

Gouvernement du Québec

O.C. 674-2000, 1 June 2000

An Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., c. F-3.2.0.3)

Fund to combat poverty through reintegration into the labour market

WHEREAS the Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., c. F-3.2.0.3), amended by Chapter 40 of the Statutes of 1999, was assented to on 12 June 1997;

WHEREAS under section 15 of the Act, it has effect from 26 November 1996 and will cease to have effect on 1 April 2000 or on any later date determined by the Government;

WHEREAS under Order in Council 382-99 dated 31 March 1999, the Government determined that the Act will cease to have effect on 1 April 2001, so that the Fund to combat poverty through reintegration into the labour market may carry out the projects accepted by the fund before 1 April 2000;

WHEREAS at the *Sommet du Québec et de la jeunesse*, a consensus was reached to the effect that the Government should renew the Fund to combat poverty through reintegration into the labour market for three years, under different terms and conditions, for an amount of 160 million dollars;

WHEREAS the Fund to combat poverty through reintegration into the labour market intends to finance projects that will be accepted before 1 April 2003, but which will require commitments and payments after 31 March 2003;

WHEREAS it is expedient that the Fund to combat poverty through reintegration into the labour market cease to have effect on 1 April 2004 so that the projects may be carried out;

WHEREAS under section 14 of the Act, any sum remaining in the fund on the date on which the Act ceases to have effect in excess of \$250,000,000 shall be paid into the consolidated revenue fund and shall be appropriated to the financing of such complementary measures consistent with the objects of the fund as are determined by the Government, in the manner fixed by the Government;

WHEREAS there are surplus in the Fund to combat poverty through reintegration into the labour market in excess of the amount of \$250,000,000 originally intended;

WHEREAS it is expedient that the surplus of the Fund to combat poverty through reintegration into the labour market in excess of \$250,000,000 be reappropriated in the fund and be used to finance it for the 2000-2001 fiscal year and the following, as the case may be;

WHEREAS it is expedient to replace Order in Council 382-99 dated 31 March 1999;

WHEREAS under Order in Council 1509-98 dated 15 December 1998, the Minister of Social Solidarity was designated by the Government as the Minister responsible for the administration of the Act to establish a fund to combat poverty through reintegration into the labour market;

IT IS ORDERED, therefore, on the recommendation of the Minister of Social Solidarity:

THAT the Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., c. F-3.2.0.3), amended by Chapter 40 of the Statutes of 1999, cease to have effect on 1 April 2004;

THAT the sums remaining in the Fund to combat poverty through reintegration into the labour market in excess of \$250,000,000 be reappropriated in the fund and be used to finance it for the 2000-2001 fiscal year and the following, as the case may be;

THAT this Order in Council replace Order in Council 382-99 dated 31 March 1999;

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 678-2000, 1 June 2000

An Act respecting labour standards (R.S.Q., c. N-1.1; 1999, c. 57)

Clothing industry — **Minimum labour standards in certain sectors**

Regulation respecting minimum labour standards in certain sectors of the clothing industry

WHEREAS the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, c. 57) was assented to on 11 November 1999;

WHEREAS under section 158.1 of the Act respecting labour standards (R.S.Q., c. N-1.1), enacted by section 4 of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards, the Government may, by regulation, determine minimum conditions of employment applicable during a transitory period in certain sectors of the clothing industry;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting minimum labour standards in certain sectors of the clothing industry was published in Part 2 of the *Gazette officielle du Québec* of 23 February 2000, on page 947, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with an amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT the Regulation respecting minimum labour standards in certain sectors of the clothing industry, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting minimum labour standards in certain sectors of the clothing industry

An Act respecting labour standards
(R.S.Q., c. N-1.1, s. 158; 1999, c. 57, s. 4)

CHAPTER I GENERAL

1. This Regulation applies to employees who perform work which, on 30 June 2000, would have been governed by one of the following decrees whose scopes appear in Schedule I:

(1) the Decree respecting the men's and boys' shirt industry (R.R.Q., 1981, c. D-2, r.11);

(2) the Decree respecting the women's clothing industry (R.R.Q., 1981, c. D-2, r. 26);

(3) the Decree respecting the men's clothing industry (R.R.Q., 1981, c. D-2, r. 27);

(4) the Decree respecting the leather glove industry (R.R.Q., 1981, c. D-2, r. 32).

2. For the purposes of this Regulation, in the men's and boys' shirt industry, the following expressions mean:

(1) "divider": an employee whose work consists in dividing the cuts of all materials used in the manufacture of garments and bundling them according to quantities and sizes; (*assortisseur*)

(2) "section head": an employee who directly assists the foreman in the performance of his duties; (*chef de section*)

(3) "shirts": garments covering the upper part of the body, with a collar and no body lining, worn generally with or without underwear, and with a full or partial front opening. These garments may be designed to be worn inside or outside pants; (*chemises*)

(4) "cutter": an employee who cuts, by means of shears, electric knife or otherwise, according to recognized practices, all materials used in the manufacture of garments but who does not make markers; (*coupeur*)

(5) "cutter with die": an employee who, according to recognized practices, and by means of cutting equipment (clicker), cuts all materials used in the manufacture of garments; (*coupeur à la matrice*)

(6) "hand-knife cutter": an employee who cuts by hand with a short knife, according to recognized practices, all materials, trimmings and linings used in the manufacture of garments; (*coupeur au couteau à la main*)

(7) "spreader": an employee who, in preparation for the cutter's work, spreads out materials used in the manufacture of garments; (*étaleur*)

(8) "examiner": an employee who performs the work of inspecting part of or a completed garment for faults in workmanship or who performs the operations of thread clipping or other necessary work for the completion of the garment; (*examineur*)

(9) "general hand": an employee who performs the work of shipping, receiving, sweeping, or any other occupation not defined in this section; (*manœuvre d'atelier*)

(10) “marker”: an employee who makes markers, according to recognized practices, on paper or on materials used in the manufacture of garments; (*marqueur*)

(11) “operator”: an employee who performs, by ordinary 2-needle or more sewing machines, according to recognized practices, the operation of sewing together, in part or in whole, any garment once it has been cut. This term also includes sample makers, repair makers and the operators working on machines called “special machines” such as: taping, overlock, button-sewer, buttonhole, tucking, buttonmaking, snap-fastening button, overcasting seams; or the operators who are able to and actually perform one or more of the operations, by sewing machines and according to recognized practices, which make up the sewing of garments; (*opérateur*)

(12) “unskilled worker”: an employee who performs miscellaneous factory work incidental to the manufacture of all garments, such as carrying bundles of merchandise to operators, pressers or examiners and stamping, bundling, packing and wrapping, or helping the spreader, as well as any other employee whose trade has not been defined in this section and who performs work or an operation which, on 30 June 2000, would have been governed by the Decree respecting the men’s and boys’ shirt industry; (*ouvrier non spécialisé*)

(13) “folder”: an employee who performs the work, in part or in whole, of folding garments; (*plieur*)

(14) “presser”: an employee who performs the work, in part or in whole, of ironing or pressing garments; (*presseur*)

(15) “pyjamas”: a garment usually worn to sleep including garments described as sleepers and whose legs are extended to completely cover the feet; (*pyjamas*)

(16) “knitted fabrics”: knitted fabrics of a construction of 28 gauge or more, that is, 15 vertical stitches or more per 2 centimetres. (*tissus tricotés*)

The word “garment”, wherever it appears in the provisions of the first paragraph, refers to a garment governed by the Decree respecting the men’s and boys’ shirt industry.

