

**LEGISLATIVE ASSEMBLY OF THE  
NORTHWEST TERRITORIES  
5<sup>TH</sup> COUNCIL, 30<sup>TH</sup> SESSION**

**SESSIONAL PAPER NO. 14-30**

**TABLED ON JUNE 14, 1965**



NORTHWEST TERRITORIES

DRAFT NORTHWEST TERRITORIES  
LABOUR (STANDARDS) ORDINANCE

(FOR DISCUSSION PURPOSES ONLY)

May 5, 1965.

An Ordinance respecting hours of work, minimum wages, annual vacations  
vacations and holidays with pay in the Northwest Territories.

Short Title.

1. This Ordinance may be cited as the Northwest Territories  
Labour (Standards) Ordinance.

Interpretation.

2. In this Ordinance,

- (a) "collective agreement" means an agreement in writing between an employer or an employer's organization acting on behalf of an employer, on the one hand, and a trade union acting on behalf of the employees in collective bargaining or as a party to an agreement with the employer or employer's organization, on the other hand, containing terms or conditions of employment of employees including provisions with reference to rates of pay and hours of work;
- (b) "day" means any period of twenty-four consecutive hours;
- (c) "employee" means a person employed to do skilled or unskilled manual, clerical, technical, operational or administrative work;
- (d) "employer" means any person who employs one or more employees;
- (e) "general holiday" means New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day and includes any day substituted for any such holiday pursuant to section 27;
- (f) "industrial establishment" means any work, undertaking or business and includes such branch, section or other division of a work, undertaking or business as is designated as an industrial establishment by the regulations;
- (g) "inspector" means an inspector designated pursuant to section 35,
- (h) "order" means any order of the Commissioner made pursuant to this Ordinance or the regulations;
- (i) "overtime" means hours of work in excess of standard hours of work;

- (j) "standard hours of work" means the hours of work described in section 5 or prescribed by an order made under section 49;
- (k) "trade union" means any organization of employees formed for purposes that include the regulation of relations between employers and employees;
- (l) "wages" includes every form of remuneration for work performed but does not include tips and other gratuities;
- (m) "week" means, in relation to Part I, the period between midnight on Saturday and midnight on the immediately following Saturday.

Application.

3. (1) This Ordinance applies to and in respect of employees who are employed upon or in connection with the operation of any work, undertaking or business of a local or private nature in the Northwest Territories.

(2) This Ordinance does not apply to or in respect of employees who are

- (a) managers or superintendents or who exercise management functions,
- (b) members of such professions as may be designated by the regulations as professions to which this Ordinance does not apply.

4. (1) This Ordinance applies notwithstanding any other law or any custom, contract or arrangement, whether made before or after the commencement of this Ordinance, but nothing in this Ordinance shall be construed as affecting any rights or benefits of an employee under any law, custom, contract or arrangement that are more favourable to him than his rights or benefits under this Ordinance.

(2) Nothing in this Ordinance authorizes the doing of any work on Sunday that is prohibited by law.

PART I.

Hours of Work.

5. (1) Except as otherwise provided by or under this Part, the working hours of an employee shall not exceed eight hours in a day and forty hours in a week, and, except as provided by or under this Part, no employer shall cause or permit an employee to work longer hours than eight hours in any day or forty hours in any week.

(2) Where the nature of the work in an industrial establishment necessitates irregular distribution of an employee's hours of work, the hours of work in a day and the hours of work in a week may be calculated, in such manner and in such circumstances as may be prescribed by the regulations, as an average for a period of two or more weeks.

(3) In a week in which a general holiday occurs that under Part IV entitles an employee to a holiday with pay in that week, the working hours of the employee in that week shall not exceed thirty-two; but, for the purposes of this subsection, in calculating the time worked by an employee in any such week, no account shall be taken of any time worked by him on the holiday or of any time during which he was at the disposal of his employer during the holiday.

6. (1) An employee may be employed in excess of the standard hours of work but, subject to sections 9 and 10, the total hours that may be worked by any employee in any week shall not exceed forty-eight hours in a week or such fewer total number of hours as may be prescribed by the regulations as maximum working hours in the industrial establishment in respect of which he is employed.

