



## CHAPTER 6.

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

[Assented to 17th October, 1953.]

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the "Equal Pay Act."

Interpretation.

2. In this Act, unless the context otherwise requires:—

"Director" means the secretary of the Board of Industrial Relations;

"Board" means the Board of Industrial Relations constituted under the provisions of the "Male Minimum Wage Act";

"Establishment" means a place of business or the place where an undertaking or a part thereof is carried on;

"Inspector" means an Inspector appointed under the "Department of Labour Act";

"Minister" means the Minister of Labour;

"Pay" means remuneration in any form.

Discrimination prohibited.

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 the same work 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 shall not constitute a failure to comply with this section.

Inquiry into complaint and report to Director.

4. (1) The Minister may, on the recommendation of the Director, designate an Inspector to inquire into the complaint of any person that

she has been discriminated against contrary to subsection (1) of section 3.

(2) Every such complaint shall be in writing, in a form prescribed by the Director, and shall be mailed or delivered to him at his office.

(3) The Inspector shall forthwith, after he is appointed, inquire into the complaint and endeavour to effect a settlement.

(4) The Inspector shall report the results of his inquiry and endeavours to the Director.

No proceedings by way of mandamus, etc.

5. If the Inspector is unable to effect a settlement of the matter complained of, the Minister may, on the recommendation of the Director, refer the matter to the Board, 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.

Powers of Board under "Public Inquiries Act."

6. The Board, and each member thereof, shall have the powers of a Commissioner under the "Public Inquiries Act."

Power of Board to delegate power to one or more members.

7. The Board may delegate to one or more of its members any of the functions or duties of the Board.

Submission of evidence.

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.

Power of Director to clarify or amplify recommendations of Board.

9. After the 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.

Minister's order final.

10. 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.

Penalty for offence.

11. 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 one hundred dollars.

Minister to consent to prosecution.

12. No prosecution for an offence under this Act shall be instituted except with consent in writing of the Minister.

Commencement.

13. This Act shall come into force on a day to be fixed by Proclamation of the Lieutenant-Governor.