

**LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
9TH ASSEMBLY, 8TH SESSION**

TABLED DOCUMENT NO. 35-82(2)

TABLED ON MAY 21, 1982

CONFIDENTIAL: Not
for release before
1st reading during
the 9th Session of
the 9th Council.

Tabled Document No. 35-82(2)
Tabled 21/65/82

COUNCIL OF THE NORTHWEST TERRITORIES
1982 SESSION

BILL .. - 82()

AN ORDINANCE RESPECTING THE TRAINING
AND CERTIFICATION OF APPRENTICES
AND TRADESMEN

Statement of Purpose

The purpose of this Bill is to provide for the regulation,
training and certification of apprentices and tradesmen.

DISPOSITION

Date of Notice	1st Reading	2nd Reading	To Committee	Chairman	Reported	3rd Reading	Date of Assent

Chairman (3) The Executive Member shall designate one member of the Board as Chairman.

Meetings (4) The Board shall hold quarterly meetings and may hold special meetings when considered necessary by the Chairman.

Duties of Board 5. The Board
(a) shall hear and determine all appeals made to it under this Ordinance,
(b) may recommend that the Executive Member designate a trade and may recommend regulations respecting the training and certification of persons in any designated trade,
(c) shall review any recommendations of a trade advisory committee with respect to the training, examination and certification of persons in the trade for which the committee was appointed,
(d) may recommend to the Executive Member such persons considered suitable for appointment to a trade advisory committee, and
(e) shall perform such other duties as the Executive Member may assign with respect to any matter within the scope of this Ordinance.

Trade advisory committees 6.(1) The Executive Member may appoint trade advisory committees for any trade or group of trades to advise the Board in matters relating to apprentice training programs and tradesmen's qualifications.

Membership (2) Every trade advisory committee shall consist of not more than seven members made up of equal numbers of representatives of employers and employees and one member considered suitable by the Executive Member.

Chairman (3) The trade advisory committee chairman shall be elected from the committee as a whole.

Duties of committee (4) A trade advisory committee shall review the training program and certification requirements of the trade for which it was appointed and may recommend revisions necessary to maintain an effective program.

BILL ...- 82()

AN ORDINANCE RESPECTING THE TRAINING AND
CERTIFICATION OF APPRENTICES AND TRADESMEN

The Commissioner of the Northwest Territories,
by and with the advice and consent of the Council
of the said Territories, enacts as follows:

- Short title 1. This Ordinance may be cited as the Apprentices
and Tradesmen Ordinance.
- Definitions
"apprentice" 2.(1) In this Ordinance,
 (a) "apprentice" means a person who is at least
 sixteen years of age and who has entered into
 a contract of apprenticeship under this
 Ordinance;
- "Board" (b) "Board" means the Apprentices and Tradesmen's
 Qualifications Board appointed pursuant to
 section 5;
- "contract" (c) "contract" means a contract of apprenticeship
 in accordance with this Ordinance;
- "designated
trade" (d) "designated trade" means a trade designated
 by the Executive Member under subsection
 9(3);
- Application
of Ordinance (2) This Ordinance applies to all designated
 trades.
- Supervisor of
Apprentice-
ship Programs 3. The Executive Member shall appoint a
 Supervisor of Apprenticeship Programs and may
 appoint such other officials as he considers
 necessary for the purpose of this Ordinance.
- Board 4.(1) There shall be a board to be known as the
 Apprentices and Tradesmen's Qualifications Board
 consisting of seven members appointed by the
 Executive Member for a term of two years and the
 members may be reappointed.
- Employer and
employee
represent-
atives (2) The Executive Member shall appoint no less
 than two employer representatives and an equal
 number of employee representatives from among those
 people he finds suitable for appointment.

