

Gouvernement du Québec

O.C. 866-2004, 8 September 2004

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

**Construction industry
— Remuneration of arbitrators of grievances or complaints**

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

WHEREAS, under section 123 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20), the Government made the Regulation respecting the remuneration of the grievance or complaint arbitrator in the construction industry by Order in Council 1205-83 dated 8 June 1983;

WHEREAS, under section 123 of the Act, the Government may, by regulation, determine, after consultation with the Conseil consultatif du travail et de la main-d'oeuvre, the remuneration, allowances and expenses to which the arbitrators of grievances and arbitrators of complaints are entitled;

WHEREAS, under the same section, the Government may also determine who is to assume the payment of the remuneration, allowances and expenses of arbitrators of grievances and arbitrators of complaints and, where applicable, in what proportion;

WHEREAS it is expedient to replace the Regulation respecting the remuneration of the grievance or complaint arbitrator in the construction industry;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the remuneration of arbitrators of grievances or complaints in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 5 May 2004 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS no comments have been made on the draft Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation respecting the remuneration of arbitrators of grievances or complaints in the construction industry, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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 (CT 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 7 October 2004.

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

Gouvernement du Québec

Agreement

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING USING "VOTEX" ELECTRONIC VOTING SYSTEM

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF AMQUI, a legal person established in the public interest, having its head office at 20, promenade de l'Hôtel-de-Ville, Province of Québec, represented by the mayor, M. Gaëtan Ruest and the clerk, M. Mario Lavoie under a resolution bearing number 2004-301, hereinafter called

THE MUNICIPALITY

AND

Mtre Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, in Sainte-Foy, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

the Honourable Jean-Marc Fournier, in his capacity as MINISTER OF MUNICIPAL AFFAIRS, SPORTS AND RECREATION, having his main office at 10, rue Pierre-Olivier-Chauveau, in Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution No. 2004-286, passed at its meeting of July the fifth, 2004, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic voting stations for the by-election of October the seventeen, 2004, in the MUNICIPALITY;