(2) Subsection (2) of section 5 applies in the computation of the maximum hours of work in a week prescribed under this section.

7. Except as may be otherwise prescribed by the regulations, hours of work in a week shall be so scheduled and actually worked that each employee has at least one full day of rest in the week, and, wherever practicable, Sunday shall be the normal day of rest in a week.

8. When an employee is required or permitted to work in excess of the standard hours of work, he shall be paid for the overtime at a rate of wages not less than one and one-half times his regular rate.

9. (1) On the application of an employer or an employer's organization, the Commissioner, having regard to the conditions of employment in any industrial establishment and the welfare of the employees, may, by a permit in writing, authorize hours to be worked by any class of employees therein in excess of the maximum hours of work prescribed by or under section 6.

(2) No permit may be issued under subsection (1) unless the applicant has satisfied the Commissioner that there are exceptional circumstances to justify the working of additional hours.

(3) A permit under subsection (1) shall be issued for the period specified therein, which shall not be longer than the period during which it is anticipated that the exceptional circumstances that justified the permit will continue.

(4) A permit under subsection (1) may either specify the total of the number of additional hours in excess of the maximum hours prescribed by or under section 6 or may specify the additional hours that may be worked in any day and in any week during the period of the permit.

(5) Where a permit has been issued under this section, the employer for whom or on whose behalf the permit was issued shall report in writing to the Commissioner, within fifteen days after the expiration of the period specified in the permit or within such time or times as the Commissioner may fix in the permit, stating the number of employees who worked in excess of the weekly hours prescribed by or under section 6 and the number of additional hours each of them worked.

10. (1) The maximum hours of work in a week as prescribed by or under section 6 may be exceeded in cases of

- (a) accident to machinery, equipment, plant or persons;
- (b) urgent and essential work to be done to machinery, equipment or plant; or
- (c) other unforeseen or unpreventable circumstances;

but only to the extent necessary to prevent serious interference with the ordinary working of the industrial establishment affected.

(2) Where the maximum hours of work in an industrial establishment have been exceeded under the authority of this section, the employer shall report in writing to the Commissioner, within fifteen days after the end of the month in which the maximum hours were exceeded, stating the nature of the circumstances in which the maximum hours were exceeded, the number of employees who worked in excess of the maximum hours, and the number of additional hours each of them worked.

## PART II.

### Minimum Wages.

11. (1) Except as otherwise provided by or under this Part, an employer shall pay to each employee of the age of seventeen years and over a wage at the rate of not less than one dollar and twenty-five cents an hour or not less than the equivalent of that rate for the time worked by him where the wages of the employee are paid on any basis of time other than hourly.

(2) Where the wages of an employee are computed and paid on a basis other than time or on a combined basis of time and some other basis, the Commissioner may, by order,

- (a) fix a standard basis of work to which a minimum wage on a basis other than time may be applied, and
- (b) fix a minimum rate of wage that in his opinion is the equivalent of the minimum rate under subsection (1);

and except as otherwise provided by or under this Part the employer shall pay to each employee who is paid on a basis other than time a wage at a rate not less than the minimum rate fixed by order under this subsection.

12. An employer may only employ a person under the age of seventeen years

- (a) in such occupations as may be specified by regulation, and
- (b) subject to the conditions and at a wage of not less than the minimum wage prescribed by the regulations for the occupation in which such person is employed.

13. (1) For the purpose of enabling a person to be gainfully employed who has a disability that constitutes a handicap in the performance of any work to be done by him for an employer, the Commissioner may, upon the application of the handicapped person or an employer, authorize the employment of such person at a wage lower than the minimum wage prescribed under section 11 if, having regard to all the circumstances of the case, the Commissioner is of the opinion that it is in the interests of such person to do so.

(2) An application made under subsection (1) shall be supported by such evidence of disability and handicap as the Commissioner may require.