3. For the purposes of this Regulation, in the women’s clothing industry, the following expressions mean:

(1) “general hand”: an employee who performs any operation incidental to the manufacturing of a garment, such as thread cutting, glueing, cleaning or fusing; (*aide à toutes mains*)

(2) “assistant presser”: an employee who opens or presses seams or who does part pressing or any other incidental pressing required for the sewing of garments, except where the employee is governed by paragraph 18; (*aide-presseur*)

(3) “clothing”: the preparing, making and production of clothes or parts thereof; (*confection*)

(4) “sample maker”: an employee who performs the work of an operator in the making of a sample or prototype; (*confectionneur d’échantillons*)

(5) “cutter, Class 1”: an employee who grades sizes, who makes markers or does both in whichever way, including with a computer. He may also perform the work of the cutter, Class 2, the piler or the spreader; (*coupeur, classe 1*)

(6) “cutter, Class 2”: an employee who cuts by shears, machine, knife or otherwise the material or goods used in the manufacture of garments. He may also perform the work of the piler or the spreader. He may produce markers or make markers on trimming only, in whichever way, including with a computer; (*coupeur, classe 2*)

(7) “piler”: an employee who stacks knitted blanks before giving them to the cutter; (*empileur*)

(8) “spreader”: an employee who spreads the material for the cutter when such material is intended for the making of garments other than capes, coats, suits, pantsuits or blazers; (*étaleur*)

(9) “examiner”: an employee who inspects finished garments to ascertain any defects; (*examineur*)

(10) “baster”: an employee who does basting by hand or by machine; (*faufileur*)

(11) “finisher”: an employee who pins and sews fur trimmings by hand, performs operations on a garment after the assembling, by affixing or sewing by hand, details, trimmings or accessories, snap fasteners, buttons, clasps, ties, belts, loops, buckles, eyelets or hems, or does by hand any other work required to complete the garment; (*finisseur*)

(12) “section operator”: an employee who uses an automatic or semi-automatic sewing machine or special machine, to close seams on one or several parts of a garment or a lining; (*opérateur à la section*)

(13) “operator for leather garments”: an employee who uses a standard sewing machine, a multiple-needle machine or a special machine to close seams, in whole

or in part, on a leather garment; (*opérateur affecté aux vêtements de cuir*)

(14) “special machine operator”: an employee who uses any special machines for tucking, shirring, button-hole making, hem-stitching, button sewing, pinking, hemming, snap fastening, bottom felling and bottom cutting; (*opérateur de machine spéciale*)

(15) “operator for whole garments”: an employee, other than a section work operator, who uses a sewing machine, a special machine or a multiple-needle machine to close all the seams of a garment; (*opérateur de vêtement au complet*)

(16) “blank”: knitted material with at least one finished edge destined to be cut and sewn into a whole garment or part thereof; (*panneau de tricot*)

(17) “presser”: an employee who performs the pressing of a sewn garment, with an iron or a steam press. He may also perform the work of the assistant presser or the under presser; (*presseur*)

(18) “under presser”: an employee who presses seams, sleeves and lining of capes, coats, suits, pantsuits and blazers, so that the garment is ready for the finisher; (*presseur de dessous*)

(19) “separator”: an employee who affixes tickets or separates or bundles the several parts of the garment after they are cut by the cutter; (*séparateur*)

(20) “marker”: the drawing and layout of patterns on paper or on any material before cutting such material. (*tracé*)

The word “garment”, wherever it appears in the provisions of the first paragraph, refers to a garment governed by the Decree respecting the women’s clothing industry.

4. For the purposes of this Regulation, in the men’s clothing industry, the following expressions mean:

(1) “operating the Soabar machine”: this means operating the Soabar machine or making, printing, stapling or sewing on labels; (*manœuvrer la machine Soabar*)

(2) “operating an automatic sewing machine”: this operation consists in feeding an automatic sewing machine which has its own sewing cycle and where the employee does not have to guide the part to be sewn; (*manœuvrer une machine à coudre automatique*)

(3) “marking patterns on paper or cloth”: this operation consists in marking the outline of patterns with a pen or pencil, once the patterns have been spread out by the marker, or cutting the material or leather with a knife; (*marquer les patrons sur papier ou tissu*)

(4) “boys’ pants”: pants designed and made for wear by boys age 7 to 18 years and whose waist measurement does not exceed 78 centimetres or, in the case of chubby or husky boys, 84 centimetres. In addition to the waist measurement, the label attached to boys’ pants must show either the age, or size, to clearly indicate that these pants are made for boys; (*pantalons de garçons*)

(5) “general hand or floor help”: (*travail d’ordre général ou de commissionnaire*)

(a) “men’s and boys’ clothing”: this operation consists in tying up lots, distributing patterns or carrying out any minor operations not classified otherwise in a cutting room, a factory, a warehouse, a department for receiving or shipping merchandise; (*vêtements pour hommes et garçons*)

(b) “jean clothing and children’s clothing”: this operation consists in tying up lots, distributing patterns or carrying out any minor operations not classified otherwise in a cutting room; (*vêtements-jeans et vêtements d’enfants*)

(6) “children’s clothing”: overcoats, cloaks, short jackets and coats of all types; (*vêtements d’enfants*)

(a) for boys size 4 up to size 6X;

(b) for girls size 4 up to size 16. Size 16 must not exceed the body measurements established by the standard sizes program for children called the Canada Standard Size Specifications approved by the Canadian General Standards Board, for measurements applying to girls age 4 to 16 years;

(7) “jean clothing”: jean trousers, jean jackets, jean vests, made as follows: (*vêtements-jeans*)

(a) they are made of denim or any other material whose cotton content is at least 65 %;

(b) the inner or outer seams for the legs and the seat seam of jean trousers are made with a closed double seam machine;

(c) the waistband for jean trousers is a continuous band and the belt loops are sewn on its outer face;

(d) the outer seams for jean jackets and jean vests are made with a closed double seam machine;

(e) the waistband and wristbands for jean jackets are sewn with a banding machine;

(8) “military garments”: any working or combat jackets, vests or trousers made for military personnel under a contract resulting from a call for tenders by Public Works and Government Services Canada; (*vêtements militaires*)

(9) “men’s and boys’ clothing”: (*vêtements pour hommes et garçons*)

(a) overcoats, suits, jackets, vests, trousers, raincoats, car coats, suburban coats, storm coats, duffle coats, parkas, anoraks, ski jackets, golf jackets, sports vests, windbreakers and all similar garments;

(b) leather garments (natural and synthetic);

(c) military garments.

5. For the purposes of this Regulation, in the leather glove industry, the following expressions mean:

(1) “general hand”: an employee who brings garments or parts of garments to the examiner, operator or presser, or who is assigned to any other work for which there is no other classification provided for in Table I of Division I of Schedule V; (*aide à toutes mains*)

(2) “cutter, Class A”: an employee who spreads, lays out or cuts leather, grades sizes or makes or reproduces markers on leather; (*coupeur, classe A*)

(3) “cutter, Class B”: an employee who performs the work of a cutter on any material other than leather used in the manufacture of garments; (*coupeur, Classe B*)

(4) “examiner”: an employee who inspects garments or their parts, cuts threads, cleans or polishes these garments, or performs any other work necessary for the completion of the garment; (*examineur*)

(5) “shipper”: an employee who ties up bundles, wraps or packs up garments, checks or prepares orders or dispatches shipments to their destination; (*expéditionnaire*)

(6) “labourer”: an employee assigned to the handling or receiving of merchandise or to the sweeping of the shop; (*manœuvre*)

(7) “operator”: an employee who, with a sewing machine, sews together parts of a garment or who repairs

garments or is assigned to an operation performed by means of one of the special machines used in the manufacture of garments; (*opérateur*)

(8) “turner”: employee assigned to the turning of garments; (*retourneur*)

The word “garment”, wherever it appears in the provisions of the first paragraph, refers to a garment governed by the Decree respecting the leather glove industry.

6. For the purposes of this Regulation:

(1) the reference year for the year 2000 shall be a period of 12 consecutive months from 1 June 1999 to 31 May 2000, except for the women’s clothing industry, where it shall be from 1 March 1999 to 29 February 2000;

(2) the reference year for the year 2001 shall be a period of 11 consecutive months from 1 June 2000 to 30 April 2001, except for the women’s clothing industry, where it shall be a period of 14 consecutive months from 1 March 2000 to 30 April 2001.

CHAPTER II MINIMUM WAGE

DIVISION I MEN’S AND BOYS’ SHIRT INDUSTRY

7. An employee earning an hourly rate or a piecework rate who performs work which, on 30 June 2000, would have been governed by the Decree respecting the men’s and boys’ shirt industry, shall receive the equivalent minimum hourly wage that appears in the tables in Schedule II.

