

Draft Regulations

Notice

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

Automotive services industry — Lanaudière-Laurentides — 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 asking him to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., c. D-2, r.44) 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 the automotive services industry in the Lanaudière-Laurentides regions, copy of which appears below, may be made by the Government at the expiry of the 45 days following this publication.

The purpose of this amendment decree is to eliminate the trade category “service attendant 1st and 2nd class”. However, a transitional provision is provided for attendants who were hired before the date of the coming into force of the amendment decree. This amendment decree also intends to amend the scheduled period of the standard workweek for the parts clerk, the messenger, the service attendant, the washer and the pump attendant. It also proposes a 50% hourly increase for work done on a day other than those provided for the standard workweek. Also, it provides for a fourth week of vacation for employees who have 15 years of continuous service. In addition, it proposes to update the wage rates and the territorial jurisdiction of the collective agreement decree. Finally, it aims to amend the ration apprentice/journeyman and to introduce a section concerning the uniforms that employees must return to the employer at the end of their employment.

The consultation period shall serve to clarify the impacts of the amendments proposed. According to the 2007 annual report of the Comité paritaire de l’industrie de l’automobile des régions de Lanaudière-Laurentides, this Decree governs 1102 employers, 5613 employees and 161 artisans.

Further information may be obtained by contacting:

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Any interested person having comments to make on this subject is asked to submit 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 automotive services industry in the Lanaudière-Laurentides regions*

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

1. Section 1.01 of the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions is amended by deleting paragraph 14.

2. Section 3.01 of the Decree is amended:

1. by replacing paragraph 3 by the following:

“3. over no more than 5 consecutive days for the parts clerk, the messenger and the service attendant, on condition that the two weekly days of rest of these employees are consecutive and included in the period provided for in the second paragraph;”;

* The last amendments to the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., 1981, c. D-2, r.44) were made by the regulation made under Order in Council No. 781-2005 dated 17 August 2005 (2005, G.O. 2, 3623). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2008, updated to 1 March 2008.

2. by striking out the word “continuous” in paragraph 4.

3. Section 4.01 of the Decree is amended by adding the following after the first paragraph:

“The hours of work done on a day other than those of the standard workweek provided for in section 3.01 entail an increase of 50% of the hourly wage currently paid to an employee.”.

4. The Decree is amended by adding the following after section 7.04:

7.04.1. At the end of a reference year, an employee who has 15 years of continuous service with the same employer during that period, is entitled to a minimum of four weeks of annual vacation, three weeks of which may be continuous.

The indemnity for the annual vacation is 8% of the gross wages of the employee during the reference year.”.

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

“**7.09.** Employers are prohibited from replacing a leave provided for in sections 7.02 to 7.04.1 by a compensatory indemnity. However, at the request of the employee, the third week and, if such is the case, the fourth week may be replaced by a compensatory indemnity if the establishment closes for two weeks on the occasion of the annual leave.”.

6. The Decree is amended by replacing the first paragraph of section 7.10 by the following:

“**7.10.** Should an employee provided for in sections 7.03 and 7.04.1 be absent owing to sickness or an accident or be on 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 indemnity equal, as the case may be, to twice, 3 times or 4 times the weekly average of the wage earned during the period of work. An employee provided for in section 7.02 whose annual leave is less than 2 weeks is entitled to that amount in proportion to the days of leave credited to his account.”.

7. Section 9.01 of the Decree is replaced by the following:

“**9.01.** The hourly wage rates are as follows:

Trades	As of (indicate here the date of the coming into force of this Decree)	May 1, 2009
1. Apprentice		
1st grade	\$9.92	\$10.51
2nd grade	\$10.50	\$11.13
3rd grade	\$11.67	\$12.37
2. Journeyman		
A	\$18.09	\$19.17
B	\$15.46	\$16.39
C	\$14.00	\$14.84
D	\$12.25	\$12.99
3. Parts Clerk		
1st grade	\$8.87	\$9.40
2nd grade	\$9.10	\$9.65
3rd grade	\$9.,80	\$10.39
4th grade	\$10.39	\$11.01
4th class	\$11.14	\$11.81
3rd class	\$12.20	\$12.93
2nd class	\$12.84	\$13.61
1st class	\$13.48	\$14.29
4. Messenger	\$9.04	\$9.59
5. Dismantler	\$10.21	\$10.82
6. Washer	\$8.87	\$9.40
7. Semiskilled Worker	\$10.21	\$10.82
8. Pump Attendant	\$8.70	\$9.05
9. Service Attendant		
1st grade	\$9.04	\$9.59
2nd grade	\$9.63	\$10.21
3rd grade	\$10.21	\$10.82
4th grade	\$10.79	\$11.44.”.