14. The Commissioner may make regulations for carrying out the purposes and provisions of this Part and, without restricting the generality of the foregoing, may make regulations

- (a) requiring employers to pay employees who report for work at the call of the employer wages for such minimum number of hours as may be prescribed whether or not the employee is called upon to perform any work after so reporting for work;
- (b) fixing the maximum price to be charged for board, whether full or partial, furnished by or on behalf of an employer to an employee, or the maximum deduction to be made therefor from the wages of the employee by the employer;
- (c) fixing the maximum price to be charged for living quarters, either permanent or temporary, furnished by or on behalf of an employer to an employee, whether or not such quarters are self-contained and whether or not the employer retains general possession and custody thereof, or the maximum deduction to be made therefor from the wages of the employee by the employer;
- (d) governing the charges or deductions for furnishing uniforms or other articles of wearing apparel that an employer may require an employee to wear or requiring an employer in any specified circumstances to provide, maintain or launder uniforms or other



- articles of wearing apparel that he requires an employee to wear;
- (e) governing the charges or deductions for furnishing any tools or equipment that an employer may require an employee to use and for the maintenance and repair of any such tools or equipment;
  - (f) specifying the circumstances and occupations in which persons under the age of seventeen years may be employed in any industrial establishment, fixing the conditions of such employment and prescribing the minimum wages for such employment; and
  - (g) exempting, upon such terms and conditions and for such periods, as are considered advisable, any employer from the application of section 11 in respect of any class of employees who are being trained on the job, if the training facilities provided and used by the employer are adequate to provide a training program that will increase the skill or proficiency of an employee.

### PART III.

#### Annual Vacations.

15. In this Part,

- (a) "vacation pay" means four per cent of the wages of an employee during the year of employment in respect of which he is entitled to the vacation;
- (b) "year of employment" means continuous employment of an employee by one employer
  - (i) for a period of twelve consecutive months beginning with the date the employment began or any subsequent anniversary date thereafter, or
  - (ii) for a calendar year or other year approved by the Commissioner under the regulations in relation to an industrial establishment.

16. (1) Except as otherwise provided by or under this Part, every employee is entitled to and shall be granted a vacation with vacation pay of at least two weeks after every completed year of employment.

(2) For the purposes of this Part a year of employment includes a year of employment begun before the coming into force of this Part and completed after that date.

17. The employer of an employee who under this Part has become entitled to a vacation pay

(a) shall grant to the employee who under this Part has become entitled, which shall begin not later than ten months immediately following the completion of the year of employment for which the employee became entitled to the vacation; and

(b) shall, at least one day before the beginning of the vacation or at such earlier time as the regulations prescribe, pay to the employee the vacation pay to which he is entitled in respect of that vacation.

18. Vacation pay shall for all purposes be deemed to be wages.

19. Where a general holiday occurs during the vacation granted to the employee pursuant to this Part, the vacation to which the employee is entitled under this Part may be extended by one day, but the employer shall pay to the employee in addition to the vacation pay the wages to which the employee is entitled for that general holiday.

20. (1) Where the employment of an employee by an employer is terminated before the completion of the employee's year of employment, the employer shall forthwith pay to the employee

(a) any vacation pay then owing by him to the employee under this Part in respect of any prior completed year of employment, and

(b) four per cent of the wages of the employee during the completed portion of his year of employment.

(2) Notwithstanding paragraph (b) of subsection (1), an employer is not required to pay an employee any amount under that paragraph unless the employee has been continuously employed by him for a period of thirty days or more.

21. Where any particular work, undertaking or business in which an employee is employed is, by sale, lease, merger or otherwise, transferred from one employer to another employer, the employment of the employee by the two employers before and after the transfer of the work, undertaking or business shall, for the purposes of this Part, be deemed to be continuous with one employer, notwithstanding the transfer.

