

**5.** The costs provided for in sections 1 to 3 are not refundable.

**6.** The administrative expenses recoverable by the Commission de la construction du Québec in the administration of the Supplemental Pension Plan for the employees of the Québec construction industry are as follows:

(1) an amount of \$50 in the case of any request to obtain a statement of benefits;

(2) an amount of \$50 in the case of a request for payment of the amounts awarded to the spouse, where a statement of benefits was provided beforehand;

(3) an amount of \$100 in the case of a request for payment of the amounts awarded to the spouse, where no statement of benefits was provided beforehand.

**7.** The amount provided for in paragraph 1 of section 6 shall be payable at the time of the issue of the statement of benefits, where there is no proceeding for divorce, nullity of marriage or separation from bed and board pending between the spouses, or at the latest one year after the date of the sending of the statement, in the other cases.

The amounts provided for in paragraphs 2 and 3 of section 6 are payable to the Commission at the time of payment of the amounts awarded to the spouse.

**8.** Unless the court or the parties decide otherwise, the expenses provided for in section 6 shall be divided equally among the parties.

The Commission shall retain the amount of the expenses that must be paid by the spouse from the amounts that are transferred in his name, except where it receives payment before the transfer of those sums.

The Commission shall retain the amount of the expenses that must be paid by the participant from the amount of the benefits that are owed to him, except where it receives payment before the payment of those benefits.

**9.** The costs provided for in section 6 bear interest at the legal rate from the time of the issue of the statement of benefits or, as the case may be, from the time of payment of the amounts awarded to the spouse.

**10.** This Regulation replaces the Regulation respecting fees in respect of the written notice from an employer and the written notice of a new designation of a representative by a corporation or partnership, made by Order in Council 1365-93 dated 22 September 1993.

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

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Gouvernement du Québec

### **O.C. 1528-96, 4 December 1996**

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

#### **Register, monthly report, notices from employers and the designation of a representative**

CONCERNANT the Regulation respecting the register, monthly report, notices from employers and the designation of a representative

WHEREAS under subparagraphs *a* and *b* of the first paragraph of section 82 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Commission de la construction du Québec may, by regulation approved by the Government, oblige any employer to transmit to it a monthly report and render obligatory the keeping of a register;

WHEREAS under subparagraph *h* of the first paragraph of section 82 of that Act, the Commission de la construction du Québec may, by regulation approved by the Government, oblige any employer and any legal person or partnership contemplated in section 19.1 of that Act to transmit to it, within the time and in the form determined by the Commission, a written notice setting out his or its identification, the name and address of each of his or its establishments, the surname, given name, address and capacity of his or its representative designated under section 19.1 of that Act, if applicable, and such other information as it considers useful for the purposes of that Act and the regulations;

WHEREAS, after consulting with the Joint Committee on Construction in accordance with section 123.3 of that Act, the Commission adopted the Regulation respecting the register, monthly report, notices from employers and the designation of a representative, attached to this Order in Council, to replace the Regulation respecting the keeping of a register and the sending of a monthly report, approved by Order in Council 875-93 dated 16 June 1993 and the Regulation respecting the notice from an employer to the Commission de la construction du Québec and the terms and conditions of the designa-

tion of a representative by a legal person or a partnership, approved by Order in Council 1364-93 dated 22 September 1993;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 July 1996 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS the Commission has examined the comments received;

WHEREAS the Commission has amended the form of that draft Regulation;

WHEREAS it is expedient to approve that Regulation as amended;

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

THAT the Regulation respecting the register, monthly report, notices from employers and the designation of a representative, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## **Regulation respecting the register, monthly report, notices from employers and the designation of a representative**

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 19.1 and s. 82, 1<sup>st</sup> par., subpar. *a*, *b* and *h*)

### **DIVISION I**

#### **REGISTRATION OF AN EMPLOYER AND NOTICE TO THE COMMISSION DE LA CONSTRUCTION DU QUÉBEC**

**1.** Every employer must register with the Commission de la construction du Québec, which will assign the employer an identification number for administrative purposes.

**2.** Every employer must send to the Commission a written notice containing the following information:

(1) the employer's name;

(2) in the case of a natural person, the person's birthdate and the address of the person's domicile;

(3) in the case of a legal person, the reference for the statute under which it was incorporated or continued, the date of incorporation or continuation and the names, birthdates and addresses of its directors;

(4) in the case of a partnership, the date of its formation and the names, birthdates and addresses of its partners;

(5) the address of the employer's head office, the address of the principal place of business in Québec and the address of each of the employer's establishments in Québec;

(6) the place where the employer's registers and pay-rolls may be examined;

(7) the number of the licence the employer holds under the Building Act (R.S.Q., c. B-1.1);

(8) the number that the employer was assigned by the Commission de la santé et de la sécurité du travail, where applicable;

(9) the registration number that the employer was assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45), where applicable;

(10) the employer's number under the Act respecting the Québec Sales Tax (R.S.Q., c. T-0.1).

The employer must notify the Commission as soon as any change occurs in the information mentioned in the first paragraph.

