

## Draft Regulations

### Draft Regulation

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

### Non-structural metalwork – Montréal — Amendments

Notice is hereby given, that the Minister of Labour has received an application to amend the Decree respecting the non-structural metalwork in the Montréal region (R.R.Q., 1981, c. D-2, r. 35) from the contracting parties covered by the Decree and that, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting the non-structural metalwork in the Montréal region, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft regulation is to actualize certain working conditions that have remained unchanged since 1 June 1995.

To that end, it proposes to extend the jurisdiction to include the production of metal doormats, to grant the employer the possibility of changing the duration of the standard workweek, to permit the scheduling of hours of work other than on a weekly basis under certain conditions, to increase minimum hourly wage rates for each job classification, to raise the percentage for the indemnity for paid annual vacation, to increase the maximum amounts for certain safety equipment, for the employer and employee contributions to the social security plan and, finally, the amount paid by the employer to the employee's pension fund.

This draft regulation has been the object of an economic impact study within the framework of amendments to be made to the Act respecting collective agreement decrees.

The consultation period will serve to clarify the impact of the proposed amendments. According to the 1997 annual report submitted by the parity committee, the decree governs 152 employers and 961 employees, of whom 193 are skilled workers.

Further information may be obtained by contacting Ms. Judith Gagnon, Direction des décrets, Ministère du

Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec), G1R 5S1 (Telephone: 418 646-2458; FAX: 418 528-0559).

Any interested person having comments to make concerning this matter is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec), G1R 5S1.

RÉAL MIREAULT,  
*Deputy Minister*

### Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 6.1)

**1.** The following is substituted for section 2.01 of the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 35):

**“2.01. Industrial:** This Decree governs the fabrication, production, processing and erection in the plant, for any other party, of any non-structural metalwork, regardless of the metal involved, used for building purposes. Such work includes, but is not limited to doors, sashes, windows, frames, sills, stairs, fire escapes, ladders, catwalks, fences, gates, balconies, all types of railings, protection guards, curb angles, frames, covers for pits and trenches, grills, window guards, cages, participations, and doormats.”.

**2.** The following is substituted for sections 3.01 and 3.03:

**“3.01.** The standard workday is, as the case may be, 8 or 10 hours, scheduled between 7 hours and 17 h 30.”.

**3.02. Standard workweek:** The standard workweek is 5 days, scheduled from Monday through Friday. How-

\* The last amendment to the Decree respecting the non-structural metalwork industry in the Montréal region was made by the regulation made by Order in Council 757-98 of 3 June 1998 (1998, G.O. 2, 3067). For other prior amendments, see the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

ever, the employer may, provided the employees agree, establish a standard workweek of 4 consecutive days of 10 hours each, from Monday through Friday.

**3.03.** Where the employer operates more than one shift, the standard workweek is 5 days and the regular workday begins at the following hours:

- (a) the first shift, between 7 hours and 9 hours;
- (b) the second shift, between 15 hours and 18 hours;
- (c) the third shift, between 23 hours and 1 hour.

Where the duration of the standard workweek in force is 4 days, the beginning and the end of the regular workday for shifts must be scheduled within a period of 24 hours, beginning with the hour at which the first shift begins its workday.”.

**3.** Section 3.05 is amended by striking the words “or when employees agree”.

**4.** The following is substituted for section 4.02:

“**4.02.** Where the duration of the standard workweek is 5 days:

1. time and a half shall be paid for the first 4 hours of overtime worked in excess of the regular workday or workweek. Double time shall be paid for subsequent overtime hours;

2. double time shall be paid for overtime hours worked on Sunday.

Where the standard workweek is 4 consecutive days:

1. time and a half shall be paid for the first 2 hours of overtime worked in excess of the regular workday. Double time shall be paid for subsequent overtime hours;

2. time and a half shall be paid for hours worked on the fifth day up to twelve hours. Double time shall be paid for subsequent overtime hours;

3. time and a half shall be paid for the first four hours worked on Saturday. Double time shall be paid for subsequent overtime hours;

4. double time shall be paid for hours worked on Sunday.”.

**5.** The following is substituted for section 5.01:

“**5.01.** Minimum hourly wage rates are as follows for the classifications listed below:

## Classifications

As of  
(insert here the  
enforcement date  
of this decree)

### 1. Zone 1:

(a) specialized brake press operator and mechanic	\$19.09;
(b) fitter and blacksmith	\$17.42;
(c) brake press operator, blade sheer operator, buffer	\$17.13;
(d) trailer-truck driver	\$16.59;
(e) production worker A	\$16.33;
(f) truck driver	\$16.33;
(g) production worker B and painter	\$10.72;
(h) labourer	
— less than 4 000 hours of work	\$ 8.57;
— more than 4 000 hours of work	\$ 9.64;

**2. Zone 2:** Minimum wage rates in zone 2 are the rates of zone 1, reduced by \$0.15 per hour.”.

**6.** Section 5.06 is revoked.

**7.** Section 6.01 is amended by substituting, in paragraph 3, the words “are payable to the employee” for the words “are granted to the employee”.

**8.** Section 7.03 is amended by substituting the following for paragraphs 1 to 5:

“1. from 1 to less than 5 years	4.16 %	2 weeks;
2. from 5 to less than 13 years	6.36 %	3 weeks;
3. from 13 to less than 20 years	8.64 %	4 weeks;
4. from 20 to less than 24 years	9.81 %	4 weeks;
5. 24 years and more	11 %	5 weeks.”.

**9.** Section 13.04 is amended:

1. by substituting, in subparagraph *a* of the second paragraph, “\$90.00” for “\$80.00”;

2. by substituting, in subparagraph *b* of the second paragraph, “\$90.00” for “\$85.00”.

**10.** Section 14.01 is amended by substituting “\$0.40” for “\$0.26”.

**11.** Section 14.02 is amended by substituting “\$0.40” for “\$0.26”.

**12.** Section 14.06 is amended by substituting “\$0.55, as of (*insert here the enforcement date of this decree*), and \$0.60, as of 31 May 1999,” for “\$0.35”.

**13.** Section 17.01 is amended:

1. by substituting “31 May 1999” for “31 May 1996”;
2. by substituting “the year 1999” for “the year 1996”.

**14.** This decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

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## Draft Regulation

Transport Act  
(R.S.Q., c. T-12)

### Commission des transports du Québec — Procedure

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the rules of procedure of the Commission des transports du Québec, the text of which appears below, may be made by the Commission des transports du Québec upon the expiry of 45 days following this publication.

The purpose of this regulation which replaces the Rules of practice and rules for the internal management of the Commission des transports du Québec (O.C. 147-82, 20 January 1982) presently in force, is to promote the quick and easy processing of applications submitted to the Commission des transports du Québec and, generally, to guide the exercise of the administrative function of the Commission. It contains, in particular, rules regarding the presentation of observations by interested persons and rules regarding the holding of public hearings if the need arises.

Further information may be obtained relating to this regulation from Mr. Léonce Girard, Secretary and Director of Legal Affairs and Secretariat, Commission des transports du Québec, 200, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1R 5V5, by telephone at (418) 643-5970 or by fax at (418) 646-8423.

Any person having comments to make on this matter is asked to forward them in writing, before the expiry of the 45-day period, to Mr. Léonce Girard, Secretary and

Director of Legal Affairs and Secretariat, Commission des transports du Québec, 200, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1R 5V5. These comments will be analysed by the Commission des transports du Québec.

*The President of the Commission  
des transports du Québec,*  
LOUIS GRAVEL

## Rules of procedure of the Commission des transports du Québec

Transport Act  
(R.S.Q., c. T-12, s. 48)

### DIVISION I PRELIMINARY PROVISIONS

**1.** The purpose of these rules is to insure the prompt and simple processing of an application in keeping with the duty to act fairly.

**2.** If the means of exercising a right has not been provided for within these rules, it may be compensated by any means not inconsistent with them or with any provision of the law.

**3.** At any time, any defect of form or procedural irregularity may be remedied upon permission of the Commission.

**4.** The Commission may release a person from his failure to act within the time prescribed by law if that person establishes that he was unable, for serious and valid reason, to act sooner and if the Commission considers that no other person concerned suffers serious prejudice.

### DIVISION II DEFINITIONS

**5.** In these rules, unless the context indicates otherwise, the following definitions apply:

“application”: any application, including a procedure by filing, and a question treated at the Commission’s own initiative;

“special permit”: permit issued in answer to an emergency where no permit holder is able to ensure the required services;

“temporary permit” permit issued in case of an exceptional and unforeseeable emergency.