>Interpretation</i>	
1.1	.....	336
	<i>Application</i>	
1.11	.....	336
1.2	.....	336
	<i>Records</i>	
1.3	.....	336
	<i>Inconsistent Provisions</i>	
1.4	.....	337
	PART 2 — LEVELS OF SOUND	
	<i>Interpretation</i>	
2.1	.....	337
	<i>Measurement and Calculation of Exposure</i>	
2.2	.....	337
	<i>Hazard Investigation</i>	
2.3	.....	338
	<i>Limits of Exposure</i>	
2.4	.....	339
	<i>Reduction of Sound Exposure</i>	
2.5	.....	339
	<i>Report to Head of Compliance and Enforcement</i>	
2.6	.....	339
	<i>Hearing Protection</i>	
2.7	.....	339

Table of Contents

	<i>Warning Signs</i>	
2.8	.....	340
SCHEDULE — MAXIMUM DURATION OF EXPOSURE TO A-WEIGHTED SOUND PRESSURE LEVELS IN THE WORK PLACE		
	PART 3 — ELECTRICAL SAFETY	
	<i>Interpretation</i>	
3.1	.....	341
	<i>In-flight Maintenance</i>	
3.2	[Repealed SOR/2019-246, s. 360.]	341
3.3	.....	341
3.4	.....	341
3.5	.....	341
3.6	.....	341
3.7	.....	341
	<i>Safety Procedures</i>	
3.8	.....	342
	PART 4 — SANITATION	
	<i>Interpretation</i>	
4.1	.....	342
	<i>General</i>	
4.2	.....	342
4.3	.....	342
4.4	.....	342
4.5	.....	343
4.6	.....	343
4.7	.....	343
4.8	.....	343
	<i>Washbasins</i>	
4.9	.....	343
	<i>Potable Water</i>	
4.10	.....	343
4.11	.....	343
4.12	.....	344
4.13	.....	344
	<i>Preparation, Handling, Storage and Serving of Food</i>	
4.14	.....	344
4.15	.....	344
4.16	.....	344
4.17	.....	344
4.18	.....	344
	<i>Food Waste and Garbage</i>	
4.19	.....	344
	<i>Crew Eating Area</i>	
4.20	.....	345
	<i>Reusable Equipment</i>	
4.21	.....	345

Table of Contents

PART 5 — HAZARDOUS SUBSTANCES		
<i>Interpretation</i>		
5.1	.....	345
<i>Application</i>		
5.2	.....	348
DIVISION 1 — GENERAL		
<i>Records of Hazardous Substances</i>		
5.3	.....	348
<i>Hazard Investigation</i>		
5.4	.....	348
5.5	.....	349
5.6	.....	349
<i>Medical Examinations</i>		
5.7	.....	349
<i>Storage, Handling and Use</i>		
5.8	.....	350
5.9	.....	350
5.10	.....	350
5.11	.....	350
<i>Warning of Hazardous Substances</i>		
5.12	.....	350
<i>Employee Education and Training</i>		
5.13	.....	350
5.14	.....	351
<i>Substitution of Substances</i>		
5.15	.....	351
<i>Control of Hazards</i>		
5.16	.....	351
5.17	.....	352
<i>Warnings</i>		
5.18	.....	352
<i>Ionizing and Non-ionizing Radiation</i>		
5.19	.....	352
DIVISION 2 — HAZARDOUS SUBSTANCES OTHER THAN HAZARDOUS PRODUCTS		
<i>Asbestos Exposure Management Program</i>		
<i>Asbestos-containing Material</i>		
5.19.1	.....	353
<i>Asbestos Exposure Control Plan</i>		
5.19.2	.....	353
5.19.3	.....	354
<i>Asbestos Dust, Waste and Debris Removal</i>		
5.19.4	.....	354
5.19.5	.....	354
<i>Decontamination</i>		
5.19.6	.....	355
5.19.7	.....	355

Table of Contents

	Air Sampling	
5.19.8	.....	355
	Clearance Air Sampling	
5.19.9	.....	356
5.19.10	.....	356
	Containers for Asbestos Dust, Waste and Debris	
5.19.11	.....	356
5.20	.....	356
5.21	.....	357
	DIVISION 3 — HAZARDOUS PRODUCTS	
	<i>Interpretation</i>	
5.22	.....	357
	<i>Application</i>	
5.23	.....	357
	Supplier Safety Data Sheets	
5.24	.....	358
	Work Place Safety Data Sheets	
5.25	.....	358
	Availability of Safety Data Sheets	
5.26	.....	359
	<i>Labels</i>	
5.27	.....	359
	<i>Replacing Labels</i>	
5.28	.....	360
	Hazardous Waste	
5.28.1	.....	360
	<i>Exemptions from Disclosure</i>	
5.29	.....	360
	Prescribed Medical Professional	
5.30	.....	361
	PART 6 — SAFETY MATERIALS, EQUIPMENT, DEVICES AND CLOTHING	
	<i>General</i>	
6.1	.....	361
6.2	.....	361
6.3	.....	361
	Protective Headwear	
6.4	.....	361
	Protective Footwear	
6.5	.....	361
	Eye and Face Protection	
6.6	.....	361
	Respiratory Protection	
6.7	.....	362
6.8	.....	362

Table of Contents

	<i>Skin Protection</i>	
6.9	.....	362
	<i>Safety Restraining Devices</i>	
6.10	.....	362
	<i>Clothing</i>	
6.11	.....	362
6.12	.....	362
6.13	.....	362
	<i>Records</i>	
6.14	.....	362
	<i>Instruction and Training</i>	
6.15	.....	363
	<i>Defective Protection Equipment</i>	
6.16	.....	363
	PART 7 — TEMPERATURE AND LIGHTING	
7.1	.....	363
7.2	.....	363
	PART 8 — MATERIALS HANDLING	
	<i>Interpretation</i>	
8.1	.....	363
	<i>General</i>	
8.2	.....	364
	<i>Inspection, Testing and Maintenance</i>	
8.3	.....	364
	<i>Repairs</i>	
8.4	.....	364
	<i>Instruction and Training</i>	
8.5	.....	365
	<i>Operation</i>	
8.6	.....	365
	<i>Service Cart Control Systems</i>	
8.7	.....	365
	<i>Safe Working Loads</i>	
8.8	.....	365
	<i>Manual Handling of Materials</i>	
8.9	.....	365
8.10	.....	366
	<i>Transporting, Positioning and Hoisting Employees</i>	
8.11	.....	366
	<i>Defective Materials Handling Equipment</i>	
8.12	.....	366
	<i>Storage of Materials</i>	
8.13	.....	366

Table of Contents

PART 9 — FIRST AID Interpretation

9.1	.....	366
	General	
9.2	.....	367
	First Aid Attendants	
9.3	.....	367
9.4	.....	367
	Training Requirements	
9.5	.....	367
9.6	[Repealed SOR/2012-271, s. 12.]	368
	First Aid Kits	
9.7	.....	368
	First Aid Supplies and Equipment	
9.8	.....	368
	Transportation	
9.9	.....	368
	Communication of Information	
9.10	.....	369
	Records	
9.11	.....	369

SCHEDULE 1 — SUBJECTS TO BE INCLUDED IN THE COURSES

SCHEDULE 2 — CONTENTS OF FIRST AID KITS

SCHEDULE 3 — ADDITIONAL SUPPLIES AND EQUIPMENT

PART 10 — HAZARDOUS OCCURRENCE INVESTIGATION, RECORDING AND REPORTING

Interpretation

10.1	.....	372
	Application	
10.1.1	.....	372
	Report by an Employee	
10.2	.....	372
	Investigation	
10.3	.....	373
	Telecommunication Report	
10.4	.....	373
	Minor Injury Record	
10.5	.....	373
	Written Report	
10.6	.....	373
	Annual Report	
10.7	.....	374
	Retention of Reports	
10.8	.....	374

Table of Contents

SCHEDULE 1

SCHEDULE 2

PART 11 — REPEAL AND COMING INTO FORCE

Repeal

11	.....	377
	Coming into force	
12	.....	377

2001-520 — CANADA INDUSTRIAL RELATIONS BOARD REGULATIONS, 2012

PART 1 — GENERAL

Interpretation

1	.....	377
	Orders	

2	.....	378
	Registrar	

3	378
---	-------	-----

PART 2 — RULES APPLICABLE TO PROCEEDINGS

Commencement of Proceedings

4	.....	378
	Forms	

5	.....	378
	Signatures and Authorizations	

6	.....	379
	Filing and Service of Documents	

7	.....	379
	Date of Filing	

8	.....	379
	Computation of time	

9	.....	380
	Applications	

10	.....	380
	Notices of Application	

11	.....	380
	Responses and Replies	

12	.....	381
	Request to Intervene	

12.1	.....	381
13	[Repealed SOR/2012-305, s. 7.]	382

13.1	[Repealed SOR/2012-305, s. 7.]	382
------	--------------------------------	-----

Expedited Process

14	382
----	-------	-----

15	383
----	-------	-----

16	383
----	-------	-----

Table of Contents

17	[Repealed SOR/2012-305, s. 9.]	383
	<i>Interim Orders</i>	
18	.....	383
	<i>Verification of Evidence</i>	
19	.....	383
	<i>Consolidation of Proceedings</i>	
20	.....	383
	<i>Disclosure</i>	
21	.....	383
	<i>Confidentiality of Documents</i>	
22	.....	384
	<i>Exchange of Documents</i>	
23	.....	384
	<i>Summons</i>	
24	.....	384
	<i>Hearing Procedures</i>	
25	[Repealed SOR/2012-305, s. 14.]	385
26	[Repealed SOR/2011-109, s. 15.]	385
27	.....	385
	<i>Notice of Hearing</i>	
28	.....	385
	<i>Cancellation, Adjournment and Postponement of Hearings</i>	
29	.....	385
29.1	.....	386
PART 3 — APPLICATIONS RELATING TO BARGAINING RIGHTS		
	<i>Evidence of Employee's Wishes</i>	
30	.....	386
	<i>Evidence of Membership in a Trade Union</i>	
31	.....	386
	<i>Representation Votes</i>	
32	.....	386
	<i>Applications Respecting Bargaining Rights</i>	
33	.....	386
	<i>Applications for Certification</i>	
34	.....	387
	<i>Confidentiality of Employees' Wishes</i>	
35	.....	387
	<i>Applications for Revocation of Bargaining Rights and Related Matters</i>	
36	.....	387
	<i>Applications for Revocation for Fraud</i>	
37	.....	388
	<i>Subsequent Applications for Certification and Revocation</i>	
38	.....	388
39	.....	388

Table of Contents

	PART 4 — UNFAIR LABOUR PRACTICE COMPLAINTS	
40	.....	388
	PART 5 — APPLICATIONS FOR DECLARATION OF AN INVALID VOTE	
41	.....	389
	PART 5.1 — MAINTENANCE OF ACTIVITIES	
41.1	.....	389
	PART 6 — UNLAWFUL STRIKES AND LOCKOUTS	
	<i>Applications for Declaration of an Unlawful Strike</i>	
42	.....	390
	<i>Applications for Declaration of an Unlawful Lockout</i>	
43	.....	391
	PART 7 — APPLICATIONS FOR RECONSIDERATION	
44	[Repealed SOR/2012-305, s. 22.]	391
45	.....	391
	PART 8 — GENERAL POWERS	
46	.....	392
47	.....	392
47.1	.....	392
	PART 9 — REPEAL, TRANSITIONAL PROVISION AND COMING INTO FORCE	
	<i>Repeal</i>	
48	.....	392
	<i>Transitional</i>	
49	.....	393
	<i>Coming into Force</i>	
50	.....	393
	2002-54 — CANADA INDUSTRIAL RELATIONS REGULATIONS	
	DEFINITIONS	
1	.....	393
	NOTICE, REQUEST OR REPORT TO THE MINISTER	
2	.....	393
	NOTICE OR REQUEST BY THE MINISTER	
3	.....	393
4	.....	394
	NOTICE TO COMMENCE COLLECTIVE BARGAINING	
5	.....	394
	NOTICE OF DISPUTE AND REQUEST FOR CONCILIATION ASSISTANCE	
6	.....	394
	STRIKE OR LOCKOUT NOTICE	
7	.....	395
	REQUEST FOR THE APPOINTMENT OF AN ARBITRATOR	
8	.....	395

Table of Contents

	ARBITRATION ORDER OR DECISION	
9	.....	395
	REPEAL	
10	.....	396
	COMING INTO FORCE	
11	.....	396
	986 — CANADA LABOUR STANDARDS REGULATIONS	
1	[Repealed SOR/2019-168, s. 2.]	396
	INTERPRETATION	
2	.....	396
	EXCLUSION OF PROFESSIONS	
3	.....	397
	MODIFIED WORK SCHEDULE	
4	.....	397
5	.....	397
	AVERAGING	
6	.....	397
7	.....	399
	WEEKLY REST	
8	.....	399
9	.....	399
	EMPLOYEES UNDER 17 YEARS OF AGE	
10	.....	400
	APPRENTICESHIP	
11	.....	400
	REPORTING PAY	
11.1	.....	400
	ANNUAL VACATIONS	
12	.....	400
13	.....	401
14	.....	401
	GENERAL HOLIDAYS	
15	.....	401
16	.....	402
	REGULAR RATE OF WAGES FOR PURPOSES OF GENERAL HOLIDAYS, PERSONAL LEAVE, LEAVE FOR VICTIMS OF FAMILY VIOLENCE AND BEREAVEMENT LEAVE	
17	.....	402
18	.....	402
	MULTI-EMPLOYER EMPLOYMENT	
19	.....	402
	DETERMINATION OF HOURLY RATE OF WAGES	
20	.....	403
	BOARD, LIVING QUARTERS AND OTHER REMUNERATION	
21	.....	404

Table of Contents

22		404
PAYMENT OF WAGES, VACATION OR HOLIDAY PAY OR OTHER REMUNERATION WHEN EMPLOYEE CANNOT BE FOUND		
23		404
KEEPING OF RECORDS		
24		405
CERTIFICATE REFERRED TO IN SUBSECTION 181.1(2) OF THE ACT		
24.1		408
NOTICES TO BE POSTED		
25		408
NOTICE OF GROUP TERMINATION		
26		408
INDUSTRIAL ESTABLISHMENT FOR GROUP TERMINATION		
27		408
EXEMPTION FROM GROUP TERMINATION		
28		409
CONTINUITY OF EMPLOYMENT		
29		409
COMPLAINT FOR UNJUST DISMISSAL		
29.1		409
COMPLAINT RELATED TO GENETIC TESTING		
29.2		409
COMPLAINT REFERRED TO IN SUBSECTION 251.01(1) OF THE ACT		
29.3		410
LAY-OFFS THAT ARE NOT TERMINATION FOR THE PURPOSES OF SEVERANCE PAY, GROUP OR INDIVIDUAL TERMINATION OF EMPLOYMENT		
30		410
REGULAR HOURS OF WORK (SEVERANCE PAY AND INDIVIDUAL TERMINATION OF EMPLOYMENT)		
31		411
32		411
IMMEDIATE FAMILY		
33		411
33.01	[Repealed SOR/2020-226, s. 1(2).]	412
MEDICAL LEAVE WITH PAY		
33.1	Modification — subsection 239(1.21) of the Act	412
WORK-RELATED ILLNESS AND INJURY		
34		412

Table of Contents

SCHEDULE I

SCHEDULE II — NOTICE RELATED TO THE CANADA LABOUR CODE — PART III

SCHEDULE III — NOTICE OF MODIFIED WORK SCHEDULE

SCHEDULE IV — NOTICE OF AVERAGING OF HOURS OF WORK

SCHEDULE V [Repealed SOR/99-337, s. 3.]

86-304 — CANADA OCCUPATIONAL HEALTH AND SAFETY REGULATIONS

PART I

1.1	[Repealed SOR/2002-208, s. 2.]	444
<i>Interpretation</i>		
1.2	. . . . .	445
<i>Prescription</i>		
1.3	. . . . .	446
<i>Application</i>		
1.31	. . . . .	446
1.4	. . . . .	446
<i>Records</i>		
1.5	. . . . .	446
<i>Inconsistent Provisions</i>		
1.6	. . . . .	447
1.7	[Repealed SOR/2019-243, s. 1.]	447
<i>Alternate Media</i>		
1.8	. . . . .	447

PART II — PERMANENT STRUCTURES

Interpretation

2.1	. . . . .	448
DIVISION I — BUILDINGS		
<i>Standards</i>		
2.2	. . . . .	448
<i>Doors</i>		
2.3	. . . . .	449
<i>Clearances</i>		
2.4	. . . . .	449
<i>Floor and Wall Openings</i>		
2.5	. . . . .	449
<i>Open-top Bins, Hoppers, Vats and Pits</i>		
2.6	. . . . .	450
<i>Ladders, Stairways and Ramps</i>		
2.7	. . . . .	450
2.8	. . . . .	450
2.9	. . . . .	450
2.10	. . . . .	451

Table of Contents

Docks, Ramps and Dock Plates	
2.11	..... 451
<i>Guardrails</i>	
2.12	..... 452
<i>Toe Boards</i>	
2.13	..... 452
<i>Housekeeping and Maintenance</i>	
2.14	..... 452
2.15	..... 452
2.16	..... 453
<i>Temporary Heating</i>	
2.17	..... 454
DIVISION II — TOWERS, ANTENNAS AND ANTENNA-SUPPORTING STRUCTURES	
2.18	..... 454
2.19	..... 454
DIVISION III — HVAC SYSTEMS	
<i>Application</i>	
2.20	..... 455
<i>Standards</i>	
2.21	..... 455
2.22	..... 455
<i>Records</i>	
2.23	..... 455
<i>Operation, Inspection, Testing, Cleaning and Maintenance</i>	
2.24	..... 455
2.25	..... 456
2.26	..... 456
<i>Investigations</i>	
2.27	..... 457
PART III — TEMPORARY STRUCTURES AND EXCAVATIONS	
<i>Application</i>	
3.1	..... 457
<i>General</i>	
3.2	..... 458
3.3	..... 458
3.4	..... 458
3.5	..... 458
3.6	..... 458
<i>Barricades</i>	
3.7	..... 458
<i>Guardrails and Toe Boards</i>	
3.8	..... 458
<i>Temporary Stairs, Ramps and Platforms</i>	
3.9	..... 458
<i>Scaffolds</i>	
3.10	..... 459

Table of Contents

	<i>Portable Ladders</i>	
3.11	.....	459
	<i>Excavation</i>	
3.12	.....	460
	<i>Safety Nets</i>	
3.13	.....	460
	<i>Housekeeping</i>	
3.14	.....	460
3.15	.....	460
	PART IV — ELEVATING DEVICES	
	<i>Application</i>	
4.1	.....	461
	<i>Standards</i>	
4.2	.....	461
	<i>Use and Operation</i>	
4.3	.....	461
4.4	.....	461
	<i>Inspection and Testing</i>	
4.5	.....	461
4.6	.....	462
	<i>Repair and Maintenance</i>	
4.7	.....	462
	PART V — BOILERS AND PRESSURE VESSELS	
	<i>Interpretation</i>	
5.1	.....	462
	<i>Application</i>	
5.2	.....	463
	<i>Fabrication and Installation Standards</i>	
5.3	.....	464
5.4	.....	464
	<i>Use, Operation, Repair, Alteration and Maintenance</i>	
5.5	.....	464
5.6	.....	465
5.7	.....	465
5.8	.....	465
5.9	.....	465
	<i>Inspections</i>	
5.10	.....	465
5.11	.....	466
5.12	.....	467
5.13	.....	467
5.14	.....	467
5.15	.....	467
	<i>Buried Pressure Vessels</i>	
5.16	.....	467

Table of Contents

	<i>Records and Reports</i>	
5.17	.....	468
5.18	.....	468
	PART VI — LIGHTING	
	<i>Interpretation</i>	
6.1	.....	469
	<i>Application</i>	
6.2	.....	469
	<i>Measurement of Average Levels of Lighting</i>	
6.3	.....	469
	<i>Lighting — Office Areas</i>	
6.4	.....	469
	<i>Lighting — Industrial Areas</i>	
6.5	.....	470
	<i>Lighting — General Areas</i>	
6.6	.....	470
	<i>Lighting — VDT</i>	
6.7	.....	470
	<i>Lighting — Aerodrome Aprons and Aircraft Stands</i>	
6.8	.....	470
	<i>Lighting — Artefactual Exhibits and Archival Materials</i>	
6.9	.....	470
	<i>Emergency Lighting</i>	
6.10	.....	471
	<i>Minimum Levels of Lighting</i>	
6.11	.....	471
	SCHEDULE [FOR 6.4] I	
	SCHEDULE [FOR 6.5] II	
	SCHEDULE [FOR 6.6] III	
	SCHEDULE [FOR 6.7] IV	
	PART VII — LEVELS OF SOUND	
	<i>Interpretation</i>	
7.1	.....	476
	<i>Measurement and Calculation of Exposure</i>	
7.2	.....	476
	<i>Hazard Investigation</i>	
7.3	.....	477
	<i>Limits of Exposure</i>	
7.4	.....	478
	<i>Reduction of Sound Exposure</i>	
7.5	.....	478
	<i>Report to Head of Compliance and Enforcement</i>	
7.6	.....	478

Table of Contents

	<i>Hearing Protection</i>	
7.7	.....	478
	<i>Warning Signs</i>	
7.8	.....	479
	SCHEDULE [FOR 7.4]	
	SCHEDULE [FOR 7.4(2)] II	
	PART VIII — ELECTRICAL SAFETY	
	<i>Interpretation</i>	
8.1	.....	480
	<i>Application</i>	
8.2	.....	481
	<i>Standards</i>	
8.3	.....	481
	<i>Safety Procedures</i>	
8.4	.....	481
8.5	.....	481
8.6	.....	482
8.7	.....	482
	<i>Safety Watcher</i>	
8.8	.....	482
	<i>Coordination of Work</i>	
8.9	.....	483
	<i>Poles and Elevated Structures</i>	
8.10	.....	483
8.11	.....	483
	<i>Isolation of Electrical Equipment</i>	
8.12	.....	483
8.13	.....	484
	<i>Guarantees of Isolation for Electrical Equipment</i>	
8.14	.....	484
8.15	.....	485
8.16	.....	485
	<i>Live Test</i>	
8.17	.....	486
	<i>Termination of Guarantee of Isolation</i>	
8.18	.....	486
	<i>Safety Grounding</i>	
8.19	.....	486
8.20	.....	486
8.21	.....	487
8.22	.....	487
	<i>Switches and Control Devices</i>	
8.23	.....	488

Table of Contents

SCHEDULE [FOR 8.5(6)]	
PART IX — SANITATION	
<i>Interpretation</i>	
9.1	488
<i>General</i>	
9.2	489
9.3	489
9.4	489
9.5	489
9.6	489
9.7	489
9.8	489
9.9	489
9.10	490
9.11	490
<i>Toilet Rooms</i>	
9.12	490
9.13	491
9.14	491
9.15	491
9.16	491
9.17	491
<i>Wash Basins</i>	
9.18	491
9.19	492
9.20	492
9.21	492
9.22	492
<i>Showers and Shower Rooms</i>	
9.23	492
<i>Potable Water</i>	
9.24	493
9.25	493
9.26	493
9.27	493
9.28	494
9.29	494
<i>Field Accommodation</i>	
9.30	494
9.31	494
9.32	494
9.33	494
<i>Preparation, Handling, Storage and Serving of Food</i>	
9.34	495
9.35	495
9.36	495
9.37	495
9.38	495

Table of Contents

	<i>Food Waste and Garbage</i>	
9.39	.....	495
	<i>Lunch Rooms</i>	
9.40	.....	496
	<i>Ventilation</i>	
9.41	.....	496
9.42	.....	497
	<i>Clothing Storage</i>	
9.43	.....	497
9.44	.....	497
9.45	.....	497
	SCHEDULE [FOR 9.41(2)]	
	PART X — HAZARDOUS SUBSTANCES	
	<i>Interpretation</i>	
10.1	.....	498
	<i>Application</i>	
10.2	.....	501
	DIVISION I — GENERAL	
	<i>Records of Hazardous Substances</i>	
10.3	.....	501
	<i>Hazard Investigation</i>	
10.4	.....	501
10.5	.....	502
10.6	.....	502
	<i>Medical Examinations</i>	
10.7	.....	502
	<i>Storage, Handling and Use</i>	
10.8	.....	502
10.9	.....	503
10.10	.....	503
10.11	.....	503
10.12	.....	503
	<i>Warning of Hazardous Substances</i>	
10.13	.....	503
	<i>Employee Education and Training</i>	
10.14	.....	503
10.15	.....	504
	<i>Substitution of Substances</i>	
10.16	.....	505
	<i>Ventilation</i>	
10.17	.....	505
10.18	.....	505
	<i>Control of Hazards</i>	
10.19	.....	506
10.20	.....	507
10.21	.....	507

Table of Contents

10.22		507
	<i>Warnings</i>	
10.23		508
	<i>Assembly of Pipes</i>	
10.24		508
	<i>Explosives</i>	
10.25		508
	<i>Ionizing and Non-ionizing Radiation</i>	
10.26		508
SCHEDULE [FOR 10.26(1)(A)] [I]		
DIVISION II — HAZARDOUS SUBSTANCES OTHER THAN HAZARDOUS PRODUCTS		
<i>Asbestos Exposure Management Program</i>		
Asbestos-containing Material		
10.26.1		509
	Asbestos Exposure Control Plan	
10.26.2		510
10.26.3		510
	Asbestos Dust, Waste and Debris Removal	
10.26.4		510
10.26.5		511
	Decontamination	
10.26.6		511
10.26.7		511
	Air Sampling	
10.26.8		511
	Clearance Air Sampling	
10.26.9		512
10.26.10		512
	Containers for Asbestos Dust, Waste and Debris	
10.26.11		513
	Identification	
10.27		513
10.28		513
DIVISION III — HAZARDOUS PRODUCTS		
<i>Interpretation</i>		
10.29		513
	<i>Application</i>	
10.30		514
<i>Safety Data Sheets and Labels in Respect of Certain Hazardous Products</i>		
10.31		515
	<i>Supplier Safety Data Sheets</i>	
10.32		515
	<i>Work Place Safety Data Sheets</i>	
10.33		516

Table of Contents

	<i>Availability of Safety Data Sheets</i>	
10.34	.....	517
	<i>Labels</i>	
10.35	.....	517
10.36	.....	517
	<i>Portable Containers</i>	
10.37	.....	518
	<i>Special Cases</i>	
10.38	.....	518
	<i>Laboratories</i>	
10.39	.....	519
	<i>Signs</i>	
10.40	.....	520
	<i>Replacing Labels</i>	
10.41	.....	520
	<i>Exemptions from Disclosure</i>	
10.42	.....	520
	<i>Hazardous Waste</i>	
10.43	.....	521
	<i>Information Required in a Medical Emergency</i>	
10.44	.....	521
	<i>Fire and Explosion Prevention</i>	
10.45	.....	521
10.46	.....	522
10.47	.....	522
10.48	.....	522
10.49	.....	522
	PART XI — CONFINED SPACES	
	<i>Interpretation</i>	
11.01	.....	523
	<i>Confined Space Identification</i>	
11.02	.....	523
	<i>Hazard Assessment</i>	
11.03	.....	524
	<i>Confined Space Procedures</i>	
11.04	.....	525
	<i>Verification Before Entry in and During Occupancy of Hazardous Confined Space</i>	
11.05	.....	526
	<i>Emergency Procedures and Equipment</i>	
11.06	.....	527
	<i>Record of Emergency Procedures and Equipment</i>	
11.07	.....	528
	<i>Provision and Use of Equipment</i>	
11.08	.....	529

