

(1) the maximum amount of the compensatory contribution may not exceed \$1.3 million yearly; and

(2) the total amount of the annual compensation may be paid through contributions of goods or services.

DIVISION V FINAL

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

6210

Draft Regulation

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

Labour standards — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting labour standards, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to fix the minimum wage payable to pickers of raspberries, strawberries and apples, which is based on the quantity of fruit picked, according to category. It provides for a minimum hourly wage if the employee cannot, for reasons beyond the employee's control and linked to the state of the fields or fruit, pick the required quantity to earn that wage.

The draft Regulation also provides for the application of the general minimum wage rate to the pickers of processing vegetables as of 1 January 2007.

The proposed amendments aim at promoting the principles of universality and equity by establishing a minimum wage applicable to all employees. They also enable enterprises in the sectors of activity in question to remain competitive.

Further information concerning the draft Regulation may be obtained by contacting Anik Dorval, Policy Development Consultant, the Direction des politiques, de la construction et des décrets, 200, chemin Sainte-Foy, 7^e étage, Québec (Québec) G1R 5S1. Telephone: (418) 528-5860; fax: (418) 643-3514.

Any interested person having comments to make concerning the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

MICHEL DESPRÉS,
Minister of Labour

Regulation to amend the Regulation respecting labour standards*

An Act respecting labour standards
(R.S.Q., c. N-1.1, ss. 40, 88, 89, par. 1 and s. 91)

1. Section 2 of the Regulation respecting labour standards is amended by striking out “or fruit” in paragraph 6.

2. Section 3 is amended by replacing “in section 4” in the part preceding paragraph 1 by “in sections 4 and 4.1”.

3. The Regulation is amended by inserting the following after section 4:

“**4.1.** The minimum wage payable to an employee assigned mainly to non-mechanized operations relating to the picking of raspberries, strawberries or apples is established on the basis of yield according to the following rules:

(1) or an employee assigned to the picking of raspberries: \$0.458 per 250 ml container and, as of 1 May 2005, \$0.467 per container;

(2) for an employee assigned to the picking of strawberries: \$0.208 per 551 ml container and, as of 1 May 2005, \$0.212 per container;

(3) for an employee assigned to the picking of apples:

(a) for dwarf apple trees: \$1.11 per bushel and, as of 1 May 2005, \$1.13 per bushel;

(b) for semi-dwarf apple trees: \$1.36 per bushel and, as of 1 May 2005, \$1.39 per bushel; and

(c) for standard apple trees: \$1.57 per bushel and, as of 1 May 2005, \$1.60 per bushel.

* 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 638-2003 dated 4 June 2003 (2003, G.O. 2, 1888). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

However, an employee may not, on an hourly basis and for reasons beyond the employee's control and linked to the state of the fields or fruit, earn less than the minimum wage rate prescribed in section 3.

For the purposes of subparagraph 3 of the first paragraph, "bushel" means a unit of measurement of produce equal to 19.05 kilograms."

4. The following is inserted after section 39:

"**39.1.** Paragraph 6 of section 2 ceases to have effect on 1 January 2007."

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