22. The Commissioner may make regulations for carrying out the purposes and provisions of this Part and, without restricting the generality of the foregoing, may make regulations

- (a) defining the circumstances and conditions under which the rights of an employee under this Part may be waived or the enjoyment thereof postponed;
- (b) prescribing the notices to be given to employees of the times when vacations may be taken;
- (c) prescribing the time when vacation pay shall be paid;
- (d) defining the absences from employment that shall be deemed not to have interrupted continuity of employment;
- (e) respecting the approval by the Commissioner of a year of employment in relation to any industrial establishment;
- (f) for the calculation and determination of vacation and vacation pay in the case of seasonal or temporary employees or in other suitable cases;
- (g) providing for the granting of vacation or payment of vacation pay in the event of temporary cessation of employment; and
- (h) providing for the application of this Part where, owing to illness or other unavoidable absence, an employee has been absent from his employment.

#### PART IV.

##### General Holidays.

23. In this Part, the expression "employed in a continuous operation" refers to employment in

- (a) any industrial establishment in which in each seven day period, operations once begun normally continue without cessation until the completion of the regularly scheduled operations for that period;
- (b) any operations or services concerned with the running of trains, planes, ships, trucks and other vehicles whether in scheduled or non-scheduled operations; or
- (c) any operation or service normally carried on without regard to Sundays or public holidays.

24. Except as otherwise provided by this Part, every employee is entitled to and shall be granted a holiday with pay on each of the general holidays falling within any period of his employment.

25. (1) Except as otherwise provided by this Part and subject to subsection (2), when a general holiday falls on a day that is a non-working day for an employee, the employee is entitled to and shall be granted a holiday with pay at some other time, which may be by way of addition to his annual vacation or granted as a holiday with pay at a time convenient to him and his employer.

(2) Except as otherwise provided by this Part, when New Year's Day, Dominion Day or Christmas Day falls on a Sunday or Saturday that is a non-working day, the employee is entitled to and shall be granted a holiday with pay on the working day immediately preceding or following the general holiday.

26. Section 25 does not apply in respect of any employees who are employed under the terms of a collective agreement that entitles such employees to at least eight holidays with pay, exclusive of any annual vacation, in each year.

27. (1) Any other holiday may be substituted for a general holiday in any of the circumstances following:

- (a) where a class of the employees of an employer is represented by a trade union and the parties to a collective agreement entered into with regard to the terms or conditions of employment of the employees notify the Commissioner in writing that

a specified day has been designated in the collective agreement as a holiday with pay in lieu of a general holiday under this Part, such designated day shall, for those employees mentioned in the collective agreement, be a general holiday for the purposes of this Ordinance; or

- (b) where no employees of an employer are represented by a trade union or where a class of employees is not provided for under a collective agreement with regard to general holidays, and the employer applies to the Commissioner to substitute another designated holiday for any general holiday under this Part, the Commissioner may, if he is satisfied that a majority of the employees or, as the case may be, that a majority of the class of employees who are not provided for under a collective agreement in regard to general holidays, concur with the application, approve the substitution of such designated holiday for the specified general holiday, and such designated day shall for those employees be a general holiday for the purposes of this Ordinance.

(2) Where a collective agreement that is in effect on the day this Part comes into force provides for at least eight holidays with pay in each year, exclusive of any annual vacation, the employer who is bound by the collective agreement may designate a holiday specified in the agreement as a holiday in lieu of a specified general holiday under this Part and, on notification thereof to the Commissioner, that designated holiday shall, for those employees of the employer who are mentioned in the collective agreement, be a general holiday for the purposes of this Ordinance during the period the collective agreement is in effect.

28. (1) An employee whose wages are calculated on a weekly or monthly basis shall not have his weekly or monthly wages reduced for a week or month in which a general holiday occurs by reason only of his not working on the general holiday.

(2) An employee whose wages are calculated on a daily or hourly basis shall, for a general holiday on which he does not work, be paid at least the equivalent of the wages he would have earned at his regular rate of wages for his normal hours of work.

(3) An employee whose wages are calculated on any basis other than a basis mentioned in subsection (1) or (2) shall, for a general holiday on which he does not work, be paid at least the equivalent of the wages he would have earned at his regular rate of wages for his normal working day.