Table of Contents

<i>Closing off a Confined Space</i>	
11.09	529
<i>Hot Work</i>	
11.1	529
11.2–11.10 [Repealed SOR/2021-143, s. 1.]	530
<i>Ventilation Equipment</i>	
11.11	530
<i>Instruction and Training</i>	
11.12	530
<i>Retention of Records</i>	
11.13	531
PART XII — PROTECTION EQUIPMENT AND OTHER PREVENTIVE MEASURES	
<i>Interpretation</i>	
12.01	531
12.02	532
<i>General</i>	
12.03	532
12.04	532
12.05	533
<i>Fall Protection</i>	
Fall-protection Plan	
12.06	533
Fall-protection Systems	
12.07	534
12.08	535
<i>Protection Equipment and Procedures</i>	
Fall Protection	
12.09	535
Protective Headwear	
12.1	536
12.4–12.10 [Repealed SOR/2019-243, s. 4.]	537
Protective Footwear	
12.11	537
Eye and Face Protection	
12.12	537
Respiratory Protection	
12.13	537
12.13.1	538
Skin Protection	
12.14	539
Protection Against Drowning	
12.15	539
Loose Clothing	
12.16	540

Table of Contents

Protection Against Moving Vehicles	
12.17	..... 540
<i>Defective Equipment</i>	
12.18	..... 540
12.19	..... 540
<i>Instruction and Training</i>	
12.2	..... 540
<i>Records</i>	
12.21	..... 541
12.3	[Repealed SOR/2019-243, s. 4.] 541
PART XIII — TOOLS AND MACHINERY	
<i>Interpretation</i>	
13.1	..... 541
<i>Design, Construction, Operation and Use of Tools</i>	
13.2	..... 541
13.3	..... 541
13.4	..... 542
13.5	..... 542
13.6	..... 542
13.7	..... 542
13.8	..... 542
<i>Defective Tools and Machines</i>	
13.9	..... 542
13.10	..... 542
<i>Instructions and Training</i>	
13.11	..... 542
13.12	..... 542
<i>General Requirements for Machine Guards</i>	
13.13	..... 543
<i>Use, Operation, Repair and Maintenance of Machine Guards</i>	
13.14	..... 543
13.15	..... 543
13.16	..... 543
13.17	..... 543
<i>Abrasive Wheels</i>	
13.18	..... 544
13.19	..... 544
<i>Mechanical Power Transmission Apparatus</i>	
13.20	..... 544
<i>Woodworking Machinery</i>	
13.21	..... 544
<i>Punch Presses</i>	
13.22	..... 544
PART XIV — MATERIALS HANDLING	
<i>Interpretation</i>	
14.1	..... 544

Table of Contents

<i>Application</i>	
14.2	545
DIVISION I — DESIGN AND CONSTRUCTION	
<i>General</i>	
14.3	545
<i>Protection from Falling Objects</i>	
14.4	545
14.5	546
<i>Protection from Overturning</i>	
14.6	546
<i>Seat-Belts</i>	
14.7	546
<i>Fuel Tanks</i>	
14.8	546
<i>Protection from Elements</i>	
14.9	547
<i>Vibration</i>	
14.10	547
<i>Controls</i>	
14.11	547
<i>Fire Extinguishers</i>	
14.12	547
<i>Means of Entering and Exiting</i>	
14.13	548
<i>Lighting</i>	
14.14	548
<i>Control Systems</i>	
14.15	548
<i>Warning Devices</i>	
14.16	549
<i>Rear View Mirrors</i>	
14.17	549
<i>Guided Industrial Vehicles</i>	
14.18	549
<i>Conveyors</i>	
14.19	549
DIVISION II — MAINTENANCE, USE AND OPERATION	
<i>Inspection, Testing and Maintenance</i>	
14.20	550
<i>Mobile Cranes</i>	
14.21	550
<i>Split Rim Wheels</i>	
14.22	550
<i>Instruction and Training</i>	
14.23	551

Table of Contents

	<i>Qualifications</i>	
14.24	.....	551
	<i>Signals</i>	
14.25	.....	552
14.26	.....	552
14.27	.....	552
	<i>Gradients</i>	
14.28	.....	552
	<i>Repairs</i>	
14.29	.....	553
	<i>Transporting and Positioning Employees</i>	
14.30	.....	553
	<i>Loading, Unloading and Maintenance While in Motion</i>	
14.31	.....	553
14.32	.....	554
14.33	.....	554
	<i>Positioning the Load</i>	
14.34	.....	554
	<i>Tools</i>	
14.35	.....	554
	<i>Housekeeping</i>	
14.36	.....	554
	<i>Parking</i>	
14.37	.....	554
	<i>Materials Handling Area</i>	
14.38	.....	555
	<i>Hazard Areas</i>	
14.39	.....	555
	<i>Rear Dumping</i>	
14.40	.....	556
	<i>Fuelling</i>	
14.41	.....	556
	<i>Ropes, Slings and Chains</i>	
14.42	.....	556
	<i>Safe Working Loads</i>	
14.43	.....	556
	<i>Aisles and Corridors</i>	
14.44	.....	556
	<i>Clearances</i>	
14.45	.....	557
	<i>DIVISION III — MANUAL HANDLING OF MATERIALS</i>	
14.46	.....	558
14.47	.....	558
14.48	.....	558
14.49	.....	558

Table of Contents

DIVISION IV — STORAGE OF MATERIALS	
14.50	..... 558
DIVISION V — TRANSITIONAL PROVISIONS	
14.51	..... 559
PART XV — HAZARDOUS OCCURRENCE INVESTIGATION, RECORDING AND REPORTING	
<i>Interpretation</i>	
15.1	..... 559
<i>Application</i>	
15.2	..... 560
<i>Reports by Employee</i>	
15.3	..... 560
<i>Investigations</i>	
15.4	..... 560
<i>Telephone or Fax Reports</i>	
15.5	..... 561
<i>Records</i>	
15.6	..... 561
<i>Minor Injury Records</i>	
15.7	..... 561
<i>Written Reports</i>	
15.8	..... 562
15.9	..... 562
<i>Annual Report</i>	
15.10	..... 562
<i>Retention of Reports and Records</i>	
15.11	..... 563
SCHEDULE [FOR 15.8] I	
SCHEDULE [FOR 15.10] II	
PART XVI — FIRST AID	
<i>Interpretation</i>	
16.1	..... 566
<i>General</i>	
16.2	..... 567
<i>First Aid Attendants</i>	
16.3	..... 567
16.4	..... 568
<i>First Aid Stations</i>	
16.5	..... 568
<i>Communication of Information</i>	
16.6	..... 569
<i>First Aid Supplies and Equipment</i>	
16.7	..... 569
16.8	..... 569

Table of Contents

	<i>First Aid Rooms</i>	
16.9		570
16.10		570
	<i>Transportation</i>	
16.11		571
	<i>First Aid Courses</i>	
16.12		571
	<i>Records</i>	
16.13		571
	SCHEDULE [FOR 16.7(1)] I	
	SCHEDULE [FOR 16.7(2) AND (4)] II	
	SCHEDULE [FOR 16.7(3) AND (4)] III	
	SCHEDULE [FOR 16.7(4) AND 16.10(1)(E)(VI)] IV	
	SCHEDULE [FOR 16.12(4) AND (7)] V	
	PART XVII — SAFE OCCUPANCY OF THE WORK PLACE	
	<i>Interpretation</i>	
17.1		576
	<i>Application</i>	
17.2		576
	<i>Fire Protection Equipment</i>	
17.3		576
	<i>Emergency Evacuation Plan</i>	
17.4		576
	<i>Emergency Procedures</i>	
17.5		578
	<i>Instructions and Training</i>	
17.6		578
	<i>Emergency Wardens</i>	
17.7		578
17.8		579
	<i>Inspections</i>	
17.9		579
	<i>Meetings of Emergency Wardens and Drills</i>	
17.10		579
	<i>Fire Hazard Areas</i>	
17.11		580
17.12		581
	PART XVIII — DIVING OPERATIONS	
	<i>Definitions</i>	
18.1		581
	<i>Application</i>	
18.2		582
18.3		582

Table of Contents

DIVISION I — TYPE 1 DIVES AND TYPE 2 DIVES	
<i>Written Procedures</i>	
18.4	..... 582
<i>Instruction and Training</i>	
18.5	..... 583
18.6	..... 583
<i>Medical Evaluations</i>	
18.7	..... 583
<i>Fitness to Dive</i>	
18.8	..... 584
<i>Dive Plan</i>	
18.9	..... 584
<i>Dive Team</i>	
18.10	..... 584
18.11	..... 585
18.12	..... 585
18.13	..... 585
18.14	..... 585
<i>Emergency Assistance</i>	
18.15	..... 585
<i>Pressure-related Injury</i>	
18.16	..... 585
<i>Decompression</i>	
18.17	..... 586
<i>Identification of Dive Site</i>	
18.18	..... 586
<i>Supervision</i>	
18.19	..... 586
18.20	..... 586
<i>Hazards</i>	
18.21	..... 586
<i>Communications</i>	
18.22	..... 587
<i>Breathing Supply</i>	
18.23	..... 587
18.24	..... 587
18.25	..... 587
<i>Diving Equipment</i>	
18.26	..... 587
18.27	..... 587
18.28	..... 588
18.29	..... 588
18.30	..... 588
18.31	..... 588
18.32	..... 588
18.33	..... 588

Table of Contents

	<i>Termination of Dive</i>	
18.34	.....	589
	<i>Observation After Diving</i>	
18.35	.....	589
	<i>Flying After Diving</i>	
18.36	.....	589
	<i>Reports and Records</i>	
18.37	.....	590
18.38	.....	590
18.39	.....	590
18.40	.....	591
18.41	.....	591
18.42	.....	591
	DIVISION II — TYPE 2 DIVES	
	<i>Approach to Water Control and Intake Facilities</i>	
18.43	.....	591
18.44	.....	591
18.45	.....	591
18.46	.....	591
	<i>Diving Hazards</i>	
18.47	.....	592
18.48	.....	592
	<i>Use of Explosives</i>	
18.49	.....	592
	<i>Hyperbaric Chambers</i>	
18.50	.....	592
18.51	.....	592
	<i>Alternative Energy Sources</i>	
18.52	.....	593
	<i>Surface Supply Type 2 Dives</i>	
18.53	.....	593
18.54	.....	593
18.55	.....	593
18.56	.....	593
18.57	.....	593
18.58	.....	593
18.59	.....	594
18.60	.....	594
18.61	.....	594
18.62	.....	594
	<i>Type 2 Scuba Diving</i>	
18.63	.....	594
18.64	.....	594
18.65	.....	594
18.66	.....	594
18.67	.....	594

Table of Contents

SCHEDULE [FOR 18.1 AND 18.18] I — DIVER'S FLAG		
SCHEDULE [FOR 18.1 AND 18.18] II — INTERNATIONAL CODE FLAG A		
PART XIX — HAZARD PREVENTION PROGRAM		
<i>Hazard Prevention Program</i>		
19.1	596
<i>Implementation Plan</i>		
19.2	597
<i>Hazard Identification and Assessment Methodology</i>		
19.3	597
<i>Hazard Identification and Assessment</i>		
19.4	598
<i>Preventive Measures</i>		
19.5	598
<i>Employee Training</i>		
19.6	599
<i>Program Evaluation</i>		
19.7	599
<i>Reports</i>		
19.8	600
PART XX		
20.1–20.10	[Repealed SOR/2020-130, s. 41.]	600
90-97 — COAL MINING OCCUPATIONAL HEALTH AND SAFETY REGULATIONS		
1	[Repealed SOR/2002-143, s. 2.]	601
INTERPRETATION		
2	601
APPLICATION		
3	604
RECORDS, REPORTS, PLANS AND PROCEDURES		
4	604
5	604
INCONSISTENT PROVISIONS		
6	604
QUALIFICATIONS		
7	605
APPOINTMENTS AND SUPERVISION		
8	605
9	605
PART I — EXPLOSIVES AND DETONATORS		
<i>Storage and Handling</i>		
10	605
11	605

Table of Contents

12		605
13		606
14		606
<i>Care of Blasting Machines</i>		
15		606
<i>Shotfirers</i>		
16		606
17		606
<i>Shotfiring Procedures</i>		
18		606
19		606
<i>Preparations Before Charging a Shot Hole</i>		
20		607
21		607
<i>Precautions Before Firing a Shot</i>		
22		607
23		607
24		608
<i>Firing with a Blasting Machine</i>		
25		608
<i>Single Shots</i>		
26		608
<i>Multi-shots</i>		
27		608
<i>Misfired Shots</i>		
<i>Single Shots</i>		
28		609
<i>Rounds of Shots</i>		
29		610
<i>Unrecovered Misfired Shots</i>		
30		610
31		611
<i>Flamed Shots</i>		
32		611
<i>Reports and Records</i>		
33		611
34		611
PART II — SAFE OCCUPANCY OF THE WORK PLACE		
<i>General</i>		
35		612
36		612
37		612
38		612
39		612
<i>Overmen's Sections</i>		
40		613

Table of Contents

	<i>Pre-Shift Inspections</i>	
41	.....	613
	<i>Inspections During Shifts</i>	
42	.....	613
	<i>Inspections Outside an Overman's Section</i>	
43	.....	614
	<i>General Duties</i>	
44	.....	614
	<i>Reports</i>	
45	.....	614
	<i>Dangerous Conditions</i>	
46	.....	615
	<i>Inspection on Behalf of Employees</i>	
47	.....	615
	<i>Guards, Fences and Barricades</i>	
48	.....	615
49	.....	616
50	.....	616
	<i>Mechanical Equipment and Electrical Equipment</i>	
51	.....	616
52	.....	616
53	.....	616
	<i>Accumulations of Water or Concentrations of Gas</i>	
54	.....	616
	<i>Solid Measure</i>	
55	.....	617
	<i>Geological Faults</i>	
56	.....	618
	<i>Training</i>	
57	.....	618
58	.....	618
	PART III — UNDERGROUND TRANSPORTATION AND HOISTING	
	<i>Underground Transportation</i>	
59	.....	619
60	.....	619
61	.....	620
	<i>Communications on Roadways</i>	
62	.....	620
	<i>Surface Hoist Operation</i>	
63	.....	620
64	.....	620
	<i>Surface Hoist Standards</i>	
65	.....	620
	<i>Surface Hoist Tests and Inspections</i>	
66	.....	621
67	.....	622

Table of Contents

	<i>Hoist Rope Standards and Tests</i>	
68	.....	622
69	.....	622
70	.....	623
71	.....	623
72	.....	623
73	.....	623
74	.....	623
75	.....	624
76	.....	624
	<i>Hoist Attachments</i>	
77	.....	624
78	.....	624
79	.....	625
80	.....	625
	<i>Cage and Mine Car Construction</i>	
81	.....	625
82	.....	625
	<i>Man Cars</i>	
83	.....	625
84	.....	626
85	.....	626
86	.....	626
	<i>Material Cars</i>	
87	.....	626
	<i>Tackling Equipment</i>	
88	.....	627
89	.....	627
	<i>Operation and Inspection of Mine Cars</i>	
90	.....	628
91	.....	628
92	.....	628
	<i>Vertical Shafts and Airways</i>	
93	.....	628
94	.....	628
95	.....	628
	<i>Shaft Communications</i>	
96	.....	629
	<i>Safe Operating Procedures for Transporting Persons</i>	
97	.....	629
98	.....	629
	<i>Standards for Diesel Equipment</i>	
99	.....	629
	<i>Safety Procedures</i>	
100	.....	629
101	.....	629
	<i>Operator Qualifications</i>	
102	.....	630

Table of Contents

	<i>Maintenance, Inspection and Tests</i>	
103	.....	630
104	.....	630
105	.....	630
	<i>Procedures for Battery Locomotives</i>	
106	.....	630
	<i>Battery Locomotive Standards</i>	
107	.....	630
	<i>Charging Stations</i>	
108	.....	631
	PART IV — VENTILATION	
	<i>Airways</i>	
109	.....	631
	<i>Ventilation Systems</i>	
110	.....	631
	<i>Levels of Respirable Dust Underground</i>	
111	.....	631
112	.....	632
	<i>Ventilation Plan</i>	
113	.....	632
	<i>Fans — Basic Standards</i>	
114	.....	632
	<i>Safe Operating Procedures for Booster Fans</i>	
115	.....	633
	<i>Safe Operating Procedures for Fans</i>	
116	.....	633
117	.....	633
118	.....	634
	<i>Procedures for Ventilation Surveys</i>	
119	.....	634
	<i>Deficiency in Air</i>	
120	.....	634
	<i>Ventilation Measurements and Reports</i>	
121	.....	634
122	.....	634
	<i>Ventilation Inspections</i>	
123	.....	634
124	.....	635
125	.....	635
	PART V — EXPLOSION AND FIRE PROTECTION	
	<i>Flammable Gas Tests</i>	
126	.....	635
	<i>Flammable Gas Exceeding 0.5 Per Cent</i>	
127	.....	636

Table of Contents

	<i>Flammable Gas Exceeding 0.8 Per Cent</i>	
128	.....	636
	<i>Flammable Gas Exceeding 1.25 Per Cent</i>	
129	.....	636
130	.....	636
	<i>Flammable Gas Exceeding 2 Per Cent</i>	
131	.....	636
	<i>Methanometers</i>	
132	.....	637
	<i>Dust Reduction Measures</i>	
133	.....	637
	<i>Dusting Procedures</i>	
134	.....	637
135	.....	638
136	.....	638
	<i>Explosion Protection Barriers</i>	
137	.....	638
	<i>Sources of Ignition</i>	
138	.....	638
139	.....	638
140	.....	638
141	.....	638
	<i>Alcohol and Drugs</i>	
142	.....	639
	<i>Random Searches</i>	
143	.....	640
	<i>Avoidance of Flammable Material</i>	
144	.....	640
145	.....	640
	<i>Fire Protection Equipment</i>	
146	.....	641
147	.....	641
148	.....	641
149	.....	641
	<i>Measurement</i>	
150	.....	641
	<i>Mine Rescue Teams and First Aid Equipment</i>	
151	.....	642
152	.....	642
153	.....	642
154	.....	642
	<i>Stoppings and Barricades</i>	
155	.....	643
156	.....	643
157	.....	643

Table of Contents

PART VI — PLANS		
<i>Pre-development Requirements</i>		
158	.....	643
<i>Strata Control Systems</i>		
159	.....	644
<i>Mine Survey Plans</i>		
160	.....	644
<i>Notices of Closure</i>		
161	.....	645
PART VII — HAZARDOUS OCCURRENCES		
<i>Application</i>		
161.1	.....	645
<i>Reports by Employees</i>		
162	.....	645
<i>Investigations</i>		
163	.....	646
<i>Reports by Employer</i>		
164	.....	646
165	.....	646
166	.....	646
PART VIII — ENTERING A CLOSED MINE		
167	.....	646
168	.....	647
169	.....	647
SCHEDULE I		
SCHEDULE II — EXPLOSIVES AND DETONATORS		
SCHEDULE III		
SCHEDULE IV		
SCHEDULE V		

2021-200 — EXEMPTIONS FROM AND MODIFICATIONS TO HOURS OF WORK PROVISIONS REGULATIONS

DEFINITION		
1	Definition of “Act”	650
PART 1 — ROAD TRANSPORTATION SECTOR AND POSTAL AND COURIER SECTOR		
2	Application	650
3	Transport of goods	650
4	Transport of mail or parcels	651
5	Motor coach operators	651
6	Armoured car crew members	651
7	Warehouse workers, shippers or receivers	651
8	Dispatchers	651
9	Mechanics	651

Table of Contents

PART 2 — MARINE SECTOR		
10	Application	651
11	Employees of long-shoring operations	652
12	Supervisors in long-shoring operations	652
13	Employees on board vessel	653
14	Operations controllers	653
15	Marine pilots	654
16	Marine pilot boat personnel	654
17	Dispatchers	655
PART 3 — GRAIN SECTOR		
18	Application	655
19	Elevator operators	655
20	Railcar spotters, warehouse workers and grain receivers	655
21	Millwrights, electricians, power engineers and welders	655
22	Laboratory technicians and supervisors	655
23	Grading, quality assurance and inspection of grain	655
24	Grain cleaning operators	655
25	Millers, assistant millers and other operators	655
<i>Related Amendment</i>		
Administrative Monetary Penalties (Canada Labour Code) Regulations		
26	.....	656
<i>Coming into Force</i>		
27	February 1, 2022	656
2010-120 — MARITIME OCCUPATIONAL HEALTH AND SAFETY REGULATIONS		
PART 1 — GENERAL		
<i>Interpretation</i>		
1	.....	657
2	.....	659
<i>Application</i>		
2.1	.....	659
3	.....	660
<i>Records</i>		
4	.....	660
<i>Inconsistent Provisions</i>		
5	.....	660
<i>Incorporation by Reference</i>		
6	.....	660
<i>Health and Safety</i>		
7	.....	660
PART 2 — STRUCTURES		
<i>Interpretation</i>		
8	.....	661

Table of Contents

	<i>Application</i>	
9	.....	661
	<i>Design and Construction</i>	
10	.....	661
	<i>Temporary Structure</i>	
11	.....	662
	<i>Means of Access</i>	
12	.....	662
	<i>Scaffolds</i>	
13	.....	664
	<i>Stages</i>	
14	.....	664
	<i>Ladders</i>	
15	.....	664
	<i>Guardrails and Toe Boards</i>	
16	.....	665
	<i>Safety Nets</i>	
17	.....	666
	<i>Housekeeping and Maintenance</i>	
18	.....	666
	PART 3 — CREW ACCOMMODATION	
	<i>Application</i>	
19	.....	666
	<i>General</i>	
20	.....	667
21	.....	667
22	.....	667
23	.....	668
24	.....	668
25	.....	668
	<i>Sleeping Quarters</i>	
	<i>General</i>	
26	.....	668
27	.....	668
28	.....	669
29	.....	669
30	.....	669
	<i>Calculation of Area</i>	
31	.....	670
	<i>Berths</i>	
32	.....	670
33	.....	670
34	.....	670
35	.....	670
36	.....	670
37	.....	671

Table of Contents

	Furniture	
38	.....	671
39	.....	671
40	.....	671
	<i>Galleys and Dining Areas</i>	
41	.....	671
	Mess Rooms	
42	.....	672
43	.....	672
44	.....	672
45	.....	672
	<i>Sanitary Facilities</i>	
46	.....	672
47	.....	672
48	.....	672
49	.....	673
50	.....	673
	<i>Laundry</i>	
51	.....	673
	<i>Open Deck</i>	
52	.....	673
	<i>Office</i>	
53	.....	673
	<i>Recreational Facilities</i>	
54	.....	674
	<i>Hospital Accommodation</i>	
55	.....	674
	<i>Ventilation and Heating</i>	
56	.....	674
57	.....	675
58	.....	675
59	.....	676
	PART 4 — SANITATION	
	<i>Interpretation</i>	
60	.....	676
	<i>General</i>	
61	.....	676
62	.....	676
63	.....	676
64	.....	676
65	.....	677
66	.....	677
67	.....	677
68	.....	677
69	.....	677
	<i>Sanitary Facilities</i>	
70	.....	677

Table of Contents

	<i>Wash Basins</i>	
71	.....	677
	<i>Showers</i>	
72	.....	678
	<i>Water</i>	
73	.....	678
74	.....	678
75	.....	678
76	.....	678
77	.....	678
78	.....	679
79	.....	679
	<i>Preparation, Handling, Storage and Serving of Food</i>	
80	.....	679
81	.....	679
82	.....	679
83	.....	679
84	.....	679
85	.....	679
	<i>Garbage</i>	
86	.....	679
87	.....	679
88	.....	680
89	.....	680
	PART 5 — SAFE OCCUPANCY OF THE WORK PLACE	
	DIVISION 1 — GENERAL	
90	[Repealed SOR/2020-130, s. 49.]	680
	<i>Fire Protection Equipment</i>	
91	.....	680
	<i>Emergency Evacuation</i>	
92	.....	680
	<i>Emergency Procedures</i>	
93	.....	680
	<i>Training and Instruction</i>	
94	.....	680
	<i>Inspections</i>	
95	.....	680
	DIVISION 2	
96–104	[Repealed SOR/2020-130, s. 50.]	681
	PART 6 — MEDICAL CARE	
	<i>Interpretation</i>	
105	.....	681
	<i>General</i>	
106	[Repealed SOR/2021-122, s. 34.]	681
107	.....	681
108	.....	681

Table of Contents

109	.....	681
110	.....	682
111	.....	682
112	.....	682
<i>Medical Care Ashore</i>		
113	.....	682
<i>First Aid Kit, Medicine Chest, Medical Equipment and Medical Guide</i>		
114	.....	682
115	.....	685
116	.....	686
<i>Transportation</i>		
117	.....	686
<i>Posting of Information</i>		
118	.....	686
<i>Records</i>		
119	.....	686
PART 7 — HAZARD PREVENTION PROGRAM		
<i>Development</i>		
120	.....	687
<i>Implementation Plan</i>		
121	.....	687
<i>Hazard Identification and Assessment Methodology</i>		
122	.....	688
<i>Hazard Identification and Assessment</i>		
123	.....	688
<i>Preventive Measures</i>		
124	.....	689
<i>Employee Training</i>		
125	.....	689
<i>Program Evaluation</i>		
126	.....	690
<i>Reports and Records</i>		
127	.....	690
PART 8 — DIVING OPERATIONS		
128	.....	690
PART 9 — PERSONS TRANSFER APPARATUS		
<i>Interpretation</i>		
129	.....	691
<i>Application</i>		
130	.....	691
<i>Standards</i>		
131	.....	691
<i>Use and Operation</i>		
132	.....	691
133	.....	692

Table of Contents

	<i>Boatswain's Chair</i>	
134	.....	692
135	.....	692
	<i>Inspection and Testing</i>	
136	.....	693
	<i>Repair and Maintenance</i>	
137	.....	693
	PART 10 — PROTECTION EQUIPMENT	
	<i>General</i>	
138	.....	693
	<i>Protective Headwear</i>	
139	.....	694
	<i>Protective Footwear</i>	
140	.....	694
	<i>Eye and Face Protection</i>	
141	.....	694
	<i>Respiratory Protection</i>	
142	.....	694
142.1	.....	695
	<i>Skin Protection</i>	
143	.....	695
	<i>Fall-protection Systems</i>	
144	.....	695
	<i>Loose Clothing</i>	
145	.....	696
	<i>Protection Against Moving Vehicles</i>	
146	.....	696
	<i>Protection Against Drowning</i>	
147	.....	696
	<i>Records</i>	
148	.....	697
	<i>Training and Instruction</i>	
149	.....	697
	<i>Defective Protection Equipment</i>	
150	.....	697
	PART 11 — LIGHTING	
	<i>Interpretation</i>	
151	.....	698
	<i>Application</i>	
152	.....	698
	<i>Measurements of Average Levels of Lighting</i>	
153	.....	698
	<i>Emergency Lighting System</i>	
154	.....	699

