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PART II/PARTIE II

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REVISED REGULATIONS OF SASKATCHEWAN

CHAPTER A-22.2 REG 3

The Apprenticeship and Trade Certification Act, 1999

Section 54

Order in Council 458/2003, dated June 11, 2003

(Filed June 12, 2003)

PART I

Title and Interpretation

Title

1 These regulations may be cited as *The Apprenticeship and Trade Certification Regulations, 2003*.

Interpretation

2(1) In these regulations:

- (a) **“Act”** means *The Apprenticeship and Trade Certification Act, 1999*;
- (b) **“commission regulations”** means regulations made by the commission pursuant to section 26 of the Act;
- (c) **“designated industry group”** means the organizations designated pursuant to clause 4(1)(b) or subsection 4(2) or 5(2) to select a representative for appointment to the commission from the industry sector to which those organizations belong;
- (d) **“designated organization”** means an organization designated pursuant to clause 4(1)(a) or subsection 5(1) to select a representative for appointment to the commission from the industry sector to which the designated organization belongs;
- (e) **“indentured”**, in the case of an apprentice, means to be party to a valid contract:
 - (i) that is entered into with, as the case may be:
 - (A) an employer;
 - (B) a joint training committee; or
 - (C) the commission; and
 - (ii) that is registered with the commission in accordance with the commission regulations;
- (f) **“organization”** means an employee organization, an employer organization or a trade board, as the case requires;
- (g) **“representative”** means an employee representative or an employer representative, as the case requires;
- (h) **“Table”** means a Table of the Appendix;

(i) **“trade board”** means a trade board appointed pursuant to section 21 of the Act;

(j) **“trade examining board”** means a trade examining board for a designated trade established pursuant to the commission regulations;

(k) **“trade regulation”**, with respect to a designated trade, means any provision in the commission regulations that is applicable only to that designated trade.

(2) In these regulations, a reference to a designated trade by one name is to be interpreted as a reference to the designated trade by any other name that may be given to the designated trade, from time to time, by the commission pursuant to the commission regulations.

PART II Selection of Commission Members

DIVISION 1 Industry Sectors

Prescribed industry sectors

3(1) The industry sectors listed in column 1 in Table 1 are prescribed as industry sectors for the purposes of the Act.

(2) Each industry sector is composed of the designated trades listed in column 2 opposite the industry sector listed in column 1 in Table 1.

DIVISION 2 Designated Organizations

Designated organizations to select employee representatives

4(1) For the purposes of clause 4(5)(d) of the Act:

(a) the employee organization listed in column 2 opposite an industry sector listed in column 1 in Part I of Table 2 is designated as the designated organization responsible for selecting an employee representative for appointment to the commission from that industry sector; and

(b) the trade boards listed in column 2 and the employee organizations listed in column 3 opposite an industry sector listed in column 1 in Part II of Table 2 are designated as the designated industry group responsible for selecting an employee representative for appointment to the commission from that industry sector.

(2) Notwithstanding clause (1)(a), the trade boards listed in column 3 and the employee organizations listed in column 4 in Part I of Table 2 are designated as the designated industry group responsible for selecting an employee representative for appointment to the commission from that industry sector if the employee organization designated in accordance with clause (1)(a):

(a) declines to select an employee representative for appointment to the commission from that industry sector; or

(b) fails to submit an acceptable proposal to the commission in accordance with Division 4 of this Part.

Designated organizations to select employer representatives

5(1) For the purposes of clause 4(5)(e) of the Act, the employer organization listed in column 2 opposite an industry sector listed in column 1 of Table 3 is designated as the designated organization responsible for selecting an employer representative for appointment to the commission from that industry sector.

(2) Notwithstanding subsection (1), the trade boards listed in column 3 and the employer organizations listed in column 4 of Table 3 are designated as the designated industry group responsible for selecting an employer representative for appointment to the commission from that industry sector if the employer organization designated in accordance with subsection (1):

- (a) declines to select an employer representative for appointment to the commission from that industry sector; or
- (b) fails to submit an acceptable proposal to the commission in accordance with Division 4 of this Part.

DIVISION 3 Selecting Representatives

Number of representatives to be selected

6(1) Subject to subsection (2), each designated organization and designated industry group must select one representative for appointment to the commission.

(2) The commission may direct a designated organization or designated industry group to select more than one representative for appointment to the commission.

Selection process

7(1) A designated organization shall select a representative by appointment in accordance with Division 4 of this Part.

(2) A designated industry group shall select a representative by election in accordance with Division 5 of this Part.

DIVISION 4 Selection by Designated Organization

Written proposal for selecting representative

8 Before a designated organization may select a representative for appointment to the commission:

- (a) the designated organization must submit to the commission a written proposal that:
 - (i) complies with these regulations; and
 - (ii) sets out the process that the designated organization must follow in selecting a representative from the industry sector to which the designated organization belongs; and
- (b) the commission must approve the written proposal mentioned in clause (a).

Requirements for written proposal

9(1) A written proposal mentioned in section 8 must include a process to ensure that each organization represented by a designated organization is:

- (a) notified that a representative is to be selected for appointment to the commission;
 - (b) advised of the process that the designated organization must follow in selecting a representative; and
 - (c) advised that any individual associated with that organization is eligible for selection as a representative.
- (2) For the purposes of subsection (1):
- (a) the trade boards and employee organizations represented by a designated organization for the purposes of selecting an employee representative are listed in columns 3 and 4 opposite the designated organization in column 2 in Part I of Table 2; and
 - (b) the trade boards and employer organizations represented by a designated organization for the purposes of selecting an employer representative are listed in columns 3 and 4 opposite the designated organization in column 2 of Table 3.