29. Except in the case of an employee employed in a continuous operation, an employee who is required to work on a day on which he is entitled under this Part to a holiday with pay shall be paid, in addition to his regular rate of wages for that day, at a rate at least equal to one and one-half times his regular rate of wages for the time worked by him on that day.

30. An employee employed in a continuous operation who is required to work on a day on which he is entitled under this Part to a holiday with pay

(a) shall be paid, in addition to his regular rate of wages for that day, at a rate at least equal to one and one-half times his regular rate of wages for the time worked by him on that day; or

(b) shall be given a holiday and pay in accordance with section 28 at some other time, which may be by way of addition to his annual vacation or granted as a holiday with pay at a time convenient to him and the employer.

31. Pay granted to an employee for a general holiday on which he does not work shall for all purposes be deemed to be wages.

32. No employee is entitled to be paid for a general holiday on which he does not work when he is not entitled to wages for at least fifteen days during the thirty calendar days immediately preceding the general holiday;

and no employee who is employed in a continuous operation is entitled to be paid for a general holiday on which he did not report for work after having been called to work on that day.

33. (1) An employee is not entitled to pay for a general holiday that occurs in his first thirty days of employment with an employer if the employee does not work on that day, but if he is required to work on the general holiday he shall be paid at a rate at least equal to one and one-half times his regular rate of wages for the time worked by him on that day, unless he is employed in a continuous operation in which case he is entitled to his regular rate of wages for the time worked by him on that day.

(2) For the purposes of this section a person shall be deemed to be in the employment of another person when he is available at the call of such other person whether or not he is called upon to perform any work therefor.

#### PART V.

##### Administration and General.

##### Inquiries.

34. (1) The Commissioner may, for any of the purposes of this Ordinance, cause an inquiry to be made into and concerning employment in any industrial establishment and may appoint one or more persons to hold the inquiry.

(2) A person appointed pursuant to subsection (1) has and may exercise the power to

- (a) summon and bring before him any person whose attendance he considers necessary to enable him properly to carry out the inquiry;
- (b) swear and examine all persons under oath;
- (c) compel the production of documents, books and papers; and
- (d) do all things necessary to provide a full and proper inquiry.

##### Inspections.

35. (1) The Commissioner may designate any person as an inspector under this Ordinance.

(2) An inspector may, for the purposes of enforcing this Ordinance or the regulations,

- (a) inspect and examine all books, payrolls and other records of an employer that in any way relate to the wages, hours of work or conditions of employment affecting any employee;
- (b) take extracts from or make copies of any entry in the books, payrolls and other records mentioned in paragraph (a);
- (c) require any employer to make or furnish full and correct statements, either orally or in writing in such form as may be required, respecting the wages paid to all or any of his employees, and the hours of work and conditions of their employment; and
- (d) require an employee to make full disclosure, production and delivery to him of all records, documents, statements, writings, books, papers, extracts therefrom or copies thereof or of other information either verbal or in writing that the employee has in his possession or under his control and that in any way relate to the wages, hours of work or conditions of his employment.

(3) An inspector may at any reasonable time enter upon any place used in connection with a work, undertaking or business for the purpose of making an inspection authorized under subsection (2), and may, for such purpose, question any employee apart from his employer.

(4) An inspector shall be furnished by the Commissioner with a certificate of his authority and on entering any place used in connection with a work, undertaking or business shall, if so required, produce the certificate to the person in charge thereof.

(5) The person in charge of any work, undertaking or business and every person employed thereupon or in connection therewith shall give an inspector all reasonable assistance in his power to enable the inspector to carry out his duties under this Ordinance or the regulations.

36. An inspector may administer all oaths and take and receive all affidavits and statutory declarations required under subsection (2) of section 36 and certify to the administration or taking thereof.



37. (1) Where an inspector finds that an employer has failed to pay an employee

- (a) the minimum wage prescribed under this Ordinance,
- (b) any overtime pay to which the employee is entitled under this Ordinance, or
- (c) any vacation pay or holiday pay to which the employee is entitled under this Ordinance,

the inspector may determine the difference between the wages actually paid to the employee and the wages to which the employee is entitled, and, if the amount of the difference is agreed to in writing by the employer and the employee, the employer shall, within five days after the date of the agreement, pay that amount to the employee on the direction of the inspector or to the Commissioner who shall pay it over to the employee forthwith upon the receipt thereof by him.

