

Gouvernement du Québec

O.C. 1168-2009, 4 November 2009

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

**Installation of petroleum equipment
— Amendments**

Decree to amend the Decree respecting the installation of petroleum equipment

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 installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33);

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 sections 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 29 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 no comment was made on the draft Decree;

WHEREAS it is expedient to make the draft Decree without amendment;

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

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**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 17 November 2009, 6.36% of those wages;

(2) as of 18 November 2009, 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.”.

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

* 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.

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 2009 11 18	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 2009 11 18	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 2009 11 18	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 18 November 2009.”.

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 18 November 2009 and \$1.25 as of 1 January 2010 for Class A mechanics;

(b) \$1.10 as of 18 November 2009 and \$1.19 as of 1 January 2010 for Class B mechanics;

(c) \$1.08 as of 18 November 2009 and \$1.16 as of 1 January 2010 for Class C mechanics;

(d) \$1.06 as of 18 November 2009 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*.