

(14) in the Metallurgical Technology vocational sector:

(a) the metallurgical engineering technology program, specialization in materials testing, at Trois-Rivières general and vocational college;

(b) the metallurgical engineering technology program, specialization in processing procedures, at Chicoutimi and Trois-Rivières general and vocational colleges;

(c) the metallurgical engineering technology program, specialization in mechanized welding, at Trois-Rivières general and vocational college;

(15) in the Health Services vocational sector, the orthotics and prosthetics technology program, at Montmorency general and vocational college and Collège Mérici;

(16) in the Transportation vocational sector, the navigation program, at Rimouski general and vocational college.”

2. Section 2.09, replaced by section 1 of this Regulation, remains applicable to persons who, on 15 July 2009, hold the diplomas referred to in the provision that is replaced or are registered in a program enabling them to obtain those diplomas.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 767-2009, 18 June 2009

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

Security guards — Amendments

Decree to amend the Decree respecting security guards

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree to amend the Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1);

WHEREAS, under section 6.1 of the Act, the contracting parties to the Decree have petitioned the Minister of Labour for amendments to be made to the Decree;

WHEREAS, under section 2 and 6.1 of the Act, the Government may amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amending draft Decree was published in Part 2 of the *Gazette officielle du Québec* of 1 April 2009 and, on the same date, in a French-language newspaper and an English-language newspaper, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS the comments received were considered;

WHEREAS it is expedient to make the draft Decree with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting security guards, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the decree respecting security guards*

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

1. The Decree respecting security guards is amended by replacing “Les Métallurgistes unis d’Amérique, local 8922” by “Union des agents de sécurité du Québec, Métallos local 8922” in the first WHEREAS preceding section 1.00.

2. The first paragraph of section 1.01 is amended:

(1) by inserting the words “or the employer’s” after the word “customer’s” in paragraph 4;

* The Decree respecting security guards (R.R.Q., 1981, c. D-2, r.1) was last amended by the Regulation made by Order in Council No. 118-2006 dated 28 February 2006 (2006, *G.O.* 2, 1116). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2009, updated to 1 March 2009.

(2) by replacing paragraph 5 by the following:

“(5) “P-2 premium”: benefit paid to a guard holding a diploma in police techniques and whose customer or employer requires that diploma as a condition for hiring; this premium is also paid to a guard whose duties include the use of radar, or to an agent who is authorized to issue offence notices or offence statements related to parking violations or to violations provided for in any other Act or regulation;”;

(3) by replacing paragraph 6 by the following:

“(6) “P-3 premium”: (a) benefit paid to an incident control officer who is assigned to a psychiatric institution or to the psychiatric department of a general institution and who, in the normal and customary performance of his duties, is required to intervene physically with beneficiaries; this premium is also paid to an officer who accompanies a beneficiary when he goes from one place to another;

(b) benefit paid to a guard who is assigned to a youth custody facility as defined in the Youth Criminal Justice Act (S.C. 2002, c. 1) and who, in the normal and customary performance of his duties, is required to intervene physically with beneficiaries; this premium is also paid to a guard who accompanies a beneficiary when he goes from one place to another;

(c) benefit paid to a guard whose duties include the care or transportation of adult inmates;”;

(4) by replacing paragraph 7 by the following:

“(7) “P-4 premium”: (a) benefit paid to a guard holding a certificate to the effect that he took a first aid course of at least 16 hours or a CPR course and whose customer requires that certificate as a condition for hiring;

(b) benefit paid to a guard who is required to have training to use a heart defibrillator;”;

(5) by replacing the words “, at the request of his employer, uses” by the words “must use” in paragraph 10;

(6) by inserting the following paragraphs after paragraph 10:

“(10.1) “P-8 premium”: benefit paid to a guard requiring a communication device and who provides it at the employer’s request;

(10.2) “P-9 premium”: benefit paid to a guard holding a diploma of college studies in industrial and commercial security and whose customer or employer requires that diploma as a condition for hiring;

(10.3) “P-10 premium”: benefit paid to a security guard who is not provided with a uniform;”.

