

c. N-1.1), the Government may, by regulation, fix standards respecting the minimum wage;

WHEREAS, in accordance with sections 33, 37 and 92 of the Act respecting labour standards and sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1), a Draft Regulation respecting the minimum wage payable to employees in the woodworking or flat glass industrie was published in Part 2 of the *Gazette officielle du Québec* of 14 May 1997 with a notice that it could be made by the government upon the expiry of 15 days following that publication;

WHEREAS comments about this Draft Regulation were received before the expiry of this period;

WHEREAS it is expedient to make the Regulation with amendments, taking those comments into account;

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

THAT the Regulation respecting the minimum wage payable to employees of the woodworking and flat glass industries, attached to this Order in Council, be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## **Regulation respecting the minimum wage payable to employees of the woodworking and flat glass industries**

An Act respecting labour standards  
(R.S.Q., c.-N-1.1, s. 40, s. 89, par. 1 and 91)

**1.** The minimum wage payable to any employee performing work which, if it had been performed before August 1, 1997, would have come under the jurisdiction of the Decree respecting the woodworking industry (R.R.Q., 1981, c. D-2, r.3) or the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r.52) is \$ 8,90 per hour.

**2.** This Regulation comes into force on August 1, 1997 and ceases to have effect on August 1, 1999.

1595

Gouvernement du Québec

### **O.C. 937-97, 9 July 1997**

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

#### **Vocational Training of Manpower — Amendment**

#### **Insurance of Competency Certificates — Amendment**

#### **Hiring and Mobility of Employees — Amendment**

CONCERNING the regulation to amend the regulation respecting the vocational training of manpower in the construction industry, the regulation respecting the issuance of competency certificates and the regulation respecting the hiring and mobility of employees in the construction industry

WHEREAS under paragraphs 1, 2, 5, 8 and 10 of section 123.1 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 can adopt a regulation respecting particularly the activities included in a trade, apprenticeship and vocational training;

WHEREAS the Commission de la construction du Québec made the Regulation respecting the vocational training of manpower in the construction industry approved by Order in Council 313-93 dated 10 March 1993;

WHEREAS under paragraphs 5, 6 and 7 of section 123.1 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 can adopt a regulation respecting particularly the conditions of issuance of a journeyman competency certificate, occupation competency certificate and apprentice competency certificate;

WHEREAS the Commission de la construction du Québec made the Regulation respecting the issuance of competency certificates approved by Order in Council 673-87 dated 29 April 1987;

WHEREAS under paragraph 13 of section 123.1 of the Act respecting labour relations, vocational training and manpower management in the construction industry, the Commission de la construction du Québec can adopt a regulation respecting particularly manpower mobility;

WHEREAS the Commission de la construction du Québec made the Regulation respecting the hiring and mobility of employees in the construction industry approved by Order in Council 1946-82 dated 25 August 1982;

WHEREAS the Commission de la construction du Québec, after consultation with the Committee on vocational training in the construction industry, has made and transmitted to the Minister of Labour the Regulation to amend the Regulation respecting the vocational training of manpower in the construction industry, the Regulation respecting the issuance of competency certificates and the Regulation respecting the hiring and mobility of employees in the construction industry;

WHEREAS under section 123.2 of that Act, such regulation of the Commission shall be submitted to the Government for approval;

WHEREAS in accordance with sections 10, 11 and 13 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation to amend the Regulation respecting the issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 28 May 1997 with a notice that it could be approved by the Government upon the expiry of 15 days following that publication;

WHEREAS no comment was received following that publication and there is reason to approve this Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the vocational training of manpower in the construction industry, the Regulation respecting the issuance of competency certificates, and the Regulation respecting the hiring and mobility of employees in the construction industry, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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## **Regulation to amend the Regulation respecting the Vocational Training of Manpower in the Construction industry, the Regulation respecting the Issuance of Competency Certificates, and the Regulation respecting the Hiring and Mobility of Employees in the Construction Industry**

