

TABLE - DELEGATION OF AUTHORITY

LEGISLATION IMPLEMENTED BY THE MINISTER RESPONSIBLE FOR THE LABOUR PROGRAM

Section	Description	Deputy Minister of Labour	Assistant Deputy Minister, Policy, Dispute Resolution, and International Affairs	Director General, Federal Mediation and Conciliation Service	Assistant Deputy Minister, Compliance, Operations and Program Development	Director General, Strategic Policy, Analysis and Workplace Information (SPAWID)	Senior Director, SPAWID	Director General, Workplace	Director General, Federal Programs	Executive Director, Labour Standards & Wage Earner Protection Program (WEPP)	WEPP Review Agents	Director, Federal Workers' Compensation Service (FWCS) Operations	Manager, FWCS, Claims Operations	Director, Dispute Resolution Services (DRS), Legal Services	Director General, Regional Operations and Compliance	Service Canada - Individual Payments and Services on Demand (IPSOD)	Service Canada, Payment Services Officers (Processing Center Agents)	Service Canada - WEPP NHQ Manager	Labour Program - WEPP NHQ Manager	Service Canada - Team Leaders (Regions)
CANADA LABOUR CODE																				
PART I																				
7	Determine whether an activity is a major project for the purposes of Part I and facilitate collective bargaining process involving parties to major project	X	X	X																
57(2)(b)	Appoint arbitrator	X	X	X																
57(3)	Appoint an arbitrator when the agreement does contain a provision for final settlement	X	X	X																
57(5)	Appoint arbitrator or an arbitration board after such inquiry, as considered necessary	X	X	X																
72(1)(a)	Appoint a conciliator officer	X	X	X																
72(1)(b)	Appoint a conciliation commissioner	X	X	X																
72(1)(c)	Establish a conciliation board	X	X	X																
72(1)(d)	Notify the parties, in writing, of the intention not to appoint a conciliation officer or conciliation commissioner or establish a conciliation board	X	X	X																
72(2)	Appoint a conciliation officer or conciliation commissioner or establish a conciliation board where no notice of dispute under section 71 has been received	X	X	X																
73(2)(b)	Allow a longer period of time for the conciliation officer to report and receive the report	X	X	X																
74(1)	Refer other questions to the conciliation commissioner or conciliation board	X	X	X																
74(2)(b)	Allow a longer period of time for the conciliation commissioner or conciliation board to report	X	X	X																
76	Direct the conciliation commissioner or conciliation board to reconsider its report and clarify or amplify a part of it	X	X	X																
77(b)	Determine whether to make, and the manner of making, the conciliation commissioner's or conciliation board's report available to the public	X	X	X																

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82(1)	Require each of the parties to a dispute to nominate one member of the conciliation board and appoint the nominee to be a member of the conciliation board	X	X	X																
82(2)	Appoint a qualified person to be a member of a conciliation board where a party fails or neglects to nominate a person	X	X	X																
82(3)	Appoint as third member and chairperson of the conciliation board the person nominated by the members of the conciliation board	X	X	X																
82(4)	Appoint a qualified person to be the third member and chairperson of the conciliation board where the members fail or neglect to do so	X	X	X																
87.4(5)	Refer to the Board any question with respect to whether an agreement entered into by the employer and the trade union is sufficient to ensure that subsection (1) is complied with	X																		
87.7(3)	Refer any question regarding the application of subsection 87.7(1) to the Board	X	X	X																
104.1	Meet with labour relations experts to discuss industrial relations issues	X	X	X		X	X													
105(1)	Appoint a mediator to confer with the parties to a dispute or difference and endeavour to assist them in settling the dispute or difference	X	X	X																
105(2)	Request a mediator appointed pursuant to subsection 105(1) to make recommendations for the settlement of the dispute or difference	X	X	X																
106	Make inquiries regarding matters that may affect industrial relations	X	X	X																
108.1(1)(a)	Direct that a vote of the employees in the bargaining unit to accept or reject the offer of the employer last received be held as soon as possible	X																		
108.1(1)(b)	Designate the Board, or any other person or body, to be in charge of conducting that vote	X																		
108(2)(a)	Furnish the Industrial Inquiry Commission with a statement of the matter under consideration	X	X	X		X														
108(4)(b)	Allow a longer period for the Industrial Inquiry Commission to make its report and recommendations	X	X	X																
108(5)(a)	Furnish a copy of the Industrial Inquiry Commission's report to each employer and trade union involved in the dispute or difference	X	X	X																

