

Draft Regulations

Draft Decree

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

Installation of petroleum equipment — Amendments

Notice is hereby given, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received a petition from the contracting parties to amend the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33) and that, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting the installation of petroleum equipment, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Decree is to update or clarify certain definitions and terms of employment.

To do so, the Draft Decree provides that the 50% wage increase granted to an employee for the time travelled between job sites or between the employer's establishment and a job site also applies on weekends and general holidays. It also provides that, to be entitled to a half hour with pay at the prevailing salary rate for meals, an employee must work "at least" four additional consecutive hours in addition to his regular workday. The Draft Decree provides that employees must indicate their choice of vacation period by April 1 of the current year, that the employer must post a list for that purpose no later than the 21 May following and that an employee cannot take more than three consecutive weeks as annual vacation. The Draft Decree increases the indemnities to be paid for meals, the hourly wage rates for each class of employment and the employers' and employees' contributions to the pension plan. For payment of wages, a clarification is made to the interpretation of the Decree related to the employer's obligation to have one Class A employee for every four employees in his employment; the employees must be governed by the Decree. The Draft Decree provides that the employer pay an annual increase to his employees equal to the percentage of the increase in the cost of living that exceeds 4% instead of 11%. Finally, the Draft Decree extends the Decree respecting the installation of petroleum equipment to 31 December 2007 and updates its automatic renewal clause.

During the consultation period, the impact of the amendments sought will be clarified. According to the 2004 annual report of The Québec Parity Committee of petroleum equipment installation, the Decree governs 46 employers, 6 artisans and 316 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 ; e-mail : louise.allen@travail.gouv.qc.ca

Any interested person with comments to make is asked to send them in writing, before the expiry of that 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 the installation of petroleum equipment *

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

1. The Decree respecting the installation of petroleum equipment is amended in section 1.01 :

(1) by inserting the words "as it reads at the time of its application" after the figure "1991" in paragraph 1 ;

(2) in the French text, by inserting the words "et à l'opération" after the words "à l'exploitation" in subparagraph *a* of paragraph 1 ;

(3) in the French text, by inserting the words "et à l'opération" after the words "à l'exploitation" in subparagraph *b* of paragraph 1.

* The Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) was last amended by the Regulation made by Order in Council No. 736-2005 dated 9 August 2005 (2005, G.O. 2, 3444). For previous amendments, please refer to the "Tableau des modifications et Index sommaire", Éditeur officiel du Québec, 2005, updated to 1 September 2005.

2. Section 3.04 is amended by adding the following at the end of the first paragraph: “This increase also applies to any travelling done on Saturdays, Sundays or general holidays.”.

3. Section 3.08 is amended by inserting the words “at least” after the word “overtime” in subsection 2.

4. The Decree is amended by inserting the following after section 6.04:

“**6.04.1.** Employees usually working the entire year must indicate, in writing, their choice of vacation, before 1 April of the current year. The employer must post, no later than the 21 May following, a list showing the employees’ names and the vacation period they have chosen.”.

5. Section 6.09 is amended by substituting the number “3” for the number “2” wherever it is found.

6. Section 7.05 is amended by substituting “\$12 for the noonday meal and of \$15” for “\$10 for the noonday meal and of 10”.

7. The following is substituted for section 9.01:

“(1) The minimum hourly rate payable to the service mechanic, the installation mechanic, the shop mechanic and the tank-truck mechanic is established as follows for each class of employment:

Class of Employment	As of (insert here date of coming into force of this Decree)	As of 2007 01 01	As of 2007 12 31
A	\$25.23	\$25.87	\$26.42;
B	\$21.23	\$21.87	\$22.42;
C	\$18.13	\$18.77	\$19.32.

(2) The labourer is paid according to the number of hours accumulated since the date on which he or she is hired. The minimum hourly rate payable is established as follows:

Labourer	As of (insert here date of coming into force this Decree)	As of 2007 01 01	As of 2007 12 31
starting:	\$15.42	\$16.06	\$16.61;
after 2,000 hours:	\$15.83	\$16.47	\$17.02;
after 4,000 hours:	\$16.28	\$16.92	\$17.47;
after 6,000 hours:	\$16.87	\$17.51	\$18.06.

(3) The minimum hourly rate payable to a student is established as follows:

Student	As of (insert here date of coming into force this Decree)	As of 2007 01 01	As of 2007 12 31
	\$11.60	\$12.24	\$12.79.

(4) For every four employees governed by this Decree in his employ, the employer has an employee governed by this Decree and paid at the Class A rate.

For the purposes of paragraph 4, the multiple of four is deemed to be reached as soon as the number of employees reaches a number lower than one below the multiple of four.”.

8. Section 10.03 is amended by substituting “4%” for “11%” in the first paragraph.

9. Section 11.08 is amended by substituting the following for paragraph 1:

“(1) The employer’s contribution to the employees’ pension plan, except for students, is \$0.82 as of (insert here date of coming into force of this Decree) and \$0.92 as of 1 January 2007, for each hour worked by the employees. The employer deducts from the pay of each employee the amount that each of them elects to pay as contribution; however, that amount may not be lower than \$0.82 as of (insert here date of coming into force of this Decree) and \$0.92 as of 1 January 2007, for each hour worked.”.

10. Section 12.01 is amended by substituting the figure “2007” for the figure “2004” wherever it is found.

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

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