[Français](http://www.ontario.ca/fr/lois/loi/90m29)

Ministry of Labour Act

R.S.O. 1990, CHAPTER M.29

**Consolidation Period:** From July 1, 2019 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2019, c. 7, Sched. 17, s. 114](http://www.ontario.ca/laws/statute/S19007" \l "sched17s114).

Legislative History: 1993, c. 27, Sched.; [2001, c. 9, Sched. I, s. 2](http://www.ontario.ca/laws/statute/S01009" \l "schedis2); [2006, c. 19, Sched. M, s. 4](http://www.ontario.ca/laws/statute/S06019" \l "schedms4); [2006, c. 35, Sched. C, s. 77](http://www.ontario.ca/laws/statute/S06035" \l "schedcs77); [2009, c. 33, Sched. 6, s. 70](http://www.ontario.ca/laws/statute/S09033" \l "sched6s70); [2016, c. 4, s. 3](http://www.ontario.ca/laws/statute/S16004" \l "s3); [2019, c. 7, Sched. 17, s. 114](http://www.ontario.ca/laws/statute/S19007" \l "sched17s114).

Definitions

**1** In this Act,

“Board” means the Industry and Labour Board; (“Commission”)

“Deputy Minister” means the Deputy Minister of Labour; (“sous-ministre”)

“inspector” means an inspector appointed under this Act or any other Act or regulation administered by the Ministry; (“inspecteur”)

“Minister” means the Minister of Labour; (“ministre”)

“Ministry” means the Ministry of Labour. (“ministère”) R.S.O. 1990, c. M.29, s. 1.

Ministry continued

**2** (1)  The ministry of the public service known in English as the Ministry of Labour and in French as ministère du Travail is continued.

Minister to have charge

(2)  The Minister shall preside over and have charge of the Ministry. R.S.O. 1990, c. M.29, s. 2.

Deputy Minister

**3** (1)  The Lieutenant Governor in Council may appoint a Deputy Minister who shall be the deputy head of the Ministry. 2006, c. 35, Sched. C, s. 77.

Duties

(2)  The Deputy Minister shall perform such duties as are assigned to him or her by the Lieutenant Governor in Council or by the Minister. 2006, c. 35, Sched. C, s. 77.

**Section Amendments with date in force (d/m/y)**

[2006, c. 35, Sched. C, s. 77](http://www.ontario.ca/laws/statute/S06035" \l "schedcs77) - 20/08/2007

Employees

**4** Such employees as are considered necessary for the proper conduct of the business of the Ministry may be appointed under Part III of the Public Service of Ontario Act, 2006. 2006, c. 35, Sched. C, s. 77.

**Section Amendments with date in force (d/m/y)**

[2006, c. 35, Sched. C, s. 77](http://www.ontario.ca/laws/statute/S06035" \l "schedcs77) - 20/08/2007

Protection from personal liability

**4.1**(1)  No action or other proceeding for damages shall be commenced against the Deputy Minister or any officer or employee of the Ministry or anyone acting under his or her authority for any act done in good faith in the execution or intended execution of his or her duty or for any alleged neglect or default in the execution in good faith of his or her duty. 2006, c. 19, Sched. M, s. 4.

Liability of Crown

(2)  Subsection (1) does not, by reason of subsection 8 (3) of the Crown Liability and Proceedings Act, 2019, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (1) to which the Crown would otherwise be subject. 2006, c. 19, Sched. M, s. 4; 2019, c. 7, Sched. 17, s. 114.

Exceptions

(3)  Subsection (1) does not apply in circumstances in which section 21 of the Fairness is a Two-Way Street Act (Construction Labour Mobility), 1999 or section 65 of the Occupational Health and Safety Act applies. 2006, c. 19, Sched. M, s. 4.

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. M, s. 4](http://www.ontario.ca/laws/statute/S06019" \l "schedms4) - 22/06/2006

[2019, c. 7, Sched. 17, s. 114](http://www.ontario.ca/laws/statute/S19007" \l "sched17s114) - 01/07/2019

Administration of Act

**5** The Minister is responsible for the administration of this Act and the Acts that are assigned or transferred to him or her by the Legislature or by the Lieutenant Governor in Council. R.S.O. 1990, c. M.29, s. 5.

