

8. The following is substituted for section 17:

“17. For the purposes of this Regulation, an operator shall remain subscribed throughout the term of the brokerage permit unless he is removed by the permit holder as a disciplinary measure, subscribes to another brokerage service in the same region following the transfer of his principal establishment, is removed from the bulk trucking register or transfers his registration and subscription to a third party.”.

9. Section 21 is amended

(1) by substituting “10 February” for “31 March” in paragraphs 1 to 4; and

(2) by adding the following paragraph at the end:

“(5) the operator’s application for brokerage services during one of the subscription periods set out in section 14 has been denied.”.

10. Schedule 1 is amended

(1) by striking out subparagraph e of paragraph 1 of Part 1;

(2) by substituting the following for subparagraph l of paragraph 1 of Part 1:

“(l) the Operator undertakes to first solicit the services of the broker for any bulk transport in excess of its capacity in all contracts that it performs as a contractor. The Operator shall also abide by this undertaking with respect to its related corporations within the meaning of the Taxation Act, specifically those referred to in subparagraph d;”;

(3) by substituting the following for the first paragraph of Part 2:

“This Part must be completed when a subscriber transfers his registration in the bulk trucking register of the Commission des transports du Québec. The transferee must also complete this Part to have the registration transferred to him. The transferee must also undertake to become a subscriber to a brokerage agency in a zone of the region specified in the transferor’s registration or to replace the transferor in the brokerage agency and, in that event, also accept, for the purposes of the distribution of working time, the allocation of all the working time accumulated in the transferor’s name on the signing date of this document.”;

(4) by substituting the following for the first paragraph of the transferee’s declaration:

“The transferee declares the following: I will apply to the Commission des transports du Québec for the transfer of the transferor’s registration to my name within 30 days of the signing of this Part. I will also, within 30 days after the transfer has been made by the Commission, become a member of the following brokerage agency: _____. I am the owner of ____ vehicles of the type that may be registered with the brokerage agency. If applicable, I agree to replace the transferor in the brokerage agency according to the transferor’s order of priority on the date of the transfer and accept the allocation of the working time accumulated by the transferor on that date as soon as I am entered on the distribution list.”; and

(5) by striking out “on the date of the transfer,” in the second paragraph of the transferee’s declaration.

11. Where, on the date of coming into force of this Regulation, there is only one brokerage permit holder in a brokerage zone and no other application for a brokerage permit is filed with the Commission des transports du Québec before 21 February 2001, that holder’s permit shall be renewed automatically.

12. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

3979

Gouvernement du Québec

O.C. 1404-2000, 29 November 2000

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

**Casket industry
— Amendments**

CONCERNING the Decree to amend the Decree respecting the casket industry

WHEREAS the Government has made the Decree respecting the casket industry (R.R.Q., 1981, c. D-2, r. 8);

WHEREAS the contracting parties to the Decree have petitioned the Minister of State for Labour and Employment and Minister of Labour to make amendments to the Decree;

WHEREAS sections 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorise the Government to extend a collective agree-

ment and to amend a decree upon the request of the contracting parties and to make the amendments that he deems to be opportune;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, the draft regulation attached hereto was published in Part 2 of the *Gazette officielle du Québec* of 20 September 2000 and, on the same date, in two French-language newspapers and in one English-language newspaper with a notice that it would be made by the Government at the expiry of the 45-day period following that publication;

WHEREAS it is opportune to make this decree with amendments;

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

THAT the Decree to amend the Decree respecting the casket industry be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the casket industry*

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

1. Section 1.01 of the Decree respecting the casket industry is amended:

1. by striking out paragraph *d*;
2. by substituting the following for paragraph *e* :

“(e) “spouse”: means either of two persons :

- i. who are married and cohabiting ;
- ii. who are living together in a de facto union and are the father and mother of the same child ;

* The last amendment to the Decree respecting the casket industry (R.R.Q., 1981, c. D-2, r. 8) was made by the regulation made under Order in Council No. 1379-99 dated 8 December 1999 (1999, *G.O.* 2, 4592). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

iii. who are of opposite sex or the same sex and have been living together in a de facto union for at least one year ;”.

