

Draft Regulations

Draft Regulation

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

Cartage industry in the Québec region — Amendments

Notice is hereby given that the Minister of State for Labour and Employment and Minister of Labour has received an application to amend the Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r. 7) from the contracting parties governed 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 cartage industry in the Québec region”, a copy of which appears below, may be made by the Government on the expiry of the 45 days following this publication.

The proposed amendments are intended to change the name of one of the employer contracting parties, to harmonize the decree with the Act respecting Labour Standards (R.S.Q., c. N-1.1) with respect to the minimum wage, the duration of the standard workday and the duration of the standard workweek, and finally, to extend the term of the Decree until 31 December 2002.

This draft regulation shall be the object of an impact study within the framework of the amendments made by the Act to amend the Act respecting collective agreement decrees (1996, c. 71).

The consultation period will clarify the impact of the amendments being sought.

According to the 1998 annual report of the Comité paritaire de l'industrie du camionnage de la région de Québec, this Decree governs 189 employers and 612 employees for Part I (General Transport) and 84 employers and 304 employees, for Part II (Transport of wastes).

Further information may be obtained by contacting Ms. Michèle Poitras, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1. (E-mail: michele.poitras@travail.gouv.qc.ca; Telephone: 418-646-2631; Fax: 418-528-0559).

Any interested person having comments to make 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^e étage, Québec (Québec) G1R 5S1.

NORMAND GAUTHIER,
Deputy Minister of Labour

Decree to amend the Decree respecting the cartage industry in the Québec region *

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

1. The first “Whereas” of the Decree respecting the cartage industry in the Québec region is amended by substituting the name “L’Association des transporteurs routiers de la région de Québec inc.” for the name “L’Association du camionnage du Québec Inc.”.

2. The following is substituted for sections 4.01 to 4.03:

“4.01. The standard workweek is 41 hours scheduled over five days from Monday to Friday at 8 hours and 12 minutes per day. The duration of the standard workweek is reduced to 40 hours on 1 October 2000 and consequently the duration of the standard workday is also reduced to eight hours.

The standard workweek for secretaries or shorthand typists and office clerks is 35 hours scheduled over five days from Monday to Friday at seven hours per day.

4.02. The employer and employees may agree by collective agreement or following an agreement concluded between the employer and the employee or a majority of the employees concerned to work schedule arrangements different from those provided for in section 4.01 for the number of hours in the standard workday and the number of days in the standard workweek.

* The last amendment to the Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r. 7) was made by the Regulation made under Order in Council no. 757-98 dated 3 June 1998 (1998, *G.O.* 2, 2216). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.

Such arrangements shall be more advantageous for the employee and not be for the purpose of avoiding the provisions respecting the payment of overtime hours.

The employer shall forward a copy of the written agreement to the parity committee before implementing the concluded arrangements”.

3. Section 4.04 is amended by inserting the words “without pay” after the words “rest period”.

4. This Decree is amended by substituting “4.02” for “4.03” everywhere it is found in sections 5.02, 6.04, 6.05, 6.06 and 9.03.

5. Section 7.01 is amended, in paragraphs 1° and 2°, by substituting the hiring rate “6,90 \$” for “6,85 \$”.

6. The following is substituted for section 7.02:

“7.02. 1. The minimum weekly wage of office clerks is the following as of (*insert here the date of the coming into force of this Decree*):

Hiring rate	After 6 months	After 12 months	After 18 months	After 24 months
241,50 \$	261,33 \$	281,43 \$	301,52 \$	321,64 \$;

2. The minimum weekly wage of secretaries or short-hand typists is the following as of (*insert here the date of the coming into force of this Decree*):

Hiring rate	After 6 months	After 12 months	After 18 months	After 24 months
269,04 \$	291,46 \$	313,88 \$	336,30 \$	358,72 \$.”.

7. Section 7.05 is amended by adding the words “in writing” at the end of subparagraph *i*.

8. The following is substituted for section 8.10:

“8.10. An employee who, during the performance of his duties, stays away from his residence on a holiday, a Saturday, a Sunday or due to an Act of God, is entitled to the equivalent of 8.2 times his prevailing hourly wage rate; the indemnity is reduced to 8 times his prevailing hourly wage rate as of 1 October 2000.”.

