

## Draft Regulations

### Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

#### Remuneration of arbitrators

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 respecting the remuneration of arbitrators of grievances or complaints in the construction industry, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation, which replaces the current Regulation applicable to arbitration in the construction industry, updates certain elements of the remuneration of arbitrators of grievances or complaints in that industry. Under the draft Regulation, the hourly rate for an arbitrator is fixed at \$120.

Further information may be obtained by contacting Normand Pelletier: telephone (418) 646-2472; fax: (418) 644-6969.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the undersigned, Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

MICHEL DESPRÉS,  
*Minister of Labour*

### Regulation respecting the remuneration of arbitrators of grievances or complaints in the construction industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, ss. 62, 105 and 123, 1st par., subpars. 8.5 and 9)

**1.** This Regulation applies to arbitrators of grievances and arbitrators appointed under section 105 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20).

**2.** An arbitrator is entitled to fees of \$120 for each hour of arbitration hearing and, subject to section 3, for each hour of deliberation and drafting of an award.

An arbitrator is entitled, for each day of hearing, to a minimum remuneration of \$360.

**3.** For deliberation and the drafting of an award, an arbitrator is entitled to fees at the rate fixed by section 2 up to a maximum of 14 hours per day of hearing, 22 hours for 2 days of hearing and, where there are 3 days of hearing or more, 22 hours for the first 2 days and 5 hours for each subsequent day.

An arbitrator is entitled to fees at the rate fixed by section 2 up to a maximum of 14 hours if no arbitration hearing is held.

**4.** An arbitrator is entitled to a travel allowance when performing duties outside an 80-kilometre radius from the office.

The amount of the allowance corresponds to the amount obtained by multiplying the rate of \$80 by the number of hours required for a return trip using the fastest means of transportation.

**5.** An arbitrator's transportation costs and meal and accommodation expenses are reimbursed in accordance with the Règles sur les frais de déplacement des personnes engagées à honoraires (C.T. 170100 dated 14 March 1989).

**6.** For all expenses related to the arbitration, namely fees for opening files, telephone calls, correspondence and the drafting and filing of duplicates or copies of the arbitration award, an arbitrator is entitled to \$120.

**7.** Where a case is discontinued or fully settled more than 30 days before the hearing date, an arbitrator is entitled to \$120 as an indemnity.

Where a case is discontinued, fully settled or postponed at the request of a party 30 days or less before the hearing date, an arbitrator is entitled to \$360 but is not entitled to the expenses provided for in section 6 related to the arbitration.

**8.** An arbitrator is entitled to reimbursement of the actual costs incurred in renting a room for a hearing.

**9.** An arbitrator must submit a detailed account of fees making it possible to verify its merits for each day for which fees, expenses, allowances or indemnities are claimed.

**10.** An arbitrator may not claim any fees, expenses, allowances or indemnities other than those fixed by sections 2 to 8.

**11.** The parties assume jointly and equally payment of the fees, expenses, allowances and indemnities of an arbitrator.

**12.** An arbitrator must file two duplicates or true copies of the award at one of the offices of the Commission des relations du travail.

**13.** This Regulation replaces the Regulation respecting the remuneration of the grievance or complaint arbitrator in the construction industry made by Order in Council 1205-83 dated 8 June 1983.

**14.** The provisions of the Regulation respecting the remuneration of the grievance or complaint arbitrator in the construction industry as they read before being replaced by this Regulation continue to apply to grievances and complaints referred to arbitration before (*insert the date of coming into force of this Regulation*).

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

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## Draft Regulation

Professional Code  
(R.S.Q., c. C-26)

### Forest engineers — Committee on training — Replacement

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 respecting the committee on training of forest engineers, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation is intended to replace the Regulation establishing a joint committee on training in forest engineering (R.R.Q., 1981, c. I-10, r.3). Its purpose is to fix, in accordance with the second paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), new terms of cooperation between the Ordre des ingénieurs forestiers and the authorities of the educational institutions which issue the diplomas giving access to the permit of the Order. It provides for the setting up of an advisory committee the composition of which is simpler and more functional than that of the existing training committee. It also specifies the mandate of that new committee, which includes in particular examining or reviewing the objectives of the training programs of educational institutions and of courses, training periods or professional examinations prescribed by the Order, so as to ensure that the training is relevant to the professional skills to be learned.

The draft Regulation is not likely to have a significant impact on businesses, including small and medium-sized businesses.

The draft Regulation will be submitted for consultation to the Office des professions du Québec, which will send to the Minister responsible for the administration of legislation respecting the professions the results of the consultation with educational institutions and other bodies mentioned in the Professional Code.

Further information may be obtained by contacting Réal Gauvin or Jocelyne Roy, Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3; telephone: (418) 643-6912; fax: (418) 643-0973.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order concerned, as well as to interested persons, departments and bodies.

MARC BELLEMARE,  
*Minister responsible for the administration  
of legislation respecting the professions*

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