

Draft Regulations

Notice

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

Automotive services industry — Arthabaska, Granby, Sherbrooke and Thetford Mines — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application by the contracting parties to amend the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (R.R.Q., c. D-2, r. 6) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree mainly increases the minimum hourly rates of the various employment categories and amends various conditions of employment provided for in the Decree to bring them into conformity with the conditions of employment established under the Act respecting labour standards (R.S.Q., c. N-1.1).

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2009 annual report of the Comité paritaire sur l'industrie des services automobiles des Cantons de l'Est, 820 employers, 3,976 employees and 516 artisans are subject to the Decree.

Further information may be obtained by contacting

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

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions

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

1. The Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (R.R.Q., c. D-2, r. 6) is amended by inserting the following after section 3.02:

“**3.02.1.** An employee may refuse to work

(1) more than 4 hours after regular daily working hours or more than 14 working hours per 24-hour period, whichever period is the shortest;

(2) more than 12 working hours per 24-hour period if the employee's daily working hours are flexible or non-consecutive; or

(3) more than 50 working hours per week.”.

2. Section 6.02 is replaced by the following:

“**6.02.** To be entitled to a statutory general holiday provided for in section 6.01, an employee must not have been absent from work without the employer's authorization or without valid cause on the first working day of the employee's work schedule preceding or following the holiday.”.

3. Section 7.11 is amended by inserting “or paternity” in the first paragraph after “maternity”.

4. The following section is added after section 7.12:

“7.13. No employer may reduce the annual leave of an employee or change the way the indemnity pertaining to it is computed, in comparison with what is granted to other employees performing the same tasks in the same establishment, for the sole reason that the employee usually works less hours each week.”.

5. The following sections are added after section 8.05:

“8.06. An employee may be absent from work, without pay, for 10 days per year to fulfil obligations relating to the custody, health or education of the employee’s child or the child of the employee’s spouse, or because of the state of health of the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents.

The leave may be divided into days. A day may also be divided if the employer consents thereto.

The employee must advise the employer of his or her absence as soon as possible and take the reasonable steps within his or her power to limit the leave and its duration.

8.07. In accordance with the provisions of the Act respecting labour standards (R.S.Q., c. N-1.1), an employee may be absent from work

(1) if the employee must stay with the employee’s child, spouse, the child of the employee’s spouse, the employee’s father, mother, the spouse of the employee’s father or mother, the employee’s brother, sister or one of the employee’s grandparents because of a serious illness or a serious accident;

(2) if the employee’s minor child has a serious and potentially mortal illness;

(3) if the employee must stay with the employee’s minor child who suffered serious bodily injury during or as a direct result of a criminal offence that renders the child unable to carry on regular activities;

(4) if the employee’s minor child has disappeared;

(5) if the employee’s spouse or child commits suicide;
or

(6) if the death of the employee’s spouse or child occurs during or as a direct result of a criminal offence.

8.08. In accordance with the provisions of the Act respecting labour standards, a pregnant employee is entitled to a maternity leave, an employee is entitled to a paternity leave and the father and the mother of a newborn child, and a person who adopts a child, are entitled to parental leave.

An employee may also be absent from work without pay for a medical examination related to her pregnancy or for an examination related to her pregnancy carried out by a midwife.”.

6. Section 9.01 is replaced by the following:

“9.01. The minimum hourly wage rates are as follows:

