

Gouvernement du Québec

O.C. 638-2003, 4 June 2003

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

**Labour standards
— Amendments**

**Notice of collective dismissal
— Revocation**

Regulation to amend the Regulation respecting labour standards and to revoke the Regulation respecting the notice of collective dismissal

WHEREAS, under section 88 of the Act respecting labour standards (R.S.Q., c. N-1.1), amended by section 56 of Chapter 80 of the Statutes of 2002, the Government may, by regulation, exempt such category or categories of employees as it may designate from the whole or a part of the application of Division I of Chapter IV, for such time and on such conditions as it may fix and, where applicable, fix standards different from those provided in Division I of Chapter IV for those employees;

WHEREAS, under section 89 of the Act respecting labour standards, amended by section 57 of Chapter 80 of the Statutes of 2002, the Government may, by regulation, fix labour standards respecting the matters listed in that section;

WHEREAS, under section 91 of the Act respecting labour standards, the standards referred to in sections 88 to 90 may vary according to the field of activity and the type of work, and according to whether or not an employee resides with the employer;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting labour standards and to revoke the Regulation respecting the notice of collective dismissal was published in Part 2 of the *Gazette officielle du Québec* of 19 March 2003, on page 1303, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour and the Minister of Employment, Social Solidarity and Family Welfare:

THAT the Regulation to amend the Regulation respecting labour standards and to revoke the Regulation respecting the notice of collective dismissal, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting labour standards* and to revoke the Regulation respecting the notice of collective dismissal**

An Act respecting labour standards
(R.S.Q., c. N-1.1, ss. 88, 89 and 91; 2002, c. 80, ss. 49, 56, 57 and 86)

1. Section 1 of the Regulation respecting labour standards is amended

- (1) by deleting the definition of “medical certificate”;
- (2) by deleting the definition of “maternity leave”;
- (3) by replacing the definition of “employee who generally receives gratuities” by the following:

“employee who receives gratuities or tips”: an employee who ordinarily receives gratuities or tips and who works

- (a) in an establishment that offers lodging to tourists in return for payment, including a campground;
- (b) in a place where alcoholic beverages are sold for consumption on the premises;
- (c) for an enterprise that sells, delivers or serves meals to be eaten off the premises; or

* The Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) was last amended by the regulation made by Order in Council 959-2002 dated 21 August 2002 (2002, *G.O.* 2, 4509). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

** The Regulation respecting the notice of collective dismissal (R.R.Q., 1981, c. F-5, r.1) has not been amended since it was revised.

(d) in a restaurant, except if it is a place where the main activity consists in the providing of food services to customers who order or choose the items at a service counter and who pay before eating;”.

2. Section 2 is amended

- (1) by deleting paragraph 5;
- (2) by replacing paragraph 6 by the following:

“(6) an employee assigned mainly to non-mechanized operations relating to the picking of processing vegetables or fruit.”.

3. Section 3 is amended by replacing “sections 4 and 5” by “section 4”.

4. Section 4 is amended by replacing “who usually receives gratuities” by “who receives gratuities or tips”.

5. Sections 5 and 8, Division V, comprising section 14, and Division VI, comprising sections 15 to 35, are revoked.

6. The following Division is inserted after section 35:

**“DIVISION VI.0.1
NOTICE OF COLLECTIVE DISMISSAL**

35.0.1. The notice of collective dismissal that must be given by the employer to the Minister in accordance with section 84.0.4 of the Act respecting labour standards must be sent by mail to the Ministère de l’Emploi, de la Solidarité sociale et de la Famille, Direction générale des opérations d’Emploi-Québec.

The notice of collective dismissal has effect from the date on which it is mailed.

35.0.2. The notice of collective dismissal must contain

- (1) the name and address of the employer or establishment concerned;
 - (2) the sector of activity;
 - (3) the names and addresses of the associations of employees, where applicable;
 - (4) the reason for the collective dismissal;
 - (5) the date anticipated for the collective dismissal;
- and

(6) the number of employees likely to be affected by the collective dismissal.

7. The Regulation respecting the notice of collective dismissal (R.S.Q., 1981, c. F-5, r.1) is revoked.

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

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M.O., 2003-008

**Order of the Minister of Natural Resources,
Wildlife and Parks dated 28 May 2003**

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Regulation to amend the Regulation respecting hunting

THE MINISTER OF NATURAL RESOURCES, WILDLIFE
AND PARKS,

CONSIDERING the second and third paragraphs of section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provide that the Société may make regulations on the matters contained therein;

CONSIDERING the fifth paragraph of section 56 of the Act, which provides that a regulation made by the Société under that section must be submitted to the Minister for approval;

CONSIDERING section 164 of the Act, which provides that a regulation made by the Société under section 56 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING that the Regulation respecting hunting, which prescribes the conditions for hunting any animal or any animal of a class of animals, was made by Minister’s Order 99021 dated 27 July 1999;

CONSIDERING that, by resolution No. 03-70 of its board of directors dated March 27, 2003, the Société made the Regulation to amend the Regulation respecting hunting, attached to this Order;