**3.** The employer must send the notice provided for in section 2 prior to the date on which he undertakes construction work subject to the Act.

**4.** An employer is exempted from sending the notice provided for in the first paragraph of section 2 where, during a 26-month period preceding the date on which he resumes construction work, the following conditions have been fulfilled:

(1) the employer has caused work to be performed by an employee in the construction industry;

(2) the Commission has received from the employer a monthly report in accordance with the conditions and within the deadline provided for in this Regulation, and in which the employer indicates that he caused such work to be performed by the employee.

**5.** The notice provided for in the first paragraph of section 2 is deemed not to have been received unless it contains all the information required and is accompanied by the fee exigible under the Regulation respecting certain fees required by the Commission de la construction du Québec, made by Order in Council 1527-96 dated 4 December 1996, where applicable.

## **DIVISION II** **DESIGNATION OF A REPRESENTATIVE**

**6.** Any legal person or partnership referred to in section 19.1 of the Act may designate a representative on the following conditions:

(1) it has sent to the Commission the notice mentioned in section 2, unless exempted therefrom under section 4, and paid the fee determined in respect of that notice by the Regulation respecting certain fees required by the Commission de la construction du Québec, where applicable;

(2) it indicates the name, birthdate and domicile of its lone representative and his capacity in respect of the legal person or partnership;

(3) it indicates the date on which the designation takes effect;

(4) the designated representative holds a journeyman certificate, an occupation competency certificate or an apprentice competency certificate or, where applicable, has applied, no later than the date on which the Commission receives the designation, for an apprentice competency certificate in accordance with paragraph 4 of section 2 of the Regulation respecting the issuance of competency certificates, made by Order in Council 673-87 dated 29 April 1987, or for an occupation competency certificate in accordance with paragraph 2 of section 4 of that Regulation.

**7.** A designation made under section 6 must be made in writing and must be received by the Commission before the date prescribed for it to take effect; otherwise, it shall take effect on the date it is received.

A legal person or partnership may, in accordance with the terms and conditions provided for in section 6 and in the first paragraph of this section, designate a new representative to replace the previously designated representative. Such new designation terminates the previous designation as of the date on which the new designation takes effect.

No designation or modification of a designation is deemed to have been received unless it contains the prescribed information and, in the case of a modification, is accompanied by the fee exigible under the Regulation respecting certain fees required by the Commission de la construction du Québec.

## **DIVISION III** **THE KEEPING OF A REGISTER**

**8.** Every employer must keep a register in which he must enter the following information for each employee and for himself, where applicable:

(1) the name, address and social insurance number;

(2) the name of the job: occupation, trade or specialty carried on and the apprenticeship period, where applicable;

(3) for each day of work, the exact times at which the work begins, is interrupted and ends, the hours of work paid at regular, time and a half and double rates, for each job site on which the employees have worked and for each owner for whom the employer is performing work;

(4) the nature of the work, the type of job site and where it is located;

(5) the wages paid, the date and the method of payment;

(6) the amounts payable for vacations and paid holidays;

(7) the amount deducted as a levy;

(8) the contribution deducted from wages for complementary social benefits plans;

(9) union dues deducted.

For the purposes of this Regulation, the expression "job site" means the work performed by an employer on a single project.

**9.** The registers must indicate the number of the licence held by the employer under the Building Act; it shall be kept at the place indicated on the notice sent in accordance with section 2.

**10.** The register may be composed of time cards containing the information provided for in subparagraphs 1 to 4 of the first paragraph of section 8, and a payroll containing the information provided for in subparagraphs 5 to 9.

#### **DIVISION IV** **MONTHLY REPORT**

**11.** Every employer must send to the Commission a monthly report duly completed in the form of Schedule I.

The employer may also send his monthly report by computer medium, either by sending magnetic tapes or diskettes, by sending data by modem or by means of a document reproducing data processed by software, provided that the report contains all the information prescribed in the form of Schedule I and provided that, in the case of magnetic tapes, diskettes or modem transmission, the equipment and software used are compatible with those used by the Commission and, in the case of documents reproducing such data, the information is clear and intelligible, and is presented in the same order as on that form.

**12.** The report must be sent to the Commission no later than the 15th day of each month; it covers the previous monthly working period.

The employer must send a report for every monthly period of work, whether work was performed or not by himself or his employees.

The monthly period of work must consist of no less than 4 and no more than 5 weeks, and must end on the last Saturday of the month. A monthly period begins on the Sunday following the last day of the previous monthly period.

The working week begins at 0 h 1 on Sunday and ends at 24 h on Saturday.

**13.** With the report the employer must send amounts equal to the following:

- (1) allowances payable for vacations and paid holidays;
- (2) employer contributions to the complementary social benefits plans and the applicable sales tax;
- (3) union dues;

(4) the employer contribution referred to in section 40 of the Act;

(5) contributions to the special compensation fund;

(6) contributions deducted as a levy;

(7) contributions to the welding qualification fund;

(8) contributions to any training fund.