9. The following is substituted for section 9.08:

“9.08. The employee who is paid by the kilometre travelled shall receive as compensation for any holiday mentioned in section 9.02, the hourly rate of his classification provided in the Decree multiplied by 8,2 pro-

vided that he complies with the conditions mentioned in section 9.04; that compensation is reduced to 8 times the hourly rate for his classification provided in the Decree as of 1 October 2000.”.

10. The following is substituted for section 12.01:

“12.01. This part remains in force until 31 December 2002. It is then automatically renewed from year to year thereafter, unless one of the contracting parties opposes it by a written notice sent to the Minister of State for Labour and Employment and Minister of Labour and to the other parties during the month of September 2002 or during the month of September of any subsequent year.”.

11. The following is substituted for sections 15.01 and 15.02:

“15.01. The standard workweek is 41 hours scheduled over a maximum of 6 days, from Monday to Saturday. The standard workday is 10 hours and 15 minutes.

The duration of the standard workweek is reduced to 40 hours as of 1 October 2000 and, as a result, the duration of the standard workday is reduced to ten hours.

15.02. The employer and the employees may agree, by a collective agreement or after an agreement between the employer and the employee or a majority of the employees concerned, to work schedule arrangements different from those provided for in section 15.01 for the number of hours in the standard workday and the number of days in the standard workweek.

Such arrangements shall be more advantageous for the employee and not be for the purpose of avoiding the provisions respecting the payment of overtime hours.

The employer must forward to the parity committee a copy of the written agreement before implementing the concluded arrangements.”.

12. The following is substituted for section 16.02:

“16.02. Except for the employee mentioned in section 15.02, hours worked on Sunday are paid at double time the employee’s hourly wage provided for in the Decree.”.

13. The following is substituted for section 17.05:

“17.05. Except for the employee mentioned in section 15.02, the employee who works on Sunday receives at least twice his hourly wage provided for in the Decree.”.

14. The following is substituted for section 27.01:

“**27.01.** This part remains in force until 31 December 2002. It is then automatically renewed from year to year thereafter, unless one of the contracting parties opposes it by a written notice sent to the Minister of State for Labour and Employment and Minister of Labour and to the other parties during the month of September 2002 or during the month of September of any subsequent year.”

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

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Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Chemists — Code of ethics

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des chimistes du Québec made the Code of ethics of chemists.

The Regulation, the text of which is attached below, will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code. It will then be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to update the Code of ethics of chemists as regards the duties and obligations of chemists towards the public, clients, colleagues, the profession and the Order.

Thus, the rules applying to chemists in the carrying out of a mandate entrusted by a client were clarified, in particular, as regards conflict of interest, availability, independence, integrity and liability so that the current situation of the professional practice be taken into account.

According to the Ordre des chimistes du Québec, the updating of the Code of ethics was necessary in order to ensure a better protection of the public and an increased supervision of the professional practice. In addition, according to the Order, there will be no other impact on businesses, in particular small and medium-sized businesses.

The Regulation also has the purpose to introduce, as required by the Professional Code, provisions respecting accessibility and corrections to the records of the members of the Ordre des chimistes du Québec.

Further information concerning the Regulation may be obtained by contracting Martial Boivin, Secretary, Ordre des chimistes du Québec, 300, Léo-Pariseau, bureau 1010, C.P. 1089, succ. Place du Parc, Montréal (Québec) H2W 2P4; telephone number: (514) 844-3644; fax: (514) 844-9601.

Any person having comments to make on the Regulation is asked to send them, before the expiry of the 45 days period, to the Chairman of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation, that is the Ordre des chimistes du Québec, and to the interested persons, departments and agencies.

JEAN-K. SAMSON,
*Chairman of the Office
des professions du Québec*

Code of ethics of chemists

Professional Code
(R.S.Q., c. C-26, a. 87)

DIVISION I GENERAL PROVISION

1. This Code determines, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the duties that any member of the Ordre des chimistes du Québec must discharge, particularly during a mandate entrusted to him by a client.

It determines acts that are derogatory to the dignity of the profession, provisions to preserve the secrecy of confidential information that becomes known to a member of the Order in the practice of his profession, the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Professional Code as well as the conditions, obligations and prohibitions in respect of advertising by a member of the Order.