Commission approval of written proposal

10(1) On receipt of a written proposal mentioned in section 8, the commission may:

- (a) approve the written proposal, on any terms and conditions that the commission considers appropriate; or
 - (b) reject the written proposal.
- (2) In appointing a representative, a designated organization must comply with any terms and conditions imposed by the commission with respect to the written proposal of the designated organization pursuant to clause (1)(a).

Selection of representative by appointment

11(1) On approval of the written proposal of a designated organization pursuant to section 10, the designated organization shall, in accordance with the written proposal:

- (a) advise the organizations represented by the designated organization that a representative is to be selected for appointment to the commission; and
 - (b) select a representative for appointment to the commission.
- (2) In selecting a representative pursuant to subsection (1), the designated organization shall:
- (a) fairly consider:
 - (i) all individuals who advise the designated organization, in writing, that they are interested in being selected as the representative;

- (ii) all submissions supporting a proposed representative received from organizations that belong to the industry sector from which the representative is to be selected; and
- (iii) all submissions respecting the suitability of a proposed representative that are received from organizations that belong to the industry sector from which the representative is to be selected; and
- (b) base its decision on who, in the opinion of the designated organization, is most able:
 - (i) to assist the commission in meeting its obligations to:
 - (A) the public;
 - (B) employers, employees, apprentices, tradespersons and journeypersons; and
 - (C) the Crown; and
 - (ii) to address any concerns unique to the industry sector from which the individual seeks to be selected.

Submission of name of selected representative

12(1) After a designated organization has selected a representative in accordance with this Division, the designated organization shall advise the commission of the name of the representative selected.

(2) On being advised pursuant to subsection (1), the commission shall, in writing, advise:

- (a) the minister of:
 - (i) the name of the representative selected; and
 - (ii) the industry sector to which the representative and designated organization belong; and
- (b) each organization belonging to the industry sector of the name of the representative selected by the designated organization.

DIVISION 5

Selection by Designated Industry Group

Selection by election

13(1) If a designated industry group is to select a representative for appointment to the commission by way of election, the commission shall:

- (a) set the date for the election; and
- (b) advise each organization within the designated industry group of the election date.

(2) In setting the date for the election pursuant to subsection (1), the commission shall allow sufficient time for nominations.

(3) A person nominating or voting for a representative pursuant to this Division shall consider who, in that person's opinion, is most able:

(a) to assist the commission in meeting its obligations to:

(i) the public;

(ii) employers, employees, apprentices, tradespersons and journeypersons; and

(iii) the Crown; and

(b) to address any concerns unique to the industry sector from which the individual seeks to be selected.

Nominations

14 The commission shall implement a process to solicit nominations from the industry sector for which an election is being held pursuant to this Division.

Election by acclamation

15 A nominee is elected by acclamation if only one nomination is made for a position to be filled by election.

One vote

16 Each organization, other than a trade board, within a designated industry group has one vote in an election to select a representative to the commission from the industry sector to which the organization belongs.

Trade boards

17(1) Subject to subsections (2) to (4), each member of a trade board has one vote to select a representative to the commission from the industry sector to which the trade board belongs.

(2) If a trade board is part of more than one industry sector, only those members of the trade board who belong to the industry sector for which a representative is being elected shall vote.

(3) An employee trade board member may only vote for an employee representative to the commission.

(4) An employer trade board member may only vote for an employer representative to the commission.

Conduct of elections

18 In conducting an election pursuant to this Division, the commission shall ensure that:

(a) all organizations and individuals entitled to vote in the election are notified of the date of the election and of the names of the nominees;

(b) the organizations and individuals entitled to vote are given an opportunity to vote and only those organizations and individuals entitled to vote cast ballots; and

(c) all votes are cast by secret ballot.

Election results

19 The nominee with the most votes is selected as the representative to the commission from the industry sector to which the designated industry group participating in the election belongs.

Tie vote

20 In the event of a tie vote, the commission shall conduct a draw among the tied nominees to determine which individual is elected.

Submission of name of elected representative

21 After a designated industry group has selected a representative for appointment to the commission in accordance with this Division, the commission shall, in writing, advise:

- (a) the minister of:
 - (i) the name of the representative selected; and
 - (ii) the industry sector to which the representative and designated industry group belong; and
- (b) each organization belonging to the industry sector of the name of the representative selected by the designated industry group.

Retention of election records

22 The commission shall not destroy the ballots or any other records connected with an election until 60 days have elapsed after the date of the election.

DIVISION 6 General

Expirations of appointments

23 At least six months before a representative's appointment to the commission expires, the commission shall:

- (a) notify the designated organization, or each organization belonging to the designated industry group, that selected the representative of the expiry date for the appointment;
- (b) review the relevant list of designated organizations and designated industry groups as set out in Tables 2 and 3;
- (c) recommend to the minister any change that may be appropriate to the relevant list;
- (d) review the industry sectors in column 1 of Table 1 and determine the number of apprentices and the number of examinations written in each industry sector; and
- (e) recommend to the minister any realignment of industry sectors or changes in representation on the commission to ensure appropriate sector representation on the commission.