8. The Decree is amended by inserting the following after section 9.01:

“**9.01.1.** As of (indicate here the date of the coming into force of the Decree), Class 1 or Class 2 service attendants, notwithstanding the rescinding of paragraph 14 of section 1.01, may continue to perform the work related to the adjustment and repair of brakes in addition to the work provided for in paragraph 13 of this section.

Their standard workweek is 40 hours scheduled over not more than five continuous days and includes two consecutive days of rest. This workweek is scheduled on a weekly basis corresponding to the weekly period used by the employer to determine the amount of wages of employees.

They are entitled to the following wage rates:

Trades	As of (indicate here the date of the coming into force of the Decree)	May 1, 2009
Service Attendant		
2nd class	\$11.67	\$12.37
1st class	\$13.13	\$13.92

9. Section 11.02 of the Decree is amended by replacing “2 journeymen” by “1 journeyman in each trade concerned”.

10. Section 12.01 of the Decree is amended by adding the following paragraph at the end:

“At the end of his employment, an employee must return this uniform or special clothing to the employer and, failing this, the employer may deduct, from the amounts owed to the employee, the value of the uniform or special clothing, for which the employer must provide the proof of such value.”.

11. Schedule I of the Decree is replaced by the following:

“SCHEDULE I

TERRITORIAL JURISDICTION OF THE DECREE RESPECTING THE AUTOMOTIVE SERVICES INDUSTRY IN THE LANAUDIÈRE-LAURENTIDES REGIONS

Lanaudière Region

“Berthierville, Charlemagne, Chertsey, Crabtree, Entrelacs, Joliette, Lanoraie, L’Assomption, Lavaltrie, La Visitation-de-l’Île-Dupas, city and parish of L’Épiphanie, Mandeville, Mascouche, Notre-Dame-de-la-Merci, Notre-Dame-de-Lourdes, Notre-Dame-des-Prairies, Rawdon, Repentigny, village et paroisse de Saint-Alexis, Saint-Alphonse-Rodriguez, Saint-Ambroise-de-Kildare, Saint-Barthélemy, Saint-Calixte, Saint-Charles-Borromée, Saint-Cléophas-de-Brandon, Saint-Côme, Saint-Cuthbert, Saint-Damien, Saint-Didace, Saint-Donat, Sainte-Béatrix, Sainte-Élizabeth,

Sainte-Émélie-de-l’Énergie, Sainte-Geneviève-de-Berthier, Sainte-Julienne, Sainte-Marcelline-de-Kildare, Sainte-Marie-Salomé, Sainte-Mélanie, Saint-Esprit, Saint-Félix-de-Valois, Saint-Gabriel, Saint-Gabriel-de-Brandon, Saint-Ignace-de-Loyola, Saint-Jacques, Saint-Jean-de-Matha, Saint-Liguori, Saint-Lin-Laurentides, Saint-Michel-des-Saints, Saint-Norbert, Saint-Paul, Saint-Pierre, Saint-Roch-de-l’Achigan, Saint-Roch-Ouest, Saint-Sulpice, Saint-Thomas, Saint-Zénon, Terrebonne.

Laurentides Region

Arundel, Barkmère, Blainville, Boisbriand, Bois-des-Filion, Brébeuf, Brownsburg-Chatham, Chute-Saint-Philippe, Deux-Montagnes, Estérel, Ferme-Neuve, Gore, Grenville, Grenville-sur-la-Rouge, Harrington, Huberdeau, Ivry-sur-le-Lac, Kiamika, Labelle, Lac-des-Écorces, Lac-des-Seize-Îles, Lac-du-Cerf, Lachute, La Conception, Lac-Saguay, Lac-Saint-Paul, Lac-Supérieur, Lac-Tremblant-Nord, La Macaza, La Minerve, Lantier, L’Ascension, Lorraine, Mille-Isles, Mirabel, Montcalm, Mont-Laurier, Mont-Saint-Michel, Mont-Tremblant, Morin-Heights, Nominigüe, Notre-Dame-de-Pontmain, Notre-Dame-du-Laus, Oka, Piedmont, Pointe-Calumet, Prévost, Rivière-Rouge, Rosemère, Saint-Adolphe-d’Howard, Saint-Aimé-du-Lac-des-Îles, Saint-André-d’Argenteuil, Saint-Colomban, Sainte-Adèle, Sainte-Agathe-des-Monts, Sainte-Anne-des-Lacs, Sainte-Anne-des-plaines, Sainte-Anne-du-Lac, Sainte-Lucie-des-Laurentides, Sainte-Marguerite-du-Lac-Masson, Sainte-Marthe-sur-le-Lac, Sainte-Sophie, Sainte-Thérèse, Saint-Eustache, Saint-Faustin-Lac-Carré, Saint-Hippolyte, Saint-Jérôme, Saint-Joseph-du-Lac, Saint-Placide, Saint-Sauveur, Val-David, Val-des-Lacs, Val-Morin, Wentworth, Wentworth-Nord.”.

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