

Gouvernement du Québec

O.C. 770-96, 19 June 1996

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

**Installation of petroleum equipment
— Amendments**

Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS the Government made the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33);

WHEREAS under section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government may amend the decree upon the recommendation of the Minister of Labour;

WHEREAS the contracting parties within the meaning of the Decree have petitioned the Minister of Labour for amendments to the Decree to be submitted to the Government for approval;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft amending decree was published in Part 2 of the *Gazette officielle du Québec* of 20 December 1995 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to approve that petition with amendments and for that purpose to make the Decree attached hereto;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Decree to amend the Decree respecting
the installation of petroleum equipment**

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

1. The Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33), amended

by Orders in Council 366-82 dated 17 February 1982 (Suppl. p. 437), 1436-82 dated 9 June 1982 (Suppl. p. 439), 2178-83 dated 19 October 1983, 1258-84 dated 30 May 1984, 767-85 dated 17 April 1985, 1636-88 dated 26 October 1988, 553-89 dated 12 April 1989, 1577-90 dated 7 November 1990, 769-92 dated 20 May 1992, 1296-93 dated 8 September 1993, and 425-95 dated 29 March 1995, is further amended in section 1.01:

1. by inserting the words “or of a filling centre” after the words “of an establishment” in subparagraph *ii* of paragraph 1;

2. by inserting the words “or by-products” after the words “petroleum products” in subparagraph *iii* of paragraph 1.

2. The following is substituted for section 5.02:

“**5.02.** The following are general holidays with pay and are paid according to the provisions of section 6.03: 1 and 2 January, Good Friday, Dollard Day, 1 July, Labour Day, Thanksgiving, 24, 26 and 31 December.”.

3. Sections 5.03, 5.05, 5.06 and 5.07 are revoked.

4. The following is substituted for sections 6.02 and 6.03:

“**6.02.** According to the period of uninterrupted service accumulated on 30 April of the qualifying year, an employee is entitled to the following annual vacation:

Uninterrupted service	Annual vacation
Less than 1 year	1 day per month up to a maximum of 10 days
at least 1 year but less than 5 years	2 weeks
at least 5 years but less than 15 years	3 weeks
15 years or more	4 weeks.

6.03.

1. Amount of compensation: At the end of each week, the employer credits each of his employees with an amount equal to 10.36 % of the wages earned for work during that week as vacation pay and general holiday pay, that is 6.36 % for the annual vacation and 4 % for general holidays with pay.

2. Employer’s obligation: The employer remits the amounts credited to each of his employees with his monthly report to the Parity Committee.

3. Payment of compensation: There are two qualifying periods for payment of the vacation and general holiday pay:

- (a) the first is from January 1 to April 30;
- (b) the second is from May 1 to December 31.

The Parity Committee pays the employee the compensation it has collected for the second qualifying period, in one payment, by cheque mailed to the last known address of the person concerned before July 15 following that qualifying period.

The Parity Committee pays the employee the compensation it has collected during the first qualifying period, in one payment, by cheque mailed to the last known address of the person concerned before the end of November following that qualifying period.

4. Exception: On the death of an employee, the liquidator of the succession may, at any time, claim the vacation and holiday pay due to the employee.”.

5. Sections 6.07 and 6.08 are revoked.

6. Section 9.01 is amended by substituting the following for subsection 1:

“(1) Employees receive at least the following hourly rates for each job classification provided below:

Job Classification	As of 96-07-18	As of 96-12-31
(a) service mechanic, installation mechanic (site), shop mechanic, tank-truck mechanic:		
A	\$20.95	\$21.47
B.	\$17.32	\$17.75
C.	\$14.53	\$14.89
(b) labourer	\$12.07	\$12.37
(c) student	\$9.09	\$9.09.”.

7. The following is added after section 11.07:

“11.08. Pension plan

(1) The employer pays into the employees’ pension plan an amount of \$0.20 for each hour worked by his employees.

The employer deducts from the pay of each of his employees the amount that each of them elects to pay each year as contribution. Such contribution may not be lower than \$0.20 for each hour worked.

(2) Before the 15th of each month, the employer remits to the Parity Committee his contribution and that of his employees for the preceding month.

(3) The employee’s participation in the pension plan ends where no contribution has been paid into the plan for a complete calendar year.”.

(4) Participation in the pension plan is voluntary for any enterprise the employer and employees of which have, on 20 December 1995, agreed on a pension plan comparable as to the benefits granted.

(5) The Parity Committee chooses the financial institution which will administer the simplified pension plan.

(6) The administrative fees charged by the financial institution, other than investment fees, shall be paid by the participants.

(7) The operation of the pension plan provided for in this part is governed by the provisions of the Regulation respecting plans exempted from the application of certain provisions of the Supplemental Pensions Plan Act, made by Order in Council 1160-90 dated 8 August 1990, as amended.

8. The following is substituted for section 12.01:

“12.01. The Decree remains in force until 31 December 1996. It is then automatically renewed from year to year thereafter, unless one of the contracting parties opposes it by a written notice sent to the Minister and to any other contracting parties during the month of October of the year 1996 or during the month of October of any subsequent year.”.

9. This Decree comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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