2. The following is substituted for sections 3.00 to 3.03 :

“3.00. Wages, fringe benefits and the indemnity respecting fringe benefits

3.01. As of 1 January 2001, an employee receives at least the following hourly wage rate, corresponding to the duration of the continuous service that he has worked :

Duration of the continuous service	Hourly wage rate
on hiring :	\$7.60
after 3 months :	\$7.80
after 6 months :	\$7.90
after 12 months :	\$8.10
after 24 months :	\$8.60
after 36 months :	\$9.10

On 1 January 2002, minimum hourly wage rates are increased based on the change in the Consumer Price Index for Canada between November 2000 and November 2001, as determined by Statistics Canada.

However, minimum hourly wage rates are increased by a minimum of 1% and a maximum of 4%.

Increased wage rates are rounded off by increasing or decreasing them to the nearest hundredth of a dollar.

3.02. Group insurance, pension plan and compensating indemnity :

The employer offers a group insurance plan or pension plan to his employees. If no such plans are offered, he pays his employees a compensatory indemnity.

The employer contribution to the group insurance plan or pension plan is 1% of the employee’s wage as of 1 January 2001; that contribution shall be 2% of the employee’s wage as of 1 January 2002.

The compensatory indemnity corresponds to the contribution to the group insurance plan or pension plan. In the event that the employer does not make a sufficient contribution to a group insurance or pension plan, he pays an indemnity equivalent to the difference between the contribution paid and the contribution that he should have made.”.

3. Section 4.04 is abrogated.

4. Section 5.02 is amended by adding the following paragraphs at the end:

“In the case of a standard workday of 10 hours and 30 minutes, the work schedule may begin at 6:30 a.m. at the earliest.

In all other cases, the employer and employees, after agreement with a majority of the employees concerned, may decide that the work schedule begins at 6:00 a.m. at the earliest.”.

5. The following is substituted for sections 5.03 and 5.04:

“**5.03.** The standard workweek for the watchman, truck driver, boiler fireman, stationary engineman, maintenance man and repairman is scheduled from Sunday to Saturday with no restriction as to the hour at which work begins or ends.”.

6. Section 5.05 is amended by adding the following paragraphs at the end:

“In the case of an employee paid on a piece rate or incentive basis, for the purposes of computing the amount to be paid for overtime hours, the increase in the employee’s wage is determined on the basis of the total wage earned during the last two weeks of work preceding the week during which the overtime hours were worked.

For the purposes of computing overtime hours, annual vacations and paid general holidays are considered as workdays.”.

7. Section 5.09 is abrogated.

8. The following is substituted for the first paragraph of section 6.02:

“**6.02.** An employee who has 60 days of continuous service with his employer is entitled to the following paid holidays: New Year’s Day, 2 January, Easter Monday, the Monday that precedes 25 May, 1 July, Labour Day, Thanksgiving Day, Christmas and 26 December.”.

9. Section 6.03 is amended by substituting the following for the second paragraph:

“However, the indemnity of the employee paid on a piece rate or incentive basis must be equal to his average daily wage established on the basis of complete pay periods within the two weeks preceding that holiday.”.

10. Section 7.01 is amended by adding the following paragraphs at the end of paragraph *b*:

“He is also entitled, if he so requests, to an additional annual vacation without pay equal to the number of days required to bring his annual vacation to three weeks.

That additional vacation does not have to be continuous with the annual two-week paid vacation. However, it may not be divided, nor be replaced by an compensatory indemnity;”.

11. The following is substituted for section 7.05:

“**7.05. Fringe benefits:** During his annual vacation, the employee is entitled to the following benefits, if applicable: a contribution to a group insurance plan or pension plan and any other benefit agreed upon by the employer.”.

12. The following is substituted for section 10.01:

“**10.01.** The Decree remains in force until 31 December 2002.”.

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

3980

Gouvernement du Québec

O.C. 1417-2000, 6 December 2000

Medical Act
(R.S.Q., c. M-9)

Medical Act which may be done by classes of persons other than physicians
— **Amendments**

Regulation amending the Regulation respecting the acts contemplated in section 31 of the Medical Act which may be done by classes of persons other than physicians

WHEREAS, under subparagraph *b* of the first paragraph of section 19 of the Medical Act, the Bureau of the Collège des médecins du Québec, hereafter designated as “the College”, in addition to the duties provided in sections 87 to 93 of the Professional Code (R.S.Q., c. C-26), shall by regulation, determine among the acts contemplated in section 31 of the Medical Act those which, under certain prescribed conditions, may be done by classes of persons other than physicians;