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108(5)(b)	Determine the manner of publishing and publish the report of the Industrial Inquiry Commission	X	X	X																
CANADA LABOUR CODE																				
PART II																				
137.1(1)	Appoint members to the Coal Mining Safety Commission	X																		
137.1(2)	Designate the chairperson of the Commission	X																		
137.1(2.1)	Appoint, by order, any person as alternate chairperson to the Commission and set out terms and conditions of appointment	X																		
137.1(7)	Approve by-laws of the Coal Mining Safety Commission (the Commission) for the conduct of its activities	X																		
137.1(8)	Make staff and other assistance available to the Commission for the proper conduct of its activities	X			X															
138(1)	Appoint committees of persons to assist or advise Minister on any matter the Minister considers advisable regarding occupational health and safety	X			X															
138(1.1)	Decide whether to pay persons appointed to committees remuneration, and to fix the amounts to be paid	X			X															
138(2)	Cause an inquiry to be made into and concerning occupational health and safety and appoint one or more persons to hold inquiry	X			X															
138(4)	Undertake research into the cause of and the means of preventing employment injury and occupational illness in cooperation with any department or agency of the Government of Canada or with any or all provinces or with any organization undertaking similar research	X			X															
138(5)	Publish the results of any research undertaken under subsection 138(4) and compile, prepare and disseminate data or information obtained from the research under 138(4) or otherwise.	X			X															
138(6)	Undertake programs to reduce or prevent employment injury and occupational illness	X			X															
139(1)	Implement, if deemed appropriate, medical surveillance and examination programs for occupational health and safety, potentially in cooperation with federal and provincial agencies or other organizations.	X			X															
139(2)	Appoint any medical practitioner qualified in occupational medicine to undertake medical surveillance and examination programs	X			X															

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139.1(1)	Prepare and publish an annual report that contains statistical data relating to harassment and violence in work places to which this Part applies.	X			X															
139.2(1)	Commence a review of the provisions of this Part relating to harassment and violence every five years after the day on which this section comes into force and every five years after that	X			X															
139.2(2)	Cause the report to be tabled in each house of Parliament on any of the first 15 days on which that House is sitting, after the report is completed	X																		
140(2)	Enter into an agreement with any province or any provincial body, with approval of the Governor in Council to delegate the powers, duties or functions to perform for the purposes of this Part and delegate to a person employed by that province or provincial body, subject to subsection 140(3), the powers, duties or functions to perform for the purposes of this Part	X			X															
140(4)	Provide any person to whom powers, duties or functions have been delegated under subsection 140(1), or under an agreement entered into under subsection 140(2), with a certificate of authority	X			X			X							X					
149(1)	Provide consent to initiate a prosecution. Designate any person who may consent to initiate a prosecution.	X																		
CANADA LABOUR CODE																				
PART III																				
224(1)	Appoint an arbitrator to assist the joint planning committee in the development of an adjustment program and to resolve any matters in dispute regarding the adjustment program	X																		
224(2)(b)	Determine matters in dispute respecting the adjustment program that the arbitrator is to resolve	X			X															
224(3)	Restrict the statement to those matters in dispute that the person exercising the delegated authority deems as appropriate	X			X															
224(4)	Specify a longer period of time for the arbitrator to consider the matters set out in the statement, render a decision, and send a copy of the decision and reasons to the joint planning committee and the Minister	X			X															
228	By order, waive the application of Division IX or any of its provisions in respect of any industrial establishment or class of employees therein	X																		
254(2)	By order, exempt any employer from any or all requirements in subsection 254(1) (pay statements)	X																		