- Chairman (3) The Executive Member shall designate one member of the Board as Chairman.
- Meetings (4) The Board shall hold quarterly meetings and may hold special meetings when considered necessary by the Chairman.
- Duties of Board
5. The Board
 - (a) shall hear and determine all appeals made to it under this Ordinance,
 - (b) may recommend that the Executive Member designate a trade and may recommend regulations respecting the training and certification of persons in any designated trade,
 - (c) shall review any recommendations of a trade advisory committee with respect to the training, examination and certification of persons in the trade for which the committee was appointed,
 - (d) may recommend to the Executive Member such persons considered suitable for appointment to a trade advisory committee, and
 - (e) shall perform such other duties as the Executive Member may assign with respect to any matter within the scope of this Ordinance.
- Trade advisory committees 6.(1) The Executive Member may appoint trade advisory committees for any trade or group of trades to advise the Board in matters relating to apprentice training programs and tradesmen's qualifications.
- Membership (2) Every trade advisory committee shall consist of not more than seven members made up of equal numbers of representatives of employers and employees and one member considered suitable by the Executive Member.
- Chairman (3) The trade advisory committee chairman shall be elected from the committee as a whole.
- Duties of committee (4) A trade advisory committee shall review the training program and certification requirements of the trade for which it was appointed and may recommend revisions necessary to maintain an effective program.

Per diem allowance

7. The members of the Board, examiners and members of committees who are not full-time employees in the public service of the Territories shall be paid a per diem allowance, to be fixed by the Executive Member, and shall be paid the reasonable and necessary expenses incurred by them in the performance of their duties.

Local
apprentice-
ship advis-
ory commit-
tee

8. The Supervisor of Apprenticeship Programs may appoint local apprenticeship advisory committees composed of such persons as are recommended by the Board to advise and assist him in matters relating to apprenticeship training in any area.

Powers of the
Executive
Member

- 9.(1) The Executive Member shall
- (a) issue a certificate of qualification in a trade to a person who,
 - (i) has passed the prescribed examination,
 - (ii) has successfully completed an apprenticeship program under this Ordinance, or
 - (iii) files the prescribed application, pays the prescribed fee and is the holder of a currently valid certificate of qualification that bears the Canadian Interprovincial Standards Examination Seal or a certificate from any other province in Canada that has been recognized by regulation; and
 - (b) issue a certificate of completion of apprenticeship to an apprentice who has successfully completed an apprenticeship program under this Ordinance.

(2) The Executive Member may issue a certificate of status that indicates the level of progress achieved by an apprentice or tradesman.

Designation
of trade

(3) The Executive Member may by order designate a trade as being appropriate for apprenticeship or for the issuing of certificates of qualification, or both.

Delegation

(4) The Executive Member may delegate his powers and duties under subsection (1).

Duties of
Supervisor
of Apprent-
iceship
Programs

10. The Supervisor of Apprenticeship Programs shall
- (a) register all apprentices;
 - (b) file all contracts of apprenticeship and keep a record of all cancellations, terminations, transfers and completions of such contracts;

- (c) provide courses of instruction for training within the scope of this Ordinance;
- (d) provide for periodic trade tests for apprentices and final examinations for apprentices or candidates for certificates of qualification;
- (e) supervise the training of all apprentices;
- (f) inspect and approve facilities being used for the training of apprentices under this Ordinance;
- (g) provide such information and make such investigation as is required by the Board;
- (h) make such examination and inquiry as he considers necessary to ascertain whether this Ordinance is being complied with;
- (i) generally perform such other duties as may be prescribed by the Executive Member for carrying out the provisions of this Ordinance.

Contracts of apprenticeship

11.(1) No person shall enter into a contract of apprenticeship except in accordance with this Ordinance.

Certification

(2) No contract of apprenticeship shall be binding upon the parties thereto nor shall any termination, cancellation, transfer or completion of a contract be valid unless certified by the Supervisor of Apprenticeship Programs.

Refusal to certify

(3) The Supervisor of Apprenticeship Programs may refuse to certify a contract of apprenticeship or a termination, cancellation, transfer or completion thereof unless he is satisfied that it is for the benefit of the apprentice.

