

# For your Information

## Federal Outline for Alberta Sites



### Federal Undertakings

(e.g. railways, interprovincial trucking, telecommunications, etc.)

The *Skilled Trades and Apprenticeship Education Act* (STAEA) is an Act of general application intended to apply equally to all persons within Alberta, including those working for a federal undertaking.

Provincial legislatures have the authority to regulate professions and trades within the province pursuant to their power over property and civil rights in the province under section 92(13) and matters of a merely local or private nature under section 92(16) of the *Constitution Act, 1867*.

The STAEA establishes education, training, and certification standards for employment in designated trades that apply wherever that work is done in Alberta. It also ensures that those who employ such individuals do so in accordance with the STAEA. The subject matter of the STAEA falls clearly within the jurisdiction of the Alberta Legislature and does not affect the ability of the federal government to legislate over matters within its jurisdiction.

The STAEA may have an impact on an aspect of the operation of a federal undertaking by requiring compliance with the education, training, and certification standards in the STAEA for individuals working in designated trades. This does not bar the application of the STAEA to the federal undertaking as the STAEA requirements do not impair the core of the federal power over that undertaking.

### Reserve Lands

The following principles are the state of the law in relation to the STAEA and its application on First Nations' reserves:

- The provincial legislature has jurisdiction to enact STAEA pursuant to subsections 92(13) (property and civil rights in the province) and 92(16) (generally all matters of a merely local or private nature in the province) in the *Constitution Act, 1867*;
- The STAEA is a provincial law of general application that applies throughout the province;
- The STAEA applies to all persons working in designated trades in Alberta;
- Employers on reserve are also subject to the terms of the STAEA; and
- Officers appointed under the STAEA may enter First Nations' reserves and enforce the STAEA, assuming that they are acting within the scope of authority granted to them under STAEA.