

Draft Regulations

Notice

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

Petroleum equipment — 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 installation of petroleum equipment 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 installation of petroleum equipment, 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 provided for in the Decree.

The consultation period will specify the extent of the impact of the amendments applied for. According to the 2011 annual report of the Comité paritaire de l'installation d'équipement pétrolier, 52 employers, 375 employees and 21 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 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 (c. D-2, r. 12) is amended by replacing “United Steelworkers of America, Local 9324” in the part preceding section 1.00 by “United Steelworkers”.

2. Section 3.09 is replaced by the following:

“**3.09.** An employee may require a rest period of at least 10 hours in each 24-hour period, except when public health or safety is threatened.”

3. The following is added after section 4.05.1:

“**4.06.** The employer may not require an employee to work overtime, unless the employer is of the opinion that the emergency of the work warrants it.

No penalty may be imposed on an employee who refuses to work overtime, unless the employer demonstrates that the overtime was necessary to do urgent work.”

4. The following paragraph is added at the end of section 6.03:

“(4) as of (*insert the date of coming into force of the decree*), the annual leave indemnity of an employee who has 10 years of service, on 30 April, with the same employer is 7.56% of those wages.”

5. Section 6.10 is replaced by the following:

“**6.10.** The employer may shut down for the 2 weeks of the construction workers’ summer vacation, as determined in the collective agreements applicable to the construction industry.

During that period, however, the employer may keep up to 50% of the employees on the job according to their seniority.”

6. Paragraphs 1 to 3 of section 9.01 are 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	(enter the date of coming into force of decree)	01/01/2014	01/01/2015	01/01/2016
A	\$29.81	\$30.55	\$31.32	\$32.10
B	\$25.30	\$25.93	\$26.58	\$27.24
C	\$21.81	\$22.36	\$22.92	\$23.49;

(2) A labourer is paid according to the number of hours accumulated since the date of hiring. The minimum hourly rate payable is established as follows:

Labourer	(enter the date of coming into force of decree)	01/01/2014	01/01/2015	01/01/2016
Starting	\$18.76	\$19.23	\$19.71	\$20.21
after 2,000 hours	\$19.23	\$19.71	\$20.20	\$20.70
after 4,000 hours	\$19.73	\$20.22	\$20.73	\$21.25
after 6,000 hours	\$20.38	\$20.89	\$21.41	\$21.95;

(3) The minimum hourly rate payable to a student is established as follows:

Student	(enter the date of coming into force of decree)	01/01/2014	01/01/2015	01/01/2016
	\$14.46	\$14.82	\$15.18	\$15.57; ”.

7. Section 10.04 is replaced by the following:

(a) \$1.50 for Class A mechanics;

“**10.04.** The following are deemed to be hours worked:

(b) \$1.44, and \$1.50 as of 1 January 2014, for Class B mechanics;

(1) the hours during which the employee is at the employer’s disposal and required to be present on the work premises or job site, as well as any trial period;

(c) \$1.38 for Class C mechanics;

(2) the hours of training where they are required by the employer, as well as the hours spent by the employee travelling from the employer’s establishment to the place of training and back again.

(d) \$1.34 for a labourer that has accumulated 4,000 hours or more since the date of hiring;

(e) \$1.32 for a labourer that has accumulated 3,999 hours or less since the date of hiring.”.

All hours worked are paid at the base rate.”.

8. The first paragraph of section 11.08 is replaced by the following:

“**11.08.** The employer’s contribution to the employees’ pension plan, for each hour worked by the employees, except for students, is:

9. Section 12.01 is amended by replacing the year “2011” wherever it appears by “2016”.

10. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*, except section 8, which comes into force on 1 January 2013.