

The Minister of Justice is to inform the public of the results of the increase by publishing a notice in the *Gazette officielle du Québec* showing, in a table, the financial eligibility thresholds thus increased for the year in question and giving the date of effect. The Minister may also make that information available using any other means the Minister considers appropriate.”.

18. The provisions of this Regulation come into force on the following dates :

— sections 1 to 3 come into force on the fifteenth day following the date of publication of the Regulation in the *Gazette officielle du Québec* ;

— sections 4 to 6 and section 17 come into force on 1 January 2007 ;

— sections 7 to 9 come into force on 1 January 2008 ;

— sections 10 to 12 come into force on 1 January 2009 ;

— sections 13 to 15 come into force on 1 January 2010 ;

— section 16 comes into force on 1 January 2011.

7173

Draft Regulation

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

Security guards — Amendments

Notice is hereby given in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application from the contracting parties to amend the Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting security guards, a copy of which appears below, may be made by the Government upon the expiry of the 45 days following this publication.

The primary purpose of this draft regulation is to render certain provisions of the Decree respecting security guards consistent with the new major provisions of the Act respecting labour standards and with those amended by the Act to amend the Act respecting Labour standards and other legislative provisions (2002, c. 80).

To that end, the draft regulation proposes to remove the requirement concerning the workday for the payment of the indemnity for paid general holidays, to make technical amendments to the wage deduction, to amend the rules governing the payment of the indemnity for general holidays and to include as events giving the right to certain leaves, the termination of pregnancy and also the obligations relating to the care, health or education of the child of his spouse, or because of the state of health of his spouse, father, mother, brother, sister, or one of his grandparents.

The consultation period shall serve to clarify the impact of the amendments proposed. According to the 2004 annual report of the Comité paritaire des agents de sécurité, this Decree covers 161 employers and 21 420 employees.

Further information may be obtained by contacting Ms. Louise Allen, Direction des politiques, de la construction et des décrets, ministère du Travail, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1 ; telephone : 418 528-8182 ; fax : 418 644-6969 or by E-mail : louise.allen@travail.gouv.qc.ca.

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

JEAN-PAUL BEAULIEU,
Deputy Minister of Labour

Decree to amend the Decree respecting security guards*

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

1. The Decree respecting security guards is amended by replacing section 3.05 by the following :

“**3.05.** For the purposes of computing overtime hours, annual leave and statutory general holidays with pay are counted as days of work.

* The last amendments to the Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1) were made by the regulation made under Order in Council No. 345-2005 dated 13 April 2005 (2005, *G.O.* 2, 1501). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2005, updated to 1 March 2005.

This section does not result in granting overtime hours to the employee governed by section 6.04 who works on a holiday. In such case, he receives only the amounts provided for in section 6.04.”.

2. Section 4.10 of the Decree is amended by the addition, at the end of the first paragraph and after the word “employee” the words “for a specific purpose mentioned in the writing”.

3. Section 6.00 of the Decree is amended by replacing the title by the following :

“6.00. Statutory general holidays and non-working days with pay”.

4. Section 6.02 of the Decree is replaced by the following :

“6.02. For the purposes of this Decree, the following days are statutory general holidays: 1 January, Good Friday, the Monday preceding 25 May, 1 July, the first Monday in September, the second Monday in October, Remembrance Day and 25 December.”.

5. Section 6.03 of the Decree is replaced by the following :

“6.03. For each statutory general holiday, the employer must pay to the employee an indemnity equal to 1/20 of the wages earned during the four complete weeks of pay preceding the week of the holiday, including premiums, but excluding overtime hours.”.

6. Section 6.04 of the Decree is replaced by the following :

“6.04. If an employee must work on one of the days indicated in section 6.02, the employer, in addition to paying to the employee working on that general holiday the wages for the work done, must pay to such employee the indemnity provided for in section 6.03, or grant him a compensatory holiday equivalent to the number of hours worked on the holiday, on a date agreed upon by the employer and the employee.”.

7. Section 6.05 of the Decree is amended by replacing the first and second paragraph by the following :

“6.05. To benefit from a statutory general holiday, an employee must not have been absent from work without the employer’s authorization or without valid cause on the working day preceding or on the working day following the holiday.”.

8. Section 6.06 of the Decree is amended by replacing paragraph 2 by the following :

“(2) If the employer fails to grant a holiday of one day, he must pay to the employee the indemnity provided for in section 6.03.”.

9. Section 6.07 of the Decree is deleted.

10. Section 7.01 of the Decree is amended :

1. by replacing paragraph 5 by the following :

“(5) An employee may be absent from work for five days, at the birth of his child, the adoption of a child or where there is a termination of pregnancy in or after the twentieth week of pregnancy. The first two days of absence shall be remunerated if the employee is credited with sixty days of uninterrupted service.

This leave may be divided into days at the request of the employee. It may not be taken more than thirty days after the child arrives at the residence of his father or mother or, if such is the case, after the termination of pregnancy.”;

2. by replacing paragraph 6 by the following :

“(6) An employee may be absent from work, without pay, for 10 days per year to fulfil obligations relating to the care, health or education of his child or the child of his spouse, or because of the state of health of the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents.

The leave may be divided into days. A day may also be divided if the employer consents thereto.

The employee must advise the employer of his absence as soon as possible and take the reasonable steps within his power to limit the leave and the duration of the leave.”.

11. Section 7.09 of the Decree is replaced by the following :

“7.09. Maternity Leave

The pregnant employee is entitled to the maternity leave provided for in the Act respecting labour standards (R.S.Q., c. N-1.1).”.

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