Table of Contents

	<i>Levels of Lighting</i>	
155	.....	699
	<i>Working, Walking and Climbing Areas</i>	
156	.....	700
	<i>Visual Display Terminals</i>	
157	.....	700
	PART 12 — PREVENTION OF NOISE AND VIBRATION	
	<i>Application</i>	
158	.....	701
	<i>Interpretation</i>	
159	.....	701
	<i>General</i>	
160	.....	701
	<i>Levels of Sound</i>	
161	.....	702
	<i>Hazard Investigation</i>	
162	.....	703
	<i>Sound Level Measurement</i>	
163	.....	704
	<i>Warning Signs</i>	
164	.....	704
	PART 13 — WORK PERMIT	
	<i>Assessment</i>	
165	.....	704
	<i>Issuance</i>	
166	.....	705
	<i>Contents</i>	
167	.....	705
	<i>Requirements</i>	
168	.....	705
	PART 14 — CONFINED SPACES	
	<i>General</i>	
169	.....	706
170	[Repealed SOR/2021-122, s. 47.]	706
	<i>Assessment of Condition</i>	
171	.....	706
172	.....	707
	<i>Additional Requirements for the Issuance of a Work Permit</i>	
173	.....	707
	<i>Ventilation Equipment</i>	
174	.....	708
	PART 15 — ELECTRICAL SAFETY	
	<i>Interpretation</i>	
175	.....	709

Table of Contents

	<i>Safety Procedures</i>	
176	.....	709
	<i>Safety Watcher</i>	
177	.....	709
	<i>Coordination of Work</i>	
178	.....	710
	<i>Switches and Control Devices</i>	
179	.....	710
	<i>Defective Electrical Equipment</i>	
180	.....	710
	<i>Electrical Fuses</i>	
181	.....	710
	<i>Power Supply Cables</i>	
182	.....	711
	<i>Grounded Electrical Equipment</i>	
183	.....	711
	<i>Additional Requirement for the Issuance of a Work Permit</i>	
184	.....	711
	<i>Guarantees of Isolation of Electrical Equipment</i>	
185	.....	711
	<i>Live Test</i>	
186	.....	712
	<i>Termination of the Guarantee of Isolation</i>	
187	.....	712
	<i>Safety Grounding</i>	
188	.....	713
	PART 16 — HOT WORK OPERATIONS	
	<i>Definition</i>	
189	.....	714
	<i>General</i>	
190	.....	714
191	.....	714
192	.....	714
193	.....	714
	<i>Ventilation Equipment</i>	
194	.....	714
195	.....	715
196	.....	715
197	.....	715
	PART 17 — BOILERS AND PRESSURE VESSELS	
	<i>Application</i>	
198	.....	715
	<i>Construction, Installation and Inspection</i>	
199	.....	716

Table of Contents

	<i>Use, Operation and Maintenance</i>	
200	.....	716
	PART 18 — TOOLS AND MACHINERY	
	<i>Interpretation</i>	
201	.....	716
	<i>Application</i>	
202	.....	716
	<i>Design, Construction and Operation of Tools</i>	
203	.....	716
	<i>Defective Tools and Machinery</i>	
204	.....	717
	<i>Training and Instruction</i>	
205	.....	717
	<i>General Requirements for Protective Guards</i>	
206	.....	717
	<i>Use, Operation, Repair and Maintenance of Machines</i>	
207	.....	718
	<i>Abrasive Wheels</i>	
208	.....	718
	PART 19 — MATERIALS HANDLING AND STORAGE	
	DIVISION 1 — GENERAL	
	<i>Interpretation</i>	
209	.....	718
	<i>Application</i>	
210	.....	719
	DIVISION 2 — DESIGN AND CONSTRUCTION	
	<i>General</i>	
211	.....	719
	<i>Protection from Falling Objects</i>	
212	.....	719
	<i>Protection from Overturning</i>	
213	.....	720
	<i>Fuel Tanks</i>	
214	.....	720
	<i>Operator's Compartment</i>	
215	.....	720
	<i>Controls</i>	
216	.....	720
	<i>Fire Extinguishers</i>	
217	.....	720
	<i>Means of Entering and Exiting</i>	
218	.....	721
	<i>Lighting</i>	
219	.....	721

Table of Contents

	<i>Control Systems</i>	
220	.....	721
	<i>Warnings</i>	
221	.....	721
	<i>Seat Belts</i>	
222	.....	722
	<i>Rear View Mirror</i>	
223	.....	722
	<i>Electric Materials Handling Equipment</i>	
224	.....	722
	<i>Automatic Materials Handling Equipment</i>	
225	.....	722
	<i>Conveyors</i>	
226	.....	722
	DIVISION 3 — MAINTENANCE, OPERATION AND USE	
	<i>Inspection, Testing and Maintenance</i>	
227	.....	722
	<i>Operator Training and Instruction</i>	
228	.....	723
	<i>Operation</i>	
229	.....	723
	<i>Repairs</i>	
230	.....	724
	<i>Loading, Unloading and Maintenance While in Motion</i>	
231	.....	724
	<i>Positioning the Load</i>	
232	.....	725
	<i>Housekeeping</i>	
233	.....	725
	<i>Parking</i>	
234	.....	725
	<i>Materials Handling Area</i>	
235	.....	725
	<i>Dumping</i>	
236	.....	725
	<i>Gradients</i>	
237	.....	726
	<i>Enclosed Working Areas</i>	
238	.....	726
	<i>Fuelling</i>	
239	.....	726
	<i>Safe Working Loads</i>	
240	.....	727
	<i>Clearances</i>	
241	.....	727

Table of Contents

DIVISION 4 — MANUAL HANDLING OF MATERIALS	
242	728
PART 20 — HAZARDOUS SUBSTANCES	
DIVISION 1 — GENERAL	
<i>Interpretation</i>	
243	728
<i>Application</i>	
244	731
244.1	731
<i>Hazard Investigation</i>	
245	731
<i>Substitution of Substances</i>	
246	732
247	732
<i>Ventilation</i>	
248	732
<i>Warnings</i>	
249	732
<i>Storage, Handling and Use</i>	
250	732
<i>Warning of Hazardous Substances</i>	
251	733
<i>Assembly of Pipes</i>	
252	733
<i>Employee Education and Training</i>	
253	733
<i>Medical Examinations</i>	
254	735
<i>Control of Hazards</i>	
255	735
256	736
<i>Explosives</i>	
257	736
DIVISION 2 — HAZARDOUS SUBSTANCES OTHER THAN HAZARDOUS PRODUCTS	
<i>Asbestos Exposure Management Program</i>	
<i>Asbestos-containing Material</i>	
257.1	737
<i>Asbestos Exposure Control Plan</i>	
257.2	737
257.3	738
<i>Asbestos Dust, Waste and Debris Removal</i>	
257.4	738
257.5	738
<i>Decontamination</i>	
257.6	739

Table of Contents

257.7		739
	Air Sampling	
257.8		739
	Clearance Air Sampling	
257.9		740
257.91		740
	Containers for Asbestos Dust, Waste and Debris	
257.92		740
258		740
	DIVISION 3 — HAZARDOUS PRODUCTS	
	<i>Interpretation</i>	
259		741
	<i>Application</i>	
260		742
	Safety Data Sheets and Labels in Respect of Certain Hazardous Products	
261		742
	Supplier Safety Data Sheets	
262		742
	Work Place Safety Data Sheets	
263		743
	Availability of Safety Data Sheets	
264		744
	<i>Labels</i>	
265		744
	Portable Containers	
266		745
	<i>Special Cases</i>	
267		745
	Laboratories	
268		745
	<i>Signs</i>	
269		746
	<i>Replacing Labels</i>	
270		746
	Exemptions from Disclosure	
271		747
	Hazardous Waste	
272		747
	Information Required in a Medical Emergency	
273		747
	PART 21 — HAZARDOUS OCCURRENCE RECORDING AND REPORTING	
	<i>Interpretation</i>	
274		747
	<i>Application</i>	
274.1		748

Table of Contents

	<i>Employee Report</i>	748
275	.....
	<i>Investigation</i>	748
276	.....
	<i>Immediate Report to Head of Compliance and Enforcement</i>	748
277	.....
	<i>Minor Injury Record</i>	749
278	.....
	<i>Written Report</i>	749
279	.....
	<i>Annual Report</i>	750
280	.....
	<i>Retention of Reports and Records</i>	750
281	.....
	PART 22 — REPEAL AND COMING INTO FORCE	
	<i>Repeal</i>	751
282	.....
	<i>Coming Into Force</i>	751
283	.....

**87-612 — OIL AND GAS OCCUPATIONAL SAFETY AND HEALTH
REGULATIONS**

	SHORT TITLE	
1	.....	751
	PART I — GENERAL	
	<i>Interpretation</i>	751
1.1	.....
	<i>Prescription</i>	754
1.2	.....
	<i>Application</i>	754
1.21	.....
1.3	.....	754
	<i>Records and Reports</i>	
1.4	.....	755
	<i>Inconsistent Provisions</i>	
1.5	.....	755
1.6	.....	755
	PART II — INTERPROVINCIAL PIPELINES	
2.1	.....	755
	PART III — BUILDING SAFETY Standards	
3.1	.....	755

Table of Contents

	<i>Doors</i>	
3.2	.....	755
	<i>Floor and Wall Openings</i>	
3.3	.....	756
	<i>Open Top Bins, Hoppers, Vats and Pits</i>	
3.4	.....	756
	<i>Ladders, Stairways and Ramps</i>	
3.5	.....	756
3.6	.....	757
3.7	.....	757
	<i>Docks, Ramps and Dock Plates</i>	
3.8	.....	757
	<i>Guardrails</i>	
3.9	.....	758
3.10	.....	758
	<i>Toe Boards</i>	
3.11	.....	758
	<i>Housekeeping and Maintenance</i>	
3.12	.....	758
3.13	.....	759
	<i>Temporary Heat</i>	
3.14	.....	759
	PART IV — TEMPORARY STRUCTURES AND EXCAVATIONS	
	<i>Interpretation</i>	
4.1	.....	759
	<i>Application</i>	
4.2	.....	759
	<i>General</i>	
4.3	.....	759
4.4	.....	760
4.5	.....	760
4.6	.....	760
	<i>Barricades</i>	
4.7	.....	760
	<i>Guardrails and Toe Boards</i>	
4.8	.....	760
	<i>Temporary Stairs, Ramps and Platforms</i>	
4.9	.....	760
	<i>Scaffolds</i>	
4.10	.....	761
	<i>Stages</i>	
4.11	.....	761
	<i>Ladders</i>	
4.12	.....	761
	<i>Excavation</i>	
4.13	.....	762

Table of Contents

	<i>Safety Nets</i>	
4.14	.....	762
	<i>Housekeeping</i>	
4.15	.....	763
4.16	.....	763
	PART V — ELEVATING DEVICES	
	<i>Standards</i>	
5.1	.....	763
	<i>Personnel Transfer Baskets</i>	
5.2	.....	763
	<i>Use and Operation</i>	
5.3	.....	764
5.4	.....	764
	<i>Inspection and Testing</i>	
5.5	.....	764
5.6	.....	764
	<i>Repair and Maintenance</i>	
5.7	.....	765
	PART VI — BOILERS AND PRESSURE VESSELS	
	<i>Interpretation</i>	
6.1	.....	765
	<i>Application</i>	
6.2	.....	765
	<i>Construction, Testing and Installation</i>	
6.3	.....	765
	<i>Use, Operation, Repair, Alteration and Maintenance</i>	
6.4	.....	765
6.5	.....	766
6.6	.....	766
	<i>Buried Pressure Vessels</i>	
6.7	.....	766
	<i>Inspections</i>	
6.8	.....	766
6.9	.....	766
6.10	.....	766
6.11	.....	767
	<i>Records</i>	
6.12	.....	767
	PART VII — LEVELS OF LIGHTING	
	<i>Application</i>	
7.1	.....	767
	<i>General</i>	
7.2	.....	767
	<i>Measurement of Average Levels of Lighting</i>	
7.3	.....	768

Table of Contents

	<i>Minimum Average Levels of Lighting</i>	
7.4	.....	768
	<i>Emergency Lighting Systems</i>	
7.5	.....	768
	<i>Minimum Levels of Lighting</i>	
7.6	.....	768
SCHEDULE [PART VII] — AVERAGE LEVELS OF LIGHTING		
PART VIII — LEVELS OF SOUND		
	<i>Interpretation</i>	
8.1	.....	770
	<i>Levels of Sound</i>	
8.2	.....	771
8.3	.....	771
8.4	.....	771
	<i>Sound Level Measurement</i>	
8.5	.....	771
8.6	.....	771
	<i>Warning Signs</i>	
8.7	.....	772
SCHEDULE [PART VIII] — MAXIMUM EXPOSURE TO LEVELS OF SOUND AT WORK PLACE		
PART IX — ELECTRICAL SAFETY		
	<i>Interpretation</i>	
9.1	.....	772
	<i>Safety Procedures</i>	
9.2	.....	772
9.3	.....	773
9.4	.....	773
9.5	.....	773
	<i>Safety Watcher</i>	
9.6	.....	773
	<i>Coordination of Work</i>	
9.7	.....	774
	<i>Poles and Elevated Structures</i>	
9.8	.....	774
9.9	.....	774
	<i>Isolation of Electrical Equipment</i>	
9.10	.....	774
	<i>Control Devices, Switches, Cords and Cables</i>	
9.11	.....	775
9.12	.....	775
	<i>Defective Electrical Equipment</i>	
9.13	.....	775
	<i>Electrical Fuses</i>	
9.14	.....	776

Table of Contents

	<i>Power Supply Cables</i>	
9.15	.....	776
	<i>Grounded Electrical Equipment</i>	
9.16	.....	776
	SCHEDULE [PART IX] — DISTANCES FROM LIVE ELECTRICAL PARTS	
	PART X — SANITATION	
	<i>Interpretation</i>	
10.1	.....	777
	<i>General</i>	
10.2	.....	777
10.3	.....	777
10.4	.....	777
10.5	.....	777
10.6	.....	777
10.7	.....	777
10.8	.....	777
10.9	.....	777
	<i>Toilet Rooms</i>	
10.10	.....	778
10.11	.....	778
10.12	.....	778
10.13	.....	778
	<i>Wash Basins</i>	
10.14	.....	778
10.15	.....	779
10.16	.....	779
10.17	.....	779
	<i>Showers and Shower Rooms</i>	
10.18	.....	779
	<i>Potable Water</i>	
10.19	.....	779
10.20	.....	779
10.21	.....	779
10.22	.....	780
10.23	.....	780
10.24	.....	780
	<i>Field Accommodation</i>	
10.25	.....	780
10.26	.....	780
	<i>Sleeping Quarters</i>	
10.27	.....	781
	<i>Preparation, Handling, Storage and Serving of Food</i>	
10.28	.....	781
10.29	.....	781
10.30	.....	781
10.31	.....	781
10.32	.....	781

Table of Contents

	<i>Food Waste and Garbage</i>	
10.33	781	
10.34	782	
	<i>Dining Areas</i>	
10.35	782	
	<i>Ventilation</i>	
10.36	782	
	<i>Clothing Storage</i>	
10.37	782	
10.38	782	
	PART XI — HAZARDOUS SUBSTANCES	
	<i>Interpretation</i>	
11.1	783	
	<i>Application</i>	
11.2	786	
	DIVISION I — GENERAL	
	<i>Hazard Investigation</i>	
11.3	786	
11.4	787	
11.5	787	
	<i>Substitution of Substances</i>	
11.6	787	
	<i>Ventilation</i>	
11.7	787	
	<i>Air Pressure</i>	
11.8	787	
	<i>Warnings</i>	
11.9	787	
	<i>Storage, Handling and Use</i>	
11.10	788	
11.11	788	
11.12	788	
11.13	788	
11.14	788	
	<i>Warning of Hazardous Substances</i>	
11.15	788	
11.16-11.17 [Repealed SOR/88-199, s. 8.]	788	
	<i>Assembly of Pipes</i>	
11.18	789	
	<i>Employee Education and Training</i>	
11.19	789	
11.20	790	
11.21 [Repealed SOR/88-199, s. 10.]	790	
	<i>Medical Examinations</i>	
11.22	790	

Table of Contents

	<i>Control of Hazards</i>	
11.23	.....	791
11.24	.....	791
11.25	.....	792
	<i>Explosives</i>	
11.26	.....	792
11.27	.....	792
	<i>Radiation Emitting Devices</i>	
11.28	.....	792
DIVISION II — HAZARDOUS SUBSTANCES OTHER THAN HAZARDOUS PRODUCTS		
	<i>Asbestos Exposure Management Program</i>	
	Asbestos-containing Material	
11.28.1	.....	793
	Asbestos Exposure Control Plan	
11.28.2	.....	793
11.28.3	.....	794
	Asbestos Dust, Waste and Debris Removal	
11.28.4	.....	794
11.28.5	.....	795
	Decontamination	
11.28.6	.....	795
11.28.7	.....	795
	Air Sampling	
11.28.8	.....	795
	Clearance Air Sampling	
11.28.9	.....	796
11.28.10	.....	796
	Containers for Asbestos Dust, Waste and Debris	
11.28.11	.....	796
	Identification	
11.29	.....	797
11.30	.....	797
DIVISION III — HAZARDOUS PRODUCTS		
	<i>Interpretation</i>	
11.31	.....	797
	<i>Application</i>	
11.32	.....	798
	<i>Safety Data Sheets and Labels in Respect of Certain Hazardous Products</i>	
11.33	.....	798
	<i>Supplier Safety Data Sheets</i>	
11.34	.....	799
	<i>Work Place Safety Data Sheets</i>	
11.35	.....	799
	<i>Availability of Safety Data Sheets</i>	
11.36	.....	800

Table of Contents

	<i>Labels</i>	
11.37	800	
11.38	801	
	<i>Portable Containers</i>	
11.39	801	
	<i>Special Cases</i>	
11.40	802	
	<i>Laboratories</i>	
11.41	802	
	<i>Signs</i>	
11.42	803	
	<i>Replacing Labels</i>	
11.43	803	
	<i>Exemptions from Disclosure</i>	
11.44	804	
	<i>Hazardous Waste</i>	
11.45	804	
	<i>Information Required in a Medical Emergency</i>	
11.46	804	
	DIVISION IV	
11.47 [Repealed SOR/94-165, s. 45.]	804	
	PART XII — CONFINED SPACES	
	<i>Interpretation</i>	
12.1	805	
	<i>General</i>	
12.2	805	
12.3	806	
12.4	807	
	<i>Hot Work Operations</i>	
12.5	807	
	<i>Ventilation Equipment</i>	
12.6	807	
	<i>Reports and Procedures</i>	
12.7	808	
12.8	808	
	PART XIII — SAFETY MATERIALS, EQUIPMENT, DEVICES AND CLOTHING	
	<i>General</i>	
13.1	808	
13.2	808	
13.3	808	
	<i>Protective Headwear</i>	
13.4	808	
	<i>Protective Footwear</i>	
13.5	808	

Table of Contents

	<i>Eye and Face Protection</i>	
13.6	.....	809
	<i>Respiratory Protection</i>	
13.7	.....	809
13.8	.....	810
	<i>Skin Protection</i>	
13.9	.....	810
	<i>Fall-Protection Systems</i>	
13.10	.....	810
	<i>Emergency Escape Devices</i>	
13.11	.....	811
	<i>Protection Against Drowning</i>	
13.12	.....	811
	<i>Loose-fitting Clothing</i>	
13.13	.....	812
	<i>Protection from Extreme Temperatures</i>	
13.14	.....	812
	<i>Protection Against Moving Vehicles</i>	
13.15	.....	812
	<i>Fire Protection Equipment</i>	
13.16	.....	812
13.17	.....	813
	<i>Records</i>	
13.18	.....	813
	<i>Instructions and Training</i>	
13.19	.....	813
	<i>Defective Protection Equipment</i>	
13.20	.....	813
13.21	.....	813
	PART XIV — TOOLS AND MACHINERY	
	<i>Interpretation</i>	
14.1	.....	814
	<i>Design, Construction, Operation and Use of Tools</i>	
14.2	.....	814
14.3	.....	814
14.4	.....	814
14.5	.....	814
14.6	.....	814
14.7	.....	814
14.8	.....	814
	<i>Defective Tools and Machines</i>	
14.9	.....	815
14.10	.....	815
	<i>Instructions and Training</i>	
14.11	.....	815
14.12	.....	815

Table of Contents

	<i>General Requirements for Machine Guards</i>	
14.13	.....	815
	<i>Use, Operation, Repair and Maintenance of Machine Guards</i>	
14.14	.....	815
14.15	.....	815
14.16	.....	816
	<i>Abrasive Wheels</i>	
14.17	.....	816
14.18	.....	816
	<i>Mechanical Power Transmission Apparatus</i>	
14.19	.....	816
	<i>Woodworking Machinery</i>	
14.20	.....	816
	<i>Punch Presses</i>	
14.21	.....	816
	PART XV — MATERIALS HANDLING	
	<i>Interpretation</i>	
15.1	.....	816
	<i>Application</i>	
15.2	.....	817
	DIVISION I — DESIGN AND CONSTRUCTION	
	<i>Standards</i>	
15.3	.....	817
	<i>General</i>	
15.4	.....	817
	<i>Protection from Falling Objects</i>	
15.5	.....	817
15.6	.....	818
	<i>Protection from Overturning</i>	
15.7	.....	818
	<i>Fuel Tanks</i>	
15.8	.....	818
	<i>Protection from Environmental Conditions</i>	
15.9	.....	818
	<i>Vibration</i>	
15.10	.....	819
	<i>Controls</i>	
15.11	.....	819
	<i>Fire Extinguishers</i>	
15.12	.....	819
	<i>Means of Entering and Exiting</i>	
15.13	.....	819
	<i>Lighting</i>	
15.14	.....	819

Table of Contents

	<i>Control Systems</i>	
15.15	.....	819
15.16	.....	820
	<i>Warnings</i>	
15.17	.....	820
	<i>Seat Belts</i>	
15.18	.....	820
	<i>Rear View Mirror</i>	
15.19	.....	820
	<i>Electric Materials Handling Equipment</i>	
15.20	.....	820
	<i>Automatic Materials Handling Equipment</i>	
15.21	.....	820
	<i>Conveyors</i>	
15.22	.....	820
	DIVISION II — MAINTENANCE, OPERATION AND USE	
	<i>Inspection, Testing and Maintenance</i>	
15.23	.....	821
15.24	.....	821
15.25	.....	821
	<i>Ropes, Slings and Chains</i>	
15.26	.....	821
15.27	.....	822
	<i>Training</i>	
15.28	.....	822
	<i>Operation</i>	
15.29	.....	822
15.30	.....	822
15.31	.....	822
15.32	.....	822
	<i>Repairs</i>	
15.33	.....	823
	<i>Transporting and Positioning Employees</i>	
15.34	.....	823
	<i>Loading, Unloading and Maintenance</i>	
15.35	.....	823
15.36	.....	823
15.37	.....	823
	<i>Positioning the Load</i>	
15.38	.....	823
	<i>Tools</i>	
15.39	.....	824
	<i>Housekeeping</i>	
15.40	.....	824
	<i>Parking</i>	
15.41	.....	824

Table of Contents

	<i>Materials Handling Area</i>	
15.42	.....	824
	<i>Dumping</i>	
15.43	.....	824
	<i>Enclosed Work Place</i>	
15.44	.....	824
	<i>Fuelling</i>	
15.45	.....	825
	<i>Cranes</i>	
15.46	.....	825
15.47	.....	825
15.48	.....	825
	<i>Safe Working Loads</i>	
15.49	.....	825
	<i>Aisles and Corridors</i>	
15.50	.....	825
	<i>Clearances</i>	
15.51	.....	825
15.52	.....	826
	DIVISION III—MANUAL HANDLING OF MATERIALS	
15.53	.....	826
15.54	.....	826
	DIVISION IV—STORAGE OF MATERIALS	
15.55	.....	826
	PART XVI—HAZARDOUS OCCURRENCE INVESTIGATION, RECORDING AND REPORTING	
	<i>Interpretation</i>	
16.1	.....	826
	<i>Application</i>	
16.1.1	.....	827
	<i>Report by Employee</i>	
16.2	.....	827
	<i>Investigation</i>	
16.3	.....	827
	<i>Hazardous Occurrence Report</i>	
16.4	.....	828
16.5	.....	828
	<i>Minor Injury Record</i>	
16.6	.....	828
	<i>Annual Report</i>	
16.7	.....	829
	<i>Retention of Reports and Records</i>	
16.8	.....	829

Table of Contents

SCHEDULE I [PART XVI] — HAZARDOUS OCCURRENCE INVESTIGATION REPORT

**SCHEDULE II [PART XVI] — EMPLOYER'S ANNUAL HAZARDOUS OCCURRENCE
INVESTIGATION REPORT**

PART XVII — FIRST AID

Interpretation

17.1	.....	833
<i>General</i>		
17.2	.....	833
<i>Physicians and First Aid Attendants</i>		
17.3	.....	833
17.4	.....	833
17.5	.....	833
17.6	.....	834
17.7	.....	834
17.8	.....	834
<i>First Aid Stations</i>		
17.9	.....	834
<i>Posting of Information</i>		
17.10	.....	835
<i>First Aid Supplies and Equipment</i>		
17.11	.....	835
17.12	.....	835
<i>First Aid Rooms</i>		
17.13	.....	835
17.14	.....	835
<i>Transportation</i>		
17.15	.....	836
<i>Records</i>		
17.16	.....	837

SCHEDULE I [PART XVII] — FIRST AID ATTENDANTS FOR ONSHORE WORK PLACE

SCHEDULE II [PART XVII] — FIRST AID ATTENDANTS FOR OFFSHORE WORK PLACE

SCHEDULE III [PART XVII] — FIRST AID KITS

SCHEDULE IV [PART XVII] — CONTENTS OF FIRST AID KITS

SCHEDULE V [PART XVII] — FIRST AID ROOM SUPPLIES AND EQUIPMENT

PART XVIII — SAFE OCCUPANCY OF THE WORK PLACE

Interpretation

18.1	.....	841
<i>Fire Protection</i>		
18.2	.....	841
18.3	.....	841
<i>Fire Hazard Areas</i>		
18.4	.....	841
18.5	.....	841

Table of Contents

	<i>Alarm Systems</i>	
18.6	.....	841
	<i>Emergency Electrical Power</i>	
18.7	.....	842
18.8	.....	842
	<i>Emergency Procedures</i>	
18.9	.....	842
18.10	.....	842
	<i>Emergency Evacuation Plan</i>	
18.11	.....	842
18.12	.....	843
	<i>Instructions and Training</i>	
18.13	.....	843
	<i>Emergency Drills</i>	
18.14	.....	843
	<i>Standby Craft</i>	
18.15	.....	844
	<i>Condition of Employees</i>	
18.16	.....	844
18.17	.....	844
	<i>Notices and Records</i>	
18.18	.....	844

2015-164 — POLICY COMMITTEES, WORK PLACE COMMITTEES AND HEALTH AND SAFETY REPRESENTATIVES REGULATIONS

	INTERPRETATION	
1	.....	845
	GENERAL APPLICATION	
1.2	.....	845
	PART 1 — POLICY COMMITTEES AND WORK PLACE COMMITTEES	
	<i>Application</i>	
2	.....	845
	<i>Selection of Members</i>	
3	.....	845
	<i>Qualifications of Members Selected by the Employer</i>	
4	.....	845
	<i>Chairpersons</i>	
5	.....	845
	<i>Vacancy</i>	
6	.....	846
	<i>Quorum</i>	
7	.....	846
	<i>Minutes</i>	
8	.....	846

