

**12.** Section 26.1 is amended by replacing “A territorial director is authorized, for the purpose of carrying out the mandate of the administrative unit for which he is” by “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and a territorial director are authorized, for the purposes of accomplishing the mandate of the administrative unit for which they are”.

**13.** Section 27 is amended by replacing “A territorial director,” by “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a territorial director,”.

**14.** Section 28 is amended by replacing “A territorial director,” in the part preceding paragraph 1 by “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a territorial director,”.

**15.** Section 29 is amended by replacing “A territorial director,” by “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a territorial director,”.

**16.** Section 29.2 is amended by replacing “he is responsible,” by “they are responsible, the Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre and”.

**17.** Section 30 is amended by replacing “A territorial director” in the second paragraph by “The Director of the Bureau de la coordination du Nord-du-Québec, the Director of the Bureau de gestion de projet de l’axe routier 73/175, the Director of the Bureau des grands projets, the Director of the Bureau de projet de l’autoroute 30, the Director of the Bureau des projets Turcot et Saint-Pierre, a territorial director”.

**18.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

### O.C. 756-2011, 22 June 2011

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

#### Automotive services industry – Québec — Amendment

Decree to amend the Decree respecting the automotive services industry in the Québec region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree respecting the automotive services industry in the Québec region (c. D-2, r. 11);

WHEREAS the contracting parties designated in the Decree have, under section 6.1 of the Act, applied 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 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, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amending decree was published in Part 2 of the *Gazette officielle du Québec* of 9 February 2011 and, on the same date, in a French language newspaper and in an English language newspaper with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comment was made in respect of 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 automotive services industry in the Québec region be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Decree to amend the Decree respecting the automotive services industry in the Québec region

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 Québec region (c. D-2, r. 11) is amended in section 1.02

(1) by replacing “Association des ateliers de réparation d’automobiles du Québec (AARAQ) inc.” in subsection 1 by “La Corporation des ateliers de réparation d’automobiles du Québec”;

(2) by replacing “National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada), local 1044” in subsection 2 by “La section locale 4511 du Syndicat national de l’automobile, de l’aérospatiale, du transport et des autres travailleurs et travailleuses”.

**2.** Section 3.01 is amended

(1) by inserting “, within the qualifying period established by the employer for payroll,” after “days” in paragraph 2;

(2) by inserting “, within the qualifying period established by the employer for payroll,” after “days” in paragraph 3.

**3.** Section 3.05 is revoked.

**4.** Section 3.06 is amended by replacing “24” by “32”.

**5.** The following is added after section 3.06:

“**3.07.** An employee who is required to appear as a witness before a court or a quasi-judicial body in a case concerning his or her employer, other than a grievance or penal proceedings instituted by the parity committee, where the employee is not one of the interested parties has no reduction in wages for the period during which the employee’s presence is required in court.”.

**6.** Section 5.02 is replaced by the following:

“**5.02.** An employee is deemed to be at work

(1) while available to the employer at the place of employment and required to wait for work to be assigned;

(2) during the break periods granted by the employer;

(3) when travel is required by the employer;

(4) during any trial or training period required by the employer.”.

**7.** The following is added after section 5.02:

“**5.03.** An employee may refuse to work more than 4 hours after regular daily working hours or more than 14 working hours per 24-hour period, whichever period is the shortest or, more than 12 working hours per 24-hour period if the employee’s daily working hours are flexible or non-consecutive.

**5.04.** An employer is required to reimburse an employee for reasonable expenses incurred where, at the request of the employer, the employee must travel or undergo training.”.

**8.** Section 6.02 is replaced by the following:

“**6.02.** To benefit from a statutory general holiday referred to in section 6.01, an employee must not have been absent from work without the employer’s authorization or without valid cause on the working day preceding or on the working day following the holiday.”.

**9.** The following is inserted after section 6.03:

“**6.03.1.** When a holiday falls on a day that is not a regular working day for the employee, the employer must pay the employee an indemnity equal to 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the holiday, excluding overtime. However, the indemnity paid to an employee remunerated in whole or in part on a commission basis must be equal to 1/60 of the wages earned during the 12 complete weeks of pay preceding the week of the holiday.”.

**10.** Section 6.07 is revoked.

**11.** Section 7.03 is amended by adding the following after the third paragraph:

“Such additional leave need not follow immediately a leave under the first paragraph and it may not be divided, or be replaced by a compensatory indemnity.”.

