



Fourth Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

STANDING COMMITTEE

on

INDUSTRIAL RELATIONS

34 Elizabeth II

Chairman
Ms. Myrna Phillips
Constituency of Wolseley



MG-8048

VOL. XXXIII No. 1 - 10:00 a.m., MONDAY, 8 JULY, 1985.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, A.R. (Pete)	Ste. Rose	NDP
ANSTETT, Hon. Andy	Springfield	NDP
ASHTON, Steve	Thompson	NDP
BANMAN, Robert (Bob)	La Verendrye	PC
BIRT, Charles T.	Fort Garry	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, Hon. John M.	Gimli	NDP
CARROLL, Q.C., Henry N.	Brandon West	IND
CORRIN, Q.C., Brian	Ellice	NDP
COWAN, Hon. Jay	Churchill	NDP
DESJARDINS, Hon. Laurent	St. Boniface	NDP
DODICK, Doreen	Riel	NDP
DOERN, Russell	Elmwood	IND
	Kildonan	
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
ENNS, Harry	Lakeside	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
EYLER, Phil	River East	NDP
FILMON, Gary	Tuxedo	PC
FOX, Peter	Concordia	NDP
GOURLAY, D.M. (Doug)	Swan River	PC
GRAHAM, Harry	Virten	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Hon. Harry M.	The Pas	NDP
HARPER, Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
HYDE, Lloyd	Portage la Prairie	PC
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Hon. Gérard	Radisson	NDP
LYON, Q.C., Hon. Sterling	Charleswood	PC
MACKLING, Q.C., Hon. Al	St. James	NDP
MALINOWSKI, Donald M.	St. Johns	NDP
MANNES, Clayton	Morris	PC
McKENZIE, J. Wally	Roblin-Russell	PC
MERCIER, Q.C., G.W.J. (Gerry)	St. Norbert	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte	Gladstone	PC
ORCHARD, Donald	Pembina	PC
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PARASIUK, Hon. Wilson	Transcona	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Myrna A.	Wolseley	NDP
PLOHMAN, Hon. John	Dauphin	NDP
RANSOM, A. Brian	Turtle Mountain	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Hon. Vic	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SMITH, Hon. Muriel	Osborne	NDP
STEEN, Warren	River Heights	PC
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
USKIW, Hon. Samuel	Lac du Bonnet	NDP
WALDING, Hon. D. James	St. Vital	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON INDUSTRIAL RELATIONS

Monday, 8 July, 1985

TIME - 10:00 a.m.

LOCATION - Winnipeg, Manitoba

CHAIRMAN - Ms. M. Phillips (Wolseley)

ATTENDANCE — QUORUM - 6

Members of the Committee present:

Hon. Messrs. Cowan, Kostyra and Mackling
Messrs. Banman, Mercier and Scott

MATTERS UNDER DISCUSSION:

Bill No. 75 - An Act to amend The Payment of Wages Act and Other Acts of the Legislature; Loi modifiant la loi sur le paiement des salaires et d'autres lois de la législature.

Bill No. 76 - An Act to amend The Pension Benefits Act; Loi modifiant la loi sur la pension de retraite.

Bill No. 77 - An Act to amend The Employment Standards Act; Loi modifiant la loi sur les normes d'emploi.

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MADAM CHAIRMAN: Seeing as how we have a quorum, I will call the Committee on Industrial Relations to order. We haven't had any indication that there are any delegations to make presentations on the three bills we have before us, Bills 75, 76, and 77. How does the committee wish to proceed?

**BILL NO. 75 - AN ACT TO AMEND THE
PAYMENT OF WAGES ACT AND OTHER
ACTS OF THE LEGISLATURE; LOI
MODIFIANT LA LOI SUR LE PAIEMENT
DES SALAIRES ET D'AUTRES LOIS DE LA
LÉGISLATURE**

MADAM CHAIRMAN: The first one is Bill 75, An Act to amend The Payment of Wages Act. How does the committee wish to proceed, page-by-page?

MR. R. BANMAN: Page-by-page.

MADAM CHAIRMAN: Page 1—pass?
Mr. Mercier.

MR. G. MERCIER: Madam Chairman, I wonder if the Minister of Labour could indicate whether he is proposing any amendments to the bill. I raised a matter the other day, in speaking to this on Friday.

MADAM CHAIRMAN: Mr. Minister.

HON. A. MACKLING: Madam Chairperson, I asked staff, Friday, to look at that and while I don't have a written report from them, they're indicating that they believe they can do it by policy direction, and by getting agreement signed by the corporate directors. The concern is that you may have one director who pays the money in, another one doesn't, and then if there's any dispute as to the liability of the directors as between themselves, then if the time has run and the director may have been fully responsible hasn't paid in, there's a problem.

What we can do is cover it by letter from, in this case - the case that the honourable member referred to me was one in which a lawyer apparently was acting for a number of directors. If there had been the directive which I now will make with the department, the department could have taken a letter from the lawyer indicating that the directors had agreed that they would pay this in, and this would be in recognition of their joint and several liability.

The way the act had been interpreted required the department to take payment from each one of the directors, but it is open, I think, to the director under The Payment of Wages Act, the director I'm referring to there, to accept payment totalling the entire wages, providing there's an agreement with the corporate director of the firm involved that that represents all of them, that money. So they're indicating that an amendment to the act, per se, may not be necessary at all, providing they have that from the directors.

MADAM CHAIRMAN: Page 1 to 8, inclusive, were each read and passed; Preamble—pass; Title—pass.
Bill be reported.

**BILL NO. 76 - AN ACT TO AMEND THE
PENSION BENEFITS ACT; LOI MODIFIANT
LA LOI SUR LA PENSION DE RETRAITE**

MADAM CHAIRMAN: Bill No. 76, An Act to amend The Pension Benefits Act, Page 1 to 4, inclusive, were each read and passed; Preamble—pass; Title—pass.
Bill be reported.

**BILL 77 - AN ACT TO AMEND
THE EMPLOYMENT STANDARDS ACT;
LOI MODIFIANT LA LOI
SUR LES NORMES D'EMPLOI**

MADAM CHAIRMAN: Bill No. 77, An Act to amend The Employment Standards Act, Pages 1 to 5, inclusive were each read and passed; Preamble—pass; Title—pass.

Bill be reported.
No other business, committee rise.

COMMITTEE ROSE AT: 10:12 a.m.



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