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255(1)	By order, declare that for all purposes of Part III of the Code, two or more employers and the federal works, undertakings and businesses operated by them are, respectively, a single employer and a single federal work, undertaking or business	X																		
PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT (July 29, 2019)																				
88.3	Cause to be tabled, within a reasonable time after the later of the expiry of the period for compliance and the expiry of the appeal period, in the Senate or the House of Commons, or both, a direction that is issued to an employer or an employee under CLC Part II if the direction is not complied with within the period provided for in the direction and it is not appealed within the period provided for in that Part	X			X															
88.4	Determine that there are exceptional circumstances that require immediate action to be taken to prevent a contravention of Part II of the CLC	X			X										X					
88.4(b)	Cause a direction that requires immediate action due to exceptional circumstances, referred to in section 88.4, to be tabled despite section 88.3, before the expiry of the appeal period, in the Senate or the House of Commons, or both, if that direction is not complied with within the period provided for in the direction	X			X															
88.5	Request that the Board cause an order, decision or direction made by the Board that has not been complied with being tabled in the Senate and/or House of Commons	X			X															
EMPLOYMENT EQUITY ACT																				
18(3)	Specify in writing the manner in which a report can be filed using electronic media and acknowledge receipt of the report	X			X				X											
18(7)	Authorize associated or related federal works, undertakings or businesses which are operated by two or more employers having common control or direction to file a consolidated report	X			X				X											
18(8)	Exempt an employer from the requirements of section 18 for a period of up to one year where he or she determines that special circumstances warrant	X			X				X											
19(1)	Designate places where reports of private-sector employers shall be made available for public inspection and determine the form of the report to be made available	X			X				X											
19(2)	Withhold the report of a private-sector employer from public inspection if he or she determines that special circumstances so warrant	X			X				X											
20	Prepare a report consisting of a consolidation of the reports of private-sector employers	X																		

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36(1)	Issue a notice of assessment of a monetary penalty respecting a violation and send it by registered mail to the private-sector employer	X			X				X											
36(3)	Assess the amount of a monetary penalty	X			X				X											
39(3)	Present evidence and make representations with respect to the alleged violation	X			X				X											
42(1)(a)	Develop and conduct information programs to foster public understanding of this Act and to foster public recognition of the purpose of this Act	X			X				X											
42(1)(b)	Undertake research related to the purpose of this Act	X			X				X											
42(1)(c)	Promote, by any means considered appropriate, the purpose of this Act	X			X				X											
42(1)(d)	Publish and disseminate information, issue guidelines and provide advice to private sector-employers and employee representatives regarding the implementation of employment equity	X			X				X											
42(1)(e)	Develop and conduct programs to recognize private sector-employers for outstanding achievement in implementing employment equity	X			X				X											
42(2)	Administration of the Federal Contractors Program for Employment Equity.	X			X															
42(3)	Make available to employers any relevant labour market information respecting designated groups to assist employers to fulfill their obligations under the Employment Equity Act	X			X				X											
PAY EQUITY ACT																				
114	Request information or advice from the Pay Equity Commissioner regarding pay equity issues.	X	X																	
115(1)	Request that the Pay Equity Commissioner prepare a special report to the Senate and House of Commons regarding issues with administering and enforcing the <i>Pay Equity Act</i> or pay equity issues.	X	X																	
116	Request data from the Pay Equity Commissioner.	X	X																	
STATUS OF THE ARTIST ACT																				
36(2)(b)	Appoint an arbitrator	X	X	X																

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36(3)	Appoint an arbitrator	X	X	X																
36(5)	Appoint an arbitrator or arbitration board chairperson, after any inquiry that the Minister considers necessary	X	X	X																
45	Name a mediator to confer with the parties who are unable to reach an agreement	X	X	X																
NON SMOKERS' HEALTH ACT (October 17, 2018)																				
8.2(5)	Consult with the appropriate provincial minister before administering and enforcing a regulation made under subsection 8.2(2).	X			X															
9(1)	Designate inspectors for purposes of section 10 and 14 of the Act	X			X															
9(2)	With Governor in Council approval, enter into an agreement with a province with terms and conditions for designating officers to act as inspectors for the purposes of the Act	X			X															
9(3)	Provide an inspector with a certificate of authority	X			X			X							X					
WAGE EARNER PROTECTION PROGRAM ACT																				
2(5)(a)	Determine whether it is reasonable to conclude that the individual would have entered into a substantially similar contract of employment with the former employer if they had been dealing with each other at arm's length	X			X			X									X			
9	Determine whether the applicant is eligible to receive a payment	X			X			X								X	X	X		
12	Confirm, vary or rescind a determination of eligibility made under section 9	X			X			X								X	X	X		
15(4)	Make representations to the Board in writing	X			X			X		X										
22.1	Determine whether conditions for payment of trustee or receivers fees and expenses are met	X			X			X									X			
23(1)	Give directions to trustees and receivers in respect of the performance of their duties under the Act	X			X			X								X				
24(1)(a)	Summon any person before him or her and require the person to give evidence, orally or in writing, and on oath or, if the person is entitled to affirm in civil matters, on solemn affirmation	X			X			X			X					X	X			