Table of Contents

<i>Annual Report on Work Place Committee Activities</i>	
9	..... 847
PART 2 — HEALTH AND SAFETY REPRESENTATIVES	
<i>Application</i>	
10	..... 847
<i>Selection of Representatives</i>	
11	..... 847
<i>Term of Office</i>	
12	..... 847
<i>Vacancy</i>	
13	..... 847
PART 3 — HEALTH AND SAFETY TRAINING PROGRAM	
<i>Training</i>	
14	..... 847
<i>Repeal</i>	
15	..... 848
<i>Coming Into Force</i>	
16	..... 848
SCHEDULE — ANNUAL REPORT ON WORK PLACE COMMITTEE ACTIVITIES	

2020-130 — WORK PLACE HARASSMENT AND VIOLENCE PREVENTION REGULATIONS

GENERAL		
<i>Interpretation</i>		
1	Definitions	848
<i>Joint Matters</i>		
2	When unable to agree	849
<i>Former Employees</i>		
3	Prescribed circumstances — extension	849
4	Time period to make complaint	849
PREVENTION AND PROTECTION MEASURES		
<i>Work Place Assessment</i>		
5	Joint assessment	849
6	Joint review and update	850
7	Qualifications	850
8	Identification of risk factors	850
9	Preventive measures — development and implementation	850
<i>Work Place Harassment and Violence Prevention Policy</i>		
10	Joint development	850
<i>EMERGENCY PROCEDURES</i>		
11	Joint development and implementation	851
<i>TRAINING</i>		
12	Joint development or identification	852

Table of Contents

	SUPPORT MEASURES	
13	Information available to employees	852
	RESOLUTION PROCESS	
	<i>Notice of an Occurrence</i>	
14	Designated recipient	852
15	Providing notice	853
16	Content of notice	853
17	Employer or designated recipient	853
18	Principal party's choices	853
19	Initial review	853
	<i>Response to Notice of an Occurrence</i>	
20	Contact with principal party	853
21	Contact with witness	854
22	Contact with responding party	854
	Negotiated Resolution	
23	Reasonable effort	854
	Conciliation	
24	Conditions	854
	Investigation	
25	When investigation is required	854
26	Notice of investigation	855
27	Selection of investigator	855
28	Investigator's qualifications	855
29	Information for investigator	856
30	Investigator's report	856
	Implementation of Recommendations	
31	Joint determination	856
	Completion of Resolution Process	
32	Completion of process	856
33	Time limit	856
34	Monthly status updates	857
	RECORDS AND REPORTS	
	<i>Health and Safety Records</i>	
35	Records to be kept	857
	<i>Annual Report to Head of Compliance and Enforcement</i>	
36	Content	857
	<i>Fatality Report</i>	
37	Time period	858
	COMING INTO FORCE	
55	S.C. 2018, c. 22	858

CANADA PENSION PLAN

SHORT TITLE

1	Short title	859
---	-----------------------	-----

INTERPRETATION

2	Definitions	859
---	-----------------------	-----

Table of Contents

APPLICATION AND OPERATION OF ACT		
3	Definitions	863
4	Application in respect of province providing comprehensive pension plan	864
ELECTRONIC ALTERNATIVES		
4.1	Minister's power	865
PART I — CONTRIBUTIONS (SS. 5–41)		
5	Definition of "Minister"	865
DIVISION A — CONTRIBUTIONS PAYABLE		
<i>Pensionable Employment</i>		
6	Pensionable employment	866
7	Regulations respecting employment to be included in pensionable employment	867
<i>Contributions by Employees and Employers in respect of Pensionable Employment</i>		
8	Employee's base contribution	868
9	Employer's base contribution	872
<i>Contributions by Persons in respect of Self-Employed Earnings</i>		
10	Base contribution in respect of self-employed earnings	874
11	Election not to contribute in respect of self-employed earnings	875
DIVISION B — CALCULATION OF CONTRIBUTIONS		
<i>Contribution Rate</i>		
11.1	Contribution rate — 1966 to 1986	876
<i>First Additional Contribution Rate and Second Additional Contribution Rate</i>		
11.2	First and second additional contribution rates	876
<i>Contributory Salary and Wages</i>		
12	Amount of contributory salary and wages	877
<i>Contributory Self-Employed Earnings</i>		
13	Amount of contributory self-employed earnings	878
14	Amount of self-employed earnings for a year	881
14.1	Idem	881
<i>Salary and Wages on which Contribution Made</i>		
15	Amount of salary and wages on which base contribution made	881
15.1	Amount of salary and wages on which first additional contribution made	882
15.2	Amount of salary and wages on which second additional contribution made	883
15.3	Special rule applicable in prescribed circumstances	884
<i>Maximum Contributory Earnings</i>		
16	Amount of maximum contributory earnings for a year	884
<i>Maximum Pensionable Earnings</i>		
17	Amount of maximum pensionable earnings	884
<i>Additional Maximum Pensionable Earnings</i>		
17.1	Amount of additional maximum pensionable earnings	885

Table of Contents

<i>Year's Maximum Pensionable Earnings</i>		
18	Amount of Year's Maximum Pensionable Earnings	885
<i>Year's Additional Maximum Pensionable Earnings</i>		
18.1	Amount of Year's Additional Maximum Pensionable Earnings	887
<i>Basic Exemption</i>		
19	Amount of basic exemption	887
<i>Year's Basic Exemption</i>		
20	Amount of Year's Basic Exemption	889
DIVISION C — COLLECTION OF CONTRIBUTIONS		
<i>Employees and Employers</i>		
21	Amount to be deducted and remitted by employer	889
21.01	Excess payment — amount deemed not deducted	890
21.1	Liability	891
22	Minister may assess amount payable	891
23	Recovery of contributions, etc., as debt due to Her Majesty	892
24	Books and records	893
25	Interpretation	894
26	No action against person deducting	896
<i>Rulings and Appeals</i>		
26.1	Request for ruling	896
27	Appeal of rulings	897
27.1	Appeal of assessments	897
27.2	Notification of appeal	897
27.3	Minister's authority not restricted	897
28	Appeal to Tax Court of Canada	898
29	Authority to decide questions	898
DIVISION D — COLLECTION OF CONTRIBUTIONS IN RESPECT OF SELF-EMPLOYED EARNINGS		
30	Return to be filed	898
31	Estimate to be made	899
32	Examination of return and notice of assessment	899
33	Payment of contributions	899
34	Interest on unpaid contributions	900
35	Failure to file a return	901
36	Application of <i>Income Tax Act</i> provisions	901
37	Priority in which payment to be applied	902
DIVISION E — GENERAL		
<i>Refunds of Overpayments</i>		
38	Refund of overpayment	902
39	Refund of overpayment in accordance with agreement	904
<i>Regulations</i>		
40	Regulations	904
<i>Offences</i>		
41	Offence and punishment	905
PART II — PENSIONS AND SUPPLEMENTARY BENEFITS (SS. 42–90.2)		
<i>Interpretation</i>		
42	Definitions	906

Table of Contents

	<i>Pension Index</i>	
43	Pension Index for subsequent years	908
	DIVISION A — BENEFITS PAYABLE	
44	Benefits payable	908
44.1	Survivor's pension, death benefit or orphan's benefit not payable	912
	DIVISION B — CALCULATION OF BENEFITS	
	<i>Basic Amount and Annual Adjustment</i>	
45	Basic amount of benefit	914
	<i>Retirement Pension</i>	
46	Amount of retirement pension	914
47	Amount of average monthly pensionable earnings	916
48	Average monthly pensionable earnings in case of pension commencing after December, 1975	916
48.1	First additional monthly pensionable earnings	918
48.2	Second additional monthly pensionable earnings	918
49	Contributory period	918
49.1	First additional contributory period	919
49.2	Second additional contributory period	919
50	Total pensionable earnings	919
50.1	Total first additional pensionable earnings	919
50.2	Total second additional pensionable earnings	919
51	Pensionable earnings, or first or second additional pensionable earnings, for month	919
51.1	Value determined — disabled contributor's first additional contributory period	921
51.2	Value determined — disabled contributor's second additional contributory period	924
51.3	Time when contributor deemed disabled	927
52	Earnings for which base contribution deemed to have been made for month	927
52.1	Earnings for which first additional contribution deemed for month	928
52.2	Earnings for which second additional contribution deemed for month	929
53	Base unadjusted pensionable earnings for a year	929
53.1	First additional unadjusted pensionable earnings for a year	930
53.2	Second additional unadjusted pensionable earnings for year	931
53.3	Attribution of amount for first additional contributory period — one child	932
53.4	Attribution of amount for second additional contributory period — one child	934
53.5	First additional unadjusted pensionable earnings for years of attribution	937
53.6	Second additional unadjusted pensionable earnings for years of attribution	937
54	Base unadjusted pensionable earnings for years of division	937
54.1	First additional unadjusted pensionable earnings for years of division	937
54.2	Second additional unadjusted pensionable earnings for years of division	937
	<i>Division of Unadjusted Pensionable Earnings for Divorces and Annulments before the Coming into Force of Section 55.1</i>	
55	Application for division	938

Table of Contents

<i>Division of Unadjusted Pensionable Earnings</i>		
55.1	When mandatory division to take place	939
55.11	Application of section 55.1	940
55.2	Agreement or court order not binding on Minister	941
55.3	Incapacity	943
<i>Disability Pension</i>		
56	Amount of disability pension	944
<i>Death Benefit</i>		
57	Amount of death benefit	947
<i>Survivor's Pension</i>		
58	Amount of survivor's pension	948
<i>Disabled Contributor's Child's Benefit and Orphan's Benefit</i>		
59	Amount of benefit	958
<i>Post-retirement Benefit</i>		
59.1	Amount of post-retirement benefit	959
<i>Post-retirement Disability Benefit</i>		
59.2	Amount of benefit	961
DIVISION C — PAYMENT OF BENEFITS: GENERAL PROVISIONS		
60	Application for benefit	962
61	Approval of interim benefit	964
62	Where payment approved after month of commencement	964
63	Where spouse remarried before survivor's pension payable	965
63.1	Subsections do not apply	966
64	[Repealed R.S.C. 1985, c. 30 (2nd Supp.), s. 32.]	966
65	Benefit not to be assigned, etc.	966
65.1	Assignment of retirement pension to spouse or common-law partner	967
66	Return of benefit where recipient not entitled	970
66.1	Request to cancel benefit	972
DIVISION D — PAYMENT OF BENEFITS: SPECIAL RULES APPLICABLE		
<i>Retirement Pension</i>		
67	Commencement of retirement pension	972
68	Duration of payment	974
68.1	[Repealed 2009, c. 31, s. 39.]	974
<i>Disability Pension and Post-retirement Disability Benefit</i>		
69	Commencement of pension	974
70	When pension ceases to be payable	975
70.01	Commencement of benefit	975
70.02	When benefit ceases to be payable	975
70.1	Reinstatement of disability pension or post-retirement disability benefit	975
<i>Death Benefit</i>		
71	Payable to estate	977
<i>Survivor's Pension</i>		
72	Commencement of pension	977
73	Duration of payment	977
<i>Disabled Contributor's Child's Benefit and Orphan's Benefit</i>		
74	Persons by whom application may be made	978
75	Payment of benefit	978

Table of Contents

76	When disabled contributor's child's benefit ceases to be payable	979
<i>Post-retirement Benefit</i>		
76.1	Commencement of benefit	979
76.2	Duration of payment	980
DIVISION E — PAYMENT OF BENEFITS: AMOUNT PAYABLE UNDER CANADA PENSION PLAN		
77	Amount of benefit payable under Act	980
78	Total pensionable earnings attributable to base contributions made under Act	980
78.1	Total first additional pensionable earnings attributable to first additional contributions made under Act	980
78.2	Total second additional pensionable earnings attributable to second additional contributions made under Act	981
79	Total pensionable earnings attributable to base contributions made under Act as a result of division	981
79.1	Total first additional pensionable earnings attributable to first additional contributions made under Act as a result of division	981
79.2	Total second additional pensionable earnings attributable to second additional contributions made under Act as a result of division	981
80	Agreements with provinces	982
80.1	Agreements respecting the apportionment of payments	982
DIVISION F — RECONSIDERATIONS AND APPEALS		
81	Appeal to Minister	983
82	Appeal to Social Security Tribunal	984
83	Stay of benefits pending judicial review	984
84–86.1	[Repealed 2012, c. 19, s. 229.]	984
DIVISION G — GENERAL		
87	Census information	984
88	Presumption as to death	985
Regulations		
89	Regulations	985
Offences		
90	Offence and punishment	987
Administrative Monetary Penalties		
90.1	Penalty for misrepresentation, etc.	987
Administration and Enforcement		
90.2	Interpretation	988
SCHEDULE 1 — CONTRIBUTION RATES		
SCHEDULE 2 — FIRST AND SECOND ADDITIONAL CONTRIBUTION RATES		

CANADIAN HUMAN RIGHTS ACT

SHORT TITLE

1	Short title	993
---	-----------------------	-----

PURPOSE OF ACT

2	Purpose	993
---	-------------------	-----

Table of Contents

PART I — PROSCRIBED DISCRIMINATION (SS. 3–25)

General

3	Prohibited grounds of discrimination	993
3.1	Multiple grounds of discrimination	994
4	Orders regarding discriminatory practices	994

Discriminatory Practices

5	Denial of good, service, facility or accommodation	994
6	Denial of commercial premises or residential accommodation	994
7	Employment	994
8	Employment applications, advertisements	994
9	Employee organizations	995
10	Discriminatory policy or practice	995
11	Equal wages	995
12	Publication of discriminatory notices, etc	996
13	[Repealed 2013, c. 37, s. 2.]	996
14	Harassment	996
14.1	Retaliation	996
15	Exceptions	996
16	Special programs	998
17	Plans to meet the needs of disabled persons	998
18	Rescinding approval of plan	998
19	Opportunity to make representations	999
20	Certain provisions not discriminatory	999
21	Funds and plans	999
22	Regulations	999
23	Regulations	999
24	Accessibility standards	999
25	Definitions	1000

PART II — CANADIAN HUMAN RIGHTS COMMISSION (SS. 26–38.4)

26	Commission established	1000
----	----------------------------------	------

Powers, Duties and Functions

27	Powers, duties and functions	1001
28	Assignment of duties	1002
28.1	Convention on the Rights of Persons with Disabilities	1002
29	Regulations	1002

Remuneration

30	Salaries and remuneration	1002
----	-------------------------------------	------

Officers and Staff

31	Chief Commissioner	1003
32	Staff	1003
32.1	Accessibility unit	1003
32.2	Pay Equity Unit	1003
33	Compliance with security requirements	1003
34	Head office	1004
35	Majority is a decision of the Commission	1004
36	Establishment of divisions	1004
36.1	Pay Equity Division	1004
37	By-laws	1005
38	Superannuation, etc	1005

Table of Contents

<i>Accessibility Commissioner</i>		
38.1	Powers, duties and functions	1005
38.2	Absence or incapacity of Accessibility Commissioner	1005
<i>Pay Equity Commissioner</i>		
38.3	Powers, duties and functions	1006
38.4	Absence or incapacity of Pay Equity Commissioner	1006
PART III — DISCRIMINATORY PRACTICES AND GENERAL PROVISIONS (SS. 39–65)		
39	Definition of “discriminatory practice”	1006
40	Complaints	1006
40.01	Disclosure of personal information	1007
40.1	Definitions	1007
40.2	Non-application of sections 7, 10 and 11	1008
40.2	[Proposed] Non-application of sections 7, 10 and 11	1008
41	Commission to deal with complaint	1008
42	Notice	1009
<i>Investigation</i>		
43	Designation of investigator	1009
44	Report	1010
45	Definition of “Review Agency”	1010
46	Report	1011
<i>Conciliator</i>		
47	Appointment of conciliator	1011
<i>Settlement</i>		
48	Referral of a settlement to Commission	1012
48.1	Establishment of Tribunal	1012
48.2	Terms of office	1012
48.3	Remedial and disciplinary measures	1013
48.4	Status of members	1014
48.5	Residence	1015
48.6	Remuneration	1015
48.7	Head office	1015
48.8	[Repealed 2014, c. 20, s. 415.]	1015
48.9	Conduct of proceedings	1015
<i>Inquiries into Complaints</i>		
49	Request for inquiry	1016
50	Conduct of inquiry	1016
51	Duty of Commission on appearing	1017
52	Hearing in public subject to confidentiality order	1017
53	Complaint dismissed	1017
54	Limitation	1018
54.1	Definitions	1018
55, 56	[Repealed 1998, c. 9, s. 29.]	1019
57	Enforcement of order	1019
58	Application respecting disclosure of information	1019
59	Intimidation or discrimination	1019
<i>Offences and Punishment</i>		
60	Offence	1019
<i>Reports</i>		
61	Annual report of Commission	1020

Table of Contents

	<i>Minister Responsible</i>	
61.1	Minister of Justice	1020
	<i>Application</i>	
62	Limitation	1020
63	Application in the territories	1021
64	Canadian Forces and Royal Canadian Mounted Police	1021
65	Acts of employees, etc	1021
	PART IV — APPLICATION (SS. 66, 67)	
66	Binding on Her Majesty	1021
67	[Repealed 2008, c. 30, s. 1.]	1021

80-68 — CANADIAN HUMAN RIGHTS BENEFIT REGULATIONS

SHORT TITLE

1	.....	1022
	INTERPRETATION	
2	.....	1022
	PARTICIPATION IN BENEFIT PLANS	
3	.....	1024
	BENEFIT PROVISIONS	
4	.....	1025
5	.....	1026
6	[Repealed SOR/85-512, s. 3.]	1028
	CONTRIBUTIONS	
7	.....	1028
8	.....	1029
9	.....	1029
10	.....	1029

86-1082 — EQUAL WAGES GUIDELINES, 1986

SHORT TITLE

1	.....	1030
	INTERPRETATION	
2	.....	1030
	ASSESSMENT OF VALUE	
	<i>Skill</i>	
3	.....	1030
4	.....	1030
	<i>Effort</i>	
5	.....	1030
6	.....	1030
	<i>Responsibility</i>	
7	.....	1030
	<i>Working Conditions</i>	
8	.....	1031

Table of Contents

METHOD OF ASSESSMENT OF VALUE	
9	..... 1031
EMPLOYEES OF AN ESTABLISHMENT	
10	..... 1031
COMPLAINTS BY INDIVIDUALS	
11	..... 1031
COMPLAINTS OF GROUPS	
12	..... 1031
13	..... 1031
14	..... 1032
15	..... 1032
REASONABLE FACTORS	
16	..... 1032
17	..... 1033
18	..... 1033
19	..... 1033
 EMPLOYMENT EQUITY ACT 	
SHORT TITLE	
1	Short title 1035
PURPOSE OF ACT	
2	Purpose of Act 1035
INTERPRETATION	
3	Definitions 1035
APPLICATION	
4	Application 1036
 PART I — EMPLOYMENT EQUITY (SS. 5–21)	
<i>Employer Obligations</i>	
5	Employer's duty 1038
6	Employer not required to take certain measures 1038
7	Employment of Aboriginal peoples 1038
8	Certain rights not employment barriers 1038
9	Analysis and review 1039
10	Employment equity plan 1039
11	Reasonable progress 1040
12	Implementation and monitoring of plan 1040
13	Periodic review and revision of plan 1040
14	Information about employment equity 1040
15	Consultation with employee representatives 1041
16	New employers 1041
<i>Records and Reports</i>	
17	Employment equity records 1041
18	Reports of private sector employers 1041
19	Availability of reports of private sector employers 1042
20	Consolidation to be tabled 1042
21	Report of Treasury Board 1043

Table of Contents

PART II — COMPLIANCE (SS. 22–34)

Compliance Audits

22	Compliance audits	1044
23	Powers of compliance officers	1045
24	Security requirements	1045

Undertakings and Directions

25	Employer undertaking	1046
26	Direction of Commission	1047

Requests for Review or Order

27	Employer's request for review	1047
----	---	------

Employment Equity Review Tribunals

28	Establishment of Tribunals	1048
29	Powers of Tribunal	1048
30	Decision of Tribunal	1049
31	Enforcement of orders	1049
32	Report of activities of Human Rights Commission	1049

Limitations respecting Directions and Orders

33	Limitation	1049
----	----------------------	------

Privileged Information

34	Privileged information	1050
----	----------------------------------	------

PART III — ASSESSMENT OF MONETARY PENALTIES (SS. 35–40)

Violations

35	Violation	1051
36	Assessment of monetary penalty	1051
37	Notice of assessment of monetary penalty	1051

Options

38	Employer's options	1051
39	Review by Tribunal	1052

Enforcement of Monetary Penalties

40	Registration of certificate	1053
----	---------------------------------------	------

PART IV — GENERAL (SS. 41–55)

41	Regulations	1053
42	Powers, duties and functions of Minister	1054
43	Delegation	1054
44	Review of operation of Act	1054

Transitional Provision

45	Compliance with certain provisions	1055
----	--	------

Repeal

54	1055
----	-----------------	------

Coming into Force

55	Coming into force	1055
----	-----------------------------	------

96-470 — EMPLOYMENT EQUITY REGULATIONS

INTERPRETATION

1	1055
---	-----------------	------

Table of Contents

PART I — GENERAL	
<i>Calculation of Number of Employees</i>	
2	..... 1058
<i>Collection of Workforce Information</i>	
3	..... 1058
4	..... 1059
5	..... 1059
<i>Workforce Analysis</i>	
6	..... 1059
7	..... 1060
<i>Review of Employment Systems, Policies and Practices</i>	
8	..... 1060
9	..... 1060
10	..... 1060
<i>Employment Equity Records</i>	
11	..... 1061
12	..... 1061
<i>Tribunal Certificate</i>	
13	..... 1061
PART II — PRIVATE SECTOR EMPLOYER REPORT	
<i>Application</i>	
14	..... 1062
<i>Prescriptions</i>	
14.1	..... 1062
15	..... 1062
16	..... 1062
<i>Prescribed Instructions</i>	
<i>General</i>	
17	[Repealed SOR/2020-236, s. 8.] 1062
18	..... 1062
19	..... 1062
20	..... 1063
21	..... 1063
22	..... 1063
<i>Form 1</i>	
23	..... 1063
<i>Form 2</i>	
24	..... 1063
25	..... 1064
25.1	..... 1064
26	..... 1064
27	..... 1065
27.1	..... 1065
<i>Form 3</i>	
28	..... 1066
29	..... 1066

Table of Contents

	Form 4, 5 and 6	
30	.....	1066
31	.....	1066
	<i>Repeal</i>	
32	.....	1066
	<i>Coming into Force</i>	
33	.....	1066

SCHEDULE I [Repealed SOR/2020-236, s. 22.]

SCHEDULE II — OCCUPATIONAL GROUPS — PRIVATE SECTOR EMPLOYERS OR PORTIONS OF THE FEDERAL PUBLIC ADMINISTRATION REFERRED TO IN PARAGRAPH 4(1)(C) OF THE ACT

SCHEDULE III — OCCUPATIONAL GROUPS — PORTIONS OF THE FEDERAL PUBLIC ADMINISTRATION REFERRED TO IN PARAGRAPH 4(1)(B) OF THE ACT

SCHEDULE IV [Repealed SOR/2020-236, s. 22.]

SCHEDULE V — EMPLOYMENT EQUITY TRIBUNAL CERTIFICATE

SCHEDULE VI [Repealed SOR/2020-236, s. 23.]

SCHEDULE VII [Repealed SOR/2020-236, s. 23.]

