

April 30, 2018

Honorable Christina Gray
Minister of Labor

Transmitted via email: labour.minister@gov.ab.ca

Dear Minister Gray:

RE: Amending the Construction Regulation, Alberta Employment Standards Act

Alberta's construction industry employs one in nine working Albertans. The vast majority of these Albertans work for firms that belong to one or more of the associations that are signatory to this letter. On behalf of our member firms, we are requesting an opportunity to meet with Employment Standards to seek an amendment to the existing Construction Industry Regulation.

Construction employees and employers have raised significant concerns in regards to the overtime and averaging agreement provisions. In particular, employees and employers are concerned that the present 44 hour per week and up to 12 week averaging agreement period are not sufficiently flexible to accommodate the site-specific, project-based, seasonal nature of construction work.

Earlier this Spring illustrated the impact of weather on the ability for many construction workers to work any hours at all. Wet, cold, high winds, darkness, all impact the amount of hours to safely perform duties.

Further, construction projects may be remote from a worker's residence, taking the worker away from their family. While they are away, they prefer to maximize hours of work to then bank for use at other times.

Our employers report that their employees are requesting the flexibility to safely work longer days over an entire season to address these issues.

Manitoba legislation allows for a longer work week to apply over the entire season, as per the following excerpt:

<http://web2.gov.mb.ca/laws/regs/current/pdf-regs.php?reg=119/2006>

11 The standard hours of work per week are as follows:

- (a) 48 hours per week, for employees in the heavy construction sector of the construction industry in Winnipeg from November 1 in each year to March 31 in the following year;
- (b) 50 hours per week, for employees in the heavy construction sector of the construction industry in Winnipeg from April 1 to October 31 of each year;
- (c) 50 hours per week, for employees in the heavy construction sector of the construction industry outside of Winnipeg.

Our associations request an opportunity to work with Employment Standards to amend the Construction Industry Regulation with similar flexibility.

We look forward to an early response to ideally address for the 2018 construction season.

Please respond to Ken Gibson, Executive Director of the Alberta Construction Association (ken.gibson@albertaconstruction.net, 780-455-1122 #222) and he will coordinate dissemination to the group.

Thank you.

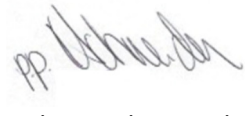
Sincerely,



Paul Heyens, Chairman, Alberta Construction Association



Mike Lloyd
President, Alberta Roofing Contractors Association



Mike Smith, President, Masonry Contractors Association of Alberta Northern Region



Tim Padfield, President, Mechanical Contractors Association of Alberta



Malcolm Kirkland, President, Merit Contractors



Paul de Jong, President, Progressive Contractors Association of Canada



Gary Porter, President, Provincial Glaziers Association of Alberta



Tony Borsje, President, Sheet Metal Contractors Association of Alberta