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24(1)(b)	Require any person to provide information or document that is deemed necessary	X			X			X			X					X	X			
24(1)(c)	Require any person to provide an affidavit or a statutory declaration attesting to the truth of any information provided by the person	X			X			X			X					X	X			
24(2)	Designate any person to administer oaths and take and receive affidavits, statutory declarations and solemn affirmations for the purpose of the administration of this Act.	X			X			X												X
24(3)	Accept any oath administered or any affidavit, statutory declaration or solemn affirmation taken or received by any person who has the powers of a commissioner for taking affidavits and who is an officer or employee of a department or other portion of the federal public administration specified in any of Schedules I, IV and V to the <i>Financial Administration Act</i> or a department of the government of a province	X			X			X			X						X			
25(1)	Designate a person to enter any place in which there is a reasonable belief that any information or document relevant to the administration of the Act and perform the actions set out under paragraphs (a), (b), (c), (d) or (e) of subsection 25(1)	X			X			X												
27	Request and receive personal information relating to an applicant that is collected or obtained by the Canada Employment Insurance Commission	X			X			X								X			X	
31(1)	Conduct an audit of any application for payment under the Act	X			X			X			X					X				
31(3)	Determine if there are reasonable grounds to believe that a payment was made on the basis of false or misleading information	X			X			X			X					X				
31.1	Determine whether an individual did not receive all or part of a payment they were eligible to receive	X			X			X			X						X			
32(1)	Determine whether an individual received a payment in an amount greater than the amount they were eligible to receive	X			X			X			X						X			
32.2	Confirm, vary or rescind a determination of overpayment made under subsection 32(1)	X			X			X								X				
32.6(4)	Make representations to the Board in writing	X			X			X		X										
32.93 (2)	Certify the amount of any debt referred to in subsection 32.93(1)	X			X			X		X										
33	Determine if a person is or is about to become liable to pay an amount to an individual who is indebted to Her Majesty under-subsection 32.93(1) and if so, order the person, by written notice, to pay to the Receiver General on account of the individual's liability all or part of the amount otherwise payable to the individual	X			X			X												
36(1.1)	Direct that notice of other action or proceeding is not required	X			X			X												

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36(1.2)	Direct that notice of any final decision or order is not required	X			X			X												
GOVERNMENT EMPLOYEES COMPENSATION ACT																				
2, definition of 'employee', (c)	Approve a training course of any person for the purposes of obtaining employment to perform a duty or function on behalf of the Government of Canada	X			X				X											
2, definition of 'employee', (d)	Approve a training course of any person employed to perform a duty of function on behalf of the Government of Canada who is on leave without pay	X			X				X											
7(1)	Determine the payments to a fund paid from the Consolidated Revenue Fund, with the approval of the Treasury Board, in respect of an employee, where an employee locally engaged outside Canada is usually employed in a place where under the law respecting compensation to workmen and the dependants of deceased workmen payments are made to a fund out of which compensation is paid to workmen and the dependants of deceased workmen	X			X				X			X	X							
7(2)	Award compensation, with the approval of the Treasury Board, to an employee locally engaged outside Canada suffering a work-related injury/disease, or to his dependants in case of death, who are not otherwise entitled to compensation under any law	X			X				X			X	X							
9.1(2) and 9.2(2)	Approval of settlement where less is recovered than the amount of the compensation to the employee or their dependants	X			X				X			X	X	X*						
9.1(3) and 9.2(3)	Maintain an action against the third party if the employee or their dependants elect to claim compensation under the GECA	X			X				X			X	X	X*						
9.1(4) and 9.2(4)	Determination of any portion of the excess considered necessary to be paid out of the CRF, with the approval of the Treasury Board, to the employee or their dependants	X			X				X			X	X	X*						

Government *Employees* Compensation Act - X* : Delegation for the purposes of notices, releases and other administrative measures agreed to between FWCS and Legal Services - Signature and expedition of notices and releases to third parties, based on mutual agreement between FWCS and DRS, in each case following the Labour Program's review, assessment and determination and, where appropriate, consultation with DRS during exceptional circumstances (such as when a Business Continuity Plan is in effect), if possible in the circumstances.