SCHEDULE VIII — SALARY SECTIONS

EMPLOYMENT INSURANCE ACT

SHORT TITLE

1	Short title	1087
---	-------------------	------

INTERPRETATION

2	Definitions	1088
---	-------------------	------

REPORT

3	Commission to assess adjustment	1090
---	---------------------------------------	------

MAXIMUM YEARLY INSURABLE EARNINGS

4	Maximum yearly insurable earnings	1090
---	---	------

INSURABLE EMPLOYMENT

5	Types of insurable employment.....	1091
---	------------------------------------	------

PART I — UNEMPLOYMENT BENEFITS (SS. 6–55)

Interpretation

6	Definitions	1093
---	-------------------	------

Qualifying for Benefits

7	Benefits payable to persons who qualify	1094
---	---	------

7.1	Increase in required hours	1094
-----	----------------------------------	------

8	Qualifying period	1096
---	-------------------------	------

Benefit Period

9	Establishment of benefit period	1097
---	---------------------------------------	------

10	Beginning of benefit period	1097
----	-----------------------------------	------

11	Week of unemployment	1100
----	----------------------------	------

Table of Contents

	<i>Payment of Benefits</i>	
12	Benefits	1101
13	Waiting period	1104
13.1	Presumption	1104
	<i>Rate of Benefits</i>	
14	Rate of weekly benefits	1105
15	[Repealed 2001, c. 5, s. 5.]	1106
16	Rate increase — family supplement	1106
17	Maximum rate of weekly benefits	1106
	<i>Disentitlement to Benefits</i>	
18	Availability for work, etc.	1106
	<i>Deductions from Benefits</i>	
19	Earnings in waiting period	1106
20	Deduction for excluded days in waiting period	1107
	<i>Special Benefits</i>	
21	Illness, etc. — minor attachment claimants	1107
22	Pregnancy	1108
23	Parental benefits	1108
23.1	Compassionate care benefits	1112
23.2	Benefits — critically ill child	1114
23.3	Benefits — critically ill adult	1115
	<i>Work-Sharing</i>	
24	Regulations for work-sharing benefits	1116
	<i>Courses, Programs and Employment Benefits</i>	
25	Status of claimants	1117
26	Benefits are not earnings	1118
	<i>Disqualification and Disentitlement</i>	
27	Disqualification — general	1118
28	Duration of disqualification	1119
29	Interpretation	1119
30	Disqualification — misconduct or leaving without just cause	1120
31	Disentitlement — suspension for misconduct	1121
32	Disentitlement — period of leave without just cause	1121
33	Disentitlement — anticipated loss of employment	1121
34	Suspension of disentitlement	1122
35	Exception	1122
36	Labour disputes	1122
37	Prison inmates and persons outside Canada	1122
	<i>Penalties</i>	
38	Penalty for claimants, etc.	1123
39	Penalty for employers, etc.	1123
40	Limitation on imposition of penalties	1124
41	Rescission, etc., of penalty	1124
41.1	Warning	1124
	<i>Non-assignment of Benefits and Liability to Return Benefits and Pay Penalties</i>	
42	Benefits not assignable	1125
43	Liability for overpayments	1125
44	Liability to return overpayment	1125

Table of Contents

45	Return of benefits by claimant	1125
46	Return of benefits by employer or other person	1125
46.01	Limitation	1126
46.1	Liability of directors to pay penalties	1126
47	Debts to Crown	1127
<i>Claim Procedure</i>		
48	Claim required	1127
49	Proof required	1127
50	Entitlement to benefits	1128
51	Information	1128
52	Reconsideration of claim	1129
53	Notification	1129
<i>Regulations</i>		
54	Regulations	1129
55	Hours of insurable employment	1133
PART II—EMPLOYMENT SUPPORT MEASURES AND NATIONAL EMPLOYMENT SERVICE (SS. 56–65.2)		
56	Purpose	1133
57	Guidelines	1133
58	Definition of “insured participant”	1134
59	Employment support measures	1134
60	National employment service	1134
61	Financial assistance	1135
62	Agreements for administering employment support measures	1135
63	Agreements for paying costs of similar benefits and measures	1135
63.1	[Repealed 2017, c. 20, s. 309.]	1135
64	No appeal	1135
65	Liability for repayments	1136
65.1	Penalties	1136
65.2	Debts due to the Crown	1136
PART III—PREMIUMS AND OTHER FINANCIAL MATTERS (SS. 65.21–80.1)		
<i>Interpretation</i>		
65.21	Definition of “actuary”	1137
<i>Premiums</i>		
65.3	[Repealed 2008, c. 28, s. 126.]	1137
66	Annual premium rate setting	1137
66.1	Information provided	1138
66.2	Information provided	1138
66.3	Actuary’s report	1138
66.31	Report and summary	1139
66.32	Premium rate setting by Governor in Council	1139
66.4	Rounding percentage rates	1139
66.5	Publication in <i>Canada Gazette</i>	1139
66.6	Service Fees Act	1139
67	Employee’s premium	1139
68	Employer’s premium	1139
69	Premium reduction — wage-loss plans	1140
70	Overlapping pay periods	1141
70.1	[Repealed 2012, c. 19, s. 613.]	1141

Table of Contents

<i>Employment Insurance Operating Account</i>		
70.2	Employment Insurance Operating Account established	1141
71	[Repealed 2010, c. 12, s. 2186.]	1141
72	Payment into Consolidated Revenue Fund	1141
73	Credits to Employment Insurance Operating Account	1141
73.1	Benefit enhancements under this Act	1142
74	Government premiums	1142
75	Other credits to Employment Insurance Operating Account	1142
76	[Repealed 2010, c. 12, s. 2187.]	1142
77	Charges to the Account	1142
77.1	Forecasts and estimates	1143
78	Maximum amount that may be paid under Part II	1143
79	Plan	1143
80	[Repealed 2010, c. 12, s. 2188.]	1143
80.1	Regulations — payment of interest	1143
PART IV — INSURABLE EARNINGS AND COLLECTION OF PREMIUMS (SS. 81–108)		
<i>Interpretation</i>		
81	Definitions	1144
<i>Payment of Premiums</i>		
82	Deduction and payment of premiums	1144
82.01	Excess payment — amount deemed not deducted	1146
82.1	Succession of employers	1146
83	Liability of directors	1147
84	Employer's premium not recoverable	1147
85	Assessment	1147
86	Recovery	1148
87	Records and books	1149
88	Inspections	1150
89	Protection of employer	1152
<i>Rulings and Appeals</i>		
90	Request for ruling	1152
90.1	Determination of questions	1152
91	Appeal of rulings	1153
92	Appeal of assessments	1153
93	Notification of appeal	1153
94	Minister's authority not restricted	1153
<i>Overpayments and Refunds</i>		
95	Employee overpayment	1153
96	Refund — overpayments	1153
<i>Administration</i>		
97	Minister's duty	1158
98	Application of section 223 of the <i>Income Tax Act</i>	1158
99	Application of <i>Income Tax Act</i> provisions	1158
100	Financial institutions to receive cheques	1159
101	Execution of documents by corporations	1159
102	Information or complaint	1159
<i>Objection and Review</i>		
103	Appeal to the Tax Court of Canada	1162
104	Authority to decide questions	1162

Table of Contents

105	Decision final	1163
<i>Offences</i>		
106	Offence and punishment	1163
107	Officers, etc., of corporations	1164
<i>Regulations</i>		
108	Regulations	1164
PART V — PILOT PROJECTS (SS. 109, 110)		
109	Regulations	1165
110	Expiration of regulations	1166
PART VI — ADMINISTRATIVE PROVISIONS (SS. 111–143)		
<i>Administrative Review</i>		
111	Rescission or amendment of decision	1166
112	Reconsideration — Commission	1166
112.1	Decision not reviewable	1167
113	Appeal to Social Security Tribunal	1167
114	Payment of benefit pending appeal	1167
115	Regulations	1167
116–123	[Repealed 2012, c. 19, s. 247.]	1167
<i>Investigations</i>		
124	Investigation by Commission	1168
<i>Enforcement</i>		
125	Information or complaint	1168
126	Certificates	1170
127, 128	[Repealed 2005, c. 34, s. 64.]	1173
129	Privilege	1173
130	Default	1173
131	Question under section 90	1174
132	Question for Commission	1174
133	[Repealed 2015, c. 13, s. 54.]	1174
134	Evidence of documents, etc.	1174
<i>Offences and Punishment</i>		
135	Offence	1175
136	Contravention of Act or regulations	1176
137	General penalty for offences	1176
<i>Social Insurance Number</i>		
138	Obligation	1176
139	Change of name	1176
140	Regulations	1176
141	[Repealed 2012, c. 19, s. 308.]	1177
<i>Reports</i>		
142	Reports	1177
143	[Repealed 2012, c. 19, s. 250.]	1177
PART VII — BENEFIT REPAYMENT (SS. 144–152)		
144	Definitions	1177
145	Benefit repayment	1177
146	Returns	1178

Table of Contents

147	Estimate of benefit repayment	1178
148	Responsible Minister	1178
149	Application of <i>Income Tax Act</i> provisions	1178
150	Debts due Her Majesty	1179
151	Communication of information	1179
152	Regulations	1179
PART VII.1 — BENEFITS FOR SELF-EMPLOYED PERSONS (SS. 152.01–152.34)		
<i>Interpretation</i>		
152.01	Definitions	1179
<i>Application</i>		
152.02	Agreement	1181
<i>Benefits</i>		
152.03	Illness, injury or quarantine	1181
152.04	Pregnancy	1182
152.05	Parental benefits	1183
152.06	Compassionate care benefits	1186
152.061	Benefits — critically ill child	1187
152.062	Benefits — critically ill adult	1189
<i>Qualifying for Benefits</i>		
152.07	Qualification requirements	1190
152.08	Qualifying period	1192
152.09	Benefits under this Part and Part I	1192
<i>Benefit Period</i>		
152.1	Establishment	1192
152.11	Beginning of benefit period	1193
152.12	Notification	1196
<i>Payment of Benefits</i>		
152.13	Benefits	1196
152.14	Maximum number of weeks	1196
152.15	Waiting period	1198
152.151	Presumption	1198
152.16	Rate of weekly benefits	1198
152.17	Rate increase — family supplement	1198
152.18	Earnings in waiting period	1199
152.19	Deduction for excluded days in waiting period	1200
152.2	Prison inmates and persons outside Canada	1200
<i>Premium</i>		
152.21	Premium	1200
<i>Self-employed Earnings and Collection of Premiums</i>		
152.22	Return to be filed	1201
152.23	Estimate to be made	1201
152.24	Examination of return and notice of assessment	1201
152.25	Payment of premium	1201
152.26	Interest on unpaid premium	1202
152.27	Failure to file a return	1203
152.28	Application of <i>Income Tax Act</i>	1204
152.29	Priority in which payment to be applied	1204
152.3	Refund of excess premium in respect of self-employed earnings	1204

Table of Contents

<i>Application of other Provisions</i>		
152.31	Application of other provisions	1204
<i>Delegation</i>		
152.311	Delegation	1205
<i>Offences</i>		
152.32	Offence and punishment	1205
<i>Regulations</i>		
152.33	Regulations	1206
<i>Review of this Part</i>		
152.34	Review of this Part	1206
PART VIII — SELF-EMPLOYED PERSONS ENGAGED IN FISHING (S. 153)		
153	Regulations	1206
PART VIII.1 — ALTERNATE ACCESS TO SPECIAL BENEFITS (S. 153.1)		
153.1	Regulations	1207
PART VIII.2 — REGULATIONS — PROVINCIAL PLANS (S. 153.2)		
153.2	Regulations	1208
PART VIII.3 — INTERIM ORDERS (SS. 153.3, 153.4)		
153.3	COVID-19	1208
153.4	Accessory orders	1209
PART VIII.4 — EMPLOYMENT INSURANCE EMERGENCY RESPONSE BENEFIT (SS. 153.5–153.14)		
<i>Interpretation</i>		
153.5	Definitions	1209
<i>Application</i>		
153.6	Application of other provisions	1210
<i>Employment Insurance Emergency Response Benefit</i>		
153.7	Payment	1211
153.8	Claim	1211
153.9	Eligibility	1212
153.10	Amount of payment	1213
153.11	Maximum number of weeks	1214
<i>Employment Insurance Operating Account</i>		
153.111	Benefit enhancements under this Act — Emergency Response Benefits . . .	1214
<i>Social Insurance Number</i>		
153.12	Social insurance number	1214
<i>Benefit Period</i>		
153.121	End of benefit period	1214
153.13	No reduction	1214
<i>Adaptations</i>		
153.1301	Adaptation of English version of section 44	1215
153.1302	Adaptation of section 50	1215
153.1303	Adaptation of subsection 52(2)	1215
153.1304	[Repealed 2021, c. 23, s. 324.]	1215
153.1305	Adaptation of subsection 112(1)	1215
153.1306	Write-off of amounts wrongly paid	1216

Table of Contents

153.1307	Adaptation of section 112.1	1217
153.1308	Adaptation of portion of subsection 126(1)	1217
153.1309	Adaptation of section 138	1217
153.13091	Adaptation of subsections 27(1) and (2) of the <i>Employment Insurance Regulations</i>	1217
<i>Special Rules</i>		
153.1310	Benefits referred to in paragraph 153.5(3)(a)	1218
<i>Cessation of Effect</i>		
153.14	June 2, 2027 or repeal	1218
PART VIII.5 — TEMPORARY MEASURES TO FACILITATE ACCESS TO BENEFITS (SS.)		
153.15—153.196)		
<i>Definitions</i>		
153.15	Definitions	1219
<i>Rate of Unemployment</i>		
153.16	Rate of 13.1%	1219
<i>Availability</i>		
153.161	Course, program of instruction or non-referred training	1220
<i>Increase in Hours of Insurable Employment</i>		
153.17	Benefits under Part I	1220
153.171	Benefits	1220
153.172	Fishing	1220
<i>Extension of Qualifying Period</i>		
153.18	Recipients of emergency response benefit	1220
<i>Benefit Period</i>		
153.19	Late claims	1221
<i>Waiting Period</i>		
153.191	Waiver	1221
<i>Rate of Benefits</i>		
153.192	Weekly insurable earnings	1221
<i>Medical Certificate</i>		
153.1921	Suspension of medical certificate requirement — <i>Employment Insurance Regulations</i>	1222
<i>Employment Insurance (Fishing) Regulations</i>		
153.1922	Eligibility	1222
153.1923	Determined earnings	1222
153.1924	Qualifying period	1223
153.1925	Access to special benefits	1223
<i>Deductions from Benefits</i>		
153.193	Exclusions from earnings	1223
<i>Disqualification and Disentitlement</i>		
153.194	Definition of “employment”	1224
<i>Claim Procedure</i>		
153.195	Information	1224
<i>Cessation of Effect</i>		
153.196	September 25, 2021 or repeal	1224

Table of Contents

PART VIII.6 — TEMPORARY MEASURES (S. 153.197)		
153.197	Weekly insurable earnings	1224
PART IX — REPEALS, TRANSITIONAL PROVISIONS, RELATED AND CONDITIONAL AMENDMENTS AND COMING INTO FORCE (SS. 154–190)		
<i>Repeals</i>		
154	.....	1225
155	.....	1225
<i>Transitional Provisions</i>		
National Training Act		
156	Allowances	1225
157	Agreements	1225
158	[Repealed 2010, c. 12, s. 2190.]	1225
Unemployment Insurance Act		
159	Benefit periods beginning before this section comes into force	1225
160	Hours of insurable employment and earnings before 1997	1226
161	Premiums	1226
162	[Repealed 2010, c. 12, s. 2192.]	1226
163	Estimated insurable earnings for 1996-97	1226
164	Powers and functions	1227
165	Waivers and agreements	1227
166	[Repealed 2010, c. 12, s. 2193.]	1227
Transitional Regulations		
167	Regulations	1227
Coming into Force		
190	Coming into force	1227
SCHEDULE I — TABLE OF WEEKS OF BENEFITS		
SCHEDULE II — INTERIM PROVISIONS		
SCHEDULE III [Repealed 2017, c. 20, s. 310.]		
SCHEDULE IV — NUMBER OF WEEKS OF BENEFITS CONVERSION TABLE		
SCHEDULE V — TABLE OF WEEKS OF BENEFITS — SEASONAL WORKERS		
SCHEDULE VI — REGIONS FOR THE PURPOSE OF BENEFITS FOR SEASONAL WORKERS		
96-332 — EMPLOYMENT INSURANCE REGULATIONS		
INTERPRETATION		
1	.....	1242
INSURABLE EMPLOYMENT		
<i>Employment Included in Insurable Employment</i>		
2	.....	1244
3	.....	1245
4	.....	1245
5	.....	1245
6	.....	1245

Table of Contents

	<i>Employment Excluded from Insurable Employment</i>	
7	.....	1246
8	.....	1247
9	.....	1247
	SEARCH FOR SUITABLE EMPLOYMENT	
	<i>Reasonable and Customary Efforts</i>	
9.001	.....	1249
	<i>Suitable Employment</i>	
9.002	.....	1249
9.003, 9.004	[Repealed SOR/2016-162, s. 2.]	1249
	AGREEMENT — SELF-EMPLOYED PERSON	
	<i>Termination of Agreement — Notice</i>	
9.01	.....	1250
	<i>Withdrawal of Notice</i>	
9.02	.....	1250
	PART I — BENEFITS	
	<i>Hours of Insurable Employment — Methods of Determination</i>	
9.1	.....	1250
9.2	.....	1250
10	.....	1250
10.01	.....	1251
10.1	.....	1251
10.11	.....	1252
10.2	.....	1252
11	.....	1252
	<i>Adjustment of Amount of Self-Employed Earnings</i>	
11.1	.....	1252
12	[Repealed SOR/2016-206, s. 1.]	1253
	<i>Average Number of Weeks for the Purposes of Paragraphs 7.1(6)(b) and 152.07(3)(b) of the Act</i>	
13	.....	1253
	<i>Interruption of Earnings</i>	
14	.....	1253
14.01	.....	1254
	<i>Undeclared Earnings Referred to in Subsection 19(3) of the Act</i>	
14.1	.....	1254
15	[Repealed SOR/2001-291, s. 2.]	1254
	<i>Deductions for Earnings or Allowances While on a Course or Program of Instruction or Training</i>	
16	.....	1255
	<i>Rates of Unemployment</i>	
17	.....	1255
17.1	.....	1256
	<i>Regions</i>	
18	.....	1261

Table of Contents

<i>Information Relating to Employment History</i>		
Record of Employment		
19	.....	1262
Hours of Insurable Employment for Record of Employment		
20	.....	1263
Insurable Earnings		
21	.....	1263
Allocation of Hours of Insurable Employment to the Qualifying Period		
22	.....	1263
Allocation of Insurable Earnings		
23	.....	1264
24	.....	1265
24.1	.....	1265
24.2	[Repealed SOR/2013-45, s. 3.]	1265
Exclusion of Certain Insurable Earnings in the Calculation of the Rate of Weekly Benefits of a Self-employed Person		
24.3	.....	1265
Week of Benefits		
25	.....	1266
Election to Receive Benefits Payable Under Part I or VII.1 of the Act		
25.1	.....	1266
Claim for Benefits		
26	.....	1266
Amendment		
26.1	.....	1266
Persons with Mental Disabilities, Incapacitated Persons and Deceased Persons		
27	.....	1267
Payments in Advance		
28	.....	1268
Employed Person Working a Full Working Week — Special Cases		
29	.....	1269
Self-employed Person Working a Full Working Week		
30	.....	1269
Week of Unemployment — Self-Employed Person		
30.1	.....	1270
30.2	.....	1270
Employed Persons Working a Full Working Week		
31	.....	1270
Working Day		
32	.....	1271
Additional Conditions and Terms in Relation to Teachers		
33	.....	1271
Family Supplement — Rate Increase		
34	.....	1271

Table of Contents

	<i>Determination of Earnings for Benefit Purposes</i>	
35	.....	1273
	<i>Allocation of Earnings for Benefit Purposes</i>	
36	.....	1277
	<i>Supplemental Unemployment Benefit Plans</i>	
37	.....	1280
	<i>Maternity Leave, Leave for the Care of a Child and Compassionate Care Leave Plans</i>	
38	.....	1281
	<i>Earnings in the Waiting Period</i>	
39	.....	1282
	<i>Temporary Waiving of the Waiting Period</i>	
39.01	[Repealed SOR/2021-3, s. 2.]	1282
	<i>Waiving of the Waiting Period for Apprentices</i>	
39.1	.....	1282
	<i>Sickness</i>	
40	.....	1283
40.1	[Repealed SOR/2020-44, s. 3.]	1283
	<i>Pregnancy</i>	
41	.....	1283
	<i>Parental, Compassionate Care, Critically Ill Child and Critically Ill Adult Benefits</i>	
41.1, 41.11	[Repealed SOR/2017-226, s. 10.]	1284
	<i>Medical Certificate Outside Canada</i>	
41.2	.....	1284
41.3–41.5	[Repealed SOR/2017-226, s. 10.]	1284
	<i>Division of Benefits</i>	
41.6	.....	1284
	<i>Work-Sharing Benefits</i>	
42	.....	1285
43	.....	1285
44	.....	1285
45	.....	1285
46	.....	1285
47	.....	1285
48	.....	1285
49	.....	1285
	<i>Employment Benefits</i>	
50	.....	1286
	<i>Work-force Reduction Process</i>	
51	.....	1286
	<i>Prescribed Circumstances for the Purposes of Subparagraph 29(c)(xiv) of the Act</i>	
51.1	.....	1286
	<i>Loss of Part-time Employment Due to Work Stoppage</i>	
52	.....	1287

Table of Contents

	<i>Termination of Work Stoppage</i>	
53	.....	1287
	<i>Claimants Who are Inmates of an Institution</i>	
54	.....	1288
	<i>Claimants Not in Canada</i>	
55	.....	1288
55.01	.....	1292
	<i>Provision of Information</i>	
55.1	.....	1293
	<i>Ratification of Amounts Paid to Persons While Not Entitled</i>	
55.2	.....	1294
	<i>Write-off of Amounts Wrongly Paid, Penalties and Interest</i>	
56	.....	1294
	<i>Interest on Amounts Owing to Her Majesty</i>	
56.1	.....	1295
	<i>Deductions from Benefits for Payments to Governments and Authorities</i>	
57	.....	1296
	PART II — NATIONAL EMPLOYMENT SERVICE	
58	.....	1296
59	.....	1297
	PART III — REDUCTION OF PREMIUM FOR EMPLOYERS WITH WAGE-LOSS PLANS	
	<i>Interpretation</i>	
60	.....	1297
	<i>Application</i>	
61	.....	1298
	<i>Reduction of Employer's Premium Rate</i>	
62	.....	1298
	<i>Standards</i>	
63	.....	1299
64	.....	1300
65	.....	1301
66	.....	1302
67	.....	1303
	<i>Application for Reduction of Employer's Premium Rate</i>	
68	.....	1303
69	.....	1304
70	.....	1305
71	.....	1305
72	.....	1305
73	.....	1305
	<i>Termination of Plan</i>	
74	.....	1305
	<i>Appeals</i>	
75	.....	1306
	<i>Transitional Provisions</i>	
76	.....	1306

Table of Contents

PART III.1—REDUCTION OF PREMIUMS FOR EMPLOYEES COVERED BY A PROVINCIAL PLAN AND FOR THEIR EMPLOYERS

DIVISION 1—GENERAL

Interpretation

76.01		1306
-------	--	------

Adaptation of the Act and these Regulations

76.02		1307
-------	--	------

DIVISION 2—PREMIUM REDUCTION SYSTEM

Standards

76.03		1307
-------	--	------

Premium Reduction

76.04		1307
-------	--	------

76.041	[Repealed SOR/2010-301, s. 2.]	1307
--------	--------------------------------	------

76.05		1308
-------	--	------

76.06		1308
-------	--	------

76.07		1309
-------	--	------

76.08		1309
-------	--	------

DIVISION 3—ENTITLEMENT

Disentitlement

76.09		1309
-------	--	------

76.1	[Repealed SOR/2016-206, s. 3.]	1310
------	--------------------------------	------

Insured Participant—Part II of the Act

76.11		1310
-------	--	------

76.12	[Repealed SOR/2016-206, s. 5.]	1310
-------	--------------------------------	------

Week Not Counted to Extend Qualifying Period

76.13		1310
-------	--	------

Extension of the Benefit Period

76.14		1310
-------	--	------

76.15		1310
-------	--	------

Reduction of Benefits

76.16		1311
-------	--	------

76.17		1311
-------	--	------

No Double Counting of Weeks

76.18		1311
-------	--	------

Payment of Benefits

76.19		1311
-------	--	------

76.2		1312
------	--	------

Persons Making Claims Under Different Regimes

76.21		1312
-------	--	------

Waiving of the Waiting Period

76.22		1313
-------	--	------

Coming Into Force of Provincial Plan—Transition

76.23		1313
-------	--	------

Table of Contents

DIVISION 4 — PREMIUM AND ADJUSTMENT PAYMENTS — PROVINCIAL PLANS	
<i>Premium for Insured Person Covered in a Province by a Provincial Plan but Working in Another Province or Working Outside Canada</i>	
76.24	1314
<i>Premium for Insured Person Working in a Province that Has a Provincial Plan but Not Covered by that Plan</i>	
76.25	1314
<i>Premium Adjustment for Employees Residing in a Province that Has a Provincial Plan but Working in a Province that Has No Provincial Plan or Working Outside Canada</i>	
76.26	1314
<i>Premium Adjustment — Credits and Debits</i>	
76.27	1315
<i>Overpayment and Refund of Employee's Premiums</i>	
76.28	1315
DIVISION 5 — ADMINISTRATIVE MATTERS	
<i>Social Insurance Number</i>	
76.29	1316
<i>Disclosure of Information</i>	
76.3	1316
PART III.2 — REDUCTION OF PREMIUM FOR SELF-EMPLOYED PERSONS COVERED BY A PLAN ESTABLISHED UNDER A PROVINCIAL LAW	
<i>Interpretation</i>	
76.31	1316
<i>Standards</i>	
76.32	1316
<i>Premium Reduction</i>	
76.33	1317
76.34	1317
76.35	1317
<i>Disentitlement</i>	
76.36	1317
<i>Reduction of Benefits</i>	
76.37	1318
76.38	1318
<i>No Double Counting of Weeks</i>	
76.39	1318
<i>Payment of Benefits</i>	
76.4	1318
76.41	1319
<i>Persons Making Claims Under Different Regimes</i>	
76.42	1319
<i>Waiving of the Waiting Period</i>	
76.421	1320
<i>Interprovincial Mobility</i>	
76.43	1320

Table of Contents

	<i>Administration</i>	
76.44	.....	1321
76.45	.....	1321
	PART V — ADMINISTRATIVE PROVISIONS	
	<i>Reconsideration under Section 112 of the Act</i>	
78	.....	1321
79	.....	1321
	<i>Suspension of Benefits Pending Appeal</i>	
80	.....	1322
81	.....	1322
82	.....	1322
83–87	[Repealed SOR/2013-64, s. 2.]	1322
	<i>Payment of Benefits Pending a Coverage Decision</i>	
88	.....	1322
	<i>Social Insurance Numbers</i>	
89	.....	1323
	<i>Electronic Systems</i>	
90	.....	1324
91	.....	1324
	<i>Direct Deposit of Benefits</i>	
92	.....	1324
	PART VI — ALTERNATE ACCESS TO SPECIAL BENEFITS	
93	.....	1325
	PART VII — TRANSITIONAL PROVISIONS AND COMING INTO FORCE	
	<i>Transitional Provisions</i>	
94	.....	1326
94.1	.....	1326
94.2	.....	1327
94.3	.....	1327
94.4	.....	1327
	<i>Coming Into Force</i>	
95	.....	1327
	SCHEDULE I — REGIONS FOR THE PURPOSES OF PARTS I AND VIII OF THE ACT	

Table of Contents

INTERPRETATION REGIONS

SCHEDULE II — [REPEALED SOR/2015-128, S. 5.]

SCHEDULE II.1 — REGIONS INCLUDED IN PILOT PROJECT NO. 6

SCHEDULE II.2 — TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 6

SCHEDULE II.3 [Repealed SOR/2011-127, s. 7.]

SCHEDULE II.4 [Repealed SOR/2011-127, s. 7.]

SCHEDULE II.5 [Repealed SOR/2016-206, s. 11.]

SCHEDULE II.6 — REGIONS INCLUDED IN PILOT PROJECT NO. 15

SCHEDULE II.7 — TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 15

SCHEDULE II.8 — REGIONS INCLUDED IN PILOT PROJECT NO. 11

SCHEDULE II.9 [Repealed SOR/2016-206, s. 12.]