8. An employee shall be entitled to the increases provided for in the applicable progression period until he reaches the minimum hourly rate for the occupational category to which he belongs.

An employee who is promoted to an occupational category with a minimum hourly rate higher than his former occupational category shall continue, from the date on which he takes on his new job, to be entitled to the increases provided for in the applicable progression period. Notwithstanding the foregoing, the increases shall be calculated on the basis of the hourly rate paid to the employee and shall be applied for the time required to reach the minimum hourly rate of the new occupational category.

An employee who is demoted to an occupational category with a minimum hourly rate that is lower than the

rate for the category to which he belonged may be paid according to the minimum hourly rate of the occupational category to which he is demoted.

9. An employee's experience is defined as the sum of the hours worked for an employer in an occupational category referred to in this Division. An employee's experience is cumulative.

Experience acquired previously with a given employer shall be recognized by another employer in the industry referred to in this Division for the purposes of computing the employee's experience.

10. An employee who is paid on a piecework basis is entitled to receive a wage at least equal to the wage he would receive if he were paid at the minimum hourly rates determined in Schedule II.

SECTION II

WOMEN'S CLOTHING INDUSTRY

§1. Employment in an establishment

11. An employee earning an hourly rate or a piecework rate who performs work which, on 30 June 2000, would have been governed by the Decree respecting the women's clothing industry, shall receive the equivalent minimum hourly wage that appears in the tables in Schedule III.

12. An employee who has worked 250 hours in the industry referred to in this Division is deemed to have worked 250 hours in any craft in that industry.

13. The piecework rate that was paid for similar work immediately before a wage increase shall not be reduced;

An employer who changes his method of payment from the hourly rate to the piecework rate shall grant the hourly increase based on the hourly rate paid before the method of payment was changed if the employee returns to the hourly method of payment.

§2. Work at home

14. The manufacture of garments done in a domicile, a residence, a dwelling, and all outbuildings constitutes home work.

15. The home worker is paid on a piecework basis. The piecework rate is determined by taking, from among the rates verified, the lowest piecework rate paid for comparable garments in establishments and increasing this rate by 10 %.

In addition to his piecework wages, the home worker shall receive an amount equal to 732 % of such wages.

16. The employer may determine the piecework rate payable to a home worker only in those cases where a similar garment has been made in his shop, or in the shop of the owner of the merchandise, under normal conditions and production quantities by regular employees who were not specifically chosen.

17. Where the same garment has been made in the employer's shop or in the shop of the owner of the merchandise during the 12 preceding months, and the entire sewing of the garment was done by one employee paid on a piecework basis, the home worker shall receive the piecework rate the employer pays to the shop employee, plus 10 %.

18. Where the same garment has been made in the employer's shop or in the shop of the owner of the merchandise during the 12 preceding months, and the sewing of the garment was done by more than one pieceworker, the home worker shall receive the sum of the piecework rates paid to all the shop pieceworkers who worked on the making of the garment, minus the piecework rates paid for those operations which are not done by the home worker, plus 30 %.

19. It is prohibited for an employer to give home work to shop employees who already work in the employer's establishment.

20. An employer shall pay the home worker in cash or by cheque for any work done at the time he takes delivery of the merchandise.

21. An employer shall supply all thread and the sample of the garment to be made, deliver to the home worker's dwelling all goods to be produced and take delivery of any completed garments and pay for transportation costs.

22. A home worker may be required to redo the work if it is not done to the employer's satisfaction. Where the employer has the work redone by another worker, he may not charge that cost to the home worker who did the original work.

DIVISION III

MEN'S CLOTHING INDUSTRY

23. An employee who performs work which, on 30 June 2000, would have been governed by the Decree respecting the men's clothing industry, shall receive in a regular workweek, according to the operation and class of operation or, with respect to an apprentice, the num-

ber of months of employment, the equivalent minimum hourly wage that appears in the tables in Schedule IV.

24. The wage for an apprentice shall be increased to the minimum hourly rate prescribed for his class of operation.

When an employer hires an employee with previous experience in the industry referred to in this Division, he shall pay him at least the minimum hourly rate corresponding to his experience in comparable or similar operations.

An employee who is earning the minimum hourly rate prescribed for his work and who is assigned to other work which entails a higher minimum hourly rate shall be entitled to continue to be paid at least the same hourly rate for the first four months of the new work. At the end of this four-month period, his rate shall then be increased to the rate set out in the table of apprentice wages closest to his current rate and every four months thereafter, until the prescribed minimum hourly rate for his new work is reached.

For the purposes of this section, an apprentice is an employee who is learning a trade or an operation or who is promoted to an operation in the establishment for which the minimum hourly rate is higher than the one corresponding to the work previously performed.

25. An employee who is paid on a piecework basis is entitled to receive a wage at least equal to the wage he would receive if he were paid at the minimum hourly rates determined in Schedule IV.

DIVISION IV LEATHER GLOVE INDUSTRY

26. An employee who performs work which, on 30 June 2000, would have been governed by the Decree respecting the leather glove industry, shall receive the equivalent minimum hourly wage that appears in the tables in Schedule V.

27. An employee shall be entitled to the increases provided for in the progression period until the minimum hourly rate for the occupational category to which he belongs is reached.

Where an employee is promoted to an occupational category for which the minimum hourly rate is higher than the rate for the occupational category to which he belonged, he shall continue, from the date he begins his new occupation, to be entitled to the increases provided for in the progression period. Increases shall be calculated on the basis of the employee's hourly rate and shall

apply until the minimum hourly rate of the new category is reached.

Where an employee is demoted to an occupational category for which the minimum hourly rate is lower than the rate for the occupational category to which he belonged, the employer may pay him the minimum hourly rate for the category to which he is demoted.

28. An employee's experience is defined as the sum of the periods of uninterrupted service with an employer, in an occupational category in the industry referred to in this Division. Experience is accumulated only if it was acquired during the preceding 60 months, and is recognized only after 6 months of uninterrupted service.

The experience acquired in a category is valid for the purposes of computing experience in any other category in the industry referred to in this Division.

CHAPTER III STANDARD WORKWEEK

DIVISION I MEN'S AND BOYS' SHIRT INDUSTRY

29. The standard workweek is 36.5 hours scheduled as follows:

(1) first shift: the standard workday is 7.5 hours from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:30 p.m. on Monday to Thursday, and 6.5 hours from 8:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 3:30 p.m. on Friday, with a one-hour lunch period between 12:00 p.m. and 1:00 p.m.;

(2) second shift: the standard workday is 7.5 hours on Monday to Thursday and 6.5 hours on Friday. It may not be scheduled to begin before 4:00 p.m. on Monday to Thursday or before 1:00 p.m. on Friday, with a half-hour break for the evening meal.

30. Employees working the second shift shall be entitled to a premium of 5 % in addition to their regular wage or piecework rate. The premium is paid as a separate item in or on the pay envelope or sheet. The premium shall be included in computing the payment of paid statutory holidays and annual vacation but shall not be included in the general average after one year.

31. Following a majority vote of employees and their written consent or the written consent of the union representing them, an employer may change the work schedule referred to in paragraph 1 of section 29, on the following conditions:

(1) the standard workday is scheduled between 7:00 a.m. and 5:00 p.m.;

(2) the standard workweek does not exceed 36.5 hours and the standard workday does not exceed 8 hours;

(3) the one-hour lunch period takes place at the same time for all the employees of one employer.

DIVISION II WOMEN'S CLOTHING INDUSTRY

32. The standard workweek is 39 hours scheduled from Monday to Friday. The working hours in a standard workweek are scheduled as follows:

(1) first shift: the standard workday is 8 hours scheduled between 7:00 a.m. and 5:00 p.m. on Monday, Tuesday, Wednesday and Thursday, and 7 hours scheduled between 7:00 a.m. and 4:00 p.m. on Friday, with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.;

(2) second shift: the standard workday is 8 hours from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 a.m. on Monday, Tuesday, Wednesday and Thursday, and 7 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 11:00 p.m. on Friday, with a half-hour break for the evening meal.