(2) No prosecution for failure to pay an employee the full wages to which he was entitled under this Ordinance shall, without the written consent of the Commissioner, be instituted against the employer when he has made payment of any amount of difference in wages in accordance with subsection (1).

#### Information and Returns.

38. (1) Every employer shall furnish such information relating to the wages of his employees, their hours of work, and the general holidays, annual vacations and conditions of work of his employees, and make such returns thereon from time to time, as the Commissioner may require.

(2) Every employer shall make and keep for a period of at least twenty-four months after the work is performed a record of the name, address, age if under the age of seventeen years, wage rate, hours worked, and the actual earnings of and payments to each of his employees, and such records shall be available at all reasonable times for examination by an inspector.

39. (1) Where the Commissioner is authorized to require a person to furnish information under this Ordinance or the regulations, the Commissioner may require the information to be furnished by a notice to

that effect served personally or sent by registered mail addressed to the last known address of the person for whom the notice is intended, and such person shall furnish the information within such reasonable time as is specified in the notice.

(2) A certificate of the Commissioner certifying that a notice was sent by registered mail to the person to whom it was addressed, accompanied by an identifying post office certificate of the registration and a true copy of the notice, is admissible in evidence and in the absence of any evidence to the contrary is proof of the statements contained therein.

(3) Where the Commissioner is authorized to require a person to furnish information under this Ordinance or the regulations, a certificate of the Commissioner certifying that the information has not been furnished is admissible in evidence and in the absence of any evidence to the contrary is proof of the statements contained therein.

(4) A certificate of the Commissioner certifying that a document annexed thereto is a document or a true copy of the document made by or on behalf of the Commissioner shall be received in evidence and have the same force and effect as if it had been proven in the ordinary way.

(5) A certificate under this section signed or purporting to be signed by the Commissioner is admissible in evidence without proof of his appointment or signature.

40. (1) An employer shall, at the time of making any payment of wages to an employee, furnish to the employee a statement in writing setting out

- (a) the period for which the payment of wages is made;
- (b) the number of hours for which payment is made;
- (c) the rate of wages;
- (d) details of the deductions made from the wages; and
- (e) the actual sum being received by the employee.

(2) The Commissioner may, by order, exempt any employer from any or all of the requirements of subsection (1).

41. A person who

- (a) contravenes any provision of this Ordinance or the regulations, or any order made thereunder; or
- (b) discharges or threatens to discharge or otherwise discriminates against a person because that person.
  - (i) has testified or is about to testify in any proceeding or inquiry had or taken under this Ordinance, or
  - (ii) has given any information to the Commissioner or an inspector regarding the wages, hours of work, annual vacation or conditions of work of the employee or any of his fellow employees in an industrial establishment;

is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

42. A complaint or information under this Ordinance may relate to one or more offences by one employer in respect of one or more of his employees.

43. Proceedings in respect of an offence under this Ordinance may be instituted at any time within two years after the time when the subject matter of the proceedings arose.

44. (1) Where an employer has been convicted of an offence under this Ordinance in respect of any employee, the convicting court may, in addition to any other penalty order the employer to pay to the employee any overtime pay, vacation pay, holiday pay or other wages to which the employee is entitled under this Ordinance the non-payment or insufficient of which constituted the offence for which the employer was convicted.

(2) Where an employer has been convicted of an offence under this Ordinance in respect of the discharge of an employee, the convicting court may, in addition to any other penalty, order the employer

(a) to pay compensation for loss of employment to the employee not exceeding such sum as in the opinion of the court is equivalent to the wages that would have accrued to the employee up to the date of conviction but for such discharge; and

(b) to reinstate the employee in his employ at such date as in the opinion of the court is just and proper in the circumstances and in the position that the employee would have held but for such discharge.