Vacancies

24(1) If the office of a representative to the commission becomes vacant before the expiry date of the representative's appointment, the commission may direct, as the case requires:

- (a) the designated organization that selected the representative to fill the vacancy in accordance with the selection process set out in Division 4 of this Part; or
 - (b) the designated industry group that selected the representative to fill the vacancy in accordance with the selection process set out in Division 5 of this Part.
- (2) The person selected to fill a vacancy pursuant to subsection (1) holds office for the remainder of the term of the person who vacated the office.
- (3) If a representative to the commission dies or resigns, he or she ceases to be a member of the commission on the date of death or on the date the resignation is received by the commission, as the case may be.

Additional selection procedures

25 The commission may determine, by resolution, any additional procedures that the commission considers necessarily incidental to selecting representatives for appointment to the commission for the purposes of clauses 4(5)(d) and (e) of the Act.

PART III**Compulsory Apprenticeship Trades and Sectors****Prescribed compulsory apprenticeship trades**

26 The designated trades listed in Table 4 are prescribed as compulsory apprenticeship trades pursuant to clause 19(1)(a) of the Act.

Exemptions from certain requirements

27(1) For the purposes of clauses 38(1)(d) and (2)(d) of the Act, a person who intends to become indentured in a compulsory apprenticeship trade or a compulsory apprenticeship sector may work in the trade or the sector, before becoming indentured in the trade for the first time, for a period of not more than one-half the number of hours in an apprenticeship year as prescribed by the trade regulation for that designated trade.

(2) The commission may issue a special permit authorizing a tradesperson to work in a compulsory apprenticeship trade if:

- (a) the tradesperson applies to the commission for a special permit; and
- (b) the commission is satisfied that the tradesperson commenced work in the compulsory apprenticeship trade:
 - (i) before December 1, 1976, in the case of the electrician, plumber and sheet metal worker trades;
 - (ii) before December 1, 1988, in the case of the refrigeration mechanic trade; or
 - (iii) before the trade was designated as a compulsory apprenticeship trade pursuant to these regulations, in the case of a trade not mentioned in subclause (i) or (ii).

(3) The commission may issue a special permit authorizing a person to work in a compulsory apprenticeship trade or other designated trade if:

- (a) the person applies to the commission for a special permit; and
- (b) the commission is satisfied that the person holds valid qualifications from another province or territory of Canada that are equivalent to the journeyperson qualifications or proficiency certificate qualifications required in Saskatchewan to work in that compulsory apprenticeship trade or other designated trade.

PART IV

Barber Stylist and Cosmetologist Trades

Barber stylist trade

28(1) In this section, “**trade**” means the trade designated as the “**barber stylist trade**” pursuant to the commission regulations.

(2) This section applies to employers, tradespersons, journeypersons and apprentices in the trade and any other person who performs work of the trade, except persons performing overlapping work in the trade pursuant to section 30.

(3) Subject to subsections (4) to (12):

- (a) no person shall work in the trade unless that person is a journeyperson or a holder of a learner’s certificate in the trade; and
- (b) no employer shall employ any person in the trade unless that person is a journeyperson or a holder of a learner’s certificate in the trade.

(4) A person who held a valid certificate of status in the trade on September 1, 1986 issued pursuant to regulations made pursuant to *The Apprenticeship and Trade Qualification Act* may continue to work in the trade after the expiry date of that person’s certificate if that person obtains a special permit from the commission.

(5) A person may work in the trade in the 90 days following the completion of the training program required for the trade pursuant to the commission regulations if the person has:

- (a) successfully completed the training program; and
- (b) applied for any learner’s certificate that may be required for the trade pursuant to the commission regulations.

(6) Unless a person meets the requirements of subsection (7), no person who commences work in the trade on or after September 2, 1986 shall work in the trade after the expiry of one year from:

- (a) in the case of an apprentice, the completion of the apprentice’s final apprenticeship year; or
- (b) in any other case, the completion of 5,400 hours of work in the trade.

(7) A person mentioned in subsection (6) may continue to work in the trade after the applicable period mentioned in that subsection if the person has:

- (a) been awarded a journeyperson certificate of qualification in the trade;
- (b) applied to take the journeyperson trade examination but, for reasons acceptable to the commission, not yet taken the examination;
- (c) taken the journeyperson trade examination and is awaiting the results of the examination; or
- (d) having failed the journeyperson trade examination on the first attempt, acted in compliance with the commission regulations to make any further attempts permitted by those regulations.

(8) For the purposes of subsection (6), the following are deemed to be work in the trade, as prescribed in the commission regulations:

- (a) completion of the training program for the trade;
- (b) hours of credit in the trade granted by the commission;
- (c) advanced standing in the trade previously granted by the commission.

(9) If the commission has reason to believe that a person is working in the trade contrary to subsection (6), the commission may serve notice on that person requiring the person, within a period specified in the notice or within any further time that the commission may allow, to be examined by the commission respecting the person's work in the trade.

(10) A person served with a notice pursuant to subsection (9) who wishes to dispute any allegation made in the notice shall:

- (a) within 30 days after the date of the notice, submit a written reply to the commission indicating the person's intention to dispute the allegation; and
- (b) provide the commission with evidence respecting the person's training and experience in the trade, in any form permitted pursuant to the commission regulations or in any other form acceptable to the commission.

(11) The commission shall consider the evidence provided pursuant to clause (10)(b) and may consider:

- (a) any evidence previously submitted by the person to the commission respecting the person's training and experience in the trade; and
- (b) the evidence of any other person which, in the commission's opinion, is relevant to the issues in dispute.

