

## Draft Regulations

### Draft Regulation

An Act respecting labour standards  
(R.S.Q., c. N-1.1)

#### Labour standards — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting labour standards, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation increases the general rate of the minimum wage from \$9.50 to \$9.65, as of 1 May 2011. It also increases, as of the same date, the rate of the minimum wage payable to an employee receiving gratuities or tips from \$8.25 to \$8.35.

Furthermore, the draft Regulation increases, as of 1 May 2011, the minimum wage payable to raspberry and strawberry pickers, which is established on the basis of yield, depending on the fruit picked. It also provides that the general rate of the minimum wage will apply to raspberry and strawberry pickers as of 1 May 2014.

The proposed increases in the minimum wage will help maintain the purchasing power of low-wage workers while enabling them to participate in the collective wealth. They constitute a work incentive and form part of the government measures to favour solidarity and social inclusion. They will also maintain the competitiveness of enterprises in the sectors of activity concerned by taking into account their capacity to pay.

The draft Regulation strengthens the universal character of the Act by specifying that employers that provide meals and accommodation, or see to it that meals and accommodation are provided, may not charge employees amounts in excess of the amounts provided for in the Regulation. It also provides that each accommodated employee must have a bed and a chest of drawers, and access to a toilet and a shower or bath.

The draft Regulation also modifies the maximum amounts that an employer may require from employees to cover meals and accommodation, and provides for the indexing of those amounts.

Lastly, the Regulation provides that no accommodation charges may be required from employees, in particular to have access to a kitchen, living room or any other room.

Further information on the draft Regulation may be obtained by contacting Maryse Chasle, Direction des politiques du travail, 200, chemin Sainte-Foy, 5<sup>e</sup> étage, Québec (Québec) G1R 5S1; telephone: 418 643-1432; fax: 418 643-9454; email: maryse.chasle@travail.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

LISE THÉRIAULT,  
*Minister of Labour*

### Regulation to amend the Regulation respecting labour standards

An Act respecting labour standards  
(R.S.Q., c. N-1.1, s. 40, 1st par, ss. 51, 89, par. 1, and s. 91, 1st par.)

**1.** The Regulation respecting labour standards (R.R.Q., c. N-1.1, r. 3) is amended in section 3 by replacing “\$9.50” by “\$9.65”

**2.** Section 4 is amended by replacing “\$8.25” by “\$8.35”

**3.** Section 4.1 is replaced by the following:

“**4.1.** The minimum wage payable to an employee assigned exclusively, during a pay period, to non-mechanized operations relating to the picking of raspberries or strawberries is established on the basis of yield according to the following rules:

(1) for an employee assigned to the picking of raspberries: \$2.84 per kilogram;

(2) for an employee assigned to the picking of strawberries: \$0.75 per kilogram.

However, an employee may not, on an hourly basis and for reasons beyond the employee's control and linked to the state of the fields or fruit, earn less than the minimum wage rate prescribed in section 3.

This section will cease to have effect on 30 April 2014.”.

**4.** The heading of Division III is replaced by the following:

“MAXIMUM AMOUNTS THAT MAY BE REQUIRED FOR MEALS AND ACCOMMODATION”.

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

“6. Where an employer, by reason of the employee's working conditions, must provide the latter with meals or accommodation, or where the employer sees to it that the employee is provided with accommodation, the maximum amount that may be charged to the employee may not exceed

- (1) \$1.90 per meal, up to \$25.00 per week;
- (2) \$20.00 per week for a dormitory for 9 persons or more;
- (3) \$29.00 per week for a room lodging from 5 to 8 persons;
- (4) \$32.00 per week for a room lodging from 2 to 4 persons;
- (5) \$35.00 per week for a private room.

Each accommodated employer must have a bed and a chest of drawers, and access to a toilet and to a shower or bath.

No accommodation charges, other than the amounts provided for in the first paragraph, may be required from the employee, in particular to have access to a kitchen, a living room or any other room.

The amounts provided for in the first paragraph are adjusted, each time the general rate of the minimum wage is increased, using the same percentage, without exceeding the percentage increase in the average of the Consumer Price Index for Canada, published by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-9) for the 12 months of the previous calendar year compared to the 12 months of the calendar year preceding the previous calendar year.

If the percentage calculated under the fourth paragraph comprises more than 2 decimals, only the first two decimals are retained and the second decimal is increased by a unit if the third decimal is equal to or greater than 5.

The Minister is to publish the result of the indexing on the website of the Ministère du Travail and in the *Gazette officielle du Québec*.”.

**6.** This Regulation comes into force on 1 May 2011.

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An Act respecting labour standards  
(R.S.Q., c. N-1.1)

### Clothing industry — Labour standards specific to certain sectors — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting labour standards specific to certain sectors of the clothing industry, appearing below, may be made by the Government on the expiry of 45 days following this publication.

As of 1 May 2011, the draft Regulation increases the rate of minimum wage that applies to certain sectors of the clothing industry from \$9.50 per hour to \$9.65 per hour. Four sectors of the clothing industry are subject to the Regulation respecting labour standards specific to certain sectors of the clothing industry: the women's clothing industry, the men's clothing industry, the men's and boys' shirt industry and the leather glove industry.

The increase will improve the buying power of low-income employees and allow them to take part in the collective growth. It constitutes a work incentive and forms part of the government measures to favour solidarity and social inclusion. It will also help businesses in the sectors of activity concerned to remain competitive by taking into account their capacity to pay.

Further information may be obtained by contacting Maryse Chasle, Direction des politiques du travail, 200, chemin Sainte-Foy, 5<sup>e</sup> étage, Québec (Québec) G1R 5S1; telephone: 418 643-1432; fax: 418 643-9454; email: maryse.chasle@travail.gouv.qc.ca