

Draft Regulations

Notice

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

Non-structural metalwork industry — Montréal — 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 non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r.35) and that, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft “Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region”, 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 amend or introduce provisions, notably with regard to the term of the Decree and the title of the committee. In addition, amendments are made to some articles related to holidays and annual leaves as well as to amounts offered for safety equipment. Finally, the draft Decree aims to amend the wage rates and to harmonize certain sections.

During the consultation period, the impact of the amendments requested will be clarified. According to the 2006 annual report of the Comité conjoint des matériaux de construction, the Decree governs 184 employers, 1,138 employees and 13 artisans.

Further information may be obtained by contacting:

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Any interested person with comments to make 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.

JULIE GOSSELIN,
Deputy Minister of Labour

Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region *

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

1. The Decree respecting the non-structural metalwork industry in the Montréal region is amended by replacing “The United Steelworkers of America, Local 7625” by “United Steelworkers” in the first WHEREAS preceding DIVISION 1.00.

2. Section 3.01 is amended by replacing the words “parity committee” by the words “Comité conjoint des matériaux de construction.”

3. Section 3.05 is amended by replacing the words “parity committee” by the words “Comité conjoint des matériaux de construction” in paragraph 7.

4. Section 3.07 is amended by replacing the number “10” by the number “15.”

5. Section 5.01 is replaced by the following:

“**5.01.** The minimum hourly wage rates are as follows for the classifications listed below:

* The Decree respecting the non-structural metalwork industry in the Montreal region (R.R.Q., 1981, c. D-2, r.35) 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, 2006, updated to 1 September 2006.

(1) zone 1:

| Classifications | As of | As of | As of |
|---|---|-------------|-------------|
| | (enter here date of coming into force of this Decree) | 30 May 2008 | 30 May 2009 |
| (a) specialized brake press operator and mechanic | \$21.18 | \$21.71 | \$22.25 |
| (b) fitter and blacksmith | \$19.33 | \$19.81 | \$20.31 |
| (c) brake press operator, blade shear operator, buffer | \$19.00 | \$19.48 | \$19.97 |
| (d) trailer-truck driver | \$18.41 | \$18.87 | \$19.34 |
| (e) production worker A | \$18.12 | \$18.58 | \$19.04 |
| (f) truck driver | \$18.12 | \$18.58 | \$19.04 |
| (g) production worker B and painter | \$12.78 | \$13.10 | \$13.43 |
| (h) labourer | \$11.43 | \$11.98 | \$12.48 |

(2) zone 2: The minimum wage rates for zone 2 are those for zone 1 reduced by \$0.15 per hour.”

6. Section 5.04 is replaced by the following:

“**5.04. Labourer:** When a labourer has received during 4,000 hours the rate prescribed in paragraph h of section 5.01 for his classification or more, he receives the wages of a production worker B.”

7. Section 6.02 is amended by replacing the first paragraph by the following:

“**6.02.** Holiday pay and movable holiday pay is equal to 8 or 10 times the hourly rate, according to the employee’s regular schedule, plus the shift differential, as the case may be.”

8. Section 6.06 is amended by replacing the words “joint committee” by the words “Comité conjoint des matériaux de construction” in paragraph b.**9.** Section 6.07 is replaced by the following:

“**6.07.** Any employee working on the day of a leave with pay shall be paid once his regular rate plus his leave with pay including the shift differential, as the case may be.”

10. Section 7.03 is amended by replacing paragraphs 4 and 5 by the following:

“4° 20 years and more 11% 5 weeks.”

11. Section 7.07 is amended by adding the following paragraph after paragraph 4:

“Should an employee be absent owing to sickness or accident or to maternity or paternity leave during the reference year and should that absence result in the reduction of that employee’s annual leave indemnity, the employee is then entitled to an equal indemnity based on the effective wage rate he would normally have earned without that absence. An employee whose annual leave is less than two weeks is entitled to that amount in proportion to the days of leave credited to his account.

To determine the indemnity applicable to that leave, the employer must:

(a) calculate the weekly average of the wages earned by the employee during the period worked;

(b) count the number of weeks during which the employee would normally have worked;

(c) multiply the amount of the wages earned per week by the number of weeks of paid annual leave to which the employee is entitled;

(d) multiply the amount obtained in subparagraph c by the number of weeks counted in subparagraph b, and divide the result obtained by 52.

An annual leave indemnity calculated in accordance with this section must not, however, exceed that to which the employee would have been entitled if he had not been absent.”

12. Section 13.04 is amended:

(1) by replacing the amount “\$100” by the amount “180” in subparagraph a of the second paragraph;

(2) by replacing “2003 to 2006” by “2007 to 2009” in subparagraph *a* of the second paragraph;

(3) by replacing subparagraph *b* of the second paragraph by the following:

“(b) an amount of \$120.00 yearly, for the years 2007 to 2009, for safety shoes to any employee having one year of continuous service; that amount shall be paid on September 1.

For an employee working on September 1 and having less than one year of continuous service, the employer shall grant 1/12 of the amount provided for each month beginning with the month following his hiring.”.

13. Section 17.01 is amended by replacing the number “2006” by the number “2009” in the first and second sentences.

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