

Gouvernement du Québec

O.C. 1296-97, 1 October 1997

An Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001)

**Grouping of employers
— Personalized rates and procedures of calculating those rates**

General Regulation respecting the agreements on the grouping of employers for the purposes of applying personalized rates and the procedures for calculating those rates

WHEREAS under subparagraph 4.2 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), as amended by the Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety (1996, c. 70), the Commission de la santé et de la sécurité du travail may make regulations determining the framework within which section 284.2 is to apply for the purposes of the agreements provided for therein;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the General Regulation respecting the agreements on the grouping of employers for the purposes of applying personalized rates and the procedures for calculating those rates was published in Part 2 of the *Gazette officielle du Québec* of 4 June 1997, with a notice that upon the expiry of 45 days following that publication it could be adopted by the Commission with or without amendments and submitted to the Government for approval;

WHEREAS the Commission adopted the Regulation at the meeting of its board of directors on 14 August 1997;

WHEREAS it is expedient to approve the Regulation as attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour and Minister responsible for the administration of the Act respecting industrial accidents and occupational diseases:

THAT the General Regulation respecting the agreements on the grouping of employers for the purposes of applying personalized rates and the procedures for calculating those rates, attached hereto, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

General Regulation respecting the agreements on the grouping of employers for the purposes of applying personalized rates and the procedures for calculating those rates

An Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001, s. 454, 1^{re} par., subpar. 4.2; 1996, c. 70)

**DIVISION 1
INTERPRETATION AND PURPOSE**

1. In this Regulation,

“agreement” means a written agreement made by the Commission and a group of employers under section 284.2 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001).

2. The purpose of this Regulation is to determine the framework within which the Commission may make an agreement with a group of employers it considers appropriate, for the purposes of determining, in particular, the special conditions governing the application to the employers of personalized rates and procedures for calculating such rates.

3. A group of employers that is a party to an agreement is called a “prevention mutual group”.

**DIVISION 2
PREVENTION, REHABILITATION AND RETURN TO WORK**

4. Every agreement shall have as its goal to encourage prevention of employment injuries and for that purpose shall contain concrete measures to prevent employment injuries that employers must undertake to implement during the term of the agreement.

5. Every agreement shall also have as its goal to encourage the rehabilitation and return to work of workers suffering from employment injuries.

**DIVISION 3
APPLICATION AND CALCULATION OF RATES**

6. All agreements made for a given year shall, for all employers that are parties thereto, contain the same special conditions governing the application to employers of personalized rates and the same procedures for calculating those rates.

DIVISION 4 MISCELLANEOUS

7. The employers in a group who wish to enter into an agreement shall, before the first October of the year preceding the beginning of the application of the agreement sought, so inform the Commission and forward to it a list of the employers in that group and a concise statement explaining how such grouping would help to achieve the objectives in sections 4 and 5.

8. Where the Commission agrees to enter into an agreement with a group of employers, it shall inform them in writing of that acceptance before 31 December of the year preceding the beginning of its application.

Those employers shall sign the agreement and return it to the Commission not later than 31 December of the year preceding the beginning of its application or within 30 days of the date on which it informs them of its acceptance, whichever date is later. The Commission shall then sign the agreement.

9. The term of an agreement shall be determined and the dates on which it begins and ends shall coincide with the dates on which a year begins and ends.

10. Subject to the discretion granted to the Commission by section 284.2 of the Act, an agreement whose term is longer than one year may provide that an employer that was not a party thereto may become a party during the term according to the terms and conditions stipulated therein.

11. Where the Commission refuses to enter into an agreement with the employers in a group, it shall inform them in writing of the reasons for such refusal, as soon as possible.

DIVISION 5 TRANSITIONAL AND FINAL

12. The employers in a group who wish to enter into an agreement applicable from 1 January 1998 shall so inform the Commission and provide the information prescribed in section 7 before 1 October 1997 or before the 60th day following the date of the coming into force of this Regulation, whichever date is later.

Where the Commission agrees to enter into an agreement with a group of employers, it shall inform them in writing of that acceptance before 31 December 1997 or the 150th day following the coming into force of this Regulation, whichever date is later.

Those employers shall sign the agreement and return it to the Commission not later than 31 December 1997 or before the 150th day following the date of the coming into force of this Regulation, whichever date is later. Notwithstanding the foregoing, in all cases, those employers shall be granted at least 30 days from the date of acceptance to sign and return the agreement to the Commission. The Commission shall then sign the agreement.

13. An agreement applicable from 1 January 1998 may provide for the use of the data held by the employers in the group for the year 1997 for the purposes of determining the application of personalized rates to them and calculating those rates.

14. 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. 1297-97, 1 October 1997

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

Vocational training — Amendments

Regulation to amend the Regulation respecting the vocational training of manpower in the construction industry

WHEREAS under subparagraphs 1, 2, 6 and 14 of the first paragraph 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 may make regulations respecting particularly the activities included in a trade and vocational training;

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