(12) With respect to a person mentioned in subsection (9), the commission shall determine:

- (a) the date on which the person commenced work in the trade;

- (b) in the case of an apprentice, the length of time, if any, that the apprentice has worked in the trade after the completion of the apprentice's final apprenticeship year; and
 - (c) in any other case:
 - (i) whether the person is eligible to take the journeyperson trade examination in the trade;
 - (ii) if applicable, the date on which the person became eligible to take the journeyperson trade examination in the trade; and
 - (iii) the length of time, if any, that the person has worked in the trade after becoming eligible to take the journeyperson trade examination.
- (13) No person shall operate a place of business at which one or more persons are engaged in the trade unless at least one person who holds a journeyperson certificate of qualification in the trade is on duty at all times during which the place of business is open to the public.
- (14) Subsection (13) only applies to a place of business that is:
- (a) established on or after September 2, 1986; or
 - (b) sold, leased, transferred or otherwise continued on or after September 2, 1986.

Cosmetologist trade

- 29(1)** In this section, “**trade**” means the trade designated as the “**cosmetologist trade**” pursuant to the commission regulations.
- (2) This section applies to employers, tradespersons, journeypersons and apprentices in the trade and any other person who performs work of the trade, except persons performing overlapping work in the trade pursuant to section 30.
- (3) Subject to subsections (4) to (12):
- (a) no person shall work in the trade unless that person is a journeyperson or a holder of a learner's certificate in the trade; and
 - (b) no employer shall employ in the trade any person unless that person is a journeyperson or a holder of a learner's certificate in the trade.
- (4) A person who held a valid certificate of status in the trade on September 1, 1986 issued pursuant to regulations made pursuant to *The Apprenticeship and Trade Qualification Act* may continue to work in the trade after the expiry date of that person's certificate if that person obtains a special permit from the commission.
- (5) A person may work in the trade in the 90 days following the completion of the training program required for the trade pursuant to the commission regulations if the person has:
- (a) successfully completed the training program; and
 - (b) applied for any learner's certificate that may be required for the trade pursuant to the commission regulations.

(6) Unless a person meets the requirements of subsection (7), no person who commences work in the trade on or after September 2, 1986 shall work in the trade after the expiry of one year from:

- (a) in the case of an apprentice, the completion of the apprentice's final apprenticeship year; or
- (b) in any other case, the completion of 5,400 hours of work in the trade.

(7) A person mentioned in subsection (6) may continue to work in the trade after the applicable period mentioned in that subsection if the person has:

- (a) been awarded a journeyperson certificate of qualification in the trade;
- (b) applied to take the journeyperson trade examination but, for reasons acceptable to the commission, not yet taken the examination;
- (c) taken the journeyperson trade examination and is awaiting the results of the examination; or
- (d) having failed the journeyperson trade examination on the first attempt, acted in compliance with the commission regulations to make any further attempts permitted by those regulations.

(8) For the purposes of subsection (6), the following are deemed to be work in the trade, as prescribed in the commission regulations:

- (a) completion of the training program for the trade;
- (b) hours of credit in the trade granted by the commission;
- (c) advanced standing in the trade previously granted by the commission.

(9) If the commission has reason to believe that a person is working in the trade contrary to subsection (6), the commission may serve notice on that person requiring that person, within a period specified in the notice or within any further time that the commission may allow, to be examined by the commission respecting the person's work in the trade.

(10) A person served with a notice pursuant to subsection (9) who wishes to dispute any allegation made in the notice shall:

- (a) within 30 days after the date of the notice, submit a written reply to the commission indicating the person's intention to dispute the allegation; and
- (b) provide the commission with evidence respecting the person's experience and work in the trade, in any form permitted pursuant to the commission regulations or in any other form acceptable to the commission.

(11) The commission shall consider the evidence provided pursuant to clause (10)(b) and may consider:

- (a) any evidence previously submitted by the person to the commission respecting the person's training and experience in the trade; and
- (b) the evidence of any other person which, in the commission's opinion, is relevant to the issues in dispute.

(12) With respect to a person mentioned in subsection (9), the commission shall determine:

- (a) the date on which that person commenced work in the trade;
- (b) in the case of an apprentice, the length of time, if any, that the apprentice has worked in the trade after the completion of the apprentice's final apprenticeship year; and
- (c) in any other case:
 - (i) whether the person is eligible to take the journeyperson trade examination in the trade;
 - (ii) if applicable, the date on which the person became eligible to take the journeyperson trade examination in the trade; and
 - (iii) the length of time, if any, that the person has worked in the trade after becoming eligible to take the journeyperson trade examination.

(13) No person shall operate a place of business at which one or more persons are engaged in the trade unless at least one person who holds a journeyperson certificate of qualification in the trade is on duty at all times during which the place of business is open to the public.

(14) Subsection (13) only applies to a place of business that is:

- (a) established on or after September 2, 1986; or
- (b) sold, leased, transferred or otherwise continued on or after September 2, 1986.

PART V

Overlapping Work

Overlapping work

30(1) In this section, “**overlapping work**” means any work of a compulsory apprenticeship trade, or of a designated trade for which regulations are made pursuant to clause 54(1)(g) of the Act, that is the same as part of the work of another designated trade.

(2) A person who meets all requirements necessary to perform work in a designated trade may perform overlapping work in another designated trade if the overlapping work is part of the work of the designated trade.

(3) An employer may employ a person to perform overlapping work if the person meets the requirements mentioned in subsection (2).

