

CHAPTER V FINAL

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

102355

Draft Regulation

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

Construction industry — Hiring and mobility of employees — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the hiring and mobility of employees in the construction industry, made by the Commission de la construction du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation creates the new region of Nunavik. It also provides measures favouring the hiring of Native persons domiciled in the territory.

The draft Regulation has no impact on enterprises that are not in the construction industry and will have little administrative impact on employers in that industry. Regarding the public, it basically allows the constitution of a labour pool in Nunavik.

Further information on the draft Regulation may be obtained by contacting Diane Lemieux, Chair and Chief Executive Officer, Commission de la construction du Québec, 8485, avenue Christophe-Colomb, Montréal (Québec) H2M 0A7; telephone: 514 341-7740, extension 6751.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Diane Lemieux, Chair and Chief Executive Officer, Commission de la construction du Québec, 8485, avenue Christophe-Colomb, Montréal (Québec) H2M 0A7; telephone: 514 341-7740, extension 6751.

SAM HAMAD,
Minister of Labour, Employment
and Social Solidarity

Regulation to amend the Regulation respecting the hiring and mobility of employees in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpar. 13, and 4th and 5th pars.)

1. The Regulation respecting the hiring and mobility of employees in the construction industry (chapter R-20, r. 6.1) is amended by replacing section 36 by the following:

“**36.** Despite section 35, for work carried out at James Bay or Nunavik, the hiring priority is respectively granted to Native persons domiciled therein and who are employees holding a journeyman competency certificate, an occupation competency certificate or an apprentice competency certificate, as the case may be, issued by the Commission. The same priority is granted elsewhere to Native persons holding such a certificate for work carried out on the reserve or in the settlement where they are domiciled.”

2. The Regulation is amended by striking out “DESCRIPTION OF REGIONS AND SUBREGIONS FOR PLACEMENT AND HIRING PURPOSES” before “SCHEDULE 1”.

3. The Regulation is amended by inserting “DESCRIPTION OF REGIONS AND SUBREGIONS” after “SCHEDULE 4”.

4. Schedule 4 is amended by replacing the first paragraph by the following:

“Except the “Mingan” subregion, and the “James Bay” and “Nunavik” regions, the regions and subregions were defined under Construction Industry Decree (O.C. 1287-77, 77-04-20), published in the *Gazette officielle du Québec* of 27 April 1977, and do not take into account the mergers or modifications made to the territorial limits of cities, municipalities, villages and electoral districts. The cities, municipalities, villages and electoral districts determined as being included in the “Mingan” subregion and in the “James Bay” region are established under Construction Industry Decree (O.C. 1287-77, 77-04-20), published in the *Gazette officielle du Québec* of 27 April 1977, and do not take into account the mergers or modifications made to them.”

5. Schedule 4 is amended by inserting the following after the first occurrence of “Region: Îles-de-la-Madeleine”:

“Region: Nunavik
Subregion: Nunavik”.

6. Schedule 4 is amended by striking out “DESCRIPTION OF REGIONS AND SUBREGIONS FOR PLACEMENT AND HIRING PURPOSES” before the second occurrence of “REGION — BAS-SAINT-LAURENT — GASPÉSIE”.

7. Schedule 4 is amended by replacing subparagraph “Subregion: Mingan” by the following:

“Subregion: Mingan

It is bordered to the north by the 55th parallel north and includes in addition Category IB-N lands intended for the Naskapi community of Kawawachikamach, as they are so designated in the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1).

It includes the cities and towns of De Grasse, Gagnon, Port-Cartier, Sept-Îles, Schefferville, the municipalities of Aguanish, Baie-Johan-Beetz, Côte-Nord-du-Golfe-Saint-Laurent, Havre-Saint-Pierre, Île-d’Anticosti, Îlet-Caribou, Letellier, Longue-Pointe, Moisie, Natashquan, Pentecôte, Pointe-aux-Anglais, Rivière-au-Tonnerre, Rivière-Saint-Jean, and the unorganized territory of the county of Saguenay not included in the Saguenay subregion and every territory situated north of the Saguenay—Lac-Saint-Jean region, except the James Bay and Nunavik regions.”.

8. Schedule 4 is amended by replacing subparagraph “Subregion: Baie-James” by the following:

“Subregion: James Bay

The territory of the James Bay region includes the territory bordered to the west by the western boundary of Québec, to the south by the 50th parallel north, to the east by the electoral districts of Roberval, Dubuc and Saguenay as well as by the extension to the north of the western boundary of the electoral district of Saguenay and to the north by the 55th parallel north.

It also includes Category IA and IB lands intended for the Cree community of Whapmagoostui and Category II lands on which only that community has exclusive rights, as the lands are so designated in the Act respecting the land regime in the James Bay and New Québec territories.”.

9. The following is added at the end of Schedule 4:

“REGION — NUNAVIK
Subregion: Nunavik

All the territory situated north of the 55th parallel north, except Category IB-N lands intended for the Naskapi community of Kawawachikamach, Category IA

and IB lands intended for the Cree community of Whapmagoostui and Category II lands on which only that community has exclusive rights, as the lands are so designated in the Act respecting the land regime in the James Bay and New Québec territories.”.

10. Despite sections 35 and 36, for work carried out in the territory described below, the hiring priority is granted to employees holding a journeyman competency certificate, an occupation competency certificate or an apprentice competency certificate, as the case may be, issued by the Commission according to the following order:

- i. Native persons domiciled therein;
- ii. other employees domiciled in the locality where the work is carried out;
- iii. other employees domiciled elsewhere in the territory;
- iv. if no employee meeting the preceding criteria is available, employees domiciled outside the territory or a person domiciled therein who becomes the holder of a valid certificate or exemption.

The territory concerned is situated north of the 55th parallel north, except Category IB-N lands intended for the Naskapi community of Kawawachikamach, Category IA and IB lands intended for the Cree community of Whapmagoostui and Category II lands on which only that community has exclusive rights, as the lands are so designated in the Act respecting the land regime in the James Bay and New Québec territories.”.

This section ceases to have effect on 30 June 2017.

11. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 1 to 9 that have effect as of 30 June 2017.

102345

Draft Regulation

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

Issuance of competency certificates — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting