

## Draft Regulations

### Notice

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 draft “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 amend the provisions related to annual leave indemnities and those related to transportation and meals, as well as to increase the wage rates and the employer’s contribution to the employees’ pension plan.

During the consultation period, the impact of the amendments sought will be clarified. According to the 2008 annual report of the Comité paritaire sur l’installation d’équipement pétrolier, the Decree governs 50 employers, 354 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<sup>e</sup> étage, Québec (Québec) G1R 5S1.

JULIE GOSSELIN,  
*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 replacing “as well as their parts and accessories, installed with operators or users as defined in the Regulation respecting petroleum products (O.C. 753-91 91-05-29) and intended for:” in paragraph 1 by the words “, waste oil tanks as well as their parts and accessories, intended for:”;

(2) by deleting the words “in pursuance with the enforcement of the Regulation respecting petroleum products and equipment” in subparagraph *i* of paragraph 9.

**2.** Section 3.09 is amended by inserting the words “and must take that rest period” after the words “consecutive hours”.

**3.** Sections 6.03 and 6.03.1 are replaced by the following:

“**6.03.** Amount of indemnities: At each pay period, the employer credits each employee with an indemnity for statutory general holidays equal to 4.4% of the wages earned during that period and with an annual leave indemnity equal to the following percentage:

(1) up to (*enter here date preceding date of coming into force of this Decree*), 6.36% of those wages;

(2) as of (*enter here date of coming into force of this Decree*), 6.76% of those wages;

(3) as of 1 January 2010, 7.16% of those wages.

“**6.03.1.** Employer’s obligations: The employer includes the amounts provided for in section 6.03 in his monthly report and pays those indemnities at the same time as his contributions to the parity committee.”.

\* 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. 351-2006 dated 26 April 2006 (2006, G.O. 2, 1401). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2009, updated to 1 March 2009.

**4.** Section 7.01 is amended by replacing “\$0.40” by “\$0.45”.

**5.** Section 7.05 is amended:

(1) by replacing “\$12” by “\$14”.

(2) by replacing “\$15” by “\$16”.

**6.** Section 9.01 is replaced by the following:

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

Class of Employment	As of ( <i>enter here date of coming into force of this Decree</i> )	As of 2010-01-01
A	\$27.13	\$27.81
B	\$23.03	\$23.61
C	\$19.85	\$20.35;

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

Labourer	As of ( <i>enter here date of coming into force of this Decree</i> )	As of 2010-01-01
Starting	\$17.08	\$17.51
after 2,000 hours:	\$17.50	\$17.94
after 4,000 hours:	\$17.96	\$18.41
after 6,000 hours:	\$18.56	\$19.02;

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

Student	As of ( <i>enter here date of coming into force of this Decree</i> )	As of 2010-01-01
	\$13.16	\$13.49;

(4) For every 4 employees governed by this Decree in his employ, the employer has 1 employee governed by this Decree and paid at the Class A rate.

For the purposes of paragraph 4, the multiple of 4 is deemed to be reached as soon as the number of employees reaches a number lower than 1 below the multiple of 4, as shown in the following table:

Number of Employees Governed by This Decree	Number of Employees Paid at Class A Rate
3	1
7	2
11	3
15	4

(5) An allowance of \$0.05 for safety boots is included in the minimum hourly rate in force as of (*enter here date of coming into force of this Decree*).”.

**7.** Section 11.08 is amended by replacing paragraph 1 by the following:

“(1) The employer’s contribution to the employees’ pension plan, for each hour worked by the employees, except for students, is:

(a) \$1.14 as of (*enter here date of coming into force of this Decree*) and \$1.25 as of 1 January 2010 for Class A mechanics;

(b) \$1.10 as of (*enter here date of coming into force of this Decree*) and \$1.19 as of 1 January 2010 for Class B mechanics;

(c) \$1.08 as of (*enter here date of coming into force of this Decree*) and \$1.16 as of 1 January 2010 for Class C mechanics;

(d) \$1.06 as of (*enter here date of coming into force of this Decree*) and \$1.13 as of 1 January 2010 for all labourers;

The employer deducts from the pay of each of his employees the amount that each employee chooses to contribute; however, that amount cannot be lower than that contributed by the employer for each of his employees.”.

**8.** Section 12.01 is amended by replacing the figure “2007” by the figure “2010”, wherever it is found.

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