

Ville de Westmount 336 644
 Ville de Windsor 136 670».

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

9615

Gouvernement du Québec

O.C. 1397-2009, 21 December 2009

An Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20)

Issuance of competency certificates to certain holders of training qualifications issued in France

Regulation respecting the issuance of competency certificates to certain holders of training qualifications issued in France

WHEREAS, under the second paragraph of section 123 of the Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20), as amended by section 7 of the Act to provide for the implementation of the Entente entre le Québec et la France en matière de reconnaissance mutuelle des qualifications professionnelles and similar agreements (2009, c. 16), the Government may, in order to give effect to an intergovernmental agreement in respect of workforce mobility or the mutual recognition of qualifications, skills or work experience in trades and occupations in the construction industry, make regulations to exempt certain persons, on the conditions it determines, from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec, or to determine conditions for the issue of such a certificate by the Commission;

WHEREAS, under the second paragraph of that section, such regulations may, in particular, provide for adjustments to the provisions of the Act and the regulations and special management rules, and a regulation made under that paragraph is not subject to the requirements as to publication and the date of coming into force set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, by Order in Council 891-2009 dated 12 August 2009, the Government ratified the Entente entre le Québec et la France en matière de reconnaissance mutuelle des qualifications professionnelles, signed at Québec on 17 October 2008;

WHEREAS on 27 April 2009, nine arrangements were made to provide for the mutual recognition of vocational qualifications for trades in the construction industry pursuant to the provisions of the Entente;

WHEREAS it is expedient, to give effect to the Entente and its accompanying arrangements, to make the Regulation respecting the issuance of competency certificates to certain holders of training qualifications issued in France, attached to this Order in Council;

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

THAT the Regulation respecting the issuance of competency certificates to certain holders of training qualifications issued in France, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the issuance of competency certificates to certain holders of training qualifications issued in France

An Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20, s. 123, 2nd par.; 2009, c. 16, s. 7)

1. The Commission de la construction du Québec issues, on request, a journeyman competency certificate to any person holding a training qualification listed in Schedule 1 issued by the ministère de l'Éducation nationale de France who provides proof that he or she has taken the safety course required under the Safety Code for the construction industry (R.R.Q., 1981, c. S-2.1, r.6).

The certificate matches the trade and, where applicable, the speciality covered by the training qualification listed in Schedule 1.

2. The Commission issues, on request, a journeyman competency certificate to any person holding a training qualification listed in Schedule 2 issued by the ministère

de l'Éducation nationale de France who provides proof that he or she has taken the safety course required under the Safety Code for the construction industry and who shows, by means of supporting documents, that he or she has practised the trade for the time prescribed in the Schedule and, where applicable, has successfully completed the complementary training identified in the Schedule.

The certificate matches the trade covered by the training qualification listed in Schedule 2.

3. The Commission issues, on request, an apprentice competency certificate to any person holding a training qualification listed in Schedule 3 issued by the ministère de l'Éducation nationale de France, if

(1) the person provides an attestation that he or she has taken the safety course required under the Safety Code for the construction industry;

(2) an employer registered with the Commission files a request for manpower for that person, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and provides the Commission with proof of the guarantee.

The certificate matches the trade covered by the training qualification listed in Schedule 3.

APPENDIX 1

(s. 1)

TRAINING QUALIFICATIONS ISSUED BY THE MINISTÈRE DE L'ÉDUCATION NATIONALE DE FRANCE GIVING ENTITLEMENT TO ONE OR MORE JOURNEYMAN COMPETENCY CERTIFICATES ISSUED BY THE COMMISSION DE LA CONSTRUCTION DU QUÉBEC

Training qualification issued by the ministère de l'Éducation nationale de France	Journeyman competency certificate issued by the Commission de la construction du Québec
Brevet professionnel – Carrelage Mosaïque [Vocational certificate – Tile setting and Mosaic tiling]	Tile setter
Brevet professionnel – Conducteur d'engins de chantier de travaux publics [Vocational certificate – Public works equipment operation]	Shovel operator and Heavy equipment operator – tractor operator, grader operator, and roller operator specialties
Brevet professionnel – Peinture revêtements [Vocational certificate – Paint finishes]	Painter

4. A competency certificate issued pursuant to this Regulation is deemed to have been issued pursuant to the Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987. The fees exigible under that Regulation apply to the corresponding operations carried out pursuant to this Regulation, with the necessary adaptations.

5. A person applying for the issuance of a certificate under sections 1 to 3 who is not domiciled in Québec must indicate to the Commission the region in which he or she wishes to benefit from an employment preference. The competency certificate must mention this choice, which remains valid until the expiry of the competency certificate unless the certificate holder becomes domiciled in Québec.

The person is deemed to be domiciled in the region chosen pursuant to the first paragraph for the purposes of subparagraph 1 of the first paragraph of section 35 of the Regulation respecting the hiring and mobility of employees in the construction industry, approved by Order in Council 1946-82 dated 25 August 1982. The second paragraph of section 39.1 of that Regulation does not apply to the person.

6. This Regulation comes into force on 13 January 2010.

APPENDIX 2

(s. 2)

TRAINING QUALIFICATIONS ISSUED BY THE MINISTÈRE DE L'ÉDUCATION NATIONALE DE FRANCE, WORK EXPERIENCE AND COMPLEMENTARY TRAINING GIVING ENTITLEMENT TO A JOURNEYMAN COMPETENCY CERTIFICATE ISSUED BY THE COMMISSION DE LA CONSTRUCTION DU QUÉBEC

Training qualification issued by the ministère de l'Éducation nationale de France French Republic	Work experience	Complementary training	Journeyman competency certificate issued by the Commission de la construction du Québec
Baccalauréat professionnel – Technicien du bâtiment: organisation et réalisation du gros-œuvre [Vocational baccalaureate – Building technician: building shell planning and execution]	Three years experience as a mason, with no fewer than 3,000 hours after obtaining the training qualification	Stone cutting and stone laying (90 hours), Chimneys and hearths (30 hours) and Refractory brick – rotating kilns (90 hours)	Bricklayer-mason
Baccalauréat professionnel – Technicien Constructeur bois [Vocational baccalaureate – Technician, timber construction] and Certificat d'aptitude professionnelle – Constructeur en ouvrages d'art [Vocational qualification certificate – Building structures]	Three years experience as a timber construction technician, with no fewer than 3,000 hours after obtaining either training qualification	N/A	Carpenter-joiner
Baccalauréat professionnel – Ouvrages du bâtiment: métallerie [Vocational baccalaureate – Building structures: metalwork]	Three years experience as a metalworker, with no fewer than 3,000 hours after obtaining the training qualification	N/A	Ornamental iron worker

APPENDIX 3

(s. 3)

TRAINING QUALIFICATIONS ISSUED BY THE MINISTÈRE DE L'ÉDUCATION NATIONALE DE FRANCE GIVING ENTITLEMENT TO AN APPRENTICE COMPETENCY CERTIFICATE ISSUED BY THE COMMISSION DE LA CONSTRUCTION DU QUÉBEC

Training qualification issued by the ministère de l'Éducation nationale de France	Apprentice competency certificate issued by the Commission de la construction du Québec
Brevet professionnel – Étanchéité du bâtiment et des travaux publics [Vocational certificate – Watertightness of buildings and public works]	Roofer
Certificat d'aptitude professionnelle – Solier moquetliste [Vocational training certificate – floor covering and carpet layer]	Resilient flooring layer