SCHEDULE II.91 — REGIONS INCLUDED IN PILOT PROJECT NO. 16

SCHEDULE II.92 — REGIONS INCLUDED IN PILOT PROJECT NO. 21

SCHEDULE II.93 — TABLE OF WEEKS OF BENEFITS FOR PILOT PROJECT NO. 21

SCHEDULE III — INTERIM PROVISIONS

Part I

Part I.1

Part II

96-445 — EMPLOYMENT INSURANCE (FISHING) REGULATIONS

1	Interpretation	1348
2	General	1349
3	Determination of Employer	1350
4	Records, Books of Account and Documents	1350

EARNINGS FROM EMPLOYMENT OTHER THAN EMPLOYMENT AS A FISHER

4.1	.....	1350
4.2	.....	1351

EARNINGS FROM EMPLOYMENT AS A FISHER

5	Determination of Earnings	1351
6	Incomplete Records, Books of Account and Documents	1351
7	Date of Payment of Remuneration	1352

BENEFIT PERIOD

8	Benefit Period and Rate of Weekly Benefits	1353
---	--	------

RATE OF WEEKLY BENEFITS

8.1	.....	1356
8.2	.....	1356
8.3	.....	1357
9	Unemployment of Fishers	1358

Table of Contents

10	Determination and Allocation of Earnings in Periods of Unemployment	1358
11	Increase in Required Insurable Earnings	1359
12	Alternate Access to Special Benefits	1360
13	Conversion	1361
14	Labour Disputes	1361
ADAPTATIONS RELATING TO THE REDUCTION OF PREMIUMS FOR FISHERS COVERED BY A PROVINCIAL PLAN AND FOR THEIR EMPLOYERS		
14.1, 14.2	[Repealed SOR/2016-206, s. 17.]	1362
<i>Extension of Benefit Period</i>		
14.3	. . . . .	1362
14.4	. . . . .	1362
<i>No Double Counting of Weeks</i>		
14.5	. . . . .	1363
15–17	[Repealed 2021, c. 23, s. 356.]	1363
SCHEDULE — INSURABLE EARNINGS ENTRANCE REQUIREMENT FOR FISHERS		
97-33 — INSURABLE EARNINGS AND COLLECTION OF PREMIUMS REGULATIONS		
INSURABLE EARNINGS AND COLLECTION OF PREMIUMS REGULATIONS		
<i>Interpretation</i>		
1	. . . . .	1363
PART I — INSURABLE EARNINGS		
<i>Earnings from Insurable Employment</i>		
2	. . . . .	1364
PART II — CALCULATION AND PAYMENT OF PREMIUMS		
3	. . . . .	1365
4	. . . . .	1365
4.1	. . . . .	1367
PART III — DEEMED EMPLOYERS		
<i>Employment of Stevedores</i>		
5	. . . . .	1368
<i>Employment in Lumbering or Logging</i>		
6	. . . . .	1368
<i>Placement or Employment Agencies</i>		
7	. . . . .	1369
<i>Barbering or Hairdressing Establishments</i>		
8	. . . . .	1369
<i>Passenger Vehicle Operators</i>		
9	. . . . .	1369
<i>Other Deemed Employers</i>		
10	. . . . .	1370

Table of Contents

PART IV — INFORMATION RETURNS		
<i>Filing of Employer's Returns</i>		
11	.....	1370
<i>Returns on Demand</i>		
12	.....	1371
<i>Legal Representatives and Others</i>		
13	.....	1371
<i>Distribution of Insured Person's Portion of Return</i>		
14	.....	1371
<i>Penalties</i>		
15	.....	1371
PART V — RECORDS		
16	.....	1372
PART VI — PRESCRIBED INTEREST RATES AND REFUNDS OF OVERPAYMENT		
17	.....	1372
18	.....	1372
18.1	.....	1373
<i>Coming into Force</i>		
19	.....	1373
 SI/2002-60 — REMISSION ORDER CONCERNING INTEREST ACCRUING ON CERTAIN UNEMPLOYMENT INSURANCE OVERPAYMENTS		
INTERPRETATION		
1	.....	1374
REMISSION		
2	.....	1374
3	.....	1374
COMING INTO FORCE		
4	.....	1374
 EXPENDITURE RESTRAINT ACT		
SHORT TITLE		
1	Short title	1375
INTERPRETATION		
2	Definitions	1375
3	Deemed bonus	1375
4	National Joint Council recommendations	1376
5	When certain collective agreements are deemed to have been entered into	1376
EFFECTS OF ACT		
6	Right to bargain collectively	1376
7	Right to strike	1376
8	Amendments permitted	1376
9	Workplace improvements	1376

Table of Contents

10	Incremental and merit increases	1376
11	Conflicts with other Acts	1377
APPLICATION		
12	Members of Parliament	1377
13	Employees	1377
14	Persons designated by Governor in Council	1377
15	Locally engaged persons and independent contractors	1377
RESTRAINT MEASURES		
<i>Increases to Rates of Pay</i>		
16	Increases to rates of pay	1378
<i>Employees Represented by a Bargaining Agent</i>		
17	Increases to rates of pay — collective agreements or arbitral awards after coming into force	1378
18	Increases to rates of pay — collective agreements and arbitral awards — December 8, 2008 until coming into force	1378
19	Increases to rates of pay — collective agreements and arbitral awards — before December 8, 2008	1378
20	Other than 12-month periods — section 18	1379
21	Other than 12-month periods — section 19	1379
22	Lower percentages not affected	1379
23	Restructuring prohibited	1379
24	No increases to additional remuneration — after coming into force	1379
25	No increases to additional remuneration — December 8, 2008 until coming into force	1379
26	No increases to additional remuneration — before December 8, 2008	1380
27	No new additional remuneration — after coming into force	1380
28	No new additional remuneration — December 8, 2008 to coming into force	1380
29	No new additional remuneration — before December 8, 2008	1380
30	Canada Border Services Agency	1380
31	Border Services Group	1381
32	Groups subject to national rates of pay	1381
33	Ships' Officers Group	1381
34	Law Group	1382
<i>Non-represented and Excluded Employees</i>		
35	Definitions	1383
36	Increases to rates of pay — terms and conditions established after coming into force	1383
37	Increases to rates of pay — terms and conditions of employment — December 8, 2008 until coming into force	1384
38	Increases to rates of pay — terms and conditions of employment — before December 8, 2008	1384
39	Other than 12-month periods — section 37	1384
40	Other than 12-month periods — section 38	1384
41	Lower percentages not affected	1384
42	Section 16 does not create authority to increase	1384
43	Restructuring prohibited	1385
44	No increases to additional remuneration — after coming into force	1385
45	No increases to additional remuneration — December 8, 2008 until coming into force	1385

Table of Contents

46	No increases to additional remuneration — before December 8, 2008	1385
47	No new additional remuneration — after coming into force	1385
48	No new additional remuneration — December 8, 2008 until coming into force	1385
49	No new additional remuneration — before December 8, 2008	1386
50	Canada Border Services Agency	1386
51	Border Services Group	1386
52	Groups subject to national rates of pay	1386
53	Ships' Officers Group	1387
54	Law Group	1387
<i>Members of Parliament</i>		
55	Increase	1389
<i>General</i>		
56	Inconsistent provisions	1389
57	Compensating for restraint measures prohibited	1389
58	Provisions compensating for restraint measures of no effect	1390
59	No changes to performance pay plans — new collective agreements, etc.	1390
60	No changes to performance pay plans — existing collective agreements, etc.	1390
61	No changes to performance pay plans — existing collective agreements, etc.	1390
62	Royal Canadian Mounted Police	1390
ADMINISTRATION		
63	Powers and duties of Treasury Board	1390
64	Debt due to Her Majesty	1391
65	Orders	1391

SCHEDULE 1 — CROWN CORPORATIONS AND PUBLIC BODIES

SCHEDULE 2 — RATES OF PAY — EMPLOYEES IN THE LAW GROUP

FEDERAL PUBLIC SECTOR LABOUR RELATIONS ACT

SHORT TITLE

1	Short title	1394
---	-----------------------	------

INTERPRETATION

2	Definitions	1394
3	Descriptive cross-references	1397

PART 1 — LABOUR RELATIONS (SS. 4–205)

Interpretation

4	Definitions	1397
---	-----------------------	------

DIVISION 1 — EMPLOYEE FREEDOMS

5	Employee freedoms	1398
---	-----------------------------	------

DIVISION 2 — MANAGEMENT RIGHTS

6	Right of Treasury Board preserved	1398
7	Right of employer preserved	1398
7.1	Right of Commissioner of Royal Canadian Mounted Police preserved	1398

DIVISION 3 — CONSULTATION COMMITTEES AND CO-DEVELOPMENT

8	Consultation committee	1398
---	----------------------------------	------

Table of Contents

9	Meaning of “co-development of workplace improvements”	1399
10	Co-development of workplace improvements	1399
11	National Joint Council	1399

DIVISION 4 — FEDERAL PUBLIC SECTOR LABOUR RELATIONS AND EMPLOYMENT BOARD

12	Administration of Act	1399
13	Adjudication services	1399
14	Mediation services	1400
15	[Repealed 2014, c. 20, s. 481(3).]	1400
16	Powers	1400
17–38	[Repealed 2013, c. 40, s. 367.]	1401
39	Authority to make regulations	1401
40, 41	[Repealed 2013, c. 40, s. 369.]	1401
42	Scope of orders	1401
43	Review of orders and decisions	1402
44–52	[Repealed 2013, c. 40, s. 370. Amended 2013, c. 40, s. 467(1).]	1402
53	[Repealed 2013, c. 40, s. 298.]	1402

DIVISION 5 — BARGAINING RIGHTS

Certification of Bargaining Agents

Application for Certification

54	Right to apply	1402
55	Agreements for term of two years or less	1402
56	Continuation of terms and conditions	1403

Determination of Appropriate Bargaining Units

57	Determination of unit	1403
58	Determination of questions of membership in bargaining units	1403

Managerial or Confidential Positions

59	Application	1403
60	Copy to employee organization	1404
61	Objection	1404
62	Decision on objection	1404
63	When no objection filed	1405

Certification

64	Conditions for certification	1405
65	Representation vote	1405

Where Certification Prohibited

66	Employer participation	1405
----	----------------------------------	------

Effect of Certification

67	Effect of certification	1406
68	Termination of existing collective agreement or arbitral award	1406
69	Rights of previous or new bargaining agent	1406

Changes to Certification

Review of Bargaining Units

70	Review of structure of bargaining units	1406
----	---	------

Managerial or Confidential Positions

71	Application	1407
72	Copy to bargaining agent	1407

Table of Contents

73	Objection	1407
74	Decision on objection	1407
75	When no objection filed	1407
76	Membership dues	1407
77	Application for revocation of order	1408
78	Decision	1408
<i>Successor Rights and Obligations</i>		
79	Mergers, amalgamations and transfers of jurisdiction	1408
80	Definitions	1408
81	Continuation of collective agreement or arbitral award	1409
82	Parties may amend	1409
83	Application for certification	1409
84	Power of Board	1409
85	Application for leave to give notice to bargain collectively	1409
86	Application for leave to give notice to bargain collectively	1409
87	Notice to bargain given before conversion	1410
88	Duty to observe terms and conditions	1410
89	Application and notice to bargain	1410
90	Inquiry and votes	1410
91	Consideration of employer's classification	1410
92	Determination of questions of membership in bargaining units	1410
93	Employer participation	1411
<i>Revocation of Certification</i>		
94	When employee organization no longer represents employees	1411
95	Taking of representation vote	1411
96	Revocation of certification	1411
97	Certification obtained by fraud	1411
98	Employer participation or discrimination	1411
99	Abandonment of certification	1412
100	Council of employee organizations	1412
101	Effect of revocation	1412
102	Direction	1412
DIVISION 6 — CHOICE OF PROCESS FOR DISPUTE RESOLUTION		
103	Choice of process	1412
104	Change of process	1413
DIVISION 7 — COLLECTIVE BARGAINING AND COLLECTIVE AGREEMENTS		
<i>Negotiation of Collective Agreements</i>		
<i>Notice to Bargain Collectively</i>		
105	Notice to bargain collectively	1413
<i>Effect of Notice</i>		
106	Duty to bargain in good faith	1413
107	Duty to observe terms and conditions	1414
<i>Mediation</i>		
108	Appointment of mediator	1414
<i>Collective Bargaining for Two or More Units</i>		
109	Negotiation of single collective agreement	1414
<i>Two-tier Bargaining</i>		
110	Two-tier bargaining	1414

Table of Contents

<i>Collective Agreements</i>		
Authority to Enter into Agreement		
111	Authority of Treasury Board	1415
112	Authority of separate agency.....	1415
Restriction on Content of Collective Agreement		
113	Collective agreement not to require legislative implementation	1415
Duration and Effect		
114	Agreement is binding	1415
115	When agreement has effect	1415
116	Minimum duration	1415
117	Duty to implement provisions of the collective agreement	1416
Amendments		
118	Parties may amend	1416
DIVISION 8 — ESSENTIAL SERVICES		
119	Application of Division	1416
120	Employer determines levels of service.....	1416
121	Proportion of duties may vary during strike.....	1416
122	Obligation to negotiate	1416
123	Application to the Board	1417
124	Coming into force of agreement	1418
125	Duration	1418
126	Notice to negotiate amendment	1418
127	Application to Board	1418
128	Coming into force of amendment	1419
129	Replacement positions	1419
130	Notification of employees	1419
131	Emergency application	1419
132	Duty to observe terms and conditions	1419
133	Extension of time	1420
134	Filing of essential services agreement	1420
DIVISION 9 — ARBITRATION		
<i>Application of Division</i>		
135	Application	1420
<i>Request for Arbitration</i>		
136	Request for arbitration	1420
<i>Establishment of Arbitration Board</i>		
137	Establishment	1421
138	Constitution	1421
139	Board with single member	1421
140	Board with three members	1421
141	Eligibility	1421
142	Notification of establishment.....	1421
143	Death, incapacity or resignation of single member.....	1422
<i>Referral to Arbitration</i>		
144	Referral to arbitration	1422
<i>Duty and Powers</i>		
145	Assistance to parties	1422
146	Procedure	1422

Table of Contents

147	Powers	1422
	<i>Making of Arbitral Award</i>	
148	Factors to be considered	1423
149	Making of arbitral award	1423
150	Award not to require legislative implementation	1423
151	Decision of majority	1424
152	Form of award	1424
153	Copy sent to parties	1424
	<i>Duration and Operation of Arbitral Award</i>	
154	Binding effect	1424
155	When arbitral award has effect	1424
156	Term of arbitral award	1425
	<i>Implementation</i>	
157	Duty to implement provisions of the arbitral award	1425
	<i>Matters Not Dealt With</i>	
158	Reference of matters not dealt with	1425
158.1	[Repealed 2018, c. 24, s. 12.]	1425
	<i>Amendment</i>	
159	Amendment	1425
	DIVISION 10 — CONCILIATION	
	<i>Application of Division</i>	
160	Application	1426
	<i>Request for Conciliation</i>	
161	Request for conciliation	1426
	<i>Establishment of Public Interest Commission</i>	
162	Recommendation to establish	1426
163	Chairperson's initiative	1427
164	Constitution	1427
165	List	1427
166	Commission with single member	1427
167	Commission with three members	1427
168	Eligibility	1428
169	Notification of establishment	1428
170	Death, incapacity or resignation of single member	1428
171	Delivery of notice	1428
	<i>Powers and Functions</i>	
172	Assistance to parties	1429
173	Procedure	1429
174	Powers	1429
175	Factors to be considered	1429
	<i>Report</i>	
176	Report to Chairperson	1429
177	Report not to require legislative implementation	1430
178	Findings and recommendations of majority	1430
179	Reconsideration of matters contained in report	1430
180	Copy of report to be sent to parties	1430
181	Agreement to be bound	1431

Table of Contents

<i>Alternate Dispute Resolution Process</i>		
182	Alternate dispute resolution process	1431
<i>Vote on Employer's Offer</i>		
183	Minister may order vote to be held	1431
DIVISION 11 — STRIKE VOTES		
184	Secret ballot vote	1432
DIVISION 12 — UNFAIR LABOUR PRACTICES		
185	Meaning of “unfair labour practice”	1432
186	Unfair labour practices — employer	1432
187	Unfair representation by bargaining agent	1434
188	Unfair labour practices — employee organizations	1434
189	Unfair labour practices — persons	1435
DIVISION 13 — COMPLAINTS		
190	Complaints	1435
191	Duty and power of the Board	1436
192	Orders	1436
DIVISION 14 — PROHIBITIONS AND ENFORCEMENT		
<i>Acts of Officers and Representatives of Employee Organizations</i>		
193	Acts deemed to be those of employee organization	1437
<i>Prohibitions Relating to Strikes</i>		
194	Declaration or authorization of strike prohibited	1438
195	Non-employees	1439
196	Participation prohibited	1439
197	Right to strike limited during period between Parliaments	1441
<i>Declarations and Orders Relating to Strikes</i>		
198	Application for declaration that conduct is unlawful	1442
<i>Prohibition Relating to Essential Services</i>		
199	Obstruction	1442
<i>Prohibition Relating to Counselling</i>		
199.1	Counselling in respect of peace officer duties	1443
<i>Offences and Punishment</i>		
200	Persons	1443
201	Employees	1443
202	Employee organizations	1443
203	Officers and representatives of employee organizations	1443
204	Employer	1443
205	Consent to prosecution	1443
PART 2 — GRIEVANCES (SS. 206–238)		
<i>Interpretation</i>		
206	Definitions	1444
<i>Conflict Management</i>		
207	Informal conflict management system	1444
<i>Individual Grievances</i>		
<i>Presentation</i>		
208	Right of employee	1445

Table of Contents

	Reference to Adjudication	
209	Reference to adjudication	1446
209.1	Reference to adjudication	1446
210	Notice to Canadian Human Rights Commission.....	1447
210.1	Notice to Accessibility Commissioner	1447
211	Exception	1447
	Representation	
212	Right to be represented by employee organization	1447
213	Right to be represented by employee organization	1447
	Binding Effect	
214	Decision final and binding	1447
	Group Grievances	
	Presentation	
215	Right of bargaining agent	1448
	Reference to Adjudication	
216	Reference to adjudication	1448
217	Notice to Canadian Human Rights Commission.....	1449
	Withdrawal from Group Grievance	
217.1	Notice to Accessibility Commissioner	1449
218	Right of employee to withdraw	1449
219	Effect of notice	1449
	Policy Grievances	
	Presentation	
220	Right of employer and bargaining agent	1449
	Reference to Adjudication	
221	Reference to adjudication	1450
222	Notice to Canadian Human Rights Commission.....	1450
	Adjudication	
	Notice to Board	
222.1	Notice to Accessibility Commissioner	1450
223	Notice	1450
	Board of Adjudication	
224	Constitution	1451
	Jurisdiction	
225	Compliance with procedures	1451
	Powers	
226	Powers of adjudicator	1451
227	[Repealed 2013, c. 40, s. 376.]	1452
	Decision	
228	Hearing of grievance	1452
229	Decision requiring amendment	1452
230	Determination of reasonableness of opinion.....	1453
231	Determination of consent requirement	1453
232	Decision in respect of certain policy grievances.....	1453
233	No review by court.....	1453
234	Filing of order in Federal Court	1453

Table of Contents

Expenses of Adjudication		
235	Aggrieved employee not represented by agent	1454
No Right of Action		
236	Disputes relating to employment	1454
Regulations		
237	Regulations	1454
238	Regulations	1455
PART 2.1 — PROVISIONS UNIQUE TO THE ROYAL CANADIAN MOUNTED POLICE (SS. 238.01–238.34)		
<i>Interpretation</i>		
238.01	Definition of “RCMP Commissioner”	1455
238.02	Inconsistency with Part 1 or 2	1455
238.03	Employer’s right preserved	1456
238.04	Duties preserved	1456
<i>Unique Role as Police Organization</i>		
238.05	Board’s additional duty	1456
DIVISION 1 — LABOUR RELATIONS		
<i>Adjournment of Proceedings</i>		
238.06	Prejudice to ongoing investigations or proceedings	1457
<i>Law Enforcement, Public Safety and National Security</i>		
238.07	Non-disclosure	1457
238.08	Order regarding disclosure	1458
238.09	Protection	1458
238.1	Use of information	1458
238.11	Memorandum of understanding	1459
238.12	Disclosure of information — other legal proceedings	1459
<i>Certification of Bargaining Agents</i>		
238.13	Right to apply	1459
238.14	Determination of unit	1460
238.15	Limitation	1460
238.16	Limitation	1460
<i>Revocation of Certification</i>		
238.17	Mandate or affiliation	1460
<i>Process for Dispute Resolution</i>		
238.18	Arbitration	1460
<i>Restriction on Content of Collective Agreement</i>		
238.19	Restriction	1461
<i>Essential Services, Conciliation and Strike Votes</i>		
238.2	Non-application of Divisions 8, 10 and 11 of Part 1	1461
<i>Arbitration</i>		
238.21	Arbitral award — additional factor	1461
238.22	Arbitral award — limitations	1461
<i>Regulations</i>		
238.23	Regulations	1462

Table of Contents

DIVISION 2 — GRIEVANCES		
<i>Individual Grievances</i>		
238.24	Limited right to grieve	1462
238.25	Limited right to refer to adjudication	1462
<i>Adjournment of Proceedings</i>		
238.26	Prejudice to ongoing investigations or proceedings	1463
<i>Law Enforcement, Public Safety and National Security</i>		
238.27	Non-disclosure	1463
238.28	Order regarding disclosure	1464
238.29	Protection	1464
238.3	Use of information	1464
238.31	Memorandum of understanding	1465
238.32	Disclosure of information — other legal proceedings	1465
<i>Unique Role as Police Organization</i>		
238.33	Consideration	1465
<i>Regulations</i>		
238.34	Regulations	1465
PART 3 — OCCUPATIONAL HEALTH AND SAFETY (SS. 239, 240)		
<i>Interpretation</i>		
239	Meaning of public service	1466
<i>Part II of Canada Labour Code</i>		
240	Application to public service	1466
PART 4 — GENERAL (SS. 241–252)		
<i>Defects in Proceedings</i>		
241	Defect in form or irregularity	1466
<i>Restriction on Admissibility of Evidence</i>		
242	Admissibility	1467
<i>Protection</i>		
243	Evidence respecting information obtained	1467
244	No disclosure of notes and drafts	1467
245	Criminal or civil proceedings	1467
<i>Oaths and Solemn Affirmations</i>		
246	Oath or solemn affirmation	1467
<i>Remuneration and Expenses</i>		
247	Remuneration and expenses	1467
<i>Witness Fees</i>		
248	Payment of witness fees	1468
<i>Provision of Facilities and Human Resources</i>		
249	Facilities and human resources	1468
<i>Application of Safety or Security Provisions</i>		
250	Application of safety or security provisions	1468
251	[Repealed 2013, c. 40, s. 390.]	1468
<i>Five-year Review</i>		
252	Review	1468

Table of Contents

2005-79 — FEDERAL PUBLIC SECTOR LABOUR RELATIONS REGULATIONS

INTERPRETATION

1	Definitions	1469
---	-----------------------	------

GENERAL PROVISIONS

2	Filing initiating documents	1470
3	[Repealed SOR/2020-43, s. 3.]	1470
4	Copies	1470
5	Reply	1471
6	Failure to reply	1471
7	Subsequent documents	1471
8	Clarification	1471
9	Receipt of document	1471
10	Computation of time	1472
11	Withdrawal	1472
11.1	Deemed withdraw	1472

PART 1 — LABOUR RELATIONS

General Provisions

12	Extension or reduction of time	1472
13	Consolidation	1472
14	Addition of party or intervenor	1472
15	Insufficient information	1472
16	Notice of pre-hearing conference	1473
17	Notice of hearing	1473
18	Contents of summons application	1473
19	Document adduced as evidence	1473
20	Confidentiality of employees' wishes	1473
21	Adjournment of hearings	1473
22	Application for review of Board's decision	1473

DIVISION 1 — CERTIFICATION

Procedure for Certification

23	Application for certification	1474
24	Closing date	1474
25	Copies of notice to employees	1474
26	Employer's reply	1475
27	Intervention	1475
28	Statement of opposition	1476
29	Amendment	1476
30	Documentary evidence	1476
31	Council of employee organizations — documentary evidence	1476
32	Employer — additional documentation	1476

Managerial or Confidential Positions

33	Application concerning managerial or confidential positions	1477
34	Objection	1477
35	Revocation of order	1477

Procedure for Revocation of Certification

36	Application for revocation of certification	1477
37	Closing date	1478
38	Copies of notice to employees	1478

Table of Contents

39	Bargaining agent's reply	1478
40	Statement of opposition	1479
41	Amendment	1479
42	Documentary evidence	1479
43	Form of evidence	1479
44	Employer — additional documentation	1479
<i>Representation Votes</i>		
45	Representation votes	1479
DIVISION 2 — CHOICE OF DISPUTE RESOLUTION PROCESS		
46	Notice of choice of dispute resolution process	1480
46.1	Application to change the process	1480
DIVISION 3 — ARBITRATION		
47	Request for arbitration	1480
48	Other party's response	1481
49	Applicant's response	1481
50	Representations	1482
50.1	[Repealed SOR/2020-43, s. 25.]	1482
DIVISION 4 — CONCILIATION		
51	Request for conciliation	1482
52	Other party's response	1482
53	Applicant's response	1483
DIVISION 5 — STRIKE VOTE		
54	Statement respecting strike vote	1483
55	Application to have strike vote declared invalid	1484
56	Bargaining agent's reply	1484
DIVISION 6 — COMPLAINTS PROCEDURE		
57	Complaint	1484
DIVISION 6.1 — COMPLAINT UNDER SECTION 133 OF THE CANADA LABOUR CODE		
57.1	Canada Labour Code	1485
DIVISION 7 — DECLARATION THAT CONDUCT IS UNLAWFUL		
58	Application for declaration that conduct is unlawful	1485
59	Reply	1485
DIVISION 8 — CONSENT TO PROSECUTION		
60	Application to obtain Board's consent	1485
PART 2 — GRIEVANCES		
<i>General Provisions</i>		
61	Extension of time	1486
62	Suspension of time	1486
63	Rejection for failure to meet a deadline	1486
<i>Individual Grievances</i>		
64	Maximum number of levels	1486
65	Notice of level	1486
66	Individual grievance form	1487
67	Presentation of grievance	1487
68	Deadline for presentation of grievance at first level	1487
69	Representation — grievance relating to interpretation or application	1488
70	Receipt and transmission	1488

Table of Contents

71	Circumstances in which a level may be eliminated	1489
72	Deadline for decision	1489
73	Withdrawal of grievance	1489
<i>Group Grievances</i>		
74	Maximum number of levels	1489
75	Notice of level	1489
76	Group grievance form	1489
77	Presentation of grievance	1490
78	Deadline for presentation of grievance at first level	1490
79	Receipt and transmission	1491
80	Deadline for decision	1491
81	Withdrawal of grievance	1491
82	Withdrawal from a group grievance	1491
<i>Policy Grievances</i>		
83	Maximum number of levels	1491
84	Notice from employer	1492
85	Deadline for presentation of grievance	1492
86	Receipt and transmission	1492
87	Deadline for decision	1492
88	Withdrawal of grievance	1492
<i>Adjudication</i>		
89	Notice of reference to adjudication	1492
90	Deadline for reference to adjudication	1495
91	Deadline — establishment of board of adjudication	1495
92	Notice to Canadian Human Rights Commission	1495
93	Deadline for notice of intention to make submissions	1496
94	Participation in mediation	1496
95	Deadline for raising objections	1496
96	Filing with the Board	1497
97	Documentation	1497
98	Consolidation by adjudicator	1497
99	Addition of party or intervenor	1497
100	Insufficient information	1497
101	Notice of pre-hearing conference	1498
102	Notice of hearing	1498
103	Contents of summons application	1498
104	Document adduced as evidence	1498
105	Adjournment of hearings	1498
106	Withdrawal from a group grievance	1498
PART 3 — TRANSITIONAL PROVISION, REPEAL AND COMING INTO FORCE		
<i>Transitional</i>		
107	Transitional	1498
<i>Repeal</i>		
108	Repeal	1499
<i>Coming into Force</i>		
109	Coming into force	1499
SCHEDULE [Repealed SOR/2020-43, s. 49.]		
Forms 1–6 [Repealed SOR/2020-43, s. 49.]		1499

Table of Contents

Form 7 [Repealed SOR/2014-251, s. 35.]	1499
Forms 8–26 [Repealed SOR/2020-43, s. 49.]	1499

LABOUR ADJUSTMENT BENEFITS ACT

SHORT TITLE

1 Short title	1501
-------------------------	------

INTERPRETATION

2 Definitions	1501
-------------------------	------

DESIGNATION OF INDUSTRIES

3 Designation of industries	1502
4 Term of general designation	1502
5 Retroactive application	1503

LABOUR ADJUSTMENT REVIEW BOARD

6 Board established	1503
7 Chairman and Vice-Chairman	1504
8 Head Office	1504
9 Powers and duties	1504

ENTITLEMENT TO LABOUR ADJUSTMENT BENEFITS

10 Entitlement to benefits	1504
--------------------------------------	------

CERTIFICATION BY BOARD

11 Application for certification	1504
12 Requirements for certification	1505

APPLICATION TO COMMISSION

13 Eligible applicants	1505
----------------------------------	------

QUALIFICATION FOR BENEFITS

14 Qualifications for benefits	1506
15 Employment in other designated industries	1507
16 Semi-annual review	1507

LABOUR ADJUSTMENT BENEFITS

17 Calculation and payment of benefits	1507
18 Suspension of benefits	1508
19 Initial amount of benefit	1508
20 Annual adjustment	1509
21 Deductions	1509
22 Deemed benefit	1510
23 Benefits not assignable	1510