PART VI
Apprenticeship

Hours of work

31(1) In this section:

- (a) **“regular hours of work of a journeyperson”** means the maximum number of hours, established pursuant to any law, custom, contract or other arrangement, that a journeyperson may work in a period without becoming entitled to overtime pay;
 - (b) **“statutory regular hours of work”** means the maximum number of hours, prescribed by *The Labour Standards Act* or the *Canada Labour Code*, as the case may require, that any employee may work in a period without becoming entitled to overtime pay.
- (2) The hours of work of an apprentice and the payment to an apprentice for overtime are not to contravene the provisions of *The Labour Standards Act* or the *Canada Labour Code*, as the case may require.
- (3) Notwithstanding subsection (2), if the regular hours of work of a journeyperson working at the place of employment of an apprentice are less than the statutory regular hours of work:
- (a) the regular hours of work of the apprentice are deemed to be the regular hours of work of the journeyperson; and
 - (b) the apprentice is entitled to be paid overtime pay for any hours of work that the apprentice performs in excess of those regular hours of work.
- (4) Notwithstanding subsections (2) and (3), if the regular hours of work and entitlement to overtime pay of an apprentice are established by a collective bargaining agreement, the apprentice is entitled to be paid overtime in accordance with that agreement.

Minimum rates of pay

- 32(1)** In this section and in Table 5, **“first half of an apprenticeship year”** means the period required to complete one-half of the hours of an apprenticeship year in a designated trade as prescribed in the trade regulation for that trade.
- (2) The employer of an apprentice in a designated trade that is listed in Table 5 shall pay wages to the apprentice at a rate not less than the rate set out in Table 5 for that designated trade.
- (3) Unless otherwise prescribed by Table 5, the employer of an apprentice shall pay wages to the apprentice during the first half of the first apprenticeship year at a rate not less than the greater of:
- (a) the minimum wage established pursuant to *The Labour Standards Act* or the *Canada Labour Code*, as the case may require; and
 - (b) 40% of the hourly rate of a newly qualified journeyperson in the employer's establishment.

- (4) Unless otherwise prescribed by Table 5, an apprentice's employer shall:
- (a) subject to clause (b), increase the wages paid to the apprentice in approximately equal increments at the completion of:
 - (i) the first half of each apprenticeship year; and
 - (ii) each apprenticeship year; and
 - (b) during the last half of the final apprenticeship year, pay the apprentice not less than 90% of the hourly rate of a newly qualified journeyperson in the employer's establishment.
- (5) An employer shall adjust the rate of wages paid to an apprentice in the event that the hourly rate of a newly qualified journeyperson in the employer's establishment is adjusted upward.
- (6) If an apprentice's rate of pay established by any law, custom, contract or other arrangement outside these regulations is higher than the rate of pay to which the apprentice is entitled pursuant to this section, the apprentice is entitled to be paid at the rate established by that law, custom, contract or arrangement.
- (7) Notwithstanding subsections (2) to (6), if an apprentice's rate of pay is established by a collective bargaining agreement, the apprentice is entitled to be paid in accordance with that agreement.

Ratio of apprentices to journeypersons, etc.

33(1) In this section:

- (a) **"proficiency certificate"** means a proficiency certificate:
 - (i) issued pursuant to the commission regulations; or
 - (ii) issued pursuant to section 44 of *The Apprenticeship and Trade Certification Regulations* and continued pursuant to section 58 of the Act;
 - (b) **"proficiency certificate holder"** means a person who holds a valid proficiency certificate;
 - (c) **"ratio"** means the maximum number of apprentices that may be employed by an employer in a designated trade based on the number of journeypersons or proficiency certificate holders of the designated trade who are working in or are employed by the employer at the apprentice's normal place of work;
 - (d) **"temporary ratio"** means the ratio of apprentices to journeypersons assigned by the commission for a designated trade pursuant to subsection (6).
- (2) No employer shall employ more apprentices in a designated trade or subtrade than are permitted by or pursuant to this section.

(3) Subject to subsections (4) and (6), an employer who is a journeyperson working in a designated trade in Saskatchewan, or who employs one journeyperson in a designated trade, subtrade or designated sector in Saskatchewan, may employ:

- (a) one apprentice in the trade, subtrade or designated sector; and
- (b) one additional apprentice in the trade, subtrade or designated sector for each additional journeyperson in the trade employed by the employer within Saskatchewan.

(4) An employer who is a journeyperson working in a designated trade in Saskatchewan that is listed in Table 6, or who employs one journeyperson in a designated trade in Saskatchewan that is listed in Table 6, may employ the number of apprentices to the number of journeypersons as set out in Table 6 for that designated trade.

(5) An employer who is a proficiency certificate holder working in a subtrade of a designated trade in Saskatchewan, or who employs one proficiency certificate holder in a subtrade of a designated trade in Saskatchewan, may employ:

- (a) one apprentice in the subtrade; and
- (b) one additional apprentice in the subtrade for each additional proficiency certificate holder in the subtrade employed by the employer within Saskatchewan.

(6) Notwithstanding subsection (3), when the commission designates a trade as a designated trade, the commission may assign a temporary ratio of apprentices to journeypersons for the designated trade, within a range of 1:1 to 3:1.

(7) Within 45 days after designating a trade as a designated trade, the commission shall advise the minister of any temporary ratio assigned to the designated trade pursuant to subsection (6).

(8) If the ratio that is prescribed by these regulations for a designated trade after the commission has assigned a temporary ratio conflicts with that temporary ratio, the ratio prescribed by these regulations prevails.