Duties of Ministry

**6** The Ministry shall,

statistics and information

(a) collect such statistical and other information respecting trades and industries in Ontario as is considered necessary or expedient from time to time;

distribution of employment

(b) ascertain the localities in which mechanics, artisans or workers in any particular trade or industry are required and, wherever practicable, assist in supplying the demand for such work or labour;

sanitary and other conditions

(c) ascertain and report upon sanitary and other conditions relating to the health, comfort, and well-being of the industrial classes;

(d) Repealed: 2001, c. 9, Sched. I, s. 2.

wages

(e) ascertain and report upon the rates of wages paid to employees in the various trades and industries carried on in Ontario;

new industries in Ontario

(f) inquire and report as to the establishment of new industries in Ontario in any case where, by reason of the production of raw material for such industry in Ontario or the immigration of persons skilled in the particular industry or other circumstances, it appears that such industry can profitably be carried on;

reporting upon laws in other countries

(g) inquire into, consider and report upon the operation of laws in force in other parts of the Commonwealth and in foreign countries, having for their objects the protection, technical training and welfare of the industrial classes, and make such recommendations and suggestions thereon as are considered advisable;

changes in the law

(h) consider and report upon any petition for or suggestion of a change in the law of Ontario relating to labour and wages or any matter affecting the industrial classes, presented or made by any trades and labour council or other organization representing those classes or by any other person. R.S.O. 1990, c. M.29, s. 6; 2001, c. 9, Sched. I, s. 2.

**Section Amendments with date in force (d/m/y)**

[2001, c. 9, Sched. I, s. 2](http://www.ontario.ca/laws/statute/S01009" \l "schedis2) - 29/06/2001

Annual report

**7** The Minister shall after the close of each fiscal year submit an annual report upon the affairs of the Ministry to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. R.S.O. 1990, c. M.29, s. 7.

Board continued

**8** (1)  The Board known in English as the Industry and Labour Board and in French as Commission de l’industrie et du travail is continued.

Industry and Labour Board

(2)  The Board shall consist of not more than three members appointed by the Lieutenant Governor in Council, one of whom shall be designated as chair, and all of whom shall be officers of the Ministry.

By-laws of Board

(3)  The Board is a body corporate and, with the approval of the Lieutenant Governor in Council, may pass by-laws and regulations governing its proceedings.

Powers of Board

(4)  The Board shall administer, enforce and carry out any Act in which the Board is designated for the purpose in such Act or that is assigned to it by the Lieutenant Governor in Council. R.S.O. 1990, c. M.29, s. 8.

Powers of Deputy Minister as to obtaining information

**9** (1)  The Deputy Minister may require from employers, workers and other persons such information concerning rates of wages, hours of work, regularity of employment, and other matters as he or she considers necessary for the proper carrying out of this Act or of any of the Acts or regulations administered by the Ministry. R.S.O. 1990, c. M.29, s. 9 (1).

Public inquiries by Board

(2)  For the purpose of procuring such information or for the purpose of assisting the Ministry in carrying out section 6, the Minister may authorize the Board or any members of the Board to conduct an inquiry and section 33 of the Public Inquiries Act, 2009 applies to the inquiry. 2009, c. 33, Sched. 6, s. 70.

Right of access

(3)  Any officer or inspector of the Ministry, acting under the written authority of the Deputy Minister, has a right of access at all reasonable hours to any office, factory, shop, place of business or other premises for the purpose of carrying out this Act or any Act or regulations administered by the Ministry. R.S.O. 1990, c. M.29, s. 9 (3).

Offence

(4)  Every person who refuses to furnish any return or information that may be lawfully required, or who hinders or obstructs any officer or inspector in the performance of his or her duties under this Act or any of the Acts or regulations administered by the Ministry is guilty of an offence and on conviction is liable to a fine of $25,000. R.S.O. 1990, c. M.29, s. 9 (4).

Falsifying records

(5)  Every person who falsifies records or returns or supplies incomplete or untrue information is guilty of an offence and on conviction is liable to a fine of not more than $25,000. R.S.O. 1990, c. M.29, s. 9 (5).

**Section Amendments with date in force (d/m/y)**

[2009, c. 33, Sched. 6, s. 70](http://www.ontario.ca/laws/statute/S09033" \l "sched6s70) - 01/06/2011

Powers of Minister as to obtaining information, posttraumatic stress disorder

**9.1**(1)  The Minister may direct employers who employ workers to whom section 14 of the Workplace Safety and Insurance Act, 1997 applies, to provide information to the Minister relating to the employer’s plans to prevent posttraumatic stress disorder arising out of and in the course of employment at the employer’s workplace. 2016, c. 4, s. 3.

Same, employer to provide information

(2)  If the Minister directs an employer to provide information under subsection (1), the employer shall provide the information on or before the date specified by the Minister and in the form specified by the Minister. 2016, c. 4, s. 3.

Same, use of information collected

(3)  The Minister may use information collected under subsection (1) for the following purposes:

1. To assess progress in the prevention of posttraumatic stress disorder in the relevant workplaces.

2. To prepare a report on posttraumatic stress disorder prevention plans in the relevant workplaces.

3. Such other purposes as the Minister considers appropriate. 2016, c. 4, s. 3.

Same, publication of information

(4)  The Minister may publish information collected under subsection (1) and any report the Minister prepares using that information. 2016, c. 4, s. 3.