**12.** Section 7.06 is replaced by the following:

“**7.06.** The annual leave must be taken within 12 months following the end of the reference year, except where a collective agreement allows it to be deferred until the following year.

Despite the first paragraph, the employer may, at the request of the employee, allow the annual leave to be taken, in whole or in part, during the reference year.

In addition, if at the end of the 12 months following the end of a reference year, the employee is absent owing to sickness, accident or a criminal offence or is absent or on leave for family or parental matters, the employer may, at the request of the employee, defer the annual leave to the following year. If the annual leave is not so deferred, the employer must pay the indemnity for the annual leave to which the employee is entitled.”.

**13.** Section 8.04 is amended

(1) by replacing “on his wedding day” in the first paragraph by “on the day of his or her wedding or civil union”;

(2) by replacing “on the wedding day of one of his children, of his father, mother, brother or sister or a child of his spouse” in the second paragraph by “on the day of the wedding or civil union of his or her child, father, mother, brother or sister or of a child of his or her spouse.”.

**14.** Section 8.05 is replaced by the following:

“**8.05.** An employee may be absent from work for 5 days at the birth of the employee’s child, the adoption of a child or where there is a termination of pregnancy in or after the twentieth week of pregnancy. The first 2 days of absence must be remunerated if the employee is credited with 60 days of uninterrupted service.

The leave may be divided into days at the request of the employee. It may not be taken more than 15 days after the child arrives at the residence of its father or mother or after the termination of pregnancy.

The employee must advise the employer of his or her absence as soon as possible.”.

**15.** Section 8.06 is replaced by the following:

“**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 the duration of the leave.”.

**16.** Section 8.07 is replaced by the following:

“**8.07.** In accordance with the provisions of the Act respecting labour standards (R.S.Q., c. N-1.1), 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.”.

**17.** The following sections are added after section 8.07:

“**8.08.** An employee may 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.

The employee must advise her employer as soon as possible of the time at which she will be absent.

**8.09.** An employee credited with 3 months of uninterrupted service may be absent from work without pay for a period of not more than 26 weeks over a period of 12 months, owing to sickness or accident.

However, this section does not apply in the case of an employment injury within the meaning of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001).

The employee must advise the employer of his or her absence as soon as possible, giving the reasons for it.

**8.10.** An employee’s participation in the group insurance and pension plans recognized in the employee’s place of employment must not be affected by the absence from work, subject to regular payment of the contributions payable under those plans, the usual part of which is paid by the employer.

**8.11.** At the end of the period of absence referred to in section 8.09, the employer must reinstate the employee in the employee’s former position with the same benefits, including the wages to which the employee would have been entitled had the employee remained at work. If the

position held by the employee no longer exists when the employee returns to work, the employer must recognize all the rights and privileges to which the employee would have been entitled if the employee had been at work at the time the position ceased to exist.

Nothing in the first paragraph prevents an employer from dismissing, suspending or transferring an employee if, in the circumstances, the consequences of the sickness, accident or criminal offence or the repetitive nature of the absences constitute good and sufficient cause.

**8.12.** If the employer makes dismissals or layoffs that would have included the employee had the employee remained at work, the employee retains the same rights with respect to a return to work as the employees who were dismissed or laid off.

**8.13.** Sections 8.09 to 8.12 do not grant to an employee any benefit to which the employee would not have been entitled if the employee had remained at work.

**8.14.** An employee credited with 3 months of uninterrupted service may be absent from work for a period of not more than 12 weeks over a period of 12 months where 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.

The employee must advise the employer of his or her absence as soon as possible and provide the employer with a document justifying the employee's absence, if the employer so requests.

However, if a minor child of the employee has a serious and potentially mortal illness, attested by a medical certificate, the employee is entitled to an extension of the absence, which must end at the latest 104 weeks after the beginning of the absence. Section 8.10, the first paragraph of section 8.11 and sections 8.12 and 8.13 apply to the employee's absence, adapted as required.

**8.15.** An employee is entitled to an extension of the period of absence under the first paragraph of section 8.14, which must end not later than 104 weeks after the beginning of that period, if the employee must stay with the employee's minor child who suffered serious bodily injury during or resulting directly from a criminal offence that renders the child unable to carry on regular activities.