33. An employee assigned to the second shift shall be entitled to a premium of \$0.50 per hour. The premium shall be included in computing the payment of statutory holidays, paid annual vacation and overtime.

34. An employer may schedule differently the standard workweek and workdays referred to in paragraph 1 of section 32, on the following conditions:

(1) the standard workday does not exceed 9 consecutive hours between 7:00 a.m. and 6:00 p.m., with a meal break;

(2) the meal break of at least one half-hour takes place no later than five hours after the start of the standard workday;

(3) following a majority vote of the employees, there is a written consent by the employees or the union representing them;

(4) the work schedule for the standard day and week is the same for all employees.

DIVISION III MEN'S CLOTHING INDUSTRY

§1. Men's and boys' clothing

35. The standard workweek is 39 hours scheduled as follows:

(1) first shift: the standard workday is 8 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. on Monday, Tuesday, Wednesday, Thursday and on Friday, 7 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 4:00 p.m., with a lunch break from 12:00 p.m. to 1:00 p.m.;

(2) second shift: the standard workday is 8 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 a.m. on Monday, Tuesday, Wednesday and Thursday and on Friday, 7 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 11:00 p.m., with a half-hour break for the evening meal.

36. The standard workday is 8 hours on Monday, Tuesday, Wednesday and Thursday and 7 hours on Friday for warehouse and shipping and receiving employees in the manufacturing of men's and boys' clothing.

§2. Children's clothing

37. The standard workweek is 40 hours scheduled as follows:

(1) first shift: the standard workday is 8 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.;

(2) second shift: the standard workday is 8 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a half-hour break for the evening meal.

§3. Jean clothing

38. The standard workweek is 40 hours scheduled as follows:

(1) first shift: the standard workday is 8 hours, from 7:00 a.m. to 12:00 p.m. and from 1:00 p.m. to 5:00 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.

(2) second shift: the standard workday is 8 hours, from 3:30 p.m. to 7:30 p.m. and from 8:00 p.m. to 12:00 a.m. on Monday, Tuesday, Wednesday, Thursday and Friday, with a half-hour break for the evening meal;

(3) third shift: the standard workday is 7.5 hours, from 0:01 a.m. to 4:00 a.m. and from 4:30 a.m. to 8 a.m. on Tuesday, Wednesday, Thursday, Friday and Saturday, with a half-hour meal break.

Where there is no third shift, the employer may schedule the standard workday of the second eight-hour shift to 1:00 a.m., with a half-hour break for the evening meal.

§4. Embroidery, washing or drying operations

39. In an establishment where three shifts are in operation in accordance with section 38, the employer may set up weekend shifts according to the following schedule:

(1) first weekend shift: the standard workday begins at the end of the third shift on Saturday and lasts 8 hours;

(2) second weekend shift: the standard workday begins at the end of the first weekend shift, and lasts 8 hours;

(3) third weekend shift: the standard workday begins at the end of the second weekend shift, ends before the first shift on Monday and lasts 8 hours.

§5. General

40. Second or third shift employees and weekend shift employees shall be entitled to a \$0.25 premium for each regular hour and to \$0.375 for each hour of overtime. The payment of the premium shall be indicated separately in the registration system or register referred to in paragraph 3 of section 29 of the Act respecting labour standards (R.S.Q., c. N-1.1). The premium shall be included in the calculation of holiday pay and annual vacation pay, but not in the regular wage rate.

For the purposes of this section, an employee's regular wage rate is the hourly rate appearing in the tables in Schedule IV or the hourly rate or piecework rate agreed with the employer provided that the rate equals or exceeds the minimum rate appearing in the tables in Schedule IV.

41. An employer may schedule differently the standard workday referred to in paragraph 1 of section 38, on the following conditions:

(1) the standard workday is 8.5 hours on Monday, Tuesday, Wednesday, and Thursday and 6 hours on Friday, with a one-hour meal break;

(2) the standard workday on Friday ends at the latest at 3:00 p.m.;

(3) following a majority vote of the employees, there is written consent by the employees or the union representing them.

DIVISION IV LEATHER GLOVE INDUSTRY

42. The standard workweek is 40 hours and shall be scheduled over 5 days, from Monday to Friday.

43. The standard workday is 8 hours scheduled between 8:00 a.m. and 5:00 p.m. with a one-hour lunch break between 12:00 p.m. and 1:00 p.m.

44. An employer may change the work schedule provided for in section 43, on condition that the standard workday does not exceed 8 hours.

45. An employer may set up a second or third shift on the following conditions:

(1) the employees on any other shift may work all the hours of the standard workweek;

(2) the shiftwork may not exceed the number of hours in the standard workday or workweek;

(3) the standard workday hours of a shift may not be scheduled over more than 9 hours;

(4) the employer grants a one-hour meal period at the end of the first half of the standard workday;

(5) the standard workweek for a shift may not be scheduled over more than five consecutive 24-hour periods, from Monday to Friday, in the case of the first shift, and must end at the latest at 8:00 a.m. on Saturday, in the case of the second or third shift.

46. A second or third shift employee shall be entitled to a premium of \$0.15 for each hour of the standard workday included between 4:00 p.m. and 12:00 a.m. and \$0.18 for each hour worked between 12:00 a.m. and 8:00 a.m.; the premiums shall be included in the computing of regular earnings.

For the purposes of this section, an employee's regular earnings are all employee earnings but do not include any additional amount that may have been paid to him under section 3.1 of Schedule V.

CHAPTER IV PAID STATUTORY GENERAL HOLIDAYS

47. The 24th of June is a paid statutory general holiday, in accordance with the National Holiday Act (R.S.Q., c. F-1.1).

The following are paid statutory general holidays:

- (1) January 1st;
- (2) January 2;
- (3) Good Friday;
- (4) Easter Monday;
- (5) Fête de Dollard or Victoria Day;
- (6) July 1st;
- (7) the first Monday in September;
- (8) the second Monday in October;
- (9) December 25.

48. For the purpose of computing the payment of statutory holidays referred to in the second paragraph of section 47, one day's pay means:

(1) for hourly paid employees: the employee's hourly wage rate multiplied by the number of hours in the standard workday that the employee would normally have worked on the day the statutory holiday falls or is observed;

(2) for piece rate employees: the employee's average hourly wage multiplied by the number of hours in the standard workday that the employee would normally have worked on the day the statutory holiday falls or is observed.

The average hourly wage shall be determined for each employee by dividing the actual earnings of such employee during the 4 weeks immediately prior to the week in which the statutory holiday falls by the actual number of regular and overtime hours worked. Actual earnings include all increases in effect but do not include overtime premiums.

An employee's statutory holiday pay computed in accordance with the first paragraph shall be at least equal to the payment prescribed under section 62 of the Act respecting labour standards. Should the amount payable to an employee computed in accordance with the

first paragraph be less than the payment under section 62 of the Act, the employee shall be paid in accordance with section 62 of the Act.

49. Where 2 January falls on a Saturday or Sunday, an employee is entitled to a compensation as though the holiday were observed on a Monday.

CHAPTER V PAID ANNUAL VACATION

50. An employee who, at the end of the reference year, has completed less than one year of uninterrupted service with the same employer is entitled to an uninterrupted annual vacation the duration of which is equal to one day for each month of uninterrupted service, up to a maximum of two weeks, granted consecutively.

An employee who, at the end of the reference year, has completed one year of uninterrupted service with the same employer is entitled to two consecutive weeks of annual vacation.

An employee who, at the end of the reference year, has completed three years of uninterrupted service with the same employer is entitled to a third week of annual vacation.

51. The paid annual vacation is granted during the period which begins the week including the national holiday, 24 June, and ends at the end of the second full week of August of the current year.

However, the third week of annual vacation may be taken the week before or after the year-end holiday.

Notwithstanding the first and second paragraphs, warehouse or receiving and shipping employees may take their annual vacation upon agreement between the employer and the employee, during the twelve-month period following the reference year in which they became entitled to such annual vacation.

52. The annual vacation pay is 4 % of the employee's gross earnings during the reference period if the employee is entitled to two weeks' vacation or less and 6 % of the employee's gross earnings if entitled to three weeks' vacation.

53. Where an employee has, on 24 December, one year of uninterrupted service, the employee is entitled to the year-end holiday.