ADMINISTRATION AND ENFORCEMENT

24 False or misleading statements	1510
25 Reconsideration in respect of amounts repayable	1511
26 Liability for overpayments	1512
27 Return of overpayments	1512
28 Powers of officers of Board	1512
29 Application of sections 125 and 134 of the <i>Employment Insurance Act</i>	1513

GENERAL

30 Consultation	1513
31 Board's decision final	1513
32 Confidential information	1514

Table of Contents

33	Regulations	1514
34	Offences	1514
35	Payment out of C.R.F.	1514
36	Quarterly reports	1514

PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT

SHORT TITLE

1	Short title	1515
---	-------------------	------

APPLICATION OF ACT

2	Generally	1515
2.1	Accessible Canada Act	1516

PART I — STAFF RELATIONS (SS. 3–84)

Interpretation

3	Definitions	1516
---	-------------------	------

General

Application

4	Rights, etc., not affected	1519
---	----------------------------------	------

Rights

5	Employment rights	1520
---	-------------------------	------

Prohibitions

6	Employer participation in employee organization	1520
---	---	------

7	Discrimination against employee organization	1520
---	--	------

8	Soliciting membership during working hours	1521
---	--	------

DIVISION I — FEDERAL PUBLIC SECTOR LABOUR RELATIONS AND EMPLOYMENT BOARD

Application of Certain Acts

9	Application	1521
---	-------------------	------

Powers, Duties and Functions

10	Powers, duties and functions	1521
----	------------------------------------	------

11	[Repealed 2013, c. 40, s. 426.]	1521
----	---------------------------------------	------

12	Authority of Board to make regulations	1521
----	--	------

13	Complaints	1522
----	------------------	------

14	Where order not complied with	1522
----	-------------------------------------	------

15	Powers of Board in proceedings	1523
----	--------------------------------------	------

16	Application of orders	1523
----	-----------------------------	------

17	Review or amendment of orders	1523
----	-------------------------------------	------

DIVISION II — COLLECTIVE BARGAINING AND COLLECTIVE AGREEMENTS

Certification of Bargaining Agents

Application for Certification

18	Application by employee organization	1523
----	--	------

19	Application by council of organizations	1523
----	---	------

20	Council deemed to be employee organization	1524
----	--	------

When Application for Certification may be Made

21	Where agreement for term of not more than two years	1524
----	---	------

22	No certification where previous application refused within six months	1524
----	---	------

Table of Contents

	Determination of Appropriate Bargaining Units	
23	Determination of unit	1525
24	Determination of membership in bargaining units	1525
	Certification	
25	Certification of employee organization as bargaining unit	1525
26	Powers of Board in relation to certification	1525
	Where Certification Prohibited	
27	Where participation by employer in formation of employee organization ..	1526
	Effect of Certification	
28	Effect of certification	1526
	Revocations of Certification	
	On Application	
29	Application for declaration that employee organization no longer represents employees	1527
	For Abandonment or Other Cause	
30	Abandonment of certification	1528
	For Fraud	
31	Certification obtained by fraud	1528
	Revocation of Certification of Council	
32	Revocation of certification of council	1528
	Effect of Revocation: Rights of Employee Organizations and Employees	
33	Effect of revocation	1529
34	Determination of rights of bargaining agent.....	1529
35	Direction	1529
	Successor Rights	
36	Mergers, amalgamations and transfers of jurisdiction	1529
	Negotiation of Collective Agreements	
	Notice to bargain collectively	
37	Notice to bargain collectively	1529
	Where Notice Given	
38	Commencement of collective bargaining	1530
39	Continuation in force of terms and conditions	1530
	Conciliation	
40	Request for conciliation	1530
41	Report of conciliator	1530
	Collective Agreements	
	Authority to Enter into Agreement	
42	Authority of employer	1531
	Provisions of Collective Agreement	
43	Time within which agreement to be implemented	1531
	Duration and Effect	
44	When agreement effective	1531
45	Binding effect of agreement	1531
	DIVISION III — PROVISIONS APPLICABLE TO RESOLUTION OF DISPUTES	
46	Provisions applicable to resolution of dispute	1532

Table of Contents

	<i>Arbitration</i>	
47	Board to appoint panels	1532
48	Board for arbitration	1532
49	Chairperson may appoint outside arbitrator	1532
	<i>Request for Arbitration</i>	
50	Request for arbitration	1533
51	Request for arbitration by other party	1533
	<i>Consideration of Dispute and Award</i>	
52	Matters constituting terms of reference	1534
53	Factors to be taken into account by Board	1534
53.1	[Repealed 2003, c. 22, s. 186.]	1534
54	Parties to be heard	1534
	<i>Arbitral Award Matters</i>	
55	Award not to require legislative implementation	1534
	<i>Making of Arbitral Award</i>	
56	Award to be signed	1535
	<i>Duration and Operation of Arbitral Awards</i>	
57	Binding effect of arbitral award	1535
58	Term of arbitral award	1536
	<i>Implementation of Arbitral Awards</i>	
59	Implementation of awards	1536
	<i>Completion and Variation of Arbitral Awards</i>	
60	Reference back to Board	1536
61	Authority to amend or vary award	1536
	DIVISION IV — GRIEVANCES	
	<i>Right to Present Grievances</i>	
62	Right of employee	1536
	<i>Adjudication of Grievances</i>	
	<i>Reference to Adjudication</i>	
63	Reference of grievance to adjudication	1537
63.1	Notice to Accessibility Commissioner	1538
	<i>Appointment of Adjudicators</i>	
64	Members to adjudicate	1538
	<i>Establishment of a Board of Adjudication</i>	
65	Composition of board of adjudication	1538
	<i>Duty of the Board</i>	
66	Notice to specify whether adjudicator named, etc.	1538
66.1	Powers of adjudicator	1539
	<i>Jurisdiction of Adjudicator</i>	
67	Compliance with procedures	1539
67.1	Accessible Canada Act	1540
	<i>Decision of Adjudicator</i>	
68	Hearing of grievance	1540
	<i>Expenses of Adjudication</i>	
69	Where adjudicator named in collective agreement	1540

Table of Contents

Enforcement of Obligations of Employer and Employee Organizations		
70	Reference by employer or bargaining agent to Board	1541
Regulations respecting Grievances		
71	Regulations re procedures for presentation of grievances	1541
DIVISION V — GENERAL		
<i>Review of Decisions</i>		
72	No review by court	1542
<i>Offences relating to Strikes</i>		
73	Participation by employee in strike	1542
74	Declaration or authorization of strike	1542
75	Offences and punishment; employee	1543
76	Prosecution of employee organization	1543
<i>Consent to Prosecution</i>		
77	Consent	1543
<i>Protection</i>		
78	Evidence respecting information obtained	1543
<i>Witness Fees</i>		
79	Payment of witness fees	1543
<i>Oaths and Solemn Affirmations</i>		
80	Oath or solemn affirmation to be taken	1543
<i>Provision of Facilities and Staff</i>		
81	Facilities and staff	1544
<i>Superannuation</i>		
82	Application of Public Service Superannuation Act	1544
83	[Repealed 2014, c. 20, s. 481(2)(c).]	1544
<i>Report to Parliament</i>		
84	Annual report	1544
PART II — [PROPOSED] STANDARD HOURS, WAGES, LEAVE, ETC. (SS. 85, 86)		
<i>[Proposed] Interpretation</i>		
85	[Proposed] Definition of “employer”	1544
<i>[Proposed] Canada Labour Code (Part III)</i>		
86	[Proposed] Application	1545
PART II.1 — PAY EQUITY (SS. 86.1–86.91)		
86.1	Definitions	1545
86.2	Powers, privileges and immunities	1546
86.3	Application — <i>Pay Equity Act</i>	1546
86.4	Application of regulations	1546
86.5	Contravention	1547
86.6	Notification — entrance into place	1548
86.7	Notification	1548
86.8	Transmission to Speaker	1549
86.9	Tabling by Speaker	1549
86.91	Annual report — Board	1549
PART III — OCCUPATIONAL HEALTH AND SAFETY (SS. 87–89)		
<i>Interpretation</i>		
87	Definitions	1549

Table of Contents

Canada Labour Code (Part II)

88	Application	1550
88.01	Deputy Minister of Labour	1551
88.1	Head to notify Speakers	1551
88.2	Board to notify Speakers	1551
88.3	Direction of Minister not complied with	1552
88.4	Exceptional circumstances	1552
88.5	Order, decision or direction of Board not complied with	1552
88.6	Powers, privileges and immunities	1552
88.7	Annual report — Board	1553
88.8	Five-year review	1553
89	[Repealed 2018, c. 22, s. 21.]	1553

SCHEDULE

86-1140 — PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS REGULATIONS

1	[Repealed SOR/2014-252, s. 2.]	1553
INTERPRETATION		
2	.....	1554
FILING		
3	.....	1554
SERVICE		
4	.....	1554
5	.....	1555
GENERAL		
6	.....	1555
7	.....	1555
8	.....	1555
9	.....	1555
10	.....	1555
11	.....	1555
12	[Repealed SOR/2014-252, s. 7.]	1556
13	.....	1556
14	.....	1556
PART I — COMPLAINTS PROCEDURE		
15	.....	1556
16	.....	1556
17	.....	1556
18	.....	1556
PART II — CERTIFICATION PROCEDURE		
<i>Interpretation</i>		1557
19	.....	1557
<i>General</i>		1557
20	.....	1557
21	.....	1557
22	.....	1557

Table of Contents

23		1557
24		1557
25		1557
26		1558
27		1558
28		1558
29		1558
30		1558
31		1558
32		1558
33		1559
34		1559
35		1559
36		1559
37		1559
38		1559
PART III — DESIGNATION OF MANAGERIAL OR CONFIDENTIAL PERSONS		
39		1559
PART IV — PROCEDURE FOR REVOCATION OF CERTIFICATION		
<i>Interpretation</i>		
40		1560
<i>Application of Other Provisions</i>		
41		1560
<i>Applications</i>		
42		1560
43		1560
44		1561
45		1561
<i>General</i>		
46		1561
47		1561
48		1561
49		1561
PART V — ARBITRATION		
50		1562
51		1562
52		1562
53		1562
54		1562
55		1562
56		1563
PART VI — GRIEVANCE PROCESS AND ADJUDICATION PROCEDURE		
<i>Interpretation</i>		
57		1563
<i>Grievance Process</i>		
58		1563
59		1563

Table of Contents

60		1563
61		1563
<i>Presentation of Grievance</i>		
62		1564
63		1565
64		1565
65		1565
66		1566
<i>Adjudication Procedure</i>		
67		1566
68		1566
69		1566
70		1566
71		1567
72		1567
73		1567
74		1567
75		1568
76		1568
77		1568
<i>Reference under Section 70 of the Act</i>		
78		1569
<i>General</i>		
79		1569
PART VII — CONSENT TO PROSECUTE		
80		1569
81		1569
82		1569
83		1570
84		1570

SCHEDULE

PAY EQUITY ACT

SHORT TITLE

1		1583
---	--	------

PURPOSE

2		1583
---	--	------

INTERPRETATION

3		1583
4	Definitions	1586

DESIGNATION OF MINISTER

5		1586
---	--	------

APPLICATION

6		1587
7	Employers subject to Act on coming into force	1587
8	Later date in public sector — 10 to 99 employees	1587
	Determination of number of employees — public sector	1587

Table of Contents

9	Determination of number of employees — private sector and territorial governments	1588
10	Exemption	1588
11	Exemption	1588
PART 1 — PAY EQUITY PLAN (SS. 12–30)		
12	Requirement to establish plan	1588
13	Requirement to establish plan — group of employers	1588
14	Notice — employers referred to in subsection 16(1)	1589
15	Notice — group of employers referred to in subsection 17(1)	1589
16	Requirement to establish pay equity committee	1590
17	Requirement to establish pay equity committee — group of employers	1590
18	Number of employees — group of employers	1590
19	Composition of committee	1591
20	Vote	1591
21	Directions from employer	1591
22	Measures to facilitate the selection of members	1591
23	Requirement to provide information — employer	1592
24	Requirement to keep information confidential — committee members	1592
25	Notice of establishment of plan without committee	1592
26	Notice of establishment of plan without committee — group of employers	1592
27	Committee does not meet requirement after establishment	1592
28	Committee cannot perform work	1593
29	Committee cannot perform work — group of employers	1593
30	Multiple plans	1593
PART 2 — PROCESS FOR ESTABLISHMENT OF PAY EQUITY PLAN (SS. 31–63)		
<i>Purpose</i>		
31	Steps to be followed	1594
<i>Identification of Job Classes</i>		
32	Job classes	1594
33	One-position job classes	1594
34	Job classes in core public administration	1594
<i>Determination of Predominantly Female and Predominantly Male Job Classes</i>		
35	Determination	1594
36	Predominantly female job classes	1594
37	Predominantly male job classes	1594
38	Group of job classes	1595
39	Notice to Pay Equity Commissioner	1595
40	Application of regulations	1595
<i>Determination of Value of Work</i>		
41	Determination	1595
42	Criterion	1595
43	Method	1595
<i>Calculation of Compensation</i>		
44	Calculation	1596
45	Exclusions from compensation	1596
46	Differences in compensation excluded	1596

Table of Contents

<i>Comparison of Compensation</i>		
47	Comparison	1597
48	Compensation comparison methods	1597
49	Equal average method	1597
50	Equal line method	1599
<i>Contents and Posting</i>		
51	Contents of plan	1599
52	Draft pay equity plan and notice	1600
53	Draft pay equity plan and notice — group of employers	1600
54	Written comments	1600
55	Final version — three-year maximum	1600
56	Notice of increases	1601
57	Extension of time limit for posting	1601
58	Establishment of pay equity plan	1601
59	Establishment of pay equity plan — group of employers	1601
<i>Increases in Compensation</i>		
60	Obligation to increase compensation	1602
61	Date payable — plan posted under section 55 or paragraph 94(1)(b)	1602
62	Date payable — plan posted under subsection 57(2)	1603
63	Longer phase-in period	1606
PART 3 — PAY EQUITY MAINTENANCE REVIEW (SS. 64–88)		
<i>Updated Pay Equity Plan</i>		
64	Requirement to update plan	1606
65	Notice — employers referred to in subsection 67(1)	1606
66	Notice — group of employers referred to in subsection 68(1)	1607
67	Requirement to establish pay equity committee	1607
68	Requirement to establish pay equity committee — group of employers	1608
69	Determination of number of employees — public sector	1608
70	Determination of number of employees — private sector and territorial governments	1609
71	Determination of number of employees — group of employers	1609
72	Application of sections 20 to 24	1609
73	Notice of update of plan without committee	1609
74	Notice of update of plan without committee — group of employers	1609
75	Committee does not meet requirement after establishment	1610
76	Committee cannot perform work	1610
77	Committee cannot perform work — group of employers	1610
<i>Process for Updating Pay Equity Plan</i>		
78	Identification of new differences in compensation	1610
79	Revision of pay equity plan	1610
<i>Posting</i>		
80	Revised pay equity plan and notice	1611
81	Revised pay equity plan and notice — group of employers	1611
82	Written comments	1611
83	Final version — five-year maximum	1611
84	Notice of increases	1612
85	Extension of time limit for posting	1612
86	Updated pay equity plan	1612
87	Updated pay equity plan — group of employers	1612

Table of Contents

	<i>Increases in Compensation</i>	
88	Obligation to increase compensation	1612
	PART 4 — GENERAL PROVISIONS — PAY EQUITY PLANS (89–103)	
	<i>Annual Statement</i>	
89	Contents	1613
	<i>Record Keeping</i>	
90	Private sector and territorial governments — establishment of pay equity plan	1615
91	Extension of time for retaining documents	1616
	<i>Transfers or Leases</i>	
92	Federal private sector — transfer or lease	1616
93	Federal private sector — re-tendering	1616
94	Provincial business	1617
	<i>Collective Agreements</i>	
95	Effect on collective agreements	1617
	<i>Implementation</i>	
96	90-day period	1617
	<i>Interest</i>	
97	Failure to pay amount due	1617
	<i>Prohibitions</i>	
98	Reduction of compensation	1618
99	Obstruction	1618
100	False or misleading statements — Pay Equity Commissioner	1618
101	False or misleading statements — records, reports, etc.	1618
102	Reprisal by employer	1618
103	Reprisal by bargaining agent	1618
	PART 5 — PAY EQUITY COMMISSIONER (SS. 104–117)	
	<i>Pay Equity Commissioner's Role</i>	
104	Mandate — Pay Equity Commissioner	1619
105	Delegation	1619
	<i>Authorizations by Pay Equity Commissioner</i>	
106	Recognition of group as single employer	1620
107	Authority — multiple pay equity plans	1620
108	Authority — plan without committee	1620
109	Authority — different committee membership	1620
110	Authority — Committee cannot perform work	1620
111	Authority — other compensation comparison method	1620
112	Authority — extension for posting final plan	1621
113	Authority — longer phase-in period	1621
	<i>Information and Reports</i>	
114	Provision of information or advice	1621
115	Special reports	1621
116	Provision of data to Minister	1621
117	Annual report	1621
	PART 6 — INVESTIGATIONS AND AUDITS (SS. 118–124)	
118	Compliance audit	1622
119	Power to order termination of contravention	1623

Table of Contents

120	Internal audit order	1623
121	Powers — investigation or application	1624
122	Means of telecommunication	1624
123	Accompanying individual	1624
124	Assistance	1624
PART 7 — ADMINISTRATIVE MONETARY PENALTIES (SS. 125–146)		
<i>Definition</i>		
125	Meaning of “penalty”	1624
<i>Purpose</i>		
126	Purpose of penalty	1625
<i>Regulations</i>		
127	Regulations	1625
<i>Pay Equity Commissioner’s Powers, Duties and Functions</i>		
128	Powers regarding notices of violation	1626
<i>Commission of Violations</i>		
129	Violations	1626
130	Liability of parties to violation	1626
131	Employees or agents or mandataries	1626
132	Notice of violation	1626
<i>Rules About Violations</i>		
133	Certain defences not available	1627
134	Continuing violation	1627
135	For greater certainty	1627
136	Limitation period	1627
<i>Responsibility</i>		
137	Notices with penalty — payment	1628
138	Failure to act	1628
<i>Review</i>		
139	Request for review	1628
140	Variation or cancellation of notice of violation	1628
141	Review	1628
142	Completion of review	1628
<i>Recovery of Penalties</i>		
143	Debt to Her Majesty	1629
144	Certificate	1629
<i>General</i>		
145	Admissibility of documents	1630
146	Publication	1630
PART 8 — DISPUTE RESOLUTION (SS. 147–171)		
<i>Matters in Dispute, Objections and Complaints</i>		
147	Notice of matters in dispute	1630
148	Notice of objection	1630
149	Complaints — employees	1630
150	Complaints — bargaining agents	1631
151	Complaints — employer	1631
152	Complaint to Pay Equity Commissioner	1632
153	Extension of time	1632

Table of Contents

<i>Resolution by Pay Equity Commissioner</i>		
154	Role of Pay Equity Commissioner	1632
155	Voluntary settlement	1632
156	Investigation	1633
157	Determination of matter in dispute	1633
158	Determination of objection	1633
159	Determination of complaint	1634
160	Determination — complaint about reprisal	1635
<i>Review</i>		
161	Review	1635
<i>Referral to Tribunal</i>		
162	Referral to Tribunal	1636
163	Chairperson to institute inquiry	1636
164	Conduct of inquiry	1637
165	Duty of Pay Equity Commissioner on appearing	1637
166	Hearing in public subject to confidentiality order	1637
167	Determination	1638
<i>Appeal</i>		
168	Appeal — decision or order	1638
169	Assignment of member	1638
170	Decision	1638
171	Decision final	1639
PART 9 — MINISTERIAL STAFF (SS. 172, 173)		
172	Definition of “Minister”	1639
173	Application	1639
PART 10 — MISCELLANEOUS PROVISIONS (SS. 174–184)		
174	Wages	1639
175	Manner and form	1639
176	Posting of documents	1639
177	Copies as evidence	1640
178	Immunity	1640
179	Evidence in civil suits precluded	1640
180	Enforcement of order	1640
181	Regulations	1640
182	Regulations	1641
183	Non-application of <i>Statutory Instruments Act</i>	1641
184	Review by Senate and House of Commons	1642
2021-161 — PAY EQUITY REGULATIONS		
1	Definitions	1642
2	References to employers	1643
POSTINGS — GENERAL RULES		
3	Format and place	1643
4	Accessibility	1643
5	Information to be provided	1643
6	Date of posting	1643

Table of Contents

	PAY EQUITY PLAN	
7	Notice — employer's obligation	1643
8	Notice — group of employers' obligation	1643
9	Notice — establishment of plan without committee	1643
	PROCESS FOR ESTABLISHMENT OF PAY EQUITY PLAN	
	<i>Frozen Compensation</i>	
10	Prohibited comparison — frozen compensation	1644
	<i>Factors</i>	
11	Calculation — equal average method	1644
12	Calculation — equal line method	1645
13	Clarification	1646
	<i>Rules if Regression Lines Cross</i>	
14	Choice of method	1647
15	Segmented line method	1647
16	Sum of differences method	1647
17	Clarification	1648
	<i>Obligations — No Predominantly Male Job Classes</i>	
18	Application	1648
19	Choice of method	1648
20	Determination of value of work	1649
21	Criterion	1649
22	Method	1649
23	Calculation of compensation	1650
24	Exclusions from compensation	1651
25	Differences in compensation excluded	1651
26	Comparison of compensation	1652
27	Compensation comparison methods	1652
28	Equal average method	1652
29	Equal line method	1653
	<i>Additional Information in Pay Equity Plan</i>	
30	Job classes chosen or created	1654
31	Determination — value already determined	1654
	<i>Confidentiality</i>	
32	Confidentiality of data received from another employer	1654
	<i>Posting</i>	
33	Draft pay equity plan	1655
34	Final version of pay equity plan	1655
35	Notice — increases and phase-in period	1655
	PAY EQUITY MAINTENANCE REVIEW	
	<i>Updated Pay Equity Plan</i>	
36	Notice — employer's obligation	1655
37	Notice — group of employers' obligation	1655
38	Notice — update of plan without committee	1655
	<i>Process for Updating Pay Equity Plan</i>	
39	Workplace information	1656
40	Excluded changes	1656
41	Use of workplace information — first period	1657
42	Job classes not treated as part of group	1657

Table of Contents

43	Group of job classes — number of employees	1658
44	Calculation of compensation	1658
45	Prohibited comparison — frozen compensation	1658
46	Difference in compensation during last period	1659
<i>Posting</i>		
47	Postings regarding updating	1659
48	Final version of revised pay equity plan	1659
49	Notice — increases	1659
50	Determination by member or panel	1659
51	Decision or document issued by Pay Equity Commissioner	1659
<i>Lump Sum</i>		
52	Entitlement	1659
ANNUAL STATEMENT		
53	Employer	1660
TRANSFERS		
54	Final version of pay equity plan	1660
COMING INTO FORCE		
55	S.C. 2018, c. 27	1660
SCHEDULE — TYPICAL JOB CLASSES		

PENSION BENEFITS STANDARDS ACT, 1985

SHORT TITLE		
1	Short title	1663
INTERPRETATION		
2	Definitions	1663
3	Pension plans may exceed minimum requirements	1667
APPLICATION OF ACT		
4	Application of Act	1668
POWERS OF SUPERINTENDENT		
5	Powers of Superintendent	1669
AGREEMENTS		
6	[Repealed 2016, c. 7, s. 203.]	1670
6.1	One or more designated provinces	1670
6.2	Force of law	1671
6.3	Review by Federal Court	1671
6.4	Association of pension supervisory authorities	1671
ADMINISTRATION OF PENSION PLANS		
7	Administrator	1671
7.1	Representative of members	1672
7.2	Pension council	1672
7.3	Choosing representatives	1672
7.4	Duties of administrator	1672
7.5	Superintendent may require meeting	1673
7.6	Appointment of replacement administrator	1673
8	Amounts to be held in trust	1673

Table of Contents

FUNDING AND SURPLUS		
<i>Required Funding</i>		
9	Funding of pension plan	1676
9.01	Designation of actuary	1676
9.1	Notification of remittance	1677
<i>Letters of Credit</i>		
9.11	Letters of credit	1677
9.12	Duty of employer	1678
9.13	Obligation of trustee	1678
9.14	Demand for payment	1678
9.15	Costs	1678
<i>Crown Corporations</i>		
9.16	Reduction of payments	1678
<i>[Proposed] Solvency Reserve Accounts</i>		
9.17	[Proposed] Establishment	1679
<i>Surplus</i>		
9.2	Refund of surplus to the employer	1679
REGISTRATION OF PENSION PLANS		
10	Duty of administrator to file documents	1681
10.1	Filing of amendments	1683
10.11	Negotiated contribution plans	1684
<i>TRANSFER OF FUNDS</i>		
10.2	No transfer without permission	1685
10.3	Designated entity	1685
<i>SEPARATE PENSION PLAN</i>		
10.4	Establishment of separate pension plan	1687
DIRECTIONS OF COMPLIANCE		
11	Superintendent's directions to administrators	1687
11.1	Revocation of registration	1688
GENERAL REQUIREMENTS		
<i>Duty to Provide Information</i>		
12	Annual reporting requirements	1688
13	Information to members	1688
<i>Eligibility for Membership</i>		
14	Eligibility (full-time employees)	1689
15	Eligibility (part-time employees)	1689
<i>Entitlement to Immediate Pension Benefit</i>		
16	Entitlement at pensionable age	1690
<i>Phased Retirement Benefit</i>		
16.1	Definitions	1691
<i>Variable Benefit</i>		
16.2	Variable benefit	1692
16.3	Entitlement of survivor	1693
16.4	Transfer	1693
16.5	Cessation	1693
<i>Vesting of Benefits</i>		
17	Provision respecting vesting	1694

Table of Contents

	<i>Entitlement Not Affected</i>	
17.1	For greater certainty	1694
	<i>[Proposed] Life Annuities</i>	
17.2	[Proposed] Life annuity in lieu of pension benefit	1694
	<i>Locking-in</i>	
18	Provisions respecting locking-in	1695
	<i>Interest</i>	
19	Interest (defined contribution plans)	1696
20	[Repealed 2010, c. 12, s. 1807.]	1696
	<i>Minimum Employer Contributions for Defined Benefit Plans</i>	
21	Minimum pension benefit	1696
	<i>Post-retirement</i>	
22	Meaning of “normal form of the pension benefit”	1697
	<i>Pre-retirement Death Benefit</i>	
23	If member dies before eligible for early retirement	1697
	<i>Marriage or Common-law Partnership</i>	
24	New relationship not to terminate pension benefit	1698
	<i>Divorce, Annulment, Separation or Breakdown of Common-law Partnership</i>	
25	Definition of “provincial property law”	1699
	<i>Portability of Pension Benefit Credits and Purchase of Life Annuities</i>	
26	If member not yet eligible to retire	1700
26.1	If transfer or purchase impairs solvency	1702
	<i>Sex Discrimination Prohibited</i>	
27	Sex discrimination prohibited	1702
	<i>Rights to Information</i>	
28	Provisions respecting information to member and spouse	1702
	<i>TERMINATION AND WINDING-UP OF PENSION PLANS</i>	
29	Deemed termination	1704
	<i>DISTRESSED PENSION PLAN WORKOUT SCHEME</i>	
29.01	Application	1706
29.02	Definitions	1706
29.03	Election of employer	1707
29.04	Negotiation period	1707
29.05	Exception	1708
29.06	No termination	1708
29.07	Deferral of payments	1708
29.08	Appointment by Federal Court	1708
29.09	Obligation of employer and administrator	1709
29.1	Workout agreement	1709
29.2	Information to be provided to members and beneficiaries	1709
29.3	Approval by Minister	1709
	<i>EFFECT OF SALE, ETC., OF BUSINESS</i>	
30	Effect of sale, etc., of business	1710
	<i>PAYMENT OF BENEFITS AND DESIGNATION OF BENEFICIARIES</i>	
31	Certain provisions of provincial law to apply	1711