(3) An employer who refuses or neglects to comply with an order of a convicting court made under this section is guilty of an offence punishable on summary conviction and is liable to a fine not exceeding fifty dollars for each day during which such refusal or failure continues.

(4) In determining the amount of wages or overtime for the purposes of subsection (1), if the convicting court finds that the employer has not kept accurate records as required by this Ordinance or the regulations, the employee affected shall be conclusively presumed to have been employed for the maximum number of hours a week allowed under this Act and to be entitled to the full weekly wage therefor.

45. Where a person who makes a complaint to the Commissioner requests that his name and identity be withheld, his name and identity shall not be disclosed by the Commissioner or his officials except where disclosure is necessary for the purposes of a prosecution or is considered by the Commissioner to be in the public interest.

46. No civil remedy of an employee against his employer for arrears of wages is suspended or affected by this Ordinance.

#### Commissioner's Orders.

47. Where by this Ordinance or the regulations the Commissioner is authorized to make any order in respect of any matter, the order may be made to apply generally or in particular cases or to apply to any area or classes of employees or industrial establishments.

#### Regulations.

48. The Commissioner may make regulations for carrying out the purposes of this Ordinance and, without restricting the generality of the foregoing, may make regulations

- (a) requiring employers to keep records of wages, vacations, holidays and overtime of employees and of other particulars relevant to the purposes of this Ordinance or any Part thereof;
- (b) governing the production and inspection of records required to be kept by employers;
- (c) for calculating and determining wages received by an employee in respect of his employment, including the monetary value of remuneration other than money and the regular rate of wages of employees who are not paid solely on a basis of time;
- (d) prescribing the maximum number of hours that may elapse between the commencement and termination of the working-day of any employee;
- (e) fixing the minimum period that an employer may allow his employee for meals, and the maximum period for which an employer may require or permit an employee to work or be at his disposal without a meal period intervening;
- (f) requiring an employer in any industrial establishment to notify employees, by the publication of such notices, in such manner as may be prescribed, of the provisions of this Ordinance or any regulation or order made thereunder, particulars of hours of work including the hours at which shifts change, particulars of rest periods and meal periods and other matters related to hours and conditions of work of employees;
- (g) providing for the payment of any wages of an employee to the Commissioner or to some other person in the event that the employee cannot be found or in any other case;
- (h) providing for the establishment of consultative or advisory committees to advise the Commissioner on any matters arising in relation to the administration of this Ordinance; and
- (i) for any other matter or purpose that under this Act is required or permitted to be prescribed by regulation.

Special and Transitional Provisions.

49. (1) Where upon the submission of any person it is shown to the satisfaction of the Commissioner that the introduction of the standard hours of work, maximum hours of work under Part I or minimum wages under Part II in any work, undertaking or business

(a) would be or is unduly prejudicial to the interests of the employees therein or to any class of employees therein, or

(b) would be or is seriously detrimental to the operation of the work, undertaking or business,

the Commissioner may by order defer or suspend the operation of Part I or Part II or both in respect of that work, undertaking or business or that class of employees therein for such period as may be fixed in the order: but a period of deferment or suspension under this subsection shall not exceed a period of eighteen months.

(2) An order in relation to Part I made under subsection (1) shall prescribe the hours of work that shall, in respect of the work, undertaking or business or class of employees therein to which the order relates, be the hours of work during the deferment or suspension granted by the order; and no employer of any employee in respect of whom the order applies shall require the employee to work in excess of the hours of work prescribed in the order except upon such conditions or in such circumstances or upon the payment of such overtime pay as may be prescribed in the order.

(3) An order in relation to Part II made under subsection (1) shall specify the minimum rate of wages that shall be paid during the period of deferment or suspension granted by the order; and no employer of any employee in respect of whom the order applies shall pay such employee a wage at a rate that is less than the minimum rate of wages specified in the order in respect of such employee.

(4) An order made under subsection (1) may prescribe different hours of work or minimum rates of wages, as the case may be, for different periods of time during the deferment or suspension granted by the order.

Commencement.

50. This Ordinance comes into force on a day to be fixed by Order of the Commissioner.