54. The year-end holiday begins on 26 December and ends on 31 December.

However, warehouse and shipping and receiving employees may be entitled to the year-end holiday, where there is an agreement between the employer and employee, between 3 January and 30 June of the year following the year-end holiday.

55. An employee who is entitled to the year-end holiday shall be paid 2 % of his total gross wages for the 12 months ending with the pay period closest to 30 November and preceding the holiday.

The employee shall be given his year-end holiday pay not later than with the last regular pay prior to Christmas Day.

CHAPTER VI MEAL PERIODS

56. An employee working the first shift is entitled to an unpaid one-hour meal period.

57. An employee working the second or third shift is entitled to an unpaid half-hour meal period.

58. An employee working the weekend shift, scheduled in accordance with section 39, is entitled to a paid thirty-minute meal period after four consecutive hours of work.

CHAPTER VII LEAVE FOR FAMILY EVENTS

59. An employee may be absent from work for one day, without reduction of wages, by reason of the death or funeral of his spouse, of his child or the child of his spouse, or of his father, mother, brother or sister. He may also be absent from work for three additional days on such occasion, but his employer is not required to pay him for those days.

An employee may be absent from work for one day by reason of the death or funeral of his son-in-law, daughter-in-law, grandparent, grandchild, or of his spouse's father, mother, brother or sister, but his employer is not required to pay him for that day.

An employee shall give notice of his absence as soon as possible.

60. An employee who has one year or more of uninterrupted service with the same employer may be absent from work for three consecutive days, without reduction of wages, by reason of the death or funeral of his spouse, of his child, of his father, mother, brother or sister. He may also be absent from work for one additional day on such occasion, but his employer is not required to pay him for that day.

An employee who has one year or more of uninterrupted service with the same employer may be absent from work, without reduction of wages, on the day of the funeral of one of his grandparents and of his spouse's father or mother.

An employee shall give notice of his absence as soon as possible.

61. The day's wage shall be computed in accordance with section 48.

CHAPTER VIII TRANSITIONAL AND FINAL PROVISIONS

62. In the women's clothing industry, the holiday and vacation pay paid to an employee during the year 2000 under section 7 of the Act respecting the conditions of employment in certain sectors of the clothing industry and amending the Act respecting labour standards (1999, c. 57) are deemed to be both the annual vacation pay for the reference year applicable for the year 2000, paid to that employee in accordance with section 52, and the year-end holiday pay for the year 2000 paid to that employee in accordance with section 55.

63. This Regulation comes into force on 1 July 2000.

SCHEDULE I (s. 1)

SCOPE OF THE DECREES

DIVISION 1 DECREE RESPECTING THE MEN'S AND BOYS' SHIRT INDUSTRY

1. The Decree governs the manufacturing industry, that is, the preparation, manufacture and production in whole or in part of shirts and pyjamas for men and boys, of all kinds and regardless of their designation; it also applies to ladies' and girls' mannish tailored shirts and pyjamas whose style, patterns and materials, as well as the manufacturing operations, are the same as those used in the manufacture of shirts and pyjamas for men and boys.

These garments or parts of garments may be made of woven or knitted fabric or of any other kind of material.

2. The work referred to in this Decree includes the work of all persons performing any or many of the principal operations of and incidental or related to the manufacturing or producing of the above shirts or garments, whether the said operations are defined or not, whether the said operations are performed completely or

in part by the same employer or by several employers, whether they are performed completely or in part in one or several trade plants, private, industrial, commercial or other establishments.

Such operations may or may not constitute the principal business of the employer or be accessory or complementary to any other business or enterprise and the said shirts and garments may or may not be manufactured or produced for the purpose of sale to other consumers or for the exclusive use of the employer.

3. The Decree applies to every employer who is manufacturer, retailer, contractor, subcontractor, distributor or intermediary and who manufactures, or has manufactured, under section 2, in his own establishment or elsewhere in Québec, garments or parts of garments referred to in section 1.

4. The Decree does not apply to:

(a) articles and garments which are governed by another decree;

(b) infants' and children's clothes or garments smaller than size 2 years;

(c) boxer shorts and underwear.

DIVISION 2

DECREE RESPECTING THE WOMEN'S CLOTHING INDUSTRY

1. The Decree governs the manufacture of the following garments or parts thereof for women: capes, coats, suits, pantsuits, blazers, raincoats, parkas, duffle coats (*canadiennes*), ski garments, dresses, ensembles, lounge wear, dressing gowns, kimonos, uniforms, dust smocks, smocks, blouses, bodices, dusters, sportswear, beach wear, play suits, bathing suits, sweaters, skirts, pants, shorts, jackets, whether such garments are a whole or part of a set, and all other similar garments, made of any type of material.

2. The Decree applies to every employer who is manufacturer, retailer, contractor, subcontractor, distributor or intermediary and who manufactures, or has manufactured, directly or indirectly, in his factory or elsewhere in Québec, the garments or parts of garments referred to in section 1.

3. The Decree does not apply to:

(1) capes, coats, suits, parkas, Eskimo suits, windbreakers, vests and jackets of all types for girls from size 0 to size 16 inclusively. Size 16 shall not exceed the

body measurements determined by the Canada Standard Size Specifications program for standard sizes in children's garments approved by the Canadian General Standards Board, that is: 82 centimetre chest, 67.1 centimetre waist and 85 centimetre hips where the garments are manufactured under the following conditions, proof of which rests with the employers, that is:

(a) the children's garments must be entirely manufactured according to the same method of production used in the men's and boys' clothing industry;

(b) the employer must not be a manufacturer, contractor or subcontractor manufacturing mainly women's clothing above size 16;

(c) the children's garments must not be manufactured with the intention of or for the purpose of directly or indirectly evading the provisions of the Decree;

(2) garments made of vulcanized, natural or synthetic rubber;

(3) work referred to in this industry as trimmings, shirring, edging or embroidery where such work is not intended for one of the garments made by this manufacturer;

(4) the tailor who produces only garments made to measure for individual customers and that are not destined for sale to stores or for sale by wholesale intermediaries;

(5) an employee who is engaged in knitting operations, from spinning to the underpressing of blanks;

(6) an employee who joins or finishes garments by means of a looping machine;

(7) an employee who is engaged in the production of fully tailored knitted garments, which require no other cutting for assembling than slits.

(8) garments for girls not larger than size 6 as determined by the Canada Standard Size Specifications program for standard sizes in children's garments approved by the Canadian General Standards Board, that is, 62 centimetre chest, 53.9 centimetre waist and 60 centimetre hips;

(9) the manufacture of bathrobes, dressing gowns and kimonos made of material weighing at least 270 grams per square metre;

(10) knitted garments covering the upper part of the body that have an unravelable knitted edge not exceed-

ing 68 centimetres in length where the material used has been knitted in the manufacturer's shop as blanks;

(11) garments manufactured exclusively of handwoven fibres, and where each garment must be cut individually;

(12) the manufacture of jean clothing referred to in the Decree respecting the men's clothing industry;

(13) the shipping of manufactured garments;

(14) fur garments;

(15) designer clothes.

DIVISION 3

DECREE RESPECTING THE MEN'S CLOTHING INDUSTRY

1. The Decree governs the manufacture, in whole or in part, of men's and boys' clothing over size 6, jean clothing over size 6 for both sexes and children's clothing.

The Decree also governs employees working as general hand or floor help in a warehouse or receiving and shipping department for men's and boys' clothing. It does not govern the employee mainly assigned to delivery by truck.

The expressions "boys' pants", "general hand or floor help", "children's clothing", "jean clothing", "military garments" and "men's and boys' clothing" referred to in paragraphs 4 to 9 of section 4 of this Regulation are included in the scope of this Decree.

2. This Decree does not govern the manufacture of:

(1) overalls, coveralls, combination overalls and overpants;

(2) pants and shorts to be worn by players in team sports;

(3) vulcanized rubber garments;

(4) windbreakers, snowsuits, ski suits and anoraks for girls;

(5) shirts, pyjamas, underwear, bathing suits and bathrobes;

(6) sweaters, unlined knitted garments, pants and shorts made of fleece material;

(7) pants and jeans for children up to size 6;

(8) suits that are exclusively custom-made by merchant-tailors, in their own shop and according to individual sizes, measurements and specifications of specific customers, provided that no more than 5 employees, including the cutter, carry out all the operations.