(9) Notwithstanding any other provision of this section, an employer shall ensure that there are at least as many journeypersons or proficiency certificate holders employed and available to supervise an apprentice at the apprentice's normal place of work as are required, as the case may be:

- (a) by the ratio set out in or established pursuant to subsection (3), (5) or (12);
- (b) by the ratio set out in Table 6; or
- (c) by the temporary ratio.

(10) A person who is working in a compulsory apprenticeship trade or a compulsory apprenticeship sector in accordance with subsection 27(1) is deemed to be an apprentice for the purpose of determining compliance with the ratio or temporary ratio, as the case may be.

(11) The commission may permit a person who holds valid qualifications in another province or territory of Canada equivalent to:

- (a) the Saskatchewan Journeyperson Certificate of Qualification to be considered a journeyperson for the purposes of this section; or
- (b) a proficiency certificate to be considered a proficiency certificate holder for the purposes of this section.

(12) Notwithstanding any other provision of this section, the commission may authorize an employer to employ additional apprentices if, in the commission's opinion, the circumstances warrant it.

(13) Notwithstanding any other provision of this section, if the ratio for a designated trade is changed pursuant to these regulations, the commission and an employer may enter into an agreement establishing a plan to phase in the implementation of the new ratio in the employer's business.

(14) Compliance with a plan established pursuant to subsection (13) is deemed to be compliance for the purposes of this section with the ratio prescribed for the designated trade.

(15) In the case of a trade in which there are no journeypersons or few journeypersons, the commission may deem a person to be a journeyperson in the trade for the purposes of satisfying the requirements of the applicable ratio if the person has training and experience in the trade that, in the commission's opinion, is equivalent to that of a journeyperson.

PART VII

Review of Results

Review of results

34(1) A candidate who fails an examination prescribed by the commission may request that the commission review the marks awarded on the examination.

(2) A request pursuant to subsection (1) must:

- (a) be in writing;
- (b) state the reasons for requesting the review;
- (c) be accompanied by the fee prescribed by the commission; and
- (d) be received by the commission within 60 days after the date on which the statement of results was mailed to the candidate's last address known to the commission.

(3) On receipt of a request in accordance with subsection (2), the commission shall:

- (a) review the marking of the examination; and
- (b) forward the results of the review to the candidate.

(4) There is no further review or appeal of examination results to which a candidate is entitled.

(5) The commission shall refund the fee paid pursuant to clause (2)(c) to a candidate whose marks are increased as a result of a review pursuant to this section.

PART VIII

Transitional, Repeals and Coming into Force

Regulations prevail

35(1) If any provision of these regulations conflicts with any provision of *The Apprenticeship and Trade Certification Regulations*, the provision of these regulations prevails.

(2) This section is repealed on the day on which *The Apprenticeship and Trade Certification Regulations* are repealed.

R.R.S. c.A-22.1 Reg 1 amended

36(1) *The Apprenticeship and Trade Certification Regulations* are amended in the manner set forth in this section.

(2) Section 46 is repealed.

(3) Section 50 is repealed.

R.R.S. c.A-22.2 Reg 2 repealed

37 *The Apprenticeship and Trade Certification (Commission Selection) Regulations* are repealed.

Coming into force

38 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

Appendix

TABLE 1
[Sections 3 and 23]

Industry Sectors

Column 1 Industry sectors	Column 2 Designated trades
Agriculture, Tourism and Service	barber stylist, cook, cosmetologist, electronics technician (consumer products), food and beverage person, guest services representative, custom harvester, horticulture technician, locksmith, pork production technician
Construction	boilermaker, bricklayer, carpenter, concrete finisher, crane and hoist operator, drywall and acoustical mechanic, *electrician, floorcovering installer, glassworker, *industrial mechanic (millwright), insulator, ironworker reinforcing rebar, ironworker structural, painter and decorator, pipeline equipment operator, plasterer, plumber, power lineperson, *refrigeration mechanic, roofer, sheet metal worker, sprinkler systems installer, steamfitter – pipefitter, tilesetter, water well driller
Production and Maintenance	*electrician, electronics assembler, industrial instrument mechanic, *industrial mechanic (millwright), machinist, *refrigeration mechanic, steel fabricator, welder
Motive Repair	agricultural machinery technician, aircraft maintenance engineer technician, automotive service technician, heavy-duty equipment mechanic, motor vehicle body repairer, partsperson, truck and transport mechanic

* The designated trade is part of more than one industry sector.

TABLE 2
[Sections 4, 9 and 23]

