

UNEDITED

The Fire Departments Platoon Act

being

Chapter 158 of *The Revised Statutes of Saskatchewan, 1953*
(effective February 1, 1954).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER 158

An Act respecting the Platoon System for Employees of Certain Municipal Fire Departments

Short title

1 This Act may be cited as *The Fire Departments Platoon Act*.

R.S.S. 1953, c.158, s.1.

Interpretation

2 In this Act:

“fire chief”

1 “**fire chief**” means the officer in charge of a fire department;

“full-time fire-fighter”

2 “**full-time fire-fighter**” means a person regularly employed in the fire department on a full-time salaried basis and assigned exclusively to fire protection or fire prevention duties but does not include the fire chief or a deputy fire chief or any other person having authority to employ or discharge a full-time fire-fighter or regularly acting in a confidential capacity on behalf of the fire chief or the city or any board, commission or other body established to manage, control and operate the fire department.

1953, c.58, s.2; R.S.S. 1953, c.158, s.2.

Application of Act

3 This Act applies to every city having a population of ten thousand or over, as shown by the last Dominion Census.

1947, c.54, s.3; R.S.S. 1953, c.158, s.3.

Establishment of two-platoon system

4 Except where a bylaw passed in accordance with section 5 is in force, the fire chief of every city to which this Act applies shall, from time to time, divide the officers and employees of the fire department into two platoons for work in accordance with one of the following systems:

1 under which the fire chief shall not keep a platoon on duty for more than twenty-four consecutive hours, after which the platoon so kept on duty shall be allowed twenty-four consecutive hours off duty;

2 under which one platoon shall be on duty for day-work for ten consecutive hours in each twenty-four hours and the other shall be on duty for night-work for fourteen consecutive hours in each twenty-four hours, each platoon to alternate at least once in every seven days from day-work to night-work or from night-work to day-work.

1947, c.54, s.4; R.S.S. 1953, c.158, s.4.

Establishment of three-platoon system

5(1) If the council of a city to which this Act applies receives before the fifteenth day of October in any year a petition, signed by not less than one-tenth of the resident electors, requesting the submission to the electors of the city of a bylaw providing for the division of the officers and employees of the fire department into three platoons and that each platoon shall be on duty for eight consecutive hours in each twenty-four hours, such a bylaw shall be introduced and given its first and second readings and the council shall submit the bylaw to be voted upon at the next ensuing annual election; and the provisions of Part V of *The City Act* shall apply:

Provided that where the estimates of expenditure of a city and the rate or rates of taxation proposed to be struck are required to be submitted annually to the Local Government Board for revision and approval, the council of the city shall not introduce the bylaw or submit it to a vote of the electors of the city unless directed to do so by the board.

(2) No bylaw submitted to the electors under subsection (1) shall have any force or effect unless assented to by a majority of the electors voting thereon.

(3) When a bylaw has been so assented to the council shall pass the same within four weeks thereafter.

(4) Where a bylaw passed in accordance with this section is in force the fire chief shall, from time to time, divide the officers and employees of the fire department into three platoons, determine the time of the day at which each platoon shall commence work during any specified period or periods and periodically change the working hours for each platoon.

1947, c.54, s.5; R.S.S. 1953, c.158, s.5.

Period of rest

6 In every city to which this Act applies, where there is a permanent fire department the officers and employees of which are regularly employed and paid by the city, every officer and employee of the department shall be entitled to a period of rest of at least twenty-four consecutive hours in every seven days and, where the two-platoon system, as provided by paragraph 2 of section 4, or the three-platoon system is in operation, no part of the hours of release from duty at the change of platoons shall be included in the said period of rest.

1947, c.54, s.6; R.S.S. 1953, c.158, s.6.

Salaries and holidays

7 No deduction shall be made from the pay or the holidays of the officers or employees of a fire department by reason only of the provisions of this Act.

1947, c.54, s.7; R.S.S. 1953, c.158, s.7.

Penalties

8 Subject to the provisions of section 9, every fire chief or other officer of a fire department who directs or requires an officer or employee to be on duty in violation of the provisions of this Act is guilty of an offence and liable on summary conviction to a fine of not less than \$10 nor more than \$100.

1947, c.54, s.8; R.S.S. 1953, c.158, s.8.

Full attendance of conflagrations

9 Notwithstanding the provisions of this Act, in case of a conflagration for the control of which the attendance of all officers and employees of the department is, in the opinion of the fire chief, necessary, he may require the attendance of all the officers and employees for work during the continuance of the conflagration.

