

# REGULATION AND DISPUTE RESOLUTION

Early Labour Movement and the Role of  
the Federal and Provincial Governments  
in the Workplace

# LABOUR AND THE EARLY INDUSTRIAL PERIOD IN CANADA

- ◉ During the early 1870s, skilled workers in particular, began to form local organizations, but unions continued to be illegal in Canada until the passage of the *Trade Union Act* in 1872.

# THE ROLE OF THE GOVERNMENT IN THE WORKPLACE

- ◉ While federal employees, Crown corporations, interprovincial, or international industries are under the jurisdiction of the *Canada Labour Code*, most employees are covered by their *provincial Employment Standards Act*.
- ◉ The Ministry of Labour in each province investigates possible violations of the ESA, if workers lodge complaints. It also works to resolve any of the problems cited by employees.

- Besides the *Employment Standards Act*, safety in the workplace is also regulated by the government. In Ontario, it is the *Occupational Health and Safety Act* which protects workers from job hazards. It outlines the safe use of hazardous materials and enforces the laws.
- For workers who are injured on the job, claims for compensation can be submitted to their provincial workers' compensation board. In Ontario, the Workplace Safety and Insurance Board (WSIB), is entirely funded by employer premiums. Premiums are based on the risks of the industry and the rate of injury. This encourages employers to protect workers and reduce injury, in order to reduce premiums.

- A fourth piece of legislation that ensures that the rights of workers are protected is the *Human Rights Code*. While the federal government protects these rights under the *Canadian Human Rights Code* for employees governed by federal legislation, each province simultaneously has its own human rights legislation.

# QUESTIONS

- ◉ Historically, businesses have felt threatened by the labour movement. Are unions still viewed as a threat today? Using the internet, investigate the position of the business community on unionization, in particular the attitudes of big box stores, such as Wal-Mart towards unionization.
- ◉ In light of the various federal and provincial legislation, do you think unions are still needed today? Justify your answer.
- ◉ Using the Internet, research the events surrounding the death of Sean Kells. How did this tragedy promote change in the workplace?
- ◉ The *Employment Standards Act* is constantly undergoing changes. Review two recent changes and comment on whether these changes benefit workers or employers. Be sure to justify your answer.