14(a)	Require a company, Crown corporation, commission, board or agency whose employees are subject to the Act, to pay an amount to cover the compensation costs during the current year	X			X				X											
14(b)	Require a company, Crown corporation, commission, board or agency whose employees are subject to the Act, to pay a percentage of the cost of administering the Act	X			X				X											
14(c)	Require a company, Crown corporation, commission, board or agency whose employees are subject to the Act, to maintain a reserve fund to pay compensation in future years for claims under the Act	X			X				X											

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15	With Treasury Board approval, determine amount of additional expenses arising out of a death of an employee which occurred at a place other than where the employee is usually employed	X			X															
16	Promote and encourage accident prevention activities and safety programs in the public service	X			X															
MERCHANT SEAMEN COMPENSATION ACT																				
9	Deductions	X			X															
10	Approve amount to be assigned	X			X															
12	Hear and determine claims	X			X															
15	Examine, hear and determine matters and questions arising under this Act	X			X															
16	Reconsideration or amendment or rescission of decision or order previously made	X			X															
17	Require the production of information	X			X															
20	Award a sum for compensation in a contested claim	X			X															
21	Authorise a person to certify a copy as true copy of an order of the Minister	X			X															
23	Award compensation to a seaman who is not a resident of Canada or a non-resident dependent	X			X															
24(4)	Allow a notice of election to be given after 3 month period	X			X															
25(4)	Consider the claim if notice was not given	X			X															
26(2)	Order the employer relieved from the obligation to provide notice	X			X															
27(1)	Request that a seaman submit themselves for examination by a medical referee	X			X															
28(1)	Refer the matter to a medical referee	X			X															
28(4)	Diminish or suspend the compensation	X			X															
29	Review compensation	X			X															
30(1)	Approve the employer's insurance coverage	X			X															

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30(4)	Consent to take on proceedings	X			X															
31(1)(e)(ii)	Where the dependants are a survivor and one or more children, approve compensation for child under 21 who is attending school	X			X															
31(1)(f)(ii)	Where the dependants are children only, approve compensation for child under 21 who is attending school	X			X															
31(1)(g)	Determine a reasonable sum	X			X															
31(2)	Pay compensation to appointed person	X			X															
31(4)	Approve duration of payment	X			X															
31(5)	Determine compensation	X			X															
31(6)	Determine if payments shall continue	X			X															
31(8)	Direct the payment to be made to any person	X			X															
32(2)	Approval of payments	X			X															
37(2)	Award compensation for permanent partial disability	X			X															
37(3)	Compile rating schedules	X			X															
37(4)	Fix an amount to be paid to the seaman as full compensation	X			X															
41(5)	Award compensation in consideration of earnings at time of accident	X			X															
43(1) and 43(2)	Determine frequency of payments	X			X															
44(1) and 44(2)	Divert compensation	X			X															
45	Pay compensation to another person	X			X															
46(3)	Decide on questions of necessity	X			X															
48	Approve reasonable fees for the production of reports	X			X															
51	Determine costs chargeable against employers	X			X															
	DEPARTMENT OF EMPLOYMENT AND SOCIAL DEVELOPMENT ACT																			

Section	Description	Deputy Minister of Labour	Assistant Deputy Minister, Policy, Dispute Resolution, and International Affairs	Director General, Federal Mediation and Conciliation Service	Assistant Deputy Minister, Compliance, Operations and Program Development	Director General, Strategic Policy, Analysis and Workplace Information (SPAWID)	Senior Director, SPAWID	Director General, Workplace	Director General, Federal Programs	Executive Director, Labour Standards & Wage Earner Protection Program (WEPP)	WEPP Review Agents	Director, Federal Workers' Compensation Service (FWCS) Operations	Manager, FWCS, Claims Operations	Director, Dispute Resolution Services (DRS), Legal Services	Director General, Regional Operations and Compliance	Service Canada - Individual Payments and Services on Demand (IPSOD)	Service Canada, Payment Services Officers (Processing Center Agents)	Service Canada - WEPP NHQ Manager	Labour Program - WEPP NHQ Manager	Service Canada - Team Leaders (Regions)
N/A**	Entering into agreements for the purpose of fulfilling the Minister of Labour's mandate as set out in section 18 of the Department of Employment and Social Development Act	X	X		X															

** : A Minister of the Crown, as an agent of the Crown, may enter into contracts, including Memorandums of Understanding (MOUs), on behalf of the Crown because they have the capacity at common law to enter into contracts within their subject matter mandates.