DIVISION 4

DECREE RESPECTING THE LEATHER GLOVE INDUSTRY

1. The Decree governs the glove-making industry, that is, the preparation, manufacture and production, in whole or in part, of gloves, mittens or mitts of all kinds and all designations, made of leather or leather combined with any other material, as well as the operations incidental thereto.

However, "clute" gloves, the cotton part of which is greater than the leather part, are excluded.

SCHEDULE II

(s. 7)

MINIMUM WAGE IN THE MEN'S AND BOYS' SHIRT INDUSTRY

DIVISION 1

TABLE 1 – EMPLOYEES ASSIGNED TO THE MANUFACTURE OF GARMENTS, EXCEPT FOR PYJAMAS AND KNITTED GARMENTS, AND PAID ON AN HOURLY OR PIECEWORK BASIS

1.1 The minimum hourly rate payable to employees who manufacture garments, except for pyjamas and knitted garments and who are paid on an hourly or piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category, as soon as the required hours in the progression period provided for in section 3.1 have been completed.

| Occupational category | As of 2000 07 01 |
|---|---------------------|
| 1. Unskilled worker | \$9.30 |
| 2. Operator, presser, folder and examiner | \$9.30 |
| 3. Divider and section head | \$9.35 |
| 4. General hand and spreader | \$10.32 |
| 5. Cutter with die (clicker) | \$10.65 |
| 6. Cutter | \$11.40 |
| 7. Hand-knife cutter and marker | \$11.52 |

DIVISION 2

Table 2 – EMPLOYEES ASSIGNED TO THE MANUFACTURE OF PYJAMAS AND WHO ARE PAID ON AN HOURLY OR A PIECEWORK BASIS

2.1 The minimum hourly rate payable to employees who manufacture pyjamas and who are paid on an hourly or a piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category, as soon as the required hours in the progression period provided for in section 3.1 have been completed.

| Occupational category | As of 2000 07 01 |
|---|---------------------|
| 1. Unskilled worker | \$8.38 |
| 2. Operator, presser, folder and examiner | \$8.38 |
| 3. Divider | \$8.43 |
| 4. Section head | \$9.35 |
| 5. General hand | \$9.30 |
| 6. Spreader | \$10.32 |
| 7. Cutter with die (clicker) | \$10.65 |
| 8. Cutter | \$11.40 |
| 9. Hand-knife cutter and marker | \$11.52 |

DIVISION 3

Table 3 – PROGRESSION PERIOD

3.1 An employee who belongs to a category listed in sections 1.1 and 2.1 is entitled to the following increases to the minimum hourly wage, based on the number of hours worked as of the date indicated therein.

| | As of 2000 07 01 |
|---------------------------|---------------------|
| From 0 to 750 hours | \$0.00 |
| From 751 to 1 500 hours | \$1.80 |
| From 1 501 to 2 250 hours | \$3.45 |
| From 2 251 to 3 000 hours | \$4.15 |
| From 3 001 to 3 750 hours | \$4.85 |
| From 3 751 to 4 000 hours | \$5.55 |

The expression "minimum hourly wage" means the minimum wage payable to the employee for the standard workweek hours in accordance with the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3), as it reads at the time of its application.

DIVISION 4

Table 4 – EMPLOYEES ASSIGNED TO THE MANUFACTURE OF KNITTED GARMENTS AND WHO ARE PAID ON AN HOURLY OR PIECEWORK BASIS

4.1 The minimum hourly rate payable to employees who manufacture knitted garments and who are paid on an hourly or a piecework basis, is established in the following table, per occupational category, as of the date indicated therein.

An employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category, as soon as the required semesters in the progression period provided for in section 5.1 have been completed.

| Occupational category | As of 2000 07 01 |
|---|---------------------|
| 1. Unskilled worker, operator, presser, folder and examiner | Minimum hourly wage |
| 2. Divider and section head | Minimum hourly wage |
| 3. General hand and spreader | \$7.36 |
| 4. Cutter with die (clicker) and cutter | \$7.67 |
| 5. Hand-knife cutter and marker | \$7.77 |

DIVISION 5

Table 5 – PROGRESSION PERIOD

5.1 An employee who belongs to an occupational category listed in section 4.1 is entitled, according to the semester and as of the date indicated in the following table, to the minimum hourly wage increased by the amounts provided for hereafter:

| | As of 2000 07 01 |
|--------------|---------------------|
| 1st semester | \$0.00 |
| 2nd semester | \$0.75 |
| 3rd semester | \$2.80 |
| 4th semester | \$3.25 |
| 5th semester | \$3.70 |
| 6th semester | \$4.15 |
| 7th semester | \$4.65 |

DIVISION 6 AVERAGE HOURLY RATE

6.1 The average hourly rate for employees in category 2, referred to in sections 1.1 and 2.1, with 1 500 hours' experience or more in the men's and boys' shirt industry, is established by adding the following amounts:

- (1) the minimum hourly rate;
- (2) the additional amount provided for in section 7.1;
- (3) \$0.15 per hour.

The general hourly average for employees with 1 500 hours' experience or more is computed monthly by each plant and is obtained by dividing the current total earnings by the total hours worked for each employee.

Where the average hourly rate for employees in occupational category 2, referred to in sections 1.1 and 2.1, is not equal to the general hourly average provided for in this Division, each of the aforementioned employees shall be paid the difference for each hour worked during that month.

Any claim under this section must be made by the 15th day of the following month.

For the purposes of this section, an employee's current earnings are the employee's regular earnings, plus the additional amount referred to in section 7.1. An employee's regular earnings are:

(1) for an employee paid on an hourly or other basis, the wage rates paid or payable to the employee, plus all adjustments and increases payable under agreements between the employee and the employer or otherwise payable, whether or not they exceed the minimum rates under sections 1.1, 2.1, 3.1, 4.1 and 5.1, but they do not include the additional amount referred to in section 7.1;

(2) for an employee paid on a piecework basis, the piecework wage according to the employer's system, plus all adjustments and increases payable under agreements between the employee and the employer or otherwise payable, but they do not include the additional amount referred to in section 7.1.

DIVISION 7 ADDITIONAL AMOUNT

7.1 All employees, whether they are paid on an hourly, weekly, piecework basis or otherwise, receives for each hour worked over and above their regular earnings, an additional amount of at least \$0.10 per hour after six months of uninterrupted service with the same employer.

DIVISION 8 CHILDREN'S CLOTHING

8.1 The minimum hourly rates provided for in sections 1.1, 2.1, 3.1, 4.1 and 5.1 and the general hourly average provided for in section 6.1 shall be reduced by 10 % for all employees within the scope of the Decree respecting the men's and boys' shirt industry, for as long as they are assigned to the manufacturing or production of children's clothing smaller than size 6X, provided that the employer keeps a record of such work,

indicating the exact number of hours, the hourly rate or piece rate, paid or due, for each working day or week.

In no case, however, shall the minimum hourly rates be lower than the minimum hourly wage.