1947, c.54, s.9; R.S.S. 1953, c.158, s.9.

Collective bargaining and arbitration

10(1) Where a collective bargaining agreement between the full-time fire-fighters and the city, or any board, commission or other body established to manage, control and operate the fire department, is in force, either party to the agreement may, not less than thirty days nor more than sixty days before the expiry date of such agreement, give notice in writing to the other party to terminate such agreement or to negotiate a revision thereof, and thereupon the parties shall bargain collectively with a view to the renewal or revision of such agreement or the conclusion of a new agreement.

(2) Where no such agreement is in force either party (that is to say, a majority of the full-time fire-fighters of the city, or the council of the city or the board, commission or other body established to manage, control and operate the fire department) may, not later than the first day of February in any year, in writing request the other party to meet with nominated representatives of the party making the request, for the purpose of defining, determining and providing working conditions and remuneration of the full-time fire-fighters.

(3) Within fifteen days after a notice has been given under subsection (1) or a request has been made under subsection (1) or a request has been made under subsection (2) the two parties shall meet and bargain in good faith.

(4) If a meeting is not held within the time mentioned in subsection (3) or if the bargaining proceedings by the two parties have in the opinion of either party reached a point where agreement cannot be achieved, either party may by written notice to the other require that all matters in dispute be referred to a board of arbitration.

(5) A board of arbitration shall consist of three persons.

(6) Each party shall within thirty days of the service of the notice mentioned in subsection (4) nominate its representative and shall forthwith notify the other party of the person nominated; and the two persons so nominated shall meet within five days after such notifications have been given and agree upon the third member who shall be the chairman.

(7) If either party fails to nominate its representative to the board of arbitration within the time stated, or if a person nominated is unable or unwilling to act, or if the representatives nominated by the two parties fail to agree upon the third member of the board within the time stated, the Lieutenant Governor in Council shall upon the written request of either party appoint a representative of the defaulting party or the chairman of the board, as the case may require. Where the Lieutenant Governor in Council appoints a representative of a defaulting party and that representative and the representative nominated by the other party fail to agree, within five days after such appointment, upon the third member of the board, the Lieutenant Governor in Council shall upon the written request of either party appoint the chairman of the board.

(8) Each member of the board of arbitration shall, before acting as such, take and subscribe before a person authorized to administer an oath or affirmation, and file with the Minister of Labour, an oath or affirmation in the following form:

I do swear (*or* solemnly affirm) that I will faithfully, truly and impartially to the best of my knowledge, skill and ability, execute and perform the office of member of the board of arbitration appointed to

and will not, except in the discharge of my duties, disclose to any person any of the evidence or other matter brought before the said board. So help be God.

(9) The hearings of the board of arbitration shall be open to the public; provided that where in the opinion of the board it is necessary in the interests of a fair hearing that any portion of an arbitration proceeding be held privately the board may in its discretion exclude the public.

(10) The board may require any evidence to be given under oath and each member of the board of arbitration shall have power to administer an oath for that purpose.

(11) If a majority of the members of the board of arbitration fail to agree upon any matter referred to it the decision of the chairman shall be deemed to be the decision of the board.

(12) The decision of the board of arbitration shall be in writing and the chairman shall forward a copy thereof to both parties and file a copy thereof with the Minister of Labour.

(13) Subject to subsection (15), every decision or award of the board of arbitration shall be binding upon the council of the city or upon any board, commission or other body established to manage, control and operate the fire department, and upon the full-time fire-fighters, and shall, where a collective bargaining agreement has not previously been entered into, be put into effect by both parties within thirty days after such decision or award is made or given, or, where a collective bargaining agreement has previously been entered into, such decision or award shall be included in the agreement upon the revision thereof or shall be included in a new agreement; provided that where the estimates of expenditures of a city and the rate or rates of taxation proposed to be struck require to be submitted annually to the Local Government Board for revision and approval, the council of the city or such board, commission or other body shall not conclude a collective bargaining agreement or give effect to any decision or award of a board of arbitration until the assent of the Local Government Board is obtained.

(14) Each party shall assume its own costs of the arbitration and shall share equally the cost of the chairman and any other general expenses of the arbitration board.

(15) Subsection (13) shall apply only if and while the constitution of the local labour union of which the full-time fire-fighters are members contains a provision prohibiting a strike by the members of such local labour union.

1953, c.58, s.3; R.S.S. 1953, c.158, s.10.