

UNEDITED

# *The Equal Pay Act*

*being*

Chapter 265 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FOR HISTORICAL REFERENCE ONLY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.

## Table of Contents

1	Short title	8	Duties of board
2	Interpretation	9	Majority recommendations to prevail
3	Equal pay for equal work	10	Clarification of recommendations
4	Complaint of discrimination—form of, and delivery to director	11	Minister's order
5	Inquiry by inspector and report to director	12	Offence and penalty
6	Appointment of board to inquire into complaint	13	Consent to prosecution
7	Powers of board	14	Remuneration of board

## CHAPTER 265

### An Act to ensure Fair Remuneration to Female Employees

#### Short title

- 1 This Act may be cited as *The Equal Pay Act*.

R.S.S. 1953, c.265, s.1.

#### Interpretation

- 2 In this Act:

##### “director”

1. “**director**” means the Director of the Wages and Hours Branch of the Department of Labour;

##### “establishment”

2. “**establishment**” means a place of business or the place where an undertaking or a part thereof is carried on;

##### “inspector”

3. “**inspector**” means an inspector of the Wages and Hours Branch of the Department of Labour;

##### “minister”

4. “**minister**” means the Minister of Labour;

##### “pay”

5. “**pay**” means remuneration in any form.

1952, c.104, s.2; R.S.S. 1965, c.265, s.2.

#### Equal pay for equal work

- 3(1) No employer and no person acting on his behalf shall discriminate between his male and female employees by paying a female employee at a rate of pay less than the rate of pay paid to a male employee employed by him for work of comparable character done in the same establishment.

- (2) A difference in the rate of pay between a female and a male employee based on any factor other than sex does not constitute a failure to comply with this section.

1952, c.104, s.3; R.S.S. 1965, c.265, s.3.

#### Complaint of discrimination—form of, and delivery to director

- 4 The complaint of any person that she has been discriminated against contrary to section 3 shall be in writing on the form prescribed by the director and shall be mailed or delivered to the director at his office.

1952, c.104, s.4; R.S.S. 1965, c.265, s.4.

#### Inquiry by inspector and report to director

- 5(1) The minister may on the recommendation of the director designate an inspector to inquire into the complaint.

- (2) The inspector so designated shall forthwith inquire into the complaint and endeavour to effect a settlement of the matter complained of.

- (3) The inspector shall report the results of his inquiry and endeavours to the director.

1952, c.104, s.5; R.S.S. 1965, c.265, s.5.

**Appointment of board to inquire into complaint**

6 If the inspector is unable to effect a settlement of the matter complained of, the minister may on the recommendation of the director appoint a board composed of one or more persons and shall forthwith communicate the names of the members of the board to the parties and thereupon it shall be presumed conclusively that the board was appointed in accordance with this Act, and no order shall be made or process entered or proceeding taken in any court, whether by way of injunction, declaratory judgment, *certiorari*, *mandamus*, prohibition, *quo warranto* or otherwise to question the appointment of the board or to review, prohibit or restrain any of its proceedings.

1952, c.104, s.6; R.S.S. 1965, c.265, s.6.

**Powers of board**

7 The board or, if there is more than one member of the board, the member designated by the minister as the chairman thereof shall have all the powers conferred upon commissioners by sections 3 and 4 of *The Public Inquiries Act*.

1952, c.104, s.7; R.S.S. 1965, c.265, s.7.

**Duties of board**

8 The board shall give the parties full opportunity to present evidence and to make submissions and if it finds that the complaint is supported by the evidence it shall recommend to the director the course that ought to be taken with respect to the complaint.

1952, c.104, s.8; R.S.S. 1965, c.265, s.8.

**Majority recommendations to prevail**

9 If the board is composed of more than one person the recommendations of the majority shall be the recommendations of the board.

1952, c.104, s.9; R.S.S. 1965, c.265, s.9.

**Clarification of recommendations**

10 After a board has made its recommendations, the director may direct it to clarify or amplify any of its recommendations and they shall not be deemed to have been received by the director until they have been so clarified or amplified.

1952, c.104, s.10; R.S.S. 1965, c.265, s.10.

**Minister's order**

11 The minister on the recommendation of the director may issue whatever order the minister deems necessary to carry the recommendations of the board into effect, and the order shall be final and shall be complied with in accordance with its terms.

1952, c.104, s.11; R.S.S. 1965, c.265, s.11.

**Offence and penalty**

12 Every person who fails to comply with any provision of this Act or with any order made under this Act is guilty of an offence and liable on summary conviction to a fine not exceeding \$100.

1952, c.104, s.12; R.S.S. 1965, c.265, s.12.

**Consent to prosecution**

**13** No prosecution for an offence under this Act shall be instituted except with the consent in writing of the minister.

1952, c.104, s.13; R.S.S. 1965, c.265, s.13.

**Remuneration of board**

**14** Each member of a board appointed under this Act shall be paid such compensation for his services and expenses as may be determined by the Lieutenant Governor in Council.

1952, c.104, s.14; R.S.S. 1965, c.265, s.14.

FOR HISTORICAL REFERENCE ONLY