

Where timber must be re-scaled, timber scaled again shall be left undisturbed at the place where it was scaled until the expiry of one of the periods provided for in the first paragraph of section 18, as the case may be.

DIVISION VII STANDARDS APPLICABLE TO SEALED CONTAINERS

20. Any sealed container required for the purpose of this Regulation shall

- (1) be made of a hard structure;
- (2) have a volume of no less than 0.2 m³;
- (3) be waterproof and impervious enough to shelter the documents deposited therein from bad weather;
- (4) be equipped with a padlocked door allowing the persons in charge of the application of this Regulation to have access to the documents deposited therein;
- (5) bear the notice “scaling”, in the case of a sealed container referred to in section 6 or 13, or the notice “transportation”, in the case of a sealed container referred to in section 8 or 11; and

- (6) be located in a place easy of access.

DIVISION VIII PENAL PROVISIONS

21. Any person harvesting timber in a forest in the public domain and contravening one of the provisions of the first paragraph of section 4 or 5 commits an offence punishable under section 181 of the Forest Act (R.S.Q., c. F-4.1).

Any holder of a forest management permit issued for the supply of a wood processing plant supplying itself with timber harvested in forests in the public domain who contravenes one of the provisions referred to in the first paragraph also commits an offence punishable under section 181 of the Forest Act.

22. Any holder of a forest management permit issued for the supply of a wood processing plant harvesting timber or supplying itself with timber harvested in forests in the public domain who contravenes one of the provisions of sections 6 to 14, the first paragraph of section 15 or sections 17 to 19 commits an offence punishable under section 181 of the Forest Act.

23. Any driver of a road vehicle or any carrier who contravenes one of the provisions of sections 7, 8, 10 or 11 commits an offence punishable under section 181 of the Forest Act.

DIVISION IX MISCELLANEOUS

24. This Regulation replaces the Regulation respecting the scaling standards for timber harvested in forests in the public domain, made by Order in Council 654-94 dated 4 May 1994.

25. 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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Draft Regulation

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

Installation of petroleum equipment — Amendments

Notice is hereby given that the Minister of Labour has received an application to amend the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) 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), that the Decree to amend the Decree respecting the installation of petroleum equipment, a copy of which is attached hereto, may be made by the Government upon the expiry of the 45 days following this publication.

The purpose of this draft regulation is to actualize certain working conditions which have remained unchanged since 18 July 1996.

To that end, it proposes to amend the definition of the class C mechanic, to improve the provision for remunerating the travelling time of the employee outside of the hours of the standard working day, to establish the parameters for calculating the indemnity for the annual vacation in the case of an absence for reasons that have already been accepted, to establish new wage rates, to increase the contribution to the fringe benefits plan and to specify the terms for its application.

This draft regulation is currently the object of an economic impact study within the framework of amendments brought by the Act to amend the Act respecting collective agreement decrees (1996, c. 71).

The consultation period will serve to clarify the impact of the amendments being sought. According to the 1997 annual report of the Comité paritaire de l'installation d'équipement pétrolier du Québec, the Decree in question covers 62 employers, 10 artisans and 398 employees.

Further information may be obtained by contacting Mr. Jude Bourke, Direction des décrets, Ministère du Travail, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1 (Telephone: 418 646-2644; 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 that period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

RÉAL MIREAULT,
Deputy minister of Labour

Decree to amend the Decree respecting the installation of petroleum equipment*

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

- 1.** Section 1.01 is amended by striking “and who has at least 2 years’ experience” in subparagraph *iii* of paragraph 9.
- 2.** Section 2.03 is revoked.
- 3.** The following is substituted for section 3.04:

“**3.04.** Outside of the hours of the standard working day, time spent by the employee travelling to the job site and back again and between job sites is considered to be time worked and is paid at the employee’s base rate.

The first two hours of travelling time are paid at the base rate. Additional hours are paid at time and a half.

As of 1 October 1999, the first hour of travelling time is paid at the base rate. Additional hours are paid at time and a half.”.

- 4.** Section 3.08 is amended by substituting, in paragraph 2 of the first paragraph, the words, “base rate” for the words “wage rate applicable”.
- 5.** The following is substituted for sections 3.11 and 3.12:

“**3.11.** The employee who is present on the job site without having been informed to the contrary before the end of the preceding standard working day is entitled to an indemnity equal to four hours at his base rate.

3.12. Section 3.11 does not apply when an event outside of the employer’s control prevents him from having work performed covered by the Decree.”.

- 6.** Section 4.05 is amended by substituting the words “base rate” for the words “regular rate”.
- 7.** Section 6.06 is amended:

1. by substituting, in the first paragraph, the words “base rate” for the words “usual wage”;

2. by adding the following after the first paragraph:

“To determine the indemnity for that holiday, the employer shall:

1. calculate the average weekly wage earned by the employee during the period worked;
2. count the number of weeks that he would have normally worked;
3. multiply the average weekly wage earned by the number of weeks of paid annual vacation to which the employee is entitled;
4. multiply the amount established in subparagraph 3 by the number of weeks counted in subparagraph 2 and divide that amount by 52.

Despite the preceding, an indemnity for the annual vacation shall not exceed the indemnity to which the employee would have been entitled if he had not been absent or on leave for a reason that has been accepted.”.

- 8.** Section 8.04 is amended by substituting, in subparagraph 3, the words “base rate” for the words “usual wage”.

* The last amendment to the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) was made under the Regulation made by Order in Council 757-98 dated 3 June 1998 (1998, G.O. 2, 2216). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1998, updated to 1 September 1998.

9. Section 9.01 is amended by substituting the following in subparagraph 1:

“1. Employees receive at least the following wage rates for each job classification provided below:

Job Classification	As of (<i>insert here the date of the coming into force of this Decree</i>)
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(a) service mechanic, installation mechanic (site), shop mechanic, tank truck mechanic:

A	\$22.33
B	\$18.47
C	\$15.49
(b) labourer	\$12.87
(c) student	\$9.09.”.

10. Section 9.02 is amended:

1. by substituting the following for subparagraph 5:

“5. the number of hours paid at the base rate;”;

2. by substituting the following for subparagraph 8:

“8. the base rate;”.

11. The following is substituted for sections 11.02 to 11.04:

“**11.02.** The employer contributes to the fringe benefits plan managed by the Comité paritaire de l’installation d’équipement pétrolier du Québec, the amount of 14 \$ per week for each of the employees in his employ. For the purposes of this Decree, the employee who has worked 24 hours or more including overtime hours is considered to have worked for one week.

11.03. The employer deducts from the pay of each of his employees the amount of 12,80 \$ per week for the fringe benefits plan. For the purposes of this Decree, the employee who has worked 24 hours or more including overtime hours is considered to have worked for one week.

If the employee works less than 24 hours a week, the sum contributed by the employer and deducted from the pay of the employee is \$0.35 per hour worked.”.

12. The following is substituted for section 12.01:

“**12.01.** The Decree remains in force until 31 December 1999. 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 Labour and to the other contracting party during the month of August of the year 1999 or during the month of August of any subsequent year.”.

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

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