

## Draft Regulations

### Draft Regulation

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

### Competency certificates — Hiring and mobility of employees in the construction industry

Notice is hereby given, in accordance with sections 10 and 11 of the Regulation Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting the issuance of competency certificates and the Regulation respecting the hiring and mobility of employees in the construction industry”, the text of which appears below, may be submitted to the Government for approval upon the expiry of 45 days following this publication.

This Draft Regulation introduces provisions aiming at favouring the access of women to, and their maintenance and greater representation on the labour market in the construction industry.

Further information may be obtained from Mr. Jean Ménard, Director, Direction des services juridiques, Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3; tel.: (514) 341-3124 ext. 6425; fax: (514) 341-4287.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to Mr. André Ménard, Chairman and chief executive officer of the Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3.

ANDRÉ MÉNARD,  
*Chairman and Chief executive officer  
of the Commission de la construction  
du Québec*

### Regulation to amend 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. 5, 7, 13 and 14, and 3<sup>rd</sup> paragraph)

**1.** 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 the following Division after section 8:

#### “DIVISION II.1 PROVISIONS AIMING AT FAVOURING THE ACCESS OF WOMEN TO, AND THEIR MAINTENANCE AND GREATER REPRESENTATION ON, THE LABOUR MARKET IN THE CONSTRUCTION INDUSTRY

“**8.1.** The Commission may issue, pursuant to section 2.1, an apprentice competency certificate to a woman who has never been the holder of such certificate, without the employer’s who files a request for manpower having to guarantee that person an employment for not less than 150 hours over a period not exceeding 3 months, on condition that this employer confirms in writing to the Commission that he binds himself to hire that person.

Notwithstanding section 6, the first apprentice competency certificate issued to a woman pursuant to the first paragraph expires two years after the date it was issued. The Commission shall renew such certificate if monthly reports sent to the Commission by employers registered with it prove that the employee has worked for at least 150 hours during those two years.

“8.2. The number of hours worked in an occupation entailing the application of section 7.1 is 5000 for a woman who is the holder of an occupation competency certificate.”.

2. 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 substituting the following for section 44:

“44. When the Commission refers manpower to an employer, it selects the available employees, who are able to carry out the work being offered, according to the following criteria, in addition to those set out in section 35:

(1) women shall be referred first;

(2) a person domiciled in the sub-region where the work is to be carried out shall be referred before other available persons;

(3) amongst the persons meeting the criteria set out in subsections (1) and (2), those who have worked the greatest number of hours during the last 10 years preceding the year of the referral request shall be referred first.”.

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

1481

## Draft Regulation

Environment Quality Act  
(R.S.Q., c. Q-2)

### Noise from agricultural activities

Notice is hereby given that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act (R.S.Q., c. Q-2), the “Regulation respecting noise from agricultural activities”, the text of which appears below, may be enacted by the Québec government within 60 days of this publication.

The Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities (1996, c. 26) was adopted on June 20, 1996. It grants agricultural producers immunity from lawsuits by third parties claiming to be troubled by a nuisance insofar as the producer’s activities comply with the regulatory standards governing noise and dust contemplated by the Environment Quality Act or, in the absence of such standards, with the provisions of said Act.

It is within this context that the draft regulation defines the noise level that agricultural producers must respect in their activities in order to enjoy the abovementioned immunity. Noise from stationary agricultural sources may not exceed 65 decibels, measured at the point of impact, i.e. the building affected by the nuisance. Such sources include hay or grain dryers, ventilators, grain-handling machinery, refrigeration systems and small-animal scare devices. While this standard may affect a large number of agricultural operations, the cost involved in complying with it is minimal.

For information on the proposed Regulation respecting noise from agricultural activities, please contact Pierre-Paul Dansereau, Direction des politiques des secteurs agricole et naturel, Ministère de l’Environnement et de la Faune, 675, boulevard René-Lévesque Est, 8<sup>e</sup> étage, Québec (Québec), G1R 5V7; phone (418) 521-3829, ext. 4836.

Anyone wishing to make comments on the proposed regulation is asked to submit them in writing, before the end of the 60-day period, to the Minister of the Environment and Wildlife, Édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 30<sup>e</sup> étage, Québec (Québec), G1R 5V7.

DAVID CLICHE,  
*Minister of Environment  
and Wildlife*

---