Appeal

(4) Where the Supervisor of Apprenticeship Programs refuses to certify a contract or termination, cancellation, transfer or completion thereof, either of the parties to the contract may appeal to the Board who may confirm or reverse the decision of the Supervisor of Apprenticeship Programs; and the decision of the Board shall be final.

Supervisor may require information

12. The Supervisor of Apprenticeship Programs may require from the parties to a proposed contract of apprenticeship such information as he considers necessary.

- Form of contract 13. Every contract of apprenticeship shall be in a form prescribed by regulation.
- Termination and cancellation 14.(1) Subject to the approval of the Supervisor of Apprenticeship Programs a contract may be terminated with the consent of all the parties thereto, and a contract may be cancelled by the Supervisor of Apprenticeship Programs upon good cause being shown to his satisfaction by the employer or by the apprentice.
- Appeal (2) Either party to a contract of apprenticeship may appeal any decision of the Supervisor of Apprenticeship Programs under subsection (1) to the Board who may confirm or reverse the decision of the Supervisor of Apprenticeship Programs and whose decision shall be final.
- Labour dispute 15. An apprentice shall not be required to do any work in a place of employment where there is a lawful cessation of work arising out of a labour dispute.
- Offence 16. A person who acts in contravention of or who fails to comply with any provisions of the Ordinance or the regulations, is guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars, and in default of payment to imprisonment not exceeding thirty days.
- Grants and loans 17. The Executive Member may make grants and loans of money and provide goods or services to apprentices or to other persons employed in designated trades, upon such terms and conditions as the Commissioner may by regulation prescribe.
- Regulations 18. The Commissioner, upon the recommendation of the Executive Member, may make regulations
- (a) prescribing the qualifications necessary for apprenticeship in any designated trade;
 - (b) respecting the duration and content of the practical and theoretical training to be received by an apprentice in a designated trade;
 - (c) providing for the recognition of experience and training in a designated trade gained before becoming an apprentice;

- (d) prescribing the duties and obligations of parties to an apprenticeship contract;
- (e) providing for the appointment of examining boards and prescribing the duties and remuneration of members of those boards;
- (f) providing for the examination of apprentices, persons wishing to become apprentices and persons employed in designated trades, and establishing the standards for such examinations;
- (g) respecting the issuance of certificates of qualification, certificates of completion of apprenticeship and certificates of status; and prescribing the conditions for the issuance of such certificates;
- (h) providing for compulsory registration, compulsory certification and compulsory participation in apprenticeship programs, of tradesmen working in all or any of the designated trades in the Northwest Territories;
- (i) respecting the recognition of certificates of qualification issued by any province of Canada;
- (j) prescribing, subject to the provisions of the Labour Standards Ordinance, the working conditions, hours of labour and rates of wages for apprentices;
- (k) providing for inspection of the training of apprentices and the powers and duties of the persons making inspections;
- (l) providing for a system for recording the progress of the training of apprentices;
- (m) respecting the terms and conditions for eligibility for grants and loans, the amount of such grants and loans and the manner of repayment of loans;
- (n) requiring payment of fees and prescribing the amount of fees to be paid in respect of any agreement, examination, search of records, certificate or any other service provided pursuant to this Ordinance or the regulations;
- (o) respecting the ratio of apprentices to journeymen who may be employed by an employer in a designated trade;
- (p) generally for the carrying out of the purposes and to give effect to the provisions of this Ordinance.

Existing
certificates

19. Certificates of status, certificates of completion of apprenticeship and certificates of competency or proficiency issued under successor Ordinances, 1974 R.O.N.W.T. c.A3 or, 1976 (3rd) c.1, that are subsisting at the coming into force of this Ordinance, continue in force as though this Ordinance had not be enacted.

Repeal

20. The Apprentices and Tradesmen Ordinance, 1976 (3rd) c.1 is repealed.

