



CHAPTER 89

An act to protect workmen suffering from silicosis

[Assented to, the 12th of April, 1938]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Workmen's Compensation Act, 1931 (21 George V, chapter 100), is amended by adding thereto, after section 105 thereof, the following sections: 21 Geo. V, c. 100, s. 105a-105d, added.

"105a. In this act,

a. The word: "silicosis" shall mean the pathological condition of the lungs caused by the introduction, into the pulmonary lymphatic canals, of excessive quantities of siliceous dust and the formation of fibroid tissues resulting therefrom;

Definition of "silicosis".

Such word includes also the similar pathological condition which may result from the inhalation of siliceous or other dust from the extracting, isolating or treating of asbestos; Idem.

b. The words: "infectious silicosis" shall mean silicosis, as above defined, accompanied by intercurrent tuberculosis. Id., "infectious silicosis".

"105b. In order that infectious silicosis may be considered an industrial disease within the meaning of this act, the workman must have been actually exposed to siliceous dust, while employed in the Province, during periods the total duration whereof amount to at least three years. Industrial disease.

"105c. No employer may, directly or indirectly, compel any workman employed in his industry for at least the Restriction as to certain medical examination.

twelve months preceding the 29th of March, 1938, to undergo a medical examination in order to ascertain whether such workman is or is not attacked by infectious silicosis.

Offence and
penalty.

"105d. Every employer who contravenes the provisions of section 105c or who dismisses a workman because the latter refuses to undergo a medical examination when he is exempted therefrom by section 105c commits an offence and shall be liable to a fine of not less than one hundred dollars nor more than five hundred dollars, in addition to the costs, and, failing payment of the fine and costs, to an imprisonment for not less than one month nor more than six months."

21 Geo. V,
c. 100, Sch. 3,
am.

2. Schedule 3 of the said act is amended by adding thereto, at the foot of the column entitled: "Description of Disease", the words: "Infectious Silicosis", and opposite, in the column entitled: "Description of the Process", the word: "Mining".

Coming into
force.

3. This act shall come into force on the day of its sanction.