SCHEDULE III

(s. 11)

MINIMUM WAGE IN THE WOMEN'S CLOTHING INDUSTRY

Table 1 – MINIMUM HOURLY RATES AS OF 1 JULY 2000

| Trade | Code | Scale | Hourly rate | Piece rate |
|------------------------|------|---------------------|---------------------|------------|
| General hand | 10 | | Minimum hourly wage | \$7.05 |
| Assistant presser | 19 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.42 | | |
| – 1 376 to 1 750 hours | | \$8.39 | | |
| – from 1 751 hours | | | \$9.37 | \$9.52 |
| Sample maker | 28 | | \$9.37 | \$9.52 |
| Cutter, Class 1 | 01 | | \$12.67 | |
| Cutter, Class 2 | 02 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.42 | | |
| – 1 376 to 1 750 hours | | \$8.39 | | |
| – 1 751 to 2 125 hours | | \$9.37 | | |
| – 2 126 to 2 500 hours | | \$10.97 | | |
| – from 2 501 hours | | | \$12.30 | |

| Trade | Code | Scale | Hourly rate | Piece rate |
|------------------------|------|---------------------|-------------|------------|
| Piler | 09 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.42 | | |
| – 1 376 to 1 750 hours | | \$8.39 | | |
| – from 1 751 hours | | | \$8.59 | \$8.74 |
| Spreader | 13 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.42 | | |
| – 1 376 to 1 750 hours | | \$8.39 | | |
| – 1 751 to 2 125 hours | | \$9.37 | | |
| – 2 126 to 2 500 hours | | \$10.97 | | |
| – from 2 501 hours | | | \$11.33 | \$11.48 |
| Examiner | 11 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – from 1 001 hours | | | \$7.03 | \$7.18 |
| Baster | 07 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.16 | | |
| – from 1 376 hours | | | \$7.88 | \$8.03 |
| Finisher | 22 | | | |
| – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.16 | | |
| – from 1 376 hours | | | \$7.88 | \$8.03 |

| Trade | Code | Scale | Hourly rate | Piece rate | Trade | Code | Scale | Hourly rate | Piece rate |
|-------------------------------|------|---------------------|-------------|------------|---|------|---------------------|-------------|-------------------------|
| Operator for leather garments | 20 | | | | Under presser | 18 | | | |
| – first 1 000 hours | | Minimum hourly wage | | | – first 1 000 hours | | Minimum hourly wage | | |
| – 1 001 to 1 375 hours | | \$7.42 | | | – 1001 to 1 375 hours | | \$7.42 | | |
| – from 1 376 hours | | | \$9.10 | \$9.25 | – 1 376 to 1 750 hours | | \$8.39 | | |
| Section operator | 16 | | | | – 1751 to 2 125 hours | | \$9.37 | | |
| – first 1 000 hours | | Minimum hourly wage | | | – from 2 126 hours | | | \$10.05 | \$10.20 |
| – 1 001 to 1 375 hours | | \$7.42 | | | Separator | 12 | | | |
| – from 1 376 hours | | | \$9.10 | \$9.25 | – first 1 000 hours | | Minimum hourly wage | | |
| Special machine operator | 14 | | | | – from 1 001 hours | | | \$7.03 | \$7.18 |
| – first 1 000 hours | | Minimum hourly wage | | | SCHEDULE IV | | | | |
| – 1 001 to 1 375 hours | | \$7.42 | | | (S. 23) | | | | |
| – from 1 376 hours | | | \$8.76 | \$8.91 | MINIMUM WAGE IN THE MEN'S CLOTHING INDUSTRY | | | | |
| Operator for whole garments | 15 | | | | DIVISION 1 | | | | |
| – first 1 000 hours | | Minimum hourly wage | | | CLASSIFICATION OF OPERATIONS AND WAGE SCALE | | | | |
| – 1 001 to 1 375 hours | | \$7.42 | | | §1.1 Table 1 – Men's and boys' clothing | | | | |
| – 1 376 to 1 750 hours | | \$8.39 | | | Part I – Minimum hourly rates for operations performed in the manufacture of men's and boys' clothing | | | | |
| – from 1 751 hours | | | \$9.37 | \$9.52 | Classification of operations described in Part II of this Table | | Wage scale | | |
| Presser | 17 | | | | Class | | | | As of 2000 07 01 |
| – first 1 000 hours | | Minimum hourly wage | | | A | | | | \$11.85 |
| – 1001 to 1 375 hours | | \$7.42 | | | B | | | | \$10.25 |
| – 1 376 to 1 750 hours | | \$8.39 | | | C | | | | \$8.40 |
| – 1 751 to 2 125 hours | | \$9.37 | | | D | | | | \$7.75 |
| – from 2 126 hours | | | \$10.97 | \$11.12 | E | | | | \$6.95 |

Part II - Classification of operations performed in the manufacture of men's and boys' clothing

(1) Men and boys' clothing

(1.1) Cutting and trimming operations

Class

A Marking patterns on paper or cloth. Marking or cutting body or sleeve linings.

B Cutting by hand or electric shears. Marking or cutting with shears or knife trimmings other than body or sleeve linings. Operating automatic cutting machine.

C Piling. Operating die-cutting equipment. Cutting undercollars. Matching parts to be cut.

E Operating Soabar machine. Sorting. Operating photocopier. General hand or floor help.

(2) Men's and boys' clothing excluding trousers

(2.1) Pressing operations

Class

B Finish presser: an employee who performs the pressing of a fully sewn garment, with a hand iron or a steam press machine.

C Toppresser: an employee who presses garments with an automatic steam pressing machine or using a dummy, or presses military garments with a steam press machine.

Under presser: an employee who opens or presses seams, parts or any other pressing required for the sewing of the garment or does the smoothing of the lining after the garment has been pressed by the finish presser.

E Attaching pads to shoulders with an automatic steam machine.

(2.2) Machine operations

Class

C Employees performing any of the following operations: sewing on sleeves. Taping edges. Sewing edges of garments. Making pockets, which includes: sewing on beesoms, flaps, welts or appliqués. Stitching edges of fronts. Operating die-cutting equipment. Joining fronts, vees, sides, shoulders, bottoms or backs. Tacking pockets, which includes: closing opening and tacking corners. Tacking trim corners with zigzag stitch machine. Felling with Durkopp or A.M.F. type machines. Making or stitching fly fronts. Making linings, which includes: making or tacking pockets, sewing lining to facing, side seams, backs, yokes, vees, shoulder seams, or sewing sleeve lining to body. Sewing topcollar to undercollar. Basting which includes: edges, gorges, bottoms, fronts, canvas, facings, linings, armholes, shoulder seams, topcollar or undercollar to neck. Trimming and tacking armholes. Sewing gorges or undercollar to neck or to lining. Raising seams. Making samples. Sewing sleeves to body before side seams are closed. Closing coat shell to shell. Making general repairs. Sewing or stitching zipper to front or side of body. Sewing or stitching front or back yokes. Operating feed-off arm machine.

D (a) employees performing any other operation not listed in classes C and E;

(b) employees performing any operation on military garments, except the operations listed in class E;

(c) operating an automatic sewing machine.

E Operating Soabar machine. Stapling canvas or facings. Basting opening of pockets. Making ticket pockets. Making or sewing on armhole shields. Gathering shoulder head. Shirring canvas. Tacking hangers or cuffs. Making loops or imitation buttonholes. Closing pockets, sewing around bag when performed as a separate operation after pocket has been tacked. Turning and creasing parts by die machine. Setting hooks, eyelets, rivets or snaps. Threading or cutting zippers. Trimming or pinking bottoms. Sewing labels or tickets. Operations performed on military garments: sewing inside pockets, making flaps, collars, wristbands or epaulets; sewing patch pockets which have been previously creased with die machine, making general repairs, making button holes; sewing buttons; bar tacking.

(2.3) Hand operations

Class

C Fitting, sorting, matching and cutting with shears or electric knife garment parts or linings to be sewn which have been blocked by the cutter or the trimmer. Basting or stitching edges of body or other parts of garment. Underbasting of facing to front. Shaping. Basting topcollar. Examining general tailoring and busheling. Basting canvas, facing, lining, pleats, yokes or vents. Trimming and tacking armholes. Basting undercollar or topcollar to neck or topcollar to undercollar. Preparing armholes: basting lining or cloth, shoulder seams or crease of lining.

D Employees performing any other operation not enumerated in classes C and E.

E Sewing on labels or tickets. Thread marking or chalking. Pulling basting or cleaning. Marking buttons. Separating, numbering, sorting or assembling cut parts to be sewn. Turning garments or small parts. Trimming canvas, linings or small parts. Tacking fronts for shaping. Examining military garments. Fusing by automatic machine. General hand or floor help.

(3) Trousers

(3.1) Machine, hand and pressing operations

Class

C Making pockets, which includes: sewing on beesoms, welts, flaps, patches or tabs and sewing second stitch on back pocket. Tacking pockets, which includes: positioning pocket, closing opening of pocket and tacking corners on regular or slant-type pockets. Seaming or raising seams on inside or outside leg seams or sewing seat seam. Stitching lining or waistband. Sewing lining to waistband. Sewing braid. Sewing cloth or elastic waistband on trousers. Operating the feed-off arm machine or die-cutting equipment. Stitching flies. Making repairs by machine. Fitting and separating. Pressing legs or top of trousers.

