

2006

CHAPTER L-0.11

An Act respecting the establishment of the Saskatchewan Labour Market Commission

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(Assented to December 6, 2006)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Labour Market Commission Act*.

Interpretation

2 In this Act:

- (a) **“board”** means the board of directors established pursuant to subsection 9(1);
- (b) **“commission”** means the Saskatchewan Labour Market Commission established pursuant to section 3;
- (c) **“department”** means the department over which the minister presides;
- (d) **“minister”** means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (e) **“social economy”** means the not-for-profit sector that seeks to enhance the social, economic and environmental conditions of communities and includes the voluntary sector.

Commission established

- 3(1) The Saskatchewan Labour Market Commission is established as a corporation.
- (2) The commission is not an agent of the Crown.

Membership

- 4(1) The commission consists of not more than 19 members appointed by the Lieutenant Governor in Council.
- (2) The Lieutenant Governor in Council shall appoint as members:
- (a) five individuals, at least one of whom must be of First Nations or Métis ancestry, representing labour in Saskatchewan, chosen in consultation with the organization the most representative of labour in Saskatchewan;
 - (b) five individuals, at least one of whom must be of First Nations or Métis ancestry, representing business in Saskatchewan, chosen in consultation with the organization the most representative of business in Saskatchewan;
 - (c) one individual from each of the Dumont Technical Institute, the Saskatchewan Apprenticeship and Trade Certification Commission, the Saskatchewan Indian Institute of Technologies, the Saskatchewan Institute of Applied Science and Technology and a college or regional college as defined in *The Regional Colleges Act*;
 - (d) one individual from the social economy;
 - (e) the deputy minister of the department; and
 - (f) not more than two other individuals.
- (3) The organizations mentioned in clauses (2)(a) and (b) shall endeavour to nominate a diverse group of individuals in terms of:
- (a) gender;
 - (b) age, including youth;
 - (c) ethnic diversity;
 - (d) geographic areas of Saskatchewan; and
 - (e) economic sectors.
- (4) Subject to subsection (5), each member holds office for a term not exceeding three years and until a successor is appointed.
- (5) Of the first members appointed to the commission, half shall be appointed for a term not exceeding two years.
- (6) If a member dies or resigns, that individual ceases to be a member on the date of death or on the day on which the resignation is received by the board, as the case may be.
- (7) A member is eligible to be reappointed as a member.

(8) If the office of an individual appointed pursuant to subsection (2) becomes vacant, the Lieutenant Governor in Council may:

- (a) appoint an individual for the remainder of the term of the individual who vacated the office; or
- (b) appoint an individual for the term mentioned in subsection (4).

Objects

5 The objects of the commission are:

- (a) to provide advice to the minister on provincial, regional and sectoral labour market issues, trends and strategies;
- (b) to establish linkages to regional and sectoral planning bodies and examine regional and sectoral labour market plans;
- (c) to foster co-operation among labour, business, First Nations and Métis organizations, training institutions and government to develop labour market strategies, policies and solutions;
- (d) to research and provide analysis of provincial, regional and sectoral labour market issues, trends and strategies;
- (e) to communicate and consult with labour, business, government, First Nations and Métis organizations, and persons on labour market issues, trends and strategies; and
- (f) to do any other thing prescribed in the regulations.

General powers

6 To further its objects, the commission may do one or more of the following:

- (a) enter into agreements with any government, person, agency, organization, association or institution;
- (b) purchase, lease or otherwise acquire any personal property;
- (c) lease real property;
- (d) sell, lease or otherwise dispose of any of its property;
- (e) accept grants, donations, gifts and bequests of any property and, subject to the terms of the grant, donation, gift or bequest, sell or otherwise dispose of that property;
- (f) accept funds appropriated by the Legislature;
- (g) invest any part of its moneys in any security or class of securities authorized for investment of moneys in the general revenue fund pursuant to *The Financial Administration Act, 1993* and dispose of the investments in any manner, on any terms and in any amount that the commission considers appropriate;
- (h) subject to the approval of the minister, borrow moneys that the commission considers necessary for its objects and secure those loans by mortgage, bill of exchange, promissory note or hypothecation of its revenues or by any other instrument required by the lender;
- (i) do any other thing that the commission considers necessary or appropriate.

Responsible to minister

7 The commission is responsible to the minister for the manner in which it carries out its objects and exercises its powers pursuant to this Act.