Selection of Employee Representatives

PART I Designated Organizations			
Column 1 Industry sector	Column 2 Designated organization	Column 3 Trade boards	Column 4 Employer organizations
Construction	Saskatchewan Provincial Building and Construction Trades Council	<ul style="list-style-type: none"> - Boilermaker - Bricklayer - Carpenter - Concrete finisher - Crane and hoist operator - Drywall & acoustical mechanic - *Electrician - Floorcovering installer - Glassworker - *Industrial mechanic (millwright) - Insulator - Ironworker reinforcing rebar - Ironworker structural - Painter and decorator - Pipeline equipment operator - Plasterer - Plumber - Power lineperson - *Refrigeration mechanic - Roofer - Sheet metal worker - Sprinkler systems installer - Steamfitter - pipefitter - Tiler - Water well driller 	<ul style="list-style-type: none"> - Saskatchewan Federation of Labour - Saskatchewan Provincial Building and Construction Trades Council - Construction and General Workers' Union, Local 890 - Construction and General Workers' Union, Local 180 - International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers, Local 771 - International Association of Heat and Frost Insulators and Asbestos Workers, Local 119 - International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers - International Brotherhood of Electrical Workers, Local 529 - International Brotherhood of Electrical Workers, Local 2038 - International Brotherhood of Painters and Allied Trades, Local 739 - International Union of Bricklayers and Allied Craft Workers - International Union of Elevator Constructors, Local 102 - International Union of Operating Engineers - Millwrights Machine Erectors and Maintenance Union, Local 1021 - Operative Plasterers' and Cement Masons' International Association of the US and Canada, Local 222 - Saskatchewan Government & General Employees Union - The United Association of Journeymen & Apprentices of the Plumbing and Pipe Fitting Industry of the US & Canada, Local 179 - Sheet Metal Workers' International Association - United Brotherhood of Carpenters & Joiners of America, Local 1985
Production and Maintenance	Saskatchewan Federation of Labour	<ul style="list-style-type: none"> - *Electrician - Electronics assembler - Industrial instrument mechanic - *Industrial mechanic (millwright) - Machinist - *Refrigeration mechanic - Steel fabricator - Welder 	<ul style="list-style-type: none"> - Saskatchewan Federation of Labour - Canadian Union of Public Employees - Communications, Energy and Paperworkers' Union - International Brotherhood of Electrical Workers, Local 2067 - United Steelworkers of America - Industrial, Wood and Allied Workers of Canada, Local 1-184 - Rocanville Potash Employees Association - The United Association of Journeymen & Apprentices of the Plumbing and Pipe Fitting Industry of the US and Canada, Local 179

Part II Designated Industry Groups		
Column 1 Industry sector	Column 2 Trade boards	Column 3 Employee organizations
Agriculture, Tourism and Service	<ul style="list-style-type: none"> - Barber stylist - Cook - Cosmetologist - Electronics technician (consumer products) - Food and beverage person - Guest services representative - Custom harvester - Horticulture technician - Locksmith - Pork production technician 	<ul style="list-style-type: none"> - Saskatchewan Federation of Labour - Grain Services Union - Canadian Union of Public Employees - Saskatchewan Government & General Employees Union - Public Service Alliance of Canada - Sask Joint Board Retail, Wholesale and Department Store Union - Service Employees International Union - Hotel Employees and Restaurant Employees Union, Local 206 - United Food and Commercial Workers Union - National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-CANADA) - Communications, Energy and Paperworkers' Union - Canadian Union of Public Employees
Motive Repair	<ul style="list-style-type: none"> - Agriculture machinery technician - Aircraft maintenance engineer technician - Automotive service technician - Heavy-duty equipment mechanic - Motor vehicle body repairer - Partsperson - Truck and transport mechanic 	<ul style="list-style-type: none"> - Saskatchewan Federation of Labour - International Brotherhood of Teamsters - Canadian Union of Public Employees - Office & Professional Employees' International Union, Local 397 - Saskatchewan Government & General Employees Union - United Steelworkers of America - National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-CANADA)

*** The trade board is part of more than one industry sector.**

TABLE 3
[Sections 5, 9 and 23]

Selection of Employer Representatives

Column 1 Industry sector	Column 2 Designated organization	Column 3 Trade boards	Column 4 Employer organizations
Construction	Saskatchewan Construction Association, Inc.	<ul style="list-style-type: none"> - Boilermaker - Bricklayer - Carpenter - Concrete finisher - Crane and hoist operator - Drywall & acoustical mechanic - *Electrician - Floorcovering installer - Glassworker - *Industrial mechanic (millwright) - Insulator - Ironworker reinforcing rebar - Ironworker structural - Painter and decorator - Pipeline equipment operator - Plasterer - Plumber - Power lineperson - *Refrigeration mechanic - Roofer - Sheet metal worker - Sprinkler systems installer - Steamfitter - pipefitter - Tilesetter - Water well driller 	<ul style="list-style-type: none"> - Central Line Contractor's Association, Inc. - CLR Construction Labour Relations Association of Saskatchewan Inc. - General Contractors Association of Saskatchewan Incorporated - Mechanical Contractors Association of Saskatchewan Inc. - Merit Contractors Association Inc. - Road Builders & Heavy Construction Association of Saskatchewan, Inc. - Saskatchewan Construction Association, Inc. - Sask Drywall & Acoustical Association Inc. - Electrical Contractors Association of Saskatchewan, Inc. - Saskatchewan Home Builders' Association Inc. - Saskatchewan Masonry Institute, Inc. - Saskatchewan Professional Painting Contractors Association Inc. - Refrigeration and Air Conditioning Contractors Association of Saskatchewan Inc.
Production and Maintenance	Saskatchewan Mining Association	<ul style="list-style-type: none"> - *Electrician - Electronics assembler - Industrial instrument mechanic - *Industrial mechanic (millwright) - Machinist - *Refrigeration mechanic - Steel fabricator - Welder 	<ul style="list-style-type: none"> - Saskatchewan Trade and Export Partnership (STEP) - Council of Saskatchewan Forestry Industries Inc. - Refrigeration & Air Conditioning Contractors Association of Saskatchewan Inc. - Saskatchewan Mining Association Inc. - Saskatchewan Process Industry Training Network - Saskatchewan Steel Fabricators & Erectors Association