**Section Amendments with date in force (d/m/y)**

[2016, c. 4, s. 3](http://www.ontario.ca/laws/statute/S16004" \l "s3) - 06/04/2016

Regulations re ionizing radiation

**10** (1)  The Lieutenant Governor in Council may make regulations for the protection of the health and safety of persons from the effects of ionizing radiation used in industry or commerce,

(a) classifying sources of ionizing radiation;

(b) respecting the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation or any class of them;

(c) requiring notice of any matter respecting the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation or any class of them;

(d) requiring drawings and specifications showing protective measures concerning sources of ionizing radiation;

(e) requiring physicians or other persons to furnish to a designated person information concerning the exposure of any person to ionizing radiation in excess of a prescribed maximum;

(f) respecting the medical examination of persons who have been or may come in contact with ionizing radiation, prescribing by whom the cost of the examination is to be borne, and requiring a report of the examination to a designated person;

(g) requiring and regulating the supervision of the processing, use, installation, movement, handling, maintenance, storage or disposal of sources of ionizing radiation, or any class of them, by qualified persons and prescribing their qualifications;

(h) providing for and requiring the registration of any specified persons engaged in the processing, installation, use, movement, handling, maintenance, storage or disposal of a source of ionizing radiation, and prescribing the fees therefor;

(i) defining “vicinity” when used with respect to sources of ionizing radiation or any class of them, and regulating or prohibiting use of the vicinity of sources of ionizing radiation;

(j) designating classes of persons and respecting the employment of any person or class of persons in the processing, installation, use, movement, handling, maintenance, storage or disposal of sources of ionizing radiation, or in the vicinity of sources of ionizing radiation;

(k) excluding any class of sources of ionizing radiation or any premises from the application of any or all of the regulations made under this section;

(l) prescribing forms and providing for their use.

Other regulations not interfered with

(2)  Regulations made under this section shall be deemed to be in addition to and not in contradiction of or in substitution for regulations made under any other Act dealing with the safety of workers and employees. R.S.O. 1990, c. M.29, s. 10.

Stop-work orders

**11** (1)  Where an inspector is of the opinion that work on any undertaking or any part thereof to which any Act or regulation administered by the Ministry applies is being done in a manner or under conditions that are dangerous to life or property, he or she may, by written order to any person responsible for or in charge of the work, require the immediate cessation of the work or any part thereof that he or she considers dangerous.

Idem

(2)  Where an inspector has made an order under subsection (1), he or she may permit such work as may be done safely and that is necessary to eliminate the dangerous condition. R.S.O. 1990, c. M.29, s. 11 (1, 2).

Appeal

(3)  Any person who considers themself aggrieved by an order made by an inspector under this section may appeal to the chief inspector or chief officer having supervision over the inspector or, if there is no such chief inspector or chief officer, to the Deputy Minister who shall designate a person to hear and determine the appeal. R.S.O. 1990, c. M.29, s. 11 (3); 1993, c. 27, Sched.

Hearing

(4)  A chief inspector or chief officer to whom an appeal is made under this section or the person designated under subsection (3) to hear an appeal shall hear and dispose of the appeal as promptly as is practicable, but the bringing of such appeal does not affect the operation of the order appealed from pending disposition of the appeal.

How appeal made

(5)  An appeal under this section may be made in writing or orally, in person or by telephone, but the person to whom the appeal is made may require the grounds for appeal to be specified in writing before the hearing.

Parties

(6)  The appellant, the inspector from whom the appeal is taken and such other persons as the person to whom the appeal is made may specify are parties to an appeal under this section.

Powers of person hearing appeal

(7)  The person hearing an appeal under this section may substitute his or her findings or opinions for those of the inspector who made the order appealed from and may affirm or rescind the order or make a new order in substitution therefor and has all the powers of the inspector for such purpose and the decision or order on the appeal shall stand in the place of and have a like effect under this Act and the regulations as the decision or order of the inspector. R.S.O. 1990, c. M.29, s. 11 (4-7).

**Section Amendments with date in force (d/m/y)**

1993, c. 27, Sched. - 31/12/1991

Offences

**12** Every person who contravenes this Act or the regulations or any notice or direction made thereunder is guilty of an offence and on conviction is liable to a fine of not more than $25,000 or to imprisonment for a term of not more than twelve months, or to both. R.S.O. 1990, c. M.29, s. 12.

Note: The Minister of Labour may establish a service to assist employers, trade unions and employees to respond to changes in the work force, in technology and in the economy through co-operation and innovation. The further objectives of the service are as may be determined by the Minister. *See*: 1992, c. 21, s. 1.

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