

Gouvernement du Québec

O.C. 771-2009, 18 June 2009

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

**Automotive services industry
Lanaudière-Laurentides regions
— Amendments**

CONCERNING the Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions

WHEREAS the Government, in accordance with section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), has made the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (R.R.Q., 1981, c. D-2, r.44);

WHEREAS, in accordance with section 6.1 of the Act, the contracting parties to the Decree have made application to the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS under section 7 of the Act, notwithstanding the provisions of 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 a later fixed date;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amendment decree was published in Part 2 of the *Gazette officielle du Québec* of 27 August 2008 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 days following this publication;

WHEREAS no comment has been brought forward concerning this subject;

WHEREAS it is opportune to make this Decree with amendments;

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

THAT the Decree to amend the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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, in the first paragraph:

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;”;

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 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, 2009, updated to 1 March 2009.

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:

“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 30 June 2009
1. Apprentice	
1st grade	\$10.51
2nd grade	\$11.13
3rd grade	\$12.37
2. Journeyman	
A	\$19.17
B	\$16.39
C	\$14.84
D	\$12.99
3. Parts Clerk	
1st grade	\$9.40
2nd grade	\$9.65
3rd grade	\$10.39
4th grade	\$11.01
4th class	\$11.81
3rd class	\$12.93
2nd class	\$13.61
1st class	\$14.29

Trades

	As of 30 June 2009
4. Messenger	\$9.59
5. Dismantler	\$10.82
6. Washer	\$9.40
7. Semiskilled Worker	\$10.82
8. Pump Attendant	\$9.05
9. Service Attendant	
1st grade	\$9.59
2nd grade	\$10.21
3rd grade	\$10.82
4th grade	\$11.44.”.

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

“**9.01.1.** As of 30 June 2009, 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 30 June 2009
Service Attendant	
2nd class	\$12.37
1st class	\$13.92”.

9. Section 11.02 of the Decree is amended by replacing “2 journeymen” by “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
(A. 2.02)

**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*.

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