

## Draft Regulations

### Draft Regulation

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

### Cartage industry in the Montréal 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 Montréal region (R.R.Q., 1981, c. D-2, r. 6) from the contracting parties governed by this Decree and that in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting the cartage industry in the Montréal region, a copy of which appears below, may be made by the Government on the expiry of the 16 days following this publication.

Under section 12 of that Act, this draft regulation may be made in a period less than the 45 days provided for in section 11 of the Regulations Act due to the urgency of the following situation:

— the attached decree to amend this Decree must enter into force on 23 December 1999, expiration date of the Decree respecting the cartage industry in the Montréal region; and this date cannot be met if the legal period for publication mentioned in section 11 of the Regulations Act is applied.

The purpose of this draft regulation is to update several working conditions unchanged since 29 September 1994. To that end, it proposes to change the name of the employer contracting party, reduce the hourly wage rates and change certain working conditions. The draft regulation also intends to change the term of the Decree in order for it to remain in force until 30 September 2000.

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 Montréal, this Decree governs 143 employers and 780 employees.

Further information may be obtained by contacting Ms. Michèle Poitras, Direction des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> 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 16-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

NORMAND GAUTHIER,  
*Deputy Minister of Labour*

### Decree to amend the Decree respecting the cartage industry in the Montréal region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2, 6.1 and 6.2)

1. The first “WHEREAS” of the Decree respecting the cartage industry in the Montreal region is amended by substituting the name “L’Association des transporteurs de la région de Montréal Inc.” for the the name “L’Association du Camionnage du Québec Inc. (Section régionale de Montréal).”.

2. The following is substituted for section 1.01:

“1.01. In this Decree the following expressions mean:

1. “helper”: employee who assumes the duties of helper as required by the employer, except for the duties mentioned in paragraphs 3 and 6;

2. “driver”: driver of an automobile;

3. “truck driver”: driver of a truck with two axles or more;

4. “tractor driver”: driver of a tractor semi-trailer;

5. “towmotor operator”: driver of a motor vehicle known as a “fork lift”;

6. “spouses”: persons:

(a) who are married and live together;

\* The last amendment to the Decree respecting the cartage industry in the Montréal region (R.R.Q., 1981, c. D-2, r. 6) 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 September 1999.

(b) who live as husband and wife and are the father and mother of the same child;

(c) of different sex or of the same sex who have been living together maritally for at least one year;

7. “dockman” employee whose regular duties involve handling merchandise inside the warehouse or on the platform;

8. “uninterrupted service”: means the uninterrupted period during which the employee is bound to the employer by a contract of employment, even if the performance of the work has been interrupted without cancellation of the contract, and the period during which fixed term contracts succeed one another without an interruption that would, in the circumstances, give cause to conclude that the contract was not renewed.”.

3. Section 2.04 is amended by substituting, in paragraph e, the words “or employees” for the words “, employees or artisans”.

4. The following is substituted for sections 3.01 and 3.02:

“3.01. The standard workday shall not exceed 12 hours, excluding meals.

3.02. The standard workweek shall be 40 hours, scheduled over six consecutive days within one calendar week from Sunday to Saturday inclusively.”.

5. Section 3.03 is amended by deleting the second and third paragraphs.

6. Section 3.05 is revoked.

7. Section 3.07 is amended:

1. by substituting the following for the first paragraph:

“3.07. Except for a fortuitous event that prevents the work, an employee is entitled to a minimum indemnity of four consecutive hours of pay at his minimum hourly rate for each day that he reports to work, unless the employer or his representative gives him a previous notice not to report to work.”;

2. by deleting the second paragraph;

3. by substituting the word “four” for the number “7” in the third paragraph.

8. Section 3.08 is revoked.

9. The following is substituted for sections 4.01 and 4.02:

“4.01. Hours worked over 12 hours per day or over 40 hours per week are overtime hours.

4.02. Overtime hours are paid at time and a half the employee’s regular hourly wage, except for premiums established on an hourly basis.”.

