

5. Section 4 is amended by replacing subparagraph 1 of the first paragraph by the following:

“(1) calls for tenders and supply contracts for \$15,000 or less, except those related to telecommunications and information technologies;

(1.1) calls for tenders and services contracts for \$50,000 or less, except those related to telecommunications and information technologies; and”.

6. Section 5 is amended by replacing subparagraph 1 of the first paragraph by the following:

“(1) calls for tenders and supply contracts for \$15,000 or less, except those related to telecommunications and information technologies;

(1.1) calls for tenders and services contracts for \$50,000 or less, except those related to telecommunications and information technologies; and”.

7. Section 6 is amended

(1) by replacing “Direction des ressources financières, matérielles et de la conformité” in the part preceding paragraph 1 by “Direction des ressources budgétaires, matérielles et du développement durable”;

(2) by replacing paragraph 1 by the following:

“(1) calls for tenders and supply contracts for \$15,000 or less, including those related to telecommunications but excluding those related to information technologies;

(1.1) calls for tenders and services contracts for \$50,000 or less, including those related to telecommunications but excluding those related to information technologies;”.

8. Section 7 is replaced by the following:

“7. In addition to the authorizations referred to in section 5, the Assistant Director General of the Direction générale adjointe des technologies de l’information is authorized to sign, for all the department’s activities,

(1) calls for tenders and supply contracts for \$20,000 or less related to telecommunications and information technologies; and

(2) calls for tenders and services contracts for \$75,000 or less related to telecommunications and information technologies.”.

9. Section 15 is amended by replacing “of the Direction générale de l’administration or the Director of the Direction des ressources financières, matérielles et de la conformité” in the part preceding paragraph 1 by “or the Director General of the Direction générale de l’administration et des technologies or the Director of the Direction des ressources financières et de la conformité”.

102542

Gouvernement du Québec

O.C. 215-2016, 23 March 2016

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

Construction industry —**Election of a representative association** by employees —**Amendment**

Regulation to amend the Regulation respecting the election of a representative association by employees of the construction industry

WHEREAS, under the second paragraph of section 32 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the election of a representative association by employees of the construction industry is made by secret ballot, as prescribed by regulation of the Government;

WHEREAS, under the first paragraph of section 35.2 of the Act, an employee whose name does not appear on the list prepared under section 30 of the Act may make known to the Commission de la construction du Québec, according to the procedure established by regulation of the Government, his or her election respecting one of the representative associations;

WHEREAS, under the second paragraph of section 35.3 of the Act, an employee who is deemed to have made an election respecting an association whose name has not been published or to maintain his or her election respecting such an association must, in accordance with the procedure established by regulation of the Government, make known to the Commission de la construction du Québec his or her election respecting one of the representative associations;

WHEREAS the Government made the Regulation respecting the election of a representative association by employees of the construction industry (chapter R-20, r. 4.1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the election of a representative association by employees of the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 16 December 2015 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the election of a representative association by employees of the construction industry, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the election of a representative association by employees of the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, ss. 32, 35.2 and 35.3)

1. The Regulation respecting the election of a representative association by employees of the construction industry (chapter R-20, r. 4.1) is amended in section 8 by replacing “, the terms and conditions governing it and the method of updating a voter’s mailing address for the poll” in the first paragraph by “and the terms and conditions governing the poll”.

2. Section 11 is amended

(1) by replacing “seventh” in the first paragraph by “third”;

(2) by replacing the second paragraph by the following:

“The employee must request it between the third day and the tenth day following the date on which the poll begins.”.

3. Section 14 is amended

(1) by inserting “valid” before “document” in the first paragraph;

(2) by replacing “or another document recognized by government regulation made under section 337 of the Election Act (chapter E-3.3)” in the second paragraph by “another document recognized by government regulation made under section 337 of the Election Act (chapter E-3.3) or, if the employee is not a resident of Québec, an identification document including the employee’s name, photograph and signature, issued by the government of a province or territory of Canada or by an agency of such government”.

4. Section 15 is amended

(1) by adding the following at the end of the first paragraph:

“The employee must ensure that his or her ballot paper is received at the polling station before the counting of the votes.”.

(2) by adding the following paragraph at the end:

“The use of a return envelope other than the one sent by the Commission does not entail rejection of the vote, provided that the envelope is also opaque and does not allow the identification of the employee.”.

5. Section 19 is replaced by the following:

“**19.** The counting of the votes begins on the business day that follows the end of the voting period, at the place determined by the returning officer.

“The returning officer informs each of the associations of the place of the counting at least 5 business days before the counting of the votes.”.

6. Section 20 is amended by replacing “observers, among which each association appoints its authorized representative. An association’s observer” by “an authorized representative. The authorized representative”.

7. Section 21 is replaced by the following:

“**21.** The authorized representative acts as observer during the counting of the votes.”.

8. Section 22 is revoked.

9. Section 23 is amended

(1) by replacing “each of the observers and specifying which observer is to act as the” by “its”;

(2) by replacing “each of the observers” by “its authorized representative”.

10. Section 26 is amended by replacing subparagraph 8 of the first paragraph by the following:

“(8) is not accompanied by a valid identification document provided for in section 14;

(9) includes a photocopy of the valid identification document provided for in section 14 that does not enable to clearly see the particulars and the employee’s photograph and signature, in contravention of the third paragraph of that section.”

11. Section 28 is replaced by the following:

“**28.** The deputy returning officer presents to the returning officer any ballot paper that, in his or her opinion, should be rejected pursuant to section 26 so that the returning officer may decide on its validity.”

12. Sections 29 and 30 are revoked.

13. Section 32 is amended

(1) by striking out paragraph 3;

(2) by striking out “, observers” in paragraph 4.

14. Section 34 is amended

(1) by replacing “sent to the returning officer at the address of destination of the return envelopes” in the first paragraph by “received at the address of the polling station”;

(2) by replacing “or received late is to be considered valid” in the second paragraph by “is to be considered valid, in particular after the employee’s intent and identity have been verified”.

15. Schedule II is amended by replacing

“UNDERTAKING BY THE AUTHORIZED REPRESENTATIVE AND OBSERVERS OF AN ASSOCIATION

I, the undersigned, acting as

(Indicate the position of observer or authorized representative)

for” by

“UNDERTAKING BY THE AUTHORIZED REPRESENTATIVE OF AN ASSOCIATION

I, the undersigned, acting as authorized representative for”.

16. 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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