

Draft Regulations

Draft Regulation

An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Tribunal administratif du travail — Code of ethics of the members

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Code of ethics of the members of the Tribunal administratif du travail, the text of which appears below, may be established by the government, upon the expiry of 45 days following this publication.

The Code of ethics proposes the rules of conduct and duties of the members towards the public, the parties, their witnesses and persons who represent them; it indicates, in particular, which conduct is derogatory to the honour, dignity or integrity of the members. It also determines activities or situations that are incompatible with their office, their obligations concerning disclosure of interest, and the duties they may perform gratuitously.

Further information may be obtained by contacting Claude Verge, Tribunal administratif du travail, 900, Place D'Youville, bureau 800, Québec (Québec), G1R 3P7, by telephone at (418) 644-7776 or by fax at (418) 528-6063.

Any person having comments to make on the matter is asked to send them in writing, before expiry of the 45-day period, to the minister responsible for Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

DOMINIQUE VIEN,
The minister responsible for Labour

Code of ethics of the members of the Tribunal administratif du travail

An Act to establish the Administrative Labour Tribunal (chapter T-15.1, s. 67)

DIVISION I GENERAL

1. The purpose of this Code is to ensure and promote public trust in the integrity and impartiality of the Tribunal by favouring high standards of conduct for its members appointed by the Government.

2. Members must render justice under the applicable rules of law.

DIVISION II RULES OF CONDUCT AND DUTIES OF MEMBERS

3. Members must perform their duties with honour, dignity and integrity, keeping in mind that accessibility and promptness are important values of the Tribunal.

4. Members must perform their duties without discrimination.

5. Members must act in a respectful and courteous manner towards persons appearing before them, while exercising the authority necessary for the proper conduct of the hearing.

6. Members must uphold the integrity of the Tribunal and defend its independence in the best interest of justice.

7. Members must make themselves available to discharge their duties conscientiously, carefully and diligently.

8. Members must take the measures required to keep up-to-date and upgrade the knowledge and skills necessary to perform their duties.

9. Members are bound by discretion regarding any matter brought to their knowledge in the performance of their duties and must refrain from disclosing information of a confidential nature.

10. Members are bound by deliberative secrecy.

11. Members must be overtly objective and impartial.

12. Members must perform their duties with complete independence, free of any interference.

13. Members must act with reserve and prudence in public, particularly when using information and communication technologies.

14. Members must disclose to the president any direct or indirect interest that they have in any enterprise that could cause a conflict between personal interest and the duties of their office.

15. Members must be politically neutral in the performance of their duties.

16. A member may exercise functions gratuitously within a professional order or a non-profit organization. The member must inform the president of his or her intention to do so.

The functions a member wants to exercise must not compromise the effective performance of the member's duties as a member, or the member's or the Tribunal's impartiality or independence.

DIVISION III INCOMPATIBLE SITUATIONS AND ACTIVITIES

17. Members must refrain from pursuing an activity or placing themselves in a situation that may undermine the honour, dignity, integrity or independence of their office or discredit the Tribunal.

18. The following is incompatible with the performance of their duties:

(1) soliciting or collecting donations, except in the case of community, school, religious or family activities that do not compromise the other duties imposed by this Code, or associating the status of member of the Tribunal to those activities;

(2) taking part in charities or organizations likely to be involved in matters before the Tribunal;

(3) giving advice related to matters that come within the jurisdiction of the Tribunal, except if such advice is not likely to compromise the member's or the Tribunal's impartiality or integrity;

(4) becoming involved in any cause or participating in any lobby whose objectives or activities are related to matters that come within the jurisdiction of the Tribunal.

19. Members must not engage in any activity or partisan political participation at the federal, provincial, municipal or school level.

DIVISION IV FINAL PROVISION

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

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An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Tribunal administratif du travail — Rules of evidence and procedure

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Rules of evidence and procedure of the Tribunal administratif du travail, the text of which appears below, may be submitted for approval by the government upon the expiry of 45 days following this publication.

The Rules of evidence and procedure of the Tribunal administratif du travail specify the manner in which the rules established by the Act to establish the Administrative Labour Tribunal (chapter T-15.1) or by the Acts under which matters are heard by the Tribunal are to be applied and make exceptions in the application of the rules established by law concerning a recourse or a division of the Tribunal.

Further information may be obtained by contacting Claude Verge, Tribunal administratif du travail, 900, Place D'Youville, bureau 800, Québec (Québec), G1R 3P7, by telephone at (418) 644-7776 or by fax at (418) 528-6063.

Any person having comments to make on the matter is asked to send them in writing, before expiry of the 45-day period, to the minister responsible for Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

DOMINIQUE VIEN,
The minister responsible for Labour

Rules of evidence and procedure of the Tribunal administratif du travail

An Act to establish the Administrative Labour Tribunal (chapter T-15.1, s. 105)

CHAPTER I GENERAL PROVISIONS

DIVISION I PRELIMINARY PROVISIONS

1. These rules apply to all the matters brought before the Tribunal.

Their purpose is to ensure the simple, flexible and prompt processing of applications, particularly with the cooperation of the parties and their representatives and the use of available technological means by the parties and the Tribunal, in accordance with the rules of natural justice and the equality of parties.