Head office

8 The head office of the commission is to be at any location in Saskatchewan specified by the Lieutenant Governor in Council.

Board

9(1) A board of directors for the commission is established.

(2) The board shall manage the affairs and business of the commission.

(3) The board consists of those individuals appointed to constitute the membership of the commission pursuant to section 4.

Officers

10(1) Subject to subsection (2), the members of the board shall annually elect one member appointed pursuant to clause 4(2)(a) and one member appointed pursuant to clause 4(2)(b) to be co-chairpersons of the board.

(2) The first time any appointments are made to the commission, the Lieutenant Governor in Council shall designate one member appointed pursuant to clause 4(2)(a) and one member appointed pursuant to clause 4(2)(b) to be co-chairpersons of the board for one year.

(3) The board may appoint other officers of the board from among its members.

Committees

11 The board may, from time to time:

(a) appoint any committees that it considers necessary for the efficient conduct of the affairs and business of the commission; and

(b) prescribe the duties of any committee appointed pursuant to clause (a).

Reimbursement

12(1) Members of the board are entitled to reimbursement for their expenses incurred in the performance of their responsibilities.

(2) Members of any committee appointed pursuant to section 11 are entitled to reimbursement for their expenses incurred in the performance of their responsibilities.

(3) The reimbursement for expenses mentioned in subsections (1) and (2) is to be paid from the moneys of the commission.

(4) No member of the board or any committee appointed pursuant to section 11 is entitled to remuneration for his or her services.

Meetings and quorum

13(1) The board shall meet when called by the co-chairpersons.

(2) The board shall meet not less than two times in each fiscal year.

(3) A quorum of the board is a majority of its members including at least three individuals appointed pursuant to clause 4(2)(a) and at least three individuals appointed pursuant to clause 4(2)(b).

Bylaws

14 Subject to this Act and the regulations, the board may make bylaws governing the business and affairs of the commission.

Employees

15(1) The commission may:

- (a) employ any employees that it considers necessary for the conduct of its operations, including a chief executive officer; and
- (b) determine the respective duties and powers, the conditions of employment and the remuneration of its employees.

(2) The commission may:

- (a) appoint or engage any professional, administrative, technical and clerical personnel that may be required for the purposes of this Act; and
- (b) determine the salaries or other remuneration of the personnel appointed or engaged pursuant to clause (a).

(3) *The Public Service Act, 1998* does not apply to employees of the commission, the board or the commission.

Superannuation and other plans

16 The commission may establish and support any of the following plans for the benefit of any employees of the commission and the dependants of those employees:

- (a) a superannuation plan;
- (b) a group insurance plan;
- (c) any other pension or employee benefit plan.

Fiscal year

17 The fiscal year of the commission is the period commencing on April 1 in one year and ending on March 31 in the following year.

Audit

18 The Provincial Auditor or any other auditor or firm of auditors that the Lieutenant Governor in Council may appoint shall audit the accounts and financial statements of the commission:

- (a) annually; and
- (b) at any other times that the Lieutenant Governor in Council may require.

Annual report

19(1) In each fiscal year, the board shall, in accordance with *The Tabling of Documents Act, 1991*, submit to the minister:

- (a) a report on the activities of the commission for the preceding fiscal year; and
- (b) a financial statement showing the business of the commission for the preceding fiscal year in any form that may be required by Treasury Board.

(2) The minister shall, in accordance with *The Tabling of Documents Act, 1991*, lay before the Legislative Assembly each report and statement submitted to the minister pursuant to this section.

Special reports

20 At any time required by the minister, the board shall prepare and submit to the minister any report respecting the activities of the commission that the minister may require.

Review

21(1) The Lieutenant Governor in Council may appoint a review committee to review and report on the objects of the commission and any other matters concerning this Act that the Lieutenant Governor in Council may specify.

(2) The review committee and its members shall have access to all information, books, records and other documents in the possession or under the control of the commission related to the activities and functioning of the commission.

(3) Each member of the board and each officer or employee of the commission shall provide to the review committee or any member of the committee, on request, any information, books, records or documents.

Regulations

22 The Lieutenant Governor in Council may make regulations:

- (a) defining, enlarging or restricting the meaning of any word or expression used in this Act but not defined in this Act;
- (b) for the purposes of clause 5(f), prescribing other objects of the commission;
- (c) prescribing any matter or thing required or authorized by this Act to be prescribed in the regulations;
- (d) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the intent of this Act.

Coming into force

23 This Act comes into force on proclamation.