Table of Contents

ELECTRONIC COMMUNICATIONS		
31.1	Consent and other conditions	1711
31.2	Signatures	1711
OBJECTIONS AND APPEALS		
32	Notice of objection	1712
33	Appeal to Federal Court	1712
GENERAL		
33.1	Application to Federal Court	1713
33.2	Superintendent may bring actions	1713
34	Inspection	1713
35	No action against person for withholding, etc.	1713
36	Void or, in Quebec, null agreements	1714
37	Amendments to pension plans	1714
37.1	Not statutory instruments	1714
OFFENCES AND PUNISHMENT		
38	Offences	1715
REGULATIONS		
39	Regulations	1716
39.1	Incorporation by reference	1719
REPORT TO PARLIAMENT		
40	Annual report	1720
CONSEQUENTIAL AMENDMENTS TO OTHER ACTS		
41	Consequential amendments to other Acts	1720
REPEAL		
42	Repeal of R.S., c. P-7	1720
43–45	[Repealed 2010, c. 12, s. 1823.]	1721
COMING INTO FORCE		
46	Coming into force	1721
SCHEDULE		

PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT

SHORT TITLE

1	Short title	1723
---	-------------------	------

PART 1 — PROTECTION OF PERSONAL INFORMATION IN THE PRIVATE SECTOR (SS. 2–30)

Interpretation

2	Definitions	1723
---	-------------------	------

Purpose

3	Purpose	1725
---	---------------	------

Application

4	Application	1725
---	-------------------	------

4.01	Business contact information	1726
------	------------------------------------	------

4.1	Certificate under <i>Canada Evidence Act</i>	1726
-----	--	------

Table of Contents

DIVISION 1 — PROTECTION OF PERSONAL INFORMATION		
5	Compliance with obligations	1726
6	Effect of designation of individual	1727
6.1	Valid consent	1727
7	Collection without knowledge or consent	1727
7.1	Definitions	1730
7.2	Prospective business transaction	1730
7.3	Employment relationship	1731
7.4	Use without consent	1731
8	Written request	1732
9	When access prohibited	1732
10	Sensory disability	1734
DIVISION 1.1 — BREACHES OF SECURITY SAFEGUARDS		
10.1	Report to Commissioner	1734
10.2	Notification to organizations	1735
10.3	Records	1736
DIVISION 2 — REMEDIES		
<i>Filing of Complaints</i>		
11	Contravention	1736
<i>Investigations of Complaints</i>		
12	Examination of complaint by Commissioner	1736
12.1	Powers of Commissioner	1737
<i>Discontinuance of Investigation</i>		
12.2	Reasons	1738
<i>Commissioner's Report</i>		
13	Contents	1738
<i>Hearing by Court</i>		
14	Application	1739
15	Commissioner may apply or appear	1739
16	Remedies	1739
17	Summary hearings	1739
<i>Compliance Agreements</i>		
17.1	Compliance agreement	1740
17.2	Agreement complied with	1740
DIVISION 3 — AUDITS		
18	To ensure compliance	1740
19	Report of findings and recommendations	1741
DIVISION 4 — GENERAL		
20	Confidentiality	1741
21	Not competent witness	1742
22	Protection of Commissioner	1743
23	Consultations with provinces	1743
23.1	Disclosure of information to foreign state	1744
24	Promoting the purposes of the Part	1745
25	Annual report	1745
26	Regulations	1745
27	Whistleblowing	1745
27.1	Prohibition	1746

Table of Contents

28	Offence and punishment	1746
29	Review of Part by parliamentary committee	1746
DIVISION 5 — TRANSITIONAL PROVISIONS		
30	Application	1747
PART 2 — ELECTRONIC DOCUMENTS (SS. 31–51)		
<i>Interpretation</i>		
31	Definitions	1747
<i>Purpose</i>		
32	Purpose	1748
<i>Electronic Alternatives</i>		
33	Collection storage, etc.	1748
34	Electronic payment	1748
35	Electronic version of statutory form	1748
36	Documents as evidence or proof	1748
37	Retention of documents	1749
38	Notarial act	1749
39	Seals	1749
40	Requirements to provide documents or information	1749
41	Writing requirements	1749
42	Original documents	1749
43	Signatures	1750
44	Statements made under oath	1750
45	Statements declaring truth, etc.	1750
46	Witnessed signatures	1750
47	Copies	1750
<i>Regulations and Orders</i>		
48	Regulations	1750
49	Amendment of schedules	1751
50	Regulations	1751
51	Effect of striking out listed provision	1752
PART 6 — COMING INTO FORCE (S. 72)		
72	Coming into force	1752

**SCHEDULE 1 — PRINCIPLES SET OUT IN THE NATIONAL STANDARD OF CANADA
ENTITLED MODEL CODE FOR THE PROTECTION OF PERSONAL INFORMATION,
CAN/CSA-Q830-96**

SCHEDULE 2 — ACTS OF PARLIAMENT

SCHEDULE 3 — REGULATIONS AND OTHER INSTRUMENTS

SCHEDULE 4 — ORGANIZATIONS

PUBLIC SERVANTS DISCLOSURE PROTECTION ACT

SHORT TITLE

1	Short title	1761
INTERPRETATION		
2	Definitions	1761
2.1	[Repealed 2006, c. 9, s. 195.]	1763

Table of Contents

AMENDING THE SCHEDULES		
3	Amending the schedules	1763
PROMOTING ETHICAL PRACTICES		
4	Promotion of ethical practices and dissemination of information	1763
CODE OF CONDUCT		
5	Obligation to establish — Treasury Board	1763
6	Chief executives shall establish codes of conduct	1763
7	Application	1764
WRONGDOINGS		
8	Wrongdoings	1764
9	Disciplinary action	1764
DISCLOSURE OF WRONGDOINGS		
10	Establishment of internal disclosure procedures	1764
11	Duty of chief executives	1765
12	Disclosure to supervisor or senior officer	1765
13	Disclosure to the Commissioner	1765
14	Disclosure concerning the Office of the Public Sector Integrity Commissioner	1765
14.1	Restriction re portions named in Schedule 2	1766
15	Application of ss. 12 to 14	1766
15.1	Requirements when making a disclosure	1766
16	Disclosure to public	1766
17	Exception — special operational information	1766
18	Saving — journalists with Canadian Broadcasting Corporation	1766
18.1	Other obligations to report	1767
COMPLAINTS RELATING TO REPRISALS		
<i>Prohibition Against Reprisals</i>		
19	Prohibition against reprisal	1767
<i>Complaints</i>		
19.1	Complaints	1767
19.2	Complaint in respect of past disclosures	1767
19.3	Refusal to deal with complaint	1768
19.4	Time limit	1768
<i>Disciplinary Action</i>		
19.5	Restriction on disciplinary action	1769
19.6	Suspension of disciplinary action	1769
<i>Investigations into Complaints</i>		
19.7	Designation of complaint investigator	1770
19.8	Notice to chief executive	1770
19.9	Access	1770
<i>Conciliation</i>		
20	Recommendation — conciliation	1771
20.1	Who may settle — remedy	1771
20.2	Referral of a settlement to Commissioner	1771
<i>Decision After Investigation</i>		
20.3	Investigator's report to Commissioner	1772
20.4	Application to Tribunal	1772
20.5	Dismissal of complaint	1772

Table of Contents

20.6	Notice	1772
<i>Public Servants Disclosure Protection Tribunal</i>		
Establishment		
20.7	Establishment	1773
Administration		
20.8	[Repealed 2014, c. 20, s. 468.]	1774
20.9	Sittings	1774
Proceedings		
21	Conduct of proceedings	1774
Applications by Commissioner		
21.1	Assignment of member or members	1774
21.2	Powers	1775
21.3	Hearing may be <i>in camera</i>	1775
21.4	Determination — paragraph 20.4(1)(a)	1775
21.5	Determination — paragraph 20.4(1)(b)	1776
21.6	Rights of parties	1776
21.7	Remedies	1776
21.8	Disciplinary action	1777
21.9	Filing of orders in Federal Court	1778
DUTIES OF THE COMMISSIONER		
22	Duties	1778
23	Restriction — general	1779
24	Right to refuse	1779
25	Delegation	1780
25.1	Access to legal advice	1780
INVESTIGATIONS		
26	Purpose of investigations	1782
27	Notice to chief executive	1782
28	Access	1782
29	Powers	1782
30	Exception	1783
31	Canadian Broadcasting Corporation	1783
32	Self-incrimination	1783
33	Power to investigate other wrongdoings	1783
34	Information outside public sector	1783
35	Remittal of information	1783
REPORTS		
36	Request for notice of action	1784
37	Report to appropriate Minister or governing council	1784
38	Annual report	1784
38.1	Report — disclosures under section 12	1785
OFFICE OF THE PUBLIC SECTOR INTEGRITY COMMISSIONER		
<i>Public Sector Integrity Commissioner</i>		
39	Appointment	1786
39.1	Rank and powers	1786
39.2	Remuneration	1786
Staff		
39.3	Staff	1787

Table of Contents

PROHIBITIONS		
<i>General Prohibitions</i>		
40	False statements	1787
41	Obstruction	1787
42	Destroying documents and things, etc.	1787
<i>Employers</i>		
42.1	Prohibition — employer	1788
<i>Contracts</i>		
42.2	Prohibition — termination of contract or withholding of payments	1788
OFFENCE		
42.3	Offence and punishment	1789
CONFIDENTIALITY		
43	Security requirements	1789
44	Confidentiality	1789
44.1	Canada Evidence Act	1789
PROTECTION		
45	Protection	1789
46	Not compellable witness	1789
47	Libel or slander	1790
GENERAL		
48	Disclosure not waiver	1790
49	Restriction	1790
50	Personal information	1791
51	Saving	1791
51.1	Power to temporarily assign other duties	1791
51.2	Judicial review	1792
51.3	Authority to act for Commissioner of the Royal Canadian Mounted Police	1792
EXCLUDED ORGANIZATIONS		
52	Obligation of excluded organizations	1792
53	Order to make provisions of Act applicable	1793
FIVE-YEAR REVIEW		
54	Review	1793
TRANSITIONAL		
54.1, 54.2	[Repealed 2010, c. 12, s. 1681.]	1793
54.3	Continuation	1793
COMING INTO FORCE		
60	Order in council	1793
SCHEDULE 1		
SCHEDULE 2		
SCHEDULE 3		

PUBLIC SERVICE EMPLOYMENT ACT

SHORT TITLE

1	1796
---	-----------	------

Table of Contents

INTERPRETATION		
2	Definitions	1796
3	Descriptive cross-references	1798
PART 1 — PUBLIC SERVICE COMMISSION, DEPUTY HEADS AND EMPLOYER (SS. 4–28)		
<i>Commission</i>		
4	Commission continued	1798
5	Salaries	1798
6	President	1799
7	Quorum	1799
8	Head office	1799
9	Human resources	1799
10	Experts and advisers	1799
<i>Mandate and Functions of Commission</i>		
11	Mandate	1799
12	Functions assigned by Governor in Council	1800
13	Delegation to Commissioners and employees	1800
14	Consultation by Commission	1800
<i>Delegation by Commission to Deputy Heads</i>		
15	Exercise of powers and functions by deputy heads	1800
16	Compliance with appointment policies	1801
<i>Commission Audits</i>		
17	Audits by Commission	1801
18	Powers of Commission	1801
19	Persons acting for Commission	1801
<i>Exclusions from this Act</i>		
20	Exclusion of positions and persons	1801
21	Regulations of Governor in Council	1801
<i>Regulations of Commission</i>		
22	General regulatory power	1802
<i>Reports — Commission</i>		
23	Preparation of report	1802
<i>Deputy Heads</i>		
24	Delegation by deputy head	1803
25	Acting deputy head	1803
<i>Regulations and Policies of Employer</i>		
26	Regulations of Treasury Board	1803
27	Consultation by employer	1803
28	[Repealed 2012, c. 19, s. 222.]	1804
PART 2 — APPOINTMENTS (SS. 29–50.2)		
<i>Authority to Appoint</i>		
29	Commission's exclusive authority	1804
<i>Basis of Appointment</i>		
30	Appointment on basis of merit	1804
31	Qualification standards	1805
32	Professional development programs	1805
33	Appointment processes	1805
34	Area of selection	1805

Table of Contents

35	Mobility — separate agencies	1805
35.1	Mobility — member of Canadian Forces	1806
35.11	Mobility — former member of Canadian Forces	1806
35.2	Mobility — ministers' staffs	1806
35.3	Parliamentary employees	1807
36	Assessment methods	1807
37	Language of examination	1807
38	Exceptions to merit	1807
<i>Preferences, Priorities and Entitlements</i>		
39	Preference to veterans and Canadian citizens	1808
39.1	Priority — member of Canadian Forces	1808
40	Priority — surplus employees	1808
41	Priority — persons on leave	1808
41.1	Resumption of employment	1809
42	Failure to appoint person on leave	1809
43	Non-application of priority provisions	1809
44	Participation in advertised process — lay-offs	1809
45	Non-application to term employees	1809
46	Deemed lay-off	1810
<i>Informal Discussion and Appointment</i>		
47	Informal discussion with employee	1810
48	Persons being considered for appointment	1810
49	Finality of appointments	1810
<i>Casual Employment</i>		
50	Appointment	1810
50.1	Exception — Office of the Chief Electoral Officer	1811
50.2	Exception	1811
PART 3 — DEPLOYMENTS (SS. 51–53)		
51	Authority of deputy heads to deploy	1811
52	Previous position	1812
53	Deployment not an appointment	1812
PART 4 — EMPLOYMENT (SS. 54–65)		
54	Oath or affirmation	1812
55	Effective date of appointment or deployment	1812
56	Effective date of appointment	1812
57	Indeterminate employment	1812
58	Term appointment or deployment	1813
59	Conversion to indeterminate	1813
60	Rate of pay on appointment	1813
61	Probationary period	1813
62	Termination of employment	1813
63	Resignation	1814
64	Laying off of employees	1814
65	Complaint to Board re lay-off	1814
PART 5 — INVESTIGATIONS AND COMPLAINTS RELATING TO APPOINTMENTS (SS. 66–87)		
<i>Investigation of Appointments by Commission</i>		
66	External appointments	1815
67	Internal appointments — no delegation	1815

Table of Contents

68	Political influence	1815
69	Fraud	1816
70	Powers of Commission	1816
71	Persons acting for Commission	1816
72	Right to make submissions	1816
73	Re-appointment following revocation	1816
<i>Complaints to Board — Revocation of Appointment</i>		
74	Complaint	1816
75	Right to be heard	1817
76	Revocation set aside	1817
<i>Complaints to Board — Internal Appointments</i>		
77	Grounds of complaint	1817
78	Notice to Canadian Human Rights Commission	1817
78.1	Notice to Accessibility Commissioner	1817
79	Right to be heard	1818
80	Application of <i>Canadian Human Rights Act</i>	1818
80.1	Application of <i>Accessible Canada Act</i>	1818
81	Corrective action when complaint upheld	1818
82	Restrictions	1818
83	Failure of corrective action	1818
84	Powers of Board	1819
85	Right to be heard	1819
86	Appointment to other position	1819
87	No right to complain	1819
PART 6 — FEDERAL PUBLIC SECTOR LABOUR RELATIONS AND EMPLOYMENT BOARD (ss. 88–110)		
<i>Powers, Duties and Functions</i>		
88	Complaints	1819
89	Powers	1819
90–96	[Repealed 2013, c. 40, s. 405.]	1820
<i>Mediation Services</i>		
97	Mediation services	1820
98–102	[Repealed 2013, c. 40, s. 407.]	1820
<i>Complaint Procedure</i>		
103	Filing of order in Federal Court	1820
103.1	Copy of decision provided	1820
<i>General</i>		
104	Certain persons not compellable as witnesses	1820
105	Notes and drafts not to be disclosed	1821
106–108	[Repealed 2013, c. 40, s. 409.]	1821
<i>Regulations</i>		
109	Regulations of Board	1821
110	[Repealed 2013, c. 40, s. 412.]	1821
PART 7 — POLITICAL ACTIVITIES (ss. 111–122)		
<i>Interpretation</i>		
111	Definitions	1821

Table of Contents

Purpose of Part		
112	Purpose	1822
Employees		
113	Permitted activities	1822
114	Seeking candidacy	1822
115	Candidacy in municipal elections	1823
116	Notice	1823
Deputy Heads		
117	Political activities	1824
Allegations		
118	Investigation and corrective action — employees	1824
119	Investigation and dismissal — deputy head	1824
120	Powers under <i>Inquiries Act</i>	1824
121	Persons acting for Commission	1824
122	Right to be heard	1824
PART 8 — GENERAL (SS. 123–136)		
Application of Act		
123	Regulations of Governor in Council	1824
124	Application of regulations	1825
Head of Public Service		
125	Appointment by Governor in Council	1825
126	Clerk of Privy Council	1825
127	Report of head of the public service	1825
Deputy Ministers and Other Senior Officials		
127.1	Appointment by Governor in Council	1825
Ministerial Staff		
128	Ministerial staff	1825
129	Regulations	1826
Public Officials		
130	Appointments by Governor in Council	1826
Diplomatic Personnel		
131	Diplomatic appointments	1826
Block Transfers		
132	Transfer of employees	1826
Offence		
133	Fraud	1827
Oaths and Affirmations		
134	Authority to administer	1827
Access to Facilities and Information		
135	Access by Commission	1827
Five-year Review		
136	Review	1827
SCHEDULE		

Table of Contents

2005-376 — DEFINITION OF PROMOTION REGULATIONS

	INTERPRETATION	
1	.....	1829
	APPLICATION	
2	.....	1830
	PROMOTION	
3	.....	1830
	COMING INTO FORCE	
4	.....	1830

2005-334 — PUBLIC SERVICE EMPLOYMENT REGULATIONS

	INTERPRETATION	
1	Interpretation	1830
	INCUMBENT-BASED PROCESS	
2	Incumbent-based process	1831
	PRIORITIES	
3	Exclusion from statutory priority rights	1831
4	Non-application — certain appointments	1831
4.1	Canadian Forces — release for medical reasons attributable to service	1831
5	Surplus employees	1832
6	[Repealed SOR/2010-89, s. 2.]	1832
7	Employee who becomes disabled	1833
7.1	RCMP — discharge for medical reasons	1833
8	Canadian Forces — release for medical reasons	1834
8.01	Persons who had prior entitlement	1835
8.02	Entitlement period for existing entitlements	1835
8.1	Surviving spousal or common-law priority	1835
9	Relocation of spouse or common-law partner	1836
10	Reinstatement	1837
11	Period of entitlement	1837
	ACTING APPOINTMENTS	
12	Excluded from priorities and notification	1837
13	Notice	1837
14	Excluded from sections 30 and 77 of the Act	1838
15	Exemption from official language proficiency — encumbered position	1838
16	Exemption from official language proficiency — language training	1838
17	Rotational position	1838
	EXECUTIVE GROUP	
18	Underfill and overfill	1839
	DISCLOSURE OF INFORMATION OBTAINED IN THE COURSE OF AN INVESTIGATION	
19	Disclosure	1839
20	Disclosure of standardized test	1839
	LAY-OFFS	
21	Selection of employees for lay-off	1839
	REPEALS	
22	.....	1840

Table of Contents

23		1840
COMING INTO FORCE		
24		1840

2006-6 — PUBLIC SERVICE STAFFING COMPLAINTS REGULATIONS

INTERPRETATION

1		1841
---	--	------

APPLICATION

2		1842
---	--	------

GENERAL PROVISIONS

3		1842
4	When notice considered received	1842
5	Alternate methods of providing notices and other documents	1842
6	Amendment of time	1842
7	[Repealed SOR/2011-116, s. 2.]	1842
8	Computation of time	1842
8.1	Consolidation of proceedings	1842
8.2	Informal and expeditious proceeding	1842
8.2	Complaint considered withdrawn	1843
9	Technical irregularity	1843

MAKING A COMPLAINT

10		1843
11	Time for making complaint	1843
12	Form and content of complaint	1843
13	Procedure on receipt of complaint	1844
14	Names and addresses of parties	1844
14	Copies to be provided	1844

ALTERNATE DISPUTE RESOLUTION PROCESSES

Mediation

15		1844
----	--	------

Exchange of Information

16		1844
----	--	------

Order to Provide Information

17		1845
----	--	------

Restriction on Use of Information

18		1845
----	--	------

INTERVENORS

19		1845
----	--	------

NOTICE TO THE CANADIAN HUMAN RIGHTS COMMISSION

20		1846
----	--	------

NOTICE TO THE ACCESSIBILITY COMMISSIONER

20.1		1847
------	--	------

TIME PERIOD FOR RAISING TIMELINESS OBJECTION

21		1847
----	--	------

ALLEGATIONS

22		1848
----	--	------

23		1848
----	--	------

Table of Contents

	REPLY FROM THE RESPONDENT	
24	Deadline for reply	1849
	OTHER PARTIES' REPLIES	
25	Other parties may reply	1849
	WITHDRAWAL OF COMPLAINT	
26	Notice of withdrawal	1850
	THE HEARING	
27	Master of proceedings.....	1850
28	Notice of hearing	1851
29	Failure to appear	1851
30	Adjournment of hearing	1851
	COMING INTO FORCE	
31	Coming into force	1851

2005-375 — REGULATIONS ESTABLISHING PERIODS OF PROBATION AND PERIODS OF NOTICE OF TERMINATION OF EMPLOYMENT DURING PROBATION

	APPLICATION	
1	.....	1851
	PROBATIONARY PERIOD	
2	.....	1851
	NOTICE PERIOD	
3	.....	1852
	COMING INTO FORCE	
4	.....	1852

SCHEDULE — PROBATIONARY AND NOTICE PERIODS

WAGE EARNER PROTECTION PROGRAM ACT

SHORT TITLE

1	Short title	1855
---	-------------------	------

INTERPRETATION

2	Definitions	1855
---	-------------------	------

DESIGNATION OF MINISTER

3	Power of Governor in Council	1857
---	------------------------------------	------

PROGRAM ESTABLISHED

4	Establishment	1857
---	---------------------	------

ELIGIBILITY FOR PAYMENTS

5	Conditions of eligibility	1857
---	---------------------------------	------

6	Exceptions	1858
---	------------------	------

AMOUNTS COVERED BY PROGRAM

7	Amount of payment	1858
---	-------------------------	------

APPLICATION FOR PAYMENT

8	Application	1858
---	-------------------	------

Table of Contents

9	Minister's determination of eligibility	1858
10	Notification	1858
REVIEW BY MINISTER		
11	Request for review	1859
12	Review	1859
12.1	Notification	1859
13	Review is final	1859
APPEAL TO BOARD		
13.1	Board	1859
14	Appeal on question of law or jurisdiction	1859
14.1	Assignment or appointment	1859
15	Minister informed of appeal	1860
16	Appeal on the record	1860
17	Board's decision	1860
18	Copies of decision	1860
19	No review by <i>certiorari</i> , etc.	1860
20	Decision is final	1860
ADMINISTRATION		
<i>Duties of Trustees and Receivers</i>		
21	General duties	1861
22	Fees and expenses	1861
22.1	Minister to pay fees and expenses	1861
<i>Powers of Minister</i>		
23	Directions to trustees and receivers	1862
24	Power to summon, etc.	1862
25	Inspections	1862
26	Duty to assist	1863
27	Information must be made available to Minister	1863
28	[Repealed 2005, c. 47, s. 140(3).]	1863
29	Social Insurance Number	1863
30	Delegation	1863
31	Audit of applications	1863
31.1	No payment or partial payment	1864
<i>Overpayments</i>		
32	Determination of overpayment	1864
32.1	Request for review	1864
32.2	Review	1864
32.3	Notification	1864
32.4	Review is final	1864
32.41	Board	1865
32.5	Appeal on question of law or jurisdiction	1865
32.51	Assignment or appointment	1865
32.6	Minister informed of appeal	1865
32.7	Appeal on the record	1865
32.8	Board's decision	1866
32.9	Copies of decision	1866
32.91	No review by <i>certiorari</i> , etc.	1866
32.92	Decision is final	1866
32.93	Debt due to Her Majesty	1866

Table of Contents

33	Garnishment	1866
34	When debt may be recovered	1866
	<i>Financial Provisions</i>	
35	Payments out of C.R.F.	1866
36	Subrogation	1866
36.1	Payment to Her Majesty in right of Canada.....	1867
37	Amount not assignable	1867
	<i>Offences and Penalties</i>	
38	Offences	1867
39	Obstruction	1868
40	Punishment	1868
	<i>Regulations</i>	
41	Regulations	1868
	REVIEW OF ACT	
42	Review	1869

2008-222 — WAGE EARNER PROTECTION PROGRAM REGULATIONS

	INTERPRETATION	
1	.....	1869
	WAGES	
2	.....	1869
	TERMINATION OF EMPLOYMENT	
3	.....	1870
	FOREIGN PROCEEDINGS	
3.1	.....	1870
	PROCEEDINGS UNDER BANKRUPTCY AND INSOLVENCY ACT OR COMPANIES' CREDITORS ARRANGEMENT ACT	
3.2	.....	1870
	CONTROLLING INTEREST	
4	.....	1870
	EXCLUDED MANAGERS	
5	.....	1870
	OFFSETS	
6	.....	1870
7	[Repealed 2009, c. 2, s. 350.]	1871
	ALLOCATION OF PAYMENTS	
8	.....	1871
	APPLICATIONS	
9	.....	1871
10	.....	1871
	REVIEW	
11	.....	1871
12	.....	1872
13, 14	[Repealed SOR/2021-196, s. 5.]	1872

Table of Contents

INFORMATION TO BE PROVIDED TO THE MINISTER		
15	.....	1872
INFORMATION TO BE PROVIDED TO AN INDIVIDUAL		
16	.....	1872
DUTY TO ASSIST — DEADLINES		
17	.....	1873
FEES AND EXPENSES		
18	.....	1873
19	.....	1874
20	.....	1874
 WAGES LIABILITY ACT		
SHORT TITLE		
1	Short title	1877
PUBLIC WORKS		
2	Payment of claims for wages due two months	1877
3	Demand for statement from contractor	1877
SUBSIDIZED WORKS		
4	Subsidy may be retained to satisfy wages	1877
WORKS BY CHARTERED COMPANIES		
5	Liability of company for wages	1878
6	Notice of unpaid wages	1878
7	Service of notice	1878
OFFENCES AND PUNISHMENT		
8	Refusing to furnish statement	1878