

Apprenticeship and Industry Training is responsible for educating stakeholders and enforcing the *Apprenticeship and Industry Training Act*, and Regulations (including AIT Board Orders)

Apprenticeship and Industry Training (AIT) conducts employer visits and worksite inspections to monitor compliance with legislation under the [Apprenticeship and Industry Training Act \(Act\)](#), which regulates trades and occupations in Alberta. These visits include speaking with employers of Alberta apprentices, journeypersons, or qualification applicants at industrial and commercial worksites, and residential construction sites to monitor apprentice training; provide information about Alberta's apprenticeship system; follow up on cancelled or rejected applications; and, ensure tradespersons and companies comply with the Act.

Compliance

AIT officers work with employers and individuals to confirm compliance by:

1. Promoting AIT programs.
2. Counselling and educating employers and/or their employees, including apprentices, on issues or concerns in respect to compliance.
3. Investigating complaints, visiting employers, carrying out inspections and ensuring compliance orders and court orders are followed.
4. Laying charges, in appropriate circumstances, for offences under the Act, or the Criminal Code of Canada.

A designated AIT officer is authorized to enter the premises of an employer or a worksite at any reasonable time to carry out an inspection of the premises, work site and records that are relevant to the inspection. AIT officers have the authority to:

- Inspect the premises or worksite location, and any record or object relating to payroll, job classification, performance of work, qualifications or the training of workers and to observe the nature of trade-related work being carried out.
- Make inquiries of any person regarding any relevant records, or the employment, qualifications, training or instruction of person,

including inspection and verification of trade credentials or apprentice identification cards and records related to employment of tradespeople and training of apprentices.

- Make copies or take photographs of any relevant records or object, or remove them to make copies or take photographs.

Examples of non-compliance

... for any individual or employer

- denying access or otherwise impeding efforts of an AIT officer to conduct an inspection – Section 51(1) of the Act

... for an employer

- employing an individual to work in a designated trade when, under the Act, that individual is not permitted to work in that trade – Section 26 of the Act
- employing a number of apprentices in excess of a ratio prescribed within the trade regulation, or failing to provide supervision and/or training to an apprentice – Sections 15 and 16 of [Apprenticeship Program Regulation \(AR 258/2000\)](#)
- paying wages to an apprentice at a rate less than is permitted by the applicable trade regulation – Section 12(c) of [Apprenticeship Program Regulation \(AR 258/2000\)](#)

.../2

...for an individual

- Working in a compulsory certification trade without the necessary qualifications – Sections 21(3) and (4) of the Act.

To legally work in a compulsory certification trade an individual must have one of the following:

- A recognized trade certificate issued from a recognized regulatory authority. These various credentials are described in the [recognized credentials section of Tradesecrets](#).
- A valid registered apprenticeship status in the trade.
- An active AIT program applicant status for a trade certificate or the apprenticeship program.
- Meet the requirements of a valid exemption under the Act (such as an authorization or an exemption regulation).

Compliance Order

An AIT officer is authorized to issue a compliance order to any person who is contravening the Act or Regulations, directing them to comply within a specific time frame and in accordance with specific directions.

If that person refuses or fails to comply with the terms specified in the compliance order, the AIT officer will apply to the courts for an order requiring the person to comply with the Act.

Penalties for Non-Compliance

There is no minimum fine specified in the Act. The Crown Prosecutor may suggest an appropriate fine in a particular case, however the decision is at the discretion of the Court up to a maximum of \$15,000 for each offence.

The Minister may suspend or cancel a person's trade or occupational certificate or an apprenticeship contract:

- if the certificate has been improperly altered, obtained by misrepresentation or fraud, was improperly entered into or granted due to an administrative error, or has been used by someone other than the certificate or contract holder.
- if there has been an irregularity in the taking of an exam required under the Act.

On the recommendation of the Alberta Apprenticeship and Industry Training Board, the Minister may also suspend or cancel a person's trade or occupational certificate or apprenticeship contract if the person is not maintaining an acceptable standard of quality or skill in their trade or occupation.

If the circumstances warrant (such as fraudulent activity), charges may also be pursued under the Criminal Code of Canada.

**For more information, please call the toll-free
Apprenticeship and Industry Training Information Line:
1-800-248-4823**