Motive Repair	Saskatchewan Automobile Dealers' Association	<ul style="list-style-type: none"> - Agriculture machinery technician - Aircraft maintenance engineer technician - Automotive service technician - Heavy-duty equipment mechanic - Motor vehicle body repairer - Partsperson - Truck and transport mechanic 	<ul style="list-style-type: none"> - Saskatchewan Association of Automotive Repairers Inc. - Saskatchewan Automobile Dealers' Association - Saskatchewan Trucking Association
Agriculture, Tourism and Service	Tourism Saskatchewan	<ul style="list-style-type: none"> - Barber stylist - Cook - Cosmetologist - Electronics technician (consumer products) - Food and beverage person - Guest services representative - Locksmith - Custom harvester - Horticulture technician - Pork production technician 	<ul style="list-style-type: none"> - Canadian Federation of Independent Business - Hotels' Association of Saskatchewan - Saskatchewan Chamber of Commerce - Saskatchewan Professional Locksmith Association Inc. - Canadian Restaurant and Food Services Association - Tourism Saskatchewan - Association of Canadian Custom Harvesters Inc. - Canada West Equipment Dealers Association - Saskatchewan Greenhouse Growers Association - Prairie Implement Manufacturers Association - Saskatchewan Nursery Landscape Association - Sask Pork

* The trade board is part of more than one industry sector.

TABLE 4
[Section 26]

Compulsory Apprenticeship Trades

Compulsory Apprenticeship Trades
Electrician
Plumber
Refrigeration mechanic
Sheet metal worker

TABLE 5
[Section 32]

Minimum Rates of Pay

Designated Trade	Minimum Rate of Pay Requirements
Barber Stylist	<p>The employer of an apprentice in the trade shall pay wages to the apprentice during the first six months of the apprentice's employment at a rate not less than the minimum wage established pursuant to <i>The Labour Standards Act</i> or the <i>Canada Labour Code</i>, as the case may require.</p> <p>The employer of the apprentice shall pay wages to the apprentice, beyond the first half of an apprenticeship year, at a rate of not less than 110% of the minimum wage established pursuant to <i>The Labour Standards Act</i> or the <i>Canada Labour Code</i>, as the case may require.</p>
Cosmetologist Food and Beverage Person Guest Service Representative	<p>The employer of an apprentice in the trade shall pay wages to the apprentice at a rate not less than the minimum wage established pursuant to <i>The Labour Standards Act</i> or the <i>Canada Labour Code</i>, as the case may require.</p>
Electrician	<p>The employer of an apprentice in the trade shall:</p> <p>(a) subject to clause (b), increase the wages paid to the apprentice in equal increments at the completion of:</p> <p>(i) the first half of each apprenticeship year; and</p> <p>(ii) each apprenticeship year; and</p> <p>(b) during the final apprenticeship year, pay the apprentice not less than 70% of the hourly rate of a newly qualified journeyman in that establishment.</p>
Pork Production Technician Production Line Welder	<p>The employer of an apprentice in the trade shall:</p> <p>(a) subject to clause (b), increase the wages paid to the apprentice in equal increments at the completion of:</p> <p>(i) the first half of each apprenticeship year; and</p> <p>(ii) each apprenticeship year; and</p> <p>(b) during the last half of the final apprenticeship year, pay the apprentice not less than 70% of the hourly rate of a newly qualified journeyman in that establishment.</p>

TABLE 6
[Section 33]

Ratio of Apprentices to Journeypersons

Designated Trade	Apprentices	Journeypersons
Agricultural Machinery Technician	2	1
Barber Stylist	3	1
Boilermaker *	1	5
Concrete Finisher	2	1
Cosmetologist	3	1
Drywall and Acoustical Mechanic	2	1
Electronics Technician (Consumer Products)	2	1
Floorcovering Installer	2	1
Food and Beverage Person	4	1
Glass Worker	3	1
Guest Services Representative	4	1
Horticulture Technician	2	1
Insulator *	1	2
Locksmith	2	1
Machinist	3	1
Partsperson	2	1
Plasterer *	1	3
Power lineperson	3	1
Roofer	3	1
Steamfitter-Pipefitter *	1	3
Steel Fabricator	2	1
Truck and Transport Mechanic	3	1
Welder	3	1

* Employers may employ the first apprentice with one journeyperson supervising the apprentice. Subsequent registered apprentices beyond the first must meet the prescribed ratio.

SASKATCHEWAN REGULATIONS 54/2003*The Saskatchewan Medical Care Insurance Act*

Sections 14 and 48

Order in Council 457/2003, dated June 11, 2003

(Filed June 12, 2003)

Title

1 These regulations may be cited as *The Saskatchewan Medical Care Insurance Payment Amendment Regulations, 2003 (No.3)*.

R.R.S. c.S-29 Reg 19, section 3 amended

2 Clause 3(c) of *The Saskatchewan Medical Care Insurance Payment Regulations, 1994* is amended:

- (a) by striking out “and” after subclause (iii);
- (b) in subclause (iv) by adding “and ending on May 31, 2003” after “January 1, 2001”;
- (c) by adding “and” after subclause (iv); and
- (d) by adding the following subclause after subclause (iv):
 - “(v) for services provided in the period commencing on June 1, 2003, the schedule adopted by the department for payment of optometrist services and entitled ‘Saskatchewan Health Payment Schedule for Insured Services Provided by an Optometrist, June 1, 2003’”.

Coming into force

- 3(1)** Subject to subsection (2), these regulations come into force on June 1, 2003.
- (2) If these regulations are filed with the Registrar of Regulations after June 1, 2003, these regulations come into force on the day on which they are filed with the Registrar of Regulations, but are retroactive and are deemed to have been in force on and from June 1, 2003.