#### **DIVISION V** **TRANSITIONAL AND FINAL**

**14.** A designation made under section 25 of the Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry (1992, c. 42) or under section 5 of the Regulation respecting the notice from an employer to the Commission de la construction du Québec and the terms and conditions of the designation of a representative by a legal person or a partnership, approved by Order in Council 1364-93 dated 22 September 1993, has the same effect as a designation made under section 6.


**15.** This Regulation replaces the Regulation respecting the notice from an employer to the Commission de la construction du Québec and the terms and conditions of the designation of a representative by a legal person or a partnership and the Regulation respecting the keeping of a register and the sending of a monthly report, approved by Order in Council 875-93 dated 16 June 1993.

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

#### **EMPLOYER'S MONTHLY REPORT**

**Correction:** WHOSOEVER FILES A MONTHLY REPORT CONTAINING FALSE OR ERRONEOUS INFORMATION COMMITS A VIOLATION AND IS LIABLE TO PROSECUTION.

**SCHEDULE 1**



### EMPLOYER'S MONTHLY REPORT

(GENERAL INFORMATION ON COMPLETING YOUR REPORT IN THE REFERENCE GUIDE)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
SOCIAL INSURANCE NO	SURNAME	FIRST NAME	TRADE CODE	UNION	REGULAR WAGES	SEMI-REGULAR WAGES	WAGES	INDEMNITY	TOTAL	ASSESSABLE WAGES	UNION CONTRIBUTIONS	UNION CONTRIBUTIONS	SOCIAL BENEFITS
<b>TOTAL</b>													

6	SOCIAL BENEFITS (TOTAL)
7	INSURANCE - SALES TAX
8	SPECIAL COMPENSATION FUND
9	A.B.C.O. HOURLY CONTRIBUTION
10	A.B.C.O. ANNUAL CONTRIBUTION
11	O.S.T. (E + M + J)
12	O.S.T. (E + M + J) X
13	VACATIONS AND GENERAL HOLIDAYS PAYS (TOTAL)
14	LEVY
15	UNION CONTRIBUTIONS (TOTAL)
16	QUALIFICATION FUND
17	TRAINING FUND
<b>TOTAL</b>	

FOR ANY CHANGES PERTAINING TO THE ADDRESS OF THE EMPLOYER OR OF THE ACCOUNTANT, OR TO THE CLOSING-DOWN OF THE BUSINESS, PLEASE COMPLETE THE CHANGE OF ADDRESS CARD PROVIDED.

EMPLOYER INFO	MONTHLY PERIOD	DATE
FROM: _____ TO: _____	FROM: _____ TO: _____	DATE: _____

SIGNATURE: \_\_\_\_\_

WHOEVER PASSES ON A MONTHLY REPORT CONTAINING FALSE OR ERRONEOUS INFORMATION COMMITS AN OFFENCE AND IS LIABLE TO PROSECUTION.

ALL EMPLOYERS MUST HOLD THE REQUIRED PERMIT ISSUED BY THE REGIE DU BÂTIMENT DU QUÉBEC.

YOUR OFFICE: \_\_\_\_\_

INSPECTOR CODE: \_\_\_\_\_

PLEASE RETURN ORIGINAL WITH REMITTANCE TO:  
 COMMISSION DE LA CONSTRUCTION DU QUÉBEC, C.P. 1000, SUCCURSALE MONT-ROYAL, MONTRÉAL (QUÉBEC) H3P-3J4

Gouvernement du Québec

**O.C. 1531-96, 4 December 1996**

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

**Solid waste removal**

— **Montréal**  
— **Extension**

Decree to extend the Decree respecting solid waste removal in the Montréal region

WHEREAS the Government made the Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r. 29);

WHEREAS the Association des entrepreneurs de services en environnement du Québec Inc., a contracting party to the Decree, is opposed to its automatic renewal;

WHEREAS under section 13.01 of the Decree, it remains in force until 1 January 1997;

WHEREAS the Government may extend that decree under section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2);

WHEREAS it is expedient to extend the Decree until 1 January 1998;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published pursuant to section 8 of the Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the Decree respecting solid waste removal in the Montréal region is in force until 1 January 1997 and its automatic renewal clause is no longer effective because an employer contracting party has denounced the decree;

— after 1 January 1997, employers now covered by the Decree will no longer be required to grant the working conditions provided for in the Decree, and some of the working conditions of employees not governed by a collective agreement could be downgraded;

— it is essential to further extend the Decree so that it remains in force for the time required to analyze the economic impact of the amendments requested by the opponents to the automatic renewal of that Decree and to give the parties concerned an opportunity to meet with a view to reaching a consensus about the amendments to be made to the present Decree;

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

THAT the Decree to extend the Decree respecting solid waste removal in the Montréal region, attached hereto, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

**Decree to extend the Decree respecting solid waste removal in the Montréal region**

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

**1.** The Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r. 29), amended by Decrees 2220-82 dated 22 September 1982, 2136-82 dated 6 October 1982, 2278-84 dated 11 October 1984, 1124-87 dated 22 July 1987, 1479-88 dated 28 September 1988, 180-90 dated 14 February 1990, 618-90 dated 2 May 1990, and 990-95 dated 19 July 1995, is extended until 1 January 1998.

**2.** This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.