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 123.1, 1<sup>st</sup> paragraph, subsect. 1, 2, 5, 6, 8, 10, 13 and 14)

### **Regulation respecting the vocational training of manpower in the construction industry**

**1.** The Regulation respecting the vocational training of manpower in the construction industry, approved by Order in Council 313-93 dated 10 March 1993, amended by section 74 of Chapter 61 of the Statutes of 1993, by the regulation approved by Order in Council 799-94 dated 1 June 1994, by section 54 of Chapter 8 of the Statutes of 1995 and by the regulation approved by Order in Council 1489-95 dated 15 November 1995, is further amended by inserting the following after section 33.4:

“**33.5.** Any person who, after 30 April 1996 and before 31 July 1997, was the holder of a qualification certificate delivered by the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier), the trade of setter, glass and spandrel panels, the trade of setter, mechanic (glazier), or the trade of setter journeyman, shall be exempted from the qualification examination provided for in Division IV and may obtain a competency certificate pertaining to the trade of erector-mechanic (glazier) in accordance with the provisions of section 1.2 of the Regulation respecting the issuance of competency certificates, as if that person had been exempted from the examination pursuant to section 11.

Subject to the first paragraph of section 1.4 of the Regulation respecting the issuance of competency certificates, any person who has exercised the right provided for in the first paragraph may invoke the same exemption for any subsequent application for the issuance of a journeyman competency certificate.

**33.6.** Any person to whom the Commission issues an apprentice competency certificate pursuant to the trade of erector-mechanic (glazier) under section 28.6, under subsection 3 of section 28.7 or under section 28.8 of the Regulation respecting the issuance of competency cer-

tificates shall be classified according to the number of work hours an employer subject to the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52) has reported for that person to the Joint Committee for the Flat Glass Industry.

For the purposes of that classification, the Commission shall take into account the data of the Joint Committee for the Flat Glass Industry and the training credits that person proves having acquired under sections 14.06 and 14.09 of that decree since that person's last classification by the joint committee.

**33.7.** Any person contemplated in section 35.6 may continue the apprenticeship of the trade in accordance with the provisions of this regulation; such person shall become eligible to sit for the qualification examination for the trade of erector-mechanic (glazier) after having completed three apprenticeship periods.”.

**2.** Schedule A of this regulation is amended by adding, at the end, the following:

**“Group XI**

Group XI includes the trade of erector-mechanic (glazier).

**24. Erector-mechanic (glazier):** “Erector-mechanic (glazier)” means any person who installs and repairs work (permanent or not) related to the flat glass industry and all other similar work made of metal or substitute materials, namely: installs and repairs all types of glass and their frames, ornamental or decorative items, pre-fabricated sheeting, curtain walls, doors, windows, show windows and other structures made of sheet metal or mouldings and fastened by means of an adhesive base or otherwise, but only, in the case of works not made of glass, when such works are accessory or secondary to setting or installing flat glass, when such works are related to the doors and windows of a building, and when such works are used as a substitute for glass.

Performance of the work described in the first paragraph includes trade-related handling for the purposes of immediate and permanent installation.”.

**3.** Schedule B of this regulation is amended by adding, at the end, the following:

Groups	Trade	Apprenticeship period(s)	Ratio of apprentice(s) per qualified worker(s)	
			Apprentice(s)	Qualified workers
“XI	24. Erector-mechanic (glazier)	3	1	3”.

**4.** Schedule C of this regulation is amended by adding, at the end, the following:

**“6. Erector-mechanic (glazier)**

- setting doors and windows
- installing mirrors and show windows.”.