**8.16.** In accordance with the provisions of the Act respecting labour standards, an employee may be absent from work

(1) if the employee suffers serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee's regular position;

(2) if the employee's minor child has disappeared;

(3) if the employee's spouse or child commits suicide;

(4) if the death of the employee's spouse or child occurs during or results directly from a criminal offence; or

(5) if the employee is also a reservist of the Canadian Forces."

**18.** Section 9.01 is replaced by the following:

"**9.01.** The minimum hourly wage rates are as follows:

Trades	As of 6 July 2011	As of 6 July 2012	As of 6 July 2013
<b>1. Journeyman*</b>			
Class A	\$21.10	\$21.63	\$22.17
Class A/B	\$19.25	\$19.73	\$20.22
Class B	\$18.60	\$19.07	\$19.54
Class C	\$16.55	\$16.96	\$17.39
<b>Apprentice</b>			
1st year	\$12.30	\$12.61	\$12.92
2nd year	\$13.08	\$13.41	\$13.74
3rd year	\$13.77	\$14.11	\$14.47
4th year	\$14.50	\$14.86	\$15.23
<b>2. Parts Clerk</b>			
Class A	\$15.39	\$15.77	\$16.17
Class A/B	\$14.92	\$15.29	\$15.68
Class B	\$14.47	\$14.83	\$15.20
Class C	\$14.03	\$14.38	\$14.74
<b>Apprentice</b>			
1st year	\$10.84	\$11.11	\$11.39
2nd year	\$11.52	\$11.81	\$12.10
3rd year	\$12.29	\$12.60	\$12.91
4th year	\$12.97	\$13.29	\$13.63
<b>3. Messenger</b>	\$10.00	\$10.25	\$10.51

**4. Dismantler**

1st year	\$11.80	\$12.10	\$12.40
2nd year	\$12.40	\$12.71	\$13.03
After 2 years	\$13.00	\$13.33	\$13.66

**5. Washer** \$10.00 \$10.25 \$10.51

**6. Pump Attendant** Minimum wage

**7. ServiceAttendant**

1st year	\$11.00	\$11.28	\$11.56
2nd year	\$12.00	\$12.30	\$12.61
After 2 years	\$13.00	\$13.33	\$13.66

**8. Service Salesperson**

1st year	\$11.95	\$12.25	\$12.55
2nd year	\$13.09	\$13.42	\$13.75
3rd year	\$14.29	\$14.65	\$15.01
4th year	\$15.40	\$15.79	\$16.18
5th year	\$15.71	\$16.10	\$16.50
After 5 years	\$16.03	\$16.43	\$16.84

**19.** Section 9.07 is replaced by the following:

“**9.07.** No employer may make deductions from wages unless the employer is required to do so pursuant to an Act, a regulation, a court order, a collective agreement, an order or decree or a mandatory supplemental pension plan.

The employer may make deductions from wages if the employee consents thereto in writing, for a specific purpose mentioned in the writing.

The employee may at any time revoke that authorization, except where it pertains to membership in a group insurance plan, or a supplemental pension plan. The employer must remit the sums so withheld to their intended receiver.”.

**20.** Section 13.01 is amended by replacing “2001”, wherever it appears, by “2013”.

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

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Gouvernement du Québec

**O.C. 757-2011, 22 June 2011**

An Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001)

**Medical aid****— Amendment**

Regulation to amend the Regulation respecting medical aid

WHEREAS, under subparagraph 3.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), the Commission de la santé et de la sécurité du travail may make regulations determining the care, treatment, technical aid and costs forming part of the medical aid referred to in paragraph 5 of section 189 of the Act and specifying the cases in which, the conditions on which and up to what amount payments may be made as well as the prior authorizations to which such payments may be subject;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q. c. R-18.1) and section 455 of the Act respecting industrial accidents and occupational diseases, a draft of the Regulation to amend the Regulation respecting medical aid was published in Part 2 of the *Gazette officielle du Québec* of 5 January 2011 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation without amendment at its sitting of 25 March 2011;

WHEREAS it is expedient that the Government approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting medical aid, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

\* The notion of journeyman includes the trades of mechanic, diesel mechanic, welder, electrician, machinist, bodyworker, wheel aligner, automatic transmission specialist, painter, upholsterer and bodyman.