Trades	As of (insert the date of coming into force of this Decree)	As of 1 January 2012	As of 1 January 2013	As of 1 January 2014
1. Apprentice:				
1st year	\$11.14	\$11.47	\$11.81	\$12.11
2nd year	\$12.14	\$12.50	\$12.88	\$13.21
3rd year	\$13.11	\$13.50	\$13.91	\$14.26
4th year	\$13.77	\$14.18	\$14.61	\$14.98
2. Journeyman:				
A	\$20.12	\$20.72	\$21.35	\$21.89
B	\$17.37	\$17.89	\$18.43	\$18.89
C	\$15.73	\$16.20	\$16.69	\$17.11
3. Parts Clerk:				
1st year	\$10.73	\$11.05	\$11.38	\$11.67
2nd year	\$11.41	\$11.75	\$12.10	\$12.41
3rd year	\$12.17	\$12.54	\$12.91	\$13.24
4th year	\$12.84	\$13.23	\$13.62	\$13.96
A	\$14.80	\$15.24	\$15.70	\$16.10
B	\$14.35	\$14.78	\$15.22	\$15.60
C	\$13.55	\$13.96	\$14.38	\$14.74
4. Messenger:	\$10.07	\$10.37	\$10.68	\$10.95
5. Dismantler:				
1st grade	\$10.55	\$10.87	\$11.19	\$11.47
2nd grade	\$11.23	\$11.57	\$11.91	\$12.21
3rd grade	\$11.90	\$12.26	\$12.62	\$12.94
6. Washer:	\$10.15	\$10.45	\$10.76	\$11.03
7. Semiskilled Worker:				
1st grade	\$10.55	\$10.87	\$11.19	\$11.47
2nd grade	\$11.23	\$11.57	\$11.91	\$12.21
3rd grade	\$11.90	\$12.26	\$12.62	\$12.94
4th grade	\$12.99	\$13.38	\$13.78	\$14.13
8. Vendor of tires and wheels:				
1st grade	\$10.73	\$11.05	\$11.38	\$11.67
2nd grade	\$11.41	\$11.75	\$12.10	\$12.41
3rd grade	\$12.17	\$12.54	\$12.91	\$13.24
4th grade	\$12.84	\$13.23	\$13.62	\$13.96
5th grade	\$13.55	\$13.96	\$14.38	\$14.74
6th grade	\$14.35	\$14.78	\$15.22	\$15.60
7th grade	\$14.80	\$15.24	\$15.70	\$16.10
9. Pump Attendant:	\$9.75	\$10.04	\$10.34	\$10.60

Trades	As of (insert the date of coming into force of this Decree)	As of 1 January 2012	As of 1 January 2013	As of 1 January 2014
10. Serviceman:				
1st grade	\$10.55	\$10.87	\$11.20	\$11.48
2nd grade	\$11.23	\$11.57	\$11.92	\$12.22
3rd grade	\$11.90	\$12.26	\$12.63	\$12.95
4th grade	\$12.59	\$12.97	\$13.36	\$13.70
5th grade	\$13.61	\$14.02	\$14.44	\$14.81
6th grade	\$14.76	\$15.20	\$15.66	\$16.06
11. Suspension Specialist:				
1st grade	\$11.14	\$11.47	\$11.82	\$12.12
2nd grade	\$12.14	\$12.50	\$12.88	\$13.21
3rd grade	\$13.11	\$13.50	\$13.91	\$14.26
4th grade	\$13.77	\$14.18	\$14.61	\$14.98
5th grade	\$14.46	\$14.89	\$15.34	\$15.73
6th grade	\$15.33	\$15.79	\$16.26	\$16.67
7th grade	\$16.32	\$16.81	\$17.31	\$17.75
12. Parts Assembler:				
1st grade	\$10.55	\$10.87	\$11.19	\$11.47
2nd grade	\$11.23	\$11.57	\$11.91	\$12.21
3rd grade	\$11.90	\$12.26	\$12.62	\$12.94
4th grade	\$12.59	\$12.97	\$13.36	\$13.70
5th grade	\$13.61	\$14.02	\$14.44	\$14.81
6th grade	\$14.76	\$15.20	\$15.66	\$16.06
7th grade	\$16.32	\$16.81	\$17.31	\$17.75

9.01.1. The minimum wage provided for in the Regulation respecting labour standards (c. N-1.1, r. 3), increased by \$0.25, applies as soon as it exceeds one of the minimum hourly wage rates provided for in section 9.01.

9.01.2. No employer may remunerate an employee at a lower rate of wage than that granted to other employees performing the same tasks in the same establishment for the sole reason that the employee usually works less hours each week.”.

7. Section 9.11 is revoked.

8. Section 12.01 is amended by striking out “brakes specialist,” after “as”.

9. Section 12.02 is replaced by the following:

“12.02. As of (insert the date of coming into force of this Decree), the parity committee ceases to issue cards as a brakes, chassis or differential specialist. For the holders of cards issued before that date, the advancement in step is maintained and the minimum hourly wage rate is that provided for a suspension specialist.”.

10. Section 14.01 is amended

(1) by replacing “12 September 2010” by “1 January 2015”;

(2) by replacing “2001” by “2014”.

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