3. Section 3.01 is amended by replacing the second paragraph by the following:

“For the sole purpose of calculating the standard workweek, working hours are calculated on the day they are carried out.”.

4. The Decree is amended by inserting the following after section 3.01:

“**3.01.1.** An employer cannot stagger the hours of work of his employees.”.

5. Section 3.03 is amended by adding the following paragraph at the end :

“Furthermore, the hours worked in addition to the shift, where more than four hours are compulsory, are considered to be overtime hours.”.

6. Section 3.04 is amended by adding the following paragraphs at the end:

“A regular A-01 employee who works more than six consecutive days, whether or not they are included in the same workweek, and who has not worked more than 40 hours, is entitled to be paid in accordance with the first paragraph starting from the seventh consecutive workday.

The days are deemed to be consecutive when, from the sixth workday, less than 24 hours have elapsed between the end of the last shift and the beginning of the next shift.”.

7. Section 4.04 is amended by replacing the words “upon the employee’s request” by the words “with the employee’s consent”.

8. Section 4.06 is amended by adding the following after paragraph *k*:

“(l) the annual vacations accumulated;

(m) the percentage for sick leaves accumulated.”.

9. Section 4.07 is amended by replacing the first, second and third paragraphs by the following:

“**4.07.** The hourly rates and premiums to which employees are entitled are at least those set in the following table:

	As of 2009 06 30	As of 2010 06 27	As of 2011 07 03	As of 2012 07 01
Class A employee	\$ 13.95	\$ 14.35	\$ 14.75	\$ 15.15
Class B employee	14.20	14.60	15.00	15.40
Premiums				
P-1 premium*	0.30	0.30	0.30	0.30
P-2 premium*	0.50	0.50	0.50	0.50
P-3 premium*	1.25	1.25	1.25	1.25
P-4 (a) premium*	0.40	0.40	0.40	0.40
P-4 (b) premium*	0.20	0.20	0.20	0.20
P-5 premium*	0.50	0.50	0.50	0.50
P-6 premium*	2.50	2.50	2.50	2.50
P-7 premium*	2.00	2.00	2.00	2.00
P-8 premium*	0.25	0.25	0.25	0.25
P-9 premium*	0.50	0.50	0.50	0.50
P-10 premium*	0.15	0.15	0.15	0.15

* More than one premium at the same time may be applicable.

Any training or renewal of training required by an employer or customer will be paid by the employer, unless the purpose of the training is to enable the guard to qualify for work entitling him to a premium defined in section 1.01, or to enable him to obtain or renew his security guard permit.

The costs paid by the employer are: remuneration of the employee as if he were at work, enrolment fees and other reasonable costs incurred by the employee.”

10. Section 5.01 is amended by replacing “30 July 2003” by “30 June 2009” in the third paragraph.

11. Section 7.01 is amended:

(1) by replacing “or his spouse’s father or mother.” by “, his spouse’s father or mother or one of his grandchildren.” in subsection 1;

(2) by replacing “, daughter-in-law or one of his grandchildren” by “or daughter-in-law.” in the second paragraph of subsection 2.

12. Section 8.01 is replaced by the following:

“**8.01.** At the time of a strike, a lock-out, a special event such as a cultural or sports activity or for any other limited duration contract not exceeding 60 days, an employee who must use his automobile to reach a work location outside a 40-kilometre radius from his employer’s office receives a compensation of \$0.45 for each kilometer travelled. The employer may choose to provide transportation at his own expense.

Where an employee uses his vehicle as a shelter, and where an employer asks his employee to use his own vehicle to make rounds, carry out patrols or perform a motorized vehicle service, the employer pays the employee a compensation of \$0.45 per kilometre for all kilometres travelled.”

13. Section 9.01 is amended by replacing “2007” by “2012”, wherever it occurs.

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

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Gouvernement du Québec

O.C. 770-2009, 18 June 2009

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

Building materials industry — Amendments

Decree to amend the Decree respecting the building materials industry

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree to amend the Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r.34);

WHEREAS, under section 6.1 of the Act, the contracting parties to the Decree have petitioned the Minister of Labour for amendments to be made to the Decree;