10. Sections 4.03 and 4.05 are revoked.

11. The following is substituted for section 5.01:

“5.01. Minimum hourly rates are the following for each job classification listed below:

Job classification	Hourly rate
1. helper	\$ 8.75
2. driver	\$10.75
3. truck driver	\$11.75
4. tractor driver	\$12.25
5. towmotor operator	\$11.75
6. dockman	\$10.75.”.

12. Sections 5.02 to 5.05 are revoked.

13. Section 5.08 is amended by deleting paragraphs 2 to 4.

14. Sections 5.09 and 5.10 are revoked.

15. The following is substituted for section 5.11:

“5.11. The employee who, during the performance of his duties, remains outside of his residence on a holiday, his weekly day of rest, or due to a fortuitous event, is entitled to a minimum indemnity equal to his standard workday at his minimum hourly rate.”.

16. The following is substituted for section 6.01:

“6.01. The following days are paid statutory holidays: 1 January, Good Friday, the Queen’s Birthday, 1 July, Labour Day, Thanksgiving and 25 December.

Easter Monday may be substituted for the Good Friday holiday for all or some of the employees.”.

17. Section 6.05 is revoked.

18. Section 6.06 is amended:

1. by substituting the following for paragraph 1:

“1. Where a holiday coincides with a working day for an employee, the employer shall pay the employee an indemnity equal to the average of his daily wage for days worked during the complete pay period preceding such holiday, without considering overtime hours.”;

2. by substituting the following for paragraph 3:

“3. For 1 January and 25 December, the employee shall receive the indemnity provided for in paragraph 1, on the following conditions:

(a) he has been in the service of his employer for the 30 days preceding the holiday;

(b) he has worked 10 days during those 30 days;

(c) he has been available for the standard workday preceding and following the holiday, unless a fortuitous event occurred for which proof lies with the employee and must be submitted to the employer within the five days following the holiday, unless that day is included in his annual vacation.”.

19. The following is substituted for section 6.07:

“6.07. Hours worked on a holiday are paid at double time with a minimum of four consecutive hours paid at double time.”.

20. Section 6.08 is revoked.

21. Section 7.05 is amended by substituting the number “12” for the number “10”.

22. Section 7.06 is revoked.

23. Sections 8.02 to 8.03 are revoked.

24. The following is substituted for section 12.01:

“12.01. The Decree remains in force until 30 September 2000.”.

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

3183

## Draft Regulation

An Act respecting the Société d’habitation du Québec (R.S.Q., c. S-8)

### Dwellings in low-rental housing — Conditions for the leasing

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 conditions for the leasing of dwellings in low-rental housing, made by the board of directors of the Société d’habitation du Québec and the text of which appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to introduce in the regulations respecting the conditions for the leasing of dwellings in low-rental housing work incentive measures, a new method of calculation of the minimum basic rent applicable to that type of dwelling and various administrative adjustments intended to simplify, render more flexible or clarify certain provisions of the current regulation.

The Regulation will replace the By-law respecting the conditions for the leasing of dwellings in low-rental housing, approved by Order in Council 251-92 dated 26 February 1992 and amended by Orders in Council 1008-97 dated 13 August 1997 and 1303-97 dated 8 October 1997. Lastly, it will revoke the By-law respecting the conditions for the leasing of dwellings in low-rental housing approved by Order in Council 159-90 dated 14 February 1990.

Further information on the draft Regulation may be obtained by contacting Jean-Luc Lesage, Secretary and Director of the Bureau du président, 1054, rue Louis-Alexandre-Taschereau, aile Saint-Amable, 3<sup>e</sup> étage, Québec (Québec) G1R 5E7; tel. (418) 644-1380; fax: (418) 646-5560.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Secretary and Director of the Bureau du président of the Société d’habitation du Québec at the aforementioned address.

ANDRÉ MARCIL,  
*President and Chief Executive Officer*

---