**Regulation respecting the issuance of competency certificates**

**5.** The Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987 and amended by the Regulations approved by Orders in Council 1817-88 dated 7 December 1988, 1191-89 dated 19 July 1989, 992-92 dated 30 June 1992, 1462-92 dated 30 September 1992, 314-93 dated 10 March 1993, 772-93 dated 19 May 1993, 1112-93 dated 11 August 1993, 799-94 dated 1 June 1994, 1246-94 dated 17 August 1994, by sections 55 to 58 of Chapter 8 of the Statutes of 1995, and by the Regulations approved by Orders in Council 1327-95 dated 4 October 1995, 1489-95 dated 15 November 1995 and 1451-96 dated 20 November 1996, is further amended by inserting after section 28.4, the following:

**“28.5.** The Commission shall issue, upon application, a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) to any person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, and who is the holder of a qualification certificate delivered by the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier), the trade of setter, glass and spandrel panels, the trade of setter, mechanic (glazier), or the trade of setter journeyman.

**28.6.** The Commission shall issue, upon application, an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) to any person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, and who is registered as an apprentice with the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier) or the trade of setter, glass and spandrel panels, and who has completed at least one work hour as an apprentice during the twelve months preceding 1 August 1997, according to that joint committee's data.

**28.7.** The Commission shall issue, upon application, to every person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, who is the holder of

a qualification certificate delivered by the Joint Committee for the Flat Glass Industry, valid as of 1 August 1997:

(1) a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) restricted to the activities of setting doors and windows, when that person's qualification certificate is pertaining to the trade of setter mechanic P.F. and that person has worked at least 6,000 hours in that trade, according to that joint committee's data;

(2) a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) restricted to the activities of installing mirrors and show windows, when that person's qualification certificate is pertaining to the trade of setter, mirrors and show windows, and that person has worked at least 6,000 hours in that trade, according to that joint committee's data;

(2) an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) when that person's qualification certificate is pertaining to the trade of setter mechanic P.F. or to the trade of setter, mirrors and show windows and that person has worked at least 6,000 hours in that trade, according to that joint committee's data, and that person has worked at least one hour during the twelve months preceding 1 August 1997.

**28.8.** The Commission may issue an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) to a person who would be contemplated in section 28.6 or in subsection 3 of section 28.7 had that person worked at least one hour during the twelve months preceding 1 August 1997, on condition that an employer registered with the Commission files a request for manpower, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and furnishes to the Commission proof of the guarantee.

**28.9.** An application for a competency certificate pursuant to sections 28.5 to 28.8 may be made not later than 1 August 1998".

### **Regulation respecting the hiring and mobility of employees in the construction industry**

**6.** The Regulation respecting the hiring and mobility of employees in the construction industry, approved by Order in Council 1946-82 dated 25 August 1982 and amended by the Regulations approved by Orders in Council 276-84 dated 1 February 1984, 359-85 dated 21 February 1985, 162-86 dated 19 February 1986, by section 42 of Chapter 89 of the Statutes of 1986, by

Orders in Council 306-88 dated 2 March 1988, 349-89 dated 8 March 1989, 230-90 dated 21 February 1990, 1743-90 dated 12 December 1990, by section 72 of Chapter 61 of the Statutes of 1993, by the Regulation approved by Order in Council 799-94 of 1 June 1994 and by section 59 of Chapter 8 of the Statutes of 1995, is further amended by inserting, after section 39.1, the following:

**"39.2.** An employer registered with the Commission and who has sent in the notice set forth in section 2 of the Regulation respecting the register, monthly report, notices from employers and the designation of a representative approved by Order in Council 1528-96 dated 4 December, 1996, may hire an employee for work everywhere in Québec, if the employee is the holder of a competency certificate issued pursuant to sections 28.5 to 28.8 of the Regulation respecting the issuance of competency certificates, and if that employee has worked at least 1,500 hours of such employer during the first twenty four of the twenty six months preceding the application for a competency certificate.

For the purposes of section 38, at the first renewal of a competency certificate issued pursuant to sections 28.5 to 28.8 of the Regulation respecting the issuance of competency certificates, the Commission takes into account, if applicable, the Joint Committee for the Flat Glass Industry's data."

**7.** This regulation shall come into force on the date of the coming into force of the Decree repealing the Decree respecting the flat glass industry.

1594