

TO THE HONOURABLE THE LEGISLATIVE ASSEMBLY OF MANITOBA:

Your Standing Committee on INDUSTRIAL RELATIONS presents the following as its Third Report.

**Meetings:**

- Your Committee met on Thursday, August 8, 2002 at 3:00 p.m. in Room 254 of the Legislative Building.

On August 8, 2002, the Standing Committee on Municipal Affairs commenced public presentations on Bill (No. 27) which was transferred to your Committee to continue public presentations and clause by clause consideration.

**Matters Under Consideration:**

- **Bill (No. 27)** - The Safer Workplaces Act (Workplace Safety and Health Act Amended)/Loi visant à accroître la sécurité dans les lieux de travail (modification de la Loi sur la sécurité et l'hygiène du travail)

**Membership Resignations / Elections:**

Your Committee elected Ms. KORZENIOWSKI as the Vice-Chairperson.

Substitutions received prior to commencement of meeting:

- Ms. KORZENIOWSKI for Mr. AGLUGUB
- Hon. Mr. ROBINSON for Mr. SANTOS

Substitutions received during the committee proceedings, by leave:

- Mrs. SMITH (Fort Garry) for Mrs. DACQUAY

**Public Presentations:**

Your Committee heard 13 presentations on Bill (No. 27) - The Safer Workplaces Act (Workplace Safety and Health Act Amended)/Loi visant à accroître la sécurité dans les lieux de travail (modification de la Loi sur la sécurité et l'hygiène du travail), from the following individuals and/or organizations:

Pete Walker	Private Citizen
Shelly Wiseman	Canadian Federation of Independent Business
Harry Mesman	United Food and Commercial Workers Local 832
Diana Ludnick	MFL Occupational Health Centre
Paul Labossiere	Manitoba Employers Council
Loren Remillard on behalf of Dave Angus	Winnipeg Chamber of Commerce
Graham Starmer	Manitoba Chambers of Commerce
Ellen Olfert	Workers of Tomorrow Health and Safety Campaign
Wayne Bergen	Local 500, CUPE
Ed Huebert	Mining Association of Manitoba
George Fraser	Manitoba Home Builders Association
Jim Carr	Business Council of Manitoba
David Martens	Manitoba Building and Construction Trades Council

**Written Submissions:**

Your Committee received one written submission on Bill (No. 27) - The Safer Workplaces Act (Workplace Safety and Health Act Amended)/Loi visant à accroître la sécurité dans les lieux de travail (modification de la Loi sur la sécurité et l'hygiène du travail) from the following organizations:

Marcel Hacault	Manitoba Pork Council
----------------	-----------------------

## **Bills Considered and Reported:**

**Bill (No. 27)** - The Safer Workplaces Act (Workplace Safety and Health Act Amended)/Loi visant à accroître la sécurité dans les lieux de travail (modification de la Loi sur la sécurité et l'hygiène du travail)

Your Committee agreed to report this Bill, on division, with the following amendments:

*THAT the proposed subsection 36(6), as set out in subsection 31(2) of the Bill, be amended by striking out clause (a) and substituting the following:*

(a) any worker who is directly affected by the order is entitled to the same wages and benefits that he or she would have received had the stop work order not been issued; and

*THAT subsection 31(2) of the Bill be amended by adding the following after the proposed subsection 36(6):*

### **If alternate work not available**

**36(7)** If the employer provides satisfactory evidence to the director that alternate work is not available, the director may order that clause 6(a) does not apply for any period that the director specifies in the order, but until the director makes an order the employer is required to provide a worker with all wages and benefits under that clause.

### **Appeal**

**36(8)** A person affected by an order of the director under subsection (7) may appeal it to the Board. In that case, section 39 applies with necessary changes.

*THAT section 32 of the Bill, be amended by adding the following after the proposed subsection 38(1):*

### **Reasons**

**38(1.1)** The director must give written reasons for a decision to refer an appeal to the Board under subsection (1).

*THAT the proposed subsection 40(11), as set out in section 32 of the Bill, be amended by striking out "his or her duties" wherever it occurs and substituting "his or her duties as a committee member".*

*THAT the proposed subsection 41(6), as set out in subsection 33(2) of the Bill, be amended by striking out "his or her duties" wherever it occurs and substituting "his or her duties as a representative".*

*THAT the proposed clause 46.1(1)(a), as set out in section 38 of the Bill, be amended by striking out "technically qualified person specified by the director;" and substituting "person who has the professional knowledge, experience or qualifications specified by the director;"*

Submitted by:

---

Mr. Daryl Reid, Chairperson  
August 8, 2002