D (a) employees performing any other operation not listed in classes C and E;

(b) underpressing: employees who open or press seams, parts or any other pressing required for the assembling of trousers;

(c) employees performing the following operations defined in class C, on boys' trousers: making pockets, tacking pockets, seaming, stitching lining, sewing lining, sewing waistband or stitching flies;

(d) operating an automatic sewing machine.

E Operating Soabar machine. Sewing buttons, labels or tickets. Making loops. Setting hooks and eyelets. Threading or cutting zippers. Separating, sorting, pairing, numbering or chalking. Turning and creasing parts by die machine. Trimming or pinking bottoms. Cleaning or brushing. Fusing by automatic machine. General hand or floor help.

§1.2 Table 2 – Children's clothing

Part I – Minimum hourly rates for operations performed in the manufacture of children's clothing

| Classification of operations described in Part II of this Table | Wage scale |
|---|------------|
|---|------------|

| Class | As of 2000 07 01 |
|--------------|-----------------------------|
|--------------|-----------------------------|

| | |
|----|---------|
| AY | \$10.57 |
|----|---------|

| | |
|----|--------|
| BY | \$9.71 |
|----|--------|

| | |
|----|--------|
| CY | \$8.55 |
|----|--------|

| | |
|----|--------|
| DY | \$7.90 |
|----|--------|

| | |
|----|--------|
| EY | \$7.10 |
|----|--------|

Part II - Classification of operations performed in the manufacture of children's clothing

Class

| | |
|----|--|
| AY | Tracing outline of patterns on paper or cloth. Toppressing with steam press machine. |
|----|--|

| | |
|----|--|
| BY | Marking or cutting linings or trimmings. |
|----|--|

| | |
|----|--|
| CY | Piling. Underpressing or steam blowing. Making samples or general repairs. Sewing on sleeves or collars. Sewing facings to fronts. |
|----|--|

DY Joining or raising seams on outer-shell of garment. Basting or stitching edges of fronts or small pieces. Making collars or sleeves. Operating felling machine, automatic welt-pocket machine, double-needle machine, automatic long seamer machine or photomarking machine. Making buttonholes or eyelets. Sewing zipper to fronts, facing or lining. Sewing fur to collar or sleeves. Sewing sleeves to body before side seams are closed. Sewing sleeve bottom, tape or canvas to fronts. Making or tacking pockets. Making linings or closing bottom of garments. Trimming and tacking armholes.

EY Making trimmings, undercollars, hoods, loops or small parts. Marking buttons or buttonholes. Sewing buttons, labels, piping, ribbons or pads. Trimming or turning garments or small parts. Examining, hand finishing, cleaning or brushing garments. Operating Soabar machine. Separating or thread marking. Bar tacking or serging. Tacking pads, loops or buttonholes. Taping shoulders or armholes. Fusing by automatic machine. General hand or floor help.

§1.3 Table 3 – Jean clothing

Part I – Minimum hourly rates for operations performed in the manufacture of jean clothing

Classification of operations described in Part II of this Table

| Class | Wage scale As of 2000 07 01 |
|-------|-----------------------------------|
| AJ | \$9.55 |
| BJ | \$7.60 |
| CJ | \$7.35 |
| DJ | \$7.15 |
| EJ | Minimum hourly wage |

Part II - Classification of operations performed in the manufacture of jean clothing

(1) Cutting and trimming operations

Class

AJ Marking patterns on paper or cloth.

BJ Piling. Operating automatic cutting machine or photomarking machine.

EJ Operating Soabar machine. Sorting. Numbering. General hand or floor help.

(2) Pressing operations

Class

BJ Pressing a completely sewn garment by steam press or on dummy.

(3) Machine and hand operations

Class

CJ Joining by safety stitch machine. Making or tacking pockets by plain machine. Sewing side pockets by folder or automatic sewing machine. Sewing patch pockets or elastic waistband. Sewing waistband by special banding machine. Sewing zipper. Stitching down flies. Operating welt-pocket machine or double-needle machine. Stitching down front edges. Sewing garment form or facing to front. Making general repairs. Closing garment shell to shell. Sewing on sleeves. Joining or raising outer parts of garment. Making linings. Making, raising or sewing collars, wristbands, epaulettes or small parts. Making sleeves. Making or sewing flies. Making trimmings, pleats or corners of waistbands. Preparing or closing pockets. Operating the feed-off arm machine. Making samples.

DJ With a special machine, serging, felling, hemming, making buttonholes, loops or bar tacking. Sewing buttons or labels. Underpressing or steam blowing.

EJ Cutting threads, cleaning, sorting or examining. Operating Soabar machine. Setting rivets or snaps. Operating washing, drying or embroidering machines. General hand or floor help.

DIVISION 2
TABLE OF APPRENTICE WAGES

| Scale | As of 2000 07 01 |
|-----------------|---------------------|
| First 12 months | Minimum hourly wage |
| 13 to 16 months | \$6.95 |
| 17 to 20 months | \$7.75 |
| 21 to 24 months | \$8.40 |
| 25 to 28 months | \$9.30 |
| 29 to 32 months | \$10.55 |
| From 33 months | \$11.85 |

SCHEDULE V
(s. 26)

MINIMUM WAGE IN THE LEATHER GLOVE
INDUSTRY

Table 1 – MINIMUM HOURLY RATES

1.1 The minimum hourly rate is determined by zone and as of 1 July 2000 for each occupational category listed below.

The employee shall be paid at the minimum hourly rate corresponding to the employee's occupational category as soon as the required months of service in the progression period have been completed.

| Occupational category | Zone I | Zone II |
|--------------------------------------|---------|---------|
| (1) general hand, examiner, operator | \$9.58 | \$9.38 |
| (2) labourer | \$10.13 | \$9.93 |
| (3) cutter, Class B, shipper | \$10.28 | \$10.08 |
| (4) turner | \$10.43 | \$10.18 |
| (5) presser | \$10.48 | \$10.23 |
| (6) cutter, Class A | \$10.53 | \$10.28 |

1.2 For the purposes of section 1.1, zones I and II shall be as follows:

(1) **Zone I:** the administrative region 06 includes the territory described and defined under Order in Council 2000-87 dated 22 December 1987, amended by Orders in Council 1399-88 dated 14 September 1988, 1389-89, dated 23 August 1989, 965-97 dated 30 July 1997 and 1437-99 dated 15 December 1999;

(2) **Zone II:** the total Québec territory less the territory referred to in Zone I.

DIVISION 2

Table 2 – PROGRESSION PERIOD

2.1 The progression period is a wage scale applicable during the period between the time the employee is integrated into an occupational category provided for in Table 1 of Division I and the time the minimum hourly rate for that category is reached.

An employee who belongs to one of the occupational categories listed in section 1.1 is entitled, according to the months worked and as of 1 July 2000, to the minimum hourly wage increased by the amounts in the following table. After the first increase, the amounts prescribed shall be added to the employee's increased hourly rate.

| | |
|--------------------------|--------|
| (1) from the 4th month | \$0.25 |
| (2) from the 7th month | \$0.50 |
| (3) from the 10th month | \$0.50 |
| (4) from the 13th month | \$0.50 |
| (5) from the 16th month | \$0.50 |
| (6) from the 19th month | \$0.50 |
| (7) from the 22nd month | \$0.50 |
| (8) from the 25th month | \$0.50 |
| (9) from the 28th month | \$0.50 |
| (10) from the 31st month | \$0.50 |

The expression "minimum hourly wage" means the minimum wage payable to the employee for the hours in a standard workweek according to the Regulation respecting labour standards as it reads at the time of its application.

DIVISION 3
ADDITIONAL AMOUNT

3.1 An employee who has completed three months of uninterrupted service with the same employer shall receive, for each hour of work and for all hours paid with respect to statutory holidays or annual vacation, an additional amount of \$0.16.