

matters of labour hiring and labour mobility management and provide exceptions to those rules, and establish conditions that may vary in order to favour women's access to the construction industry;

WHEREAS, after consultation with the Committee on vocational training in the construction industry in accordance with section 123.3 of the Act, the Commission made the Regulation to amend the Regulation respecting the hiring and mobility of employees in the construction industry on 6 April 2016;

WHEREAS, under section 123.2 of the Act, every such regulation of the Commission is submitted to the Government for approval, with or without amendment;

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 hiring and mobility of employees in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 20 July to 2 September 2016 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS comments were received following that publication and it is expedient to make the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the hiring and mobility of employees in the construction industry be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## 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 in section 38 by inserting the following sentence at the end of the first paragraph:

“An employer may assign a female employee holding such a certificate anywhere in Québec, if that female employee has worked for the employer 500 hours or more in the construction industry in Québec or elsewhere in Canada during the same period.”

**2.** This Regulation comes into force on 12 December 2016.

102796

Gouvernement du Québec

### O.C. 994-2016, 9 November 2016

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

#### Issuance of competency certificates — Amendment

Regulation to amend the Regulation respecting the issuance of competency certificates

WHEREAS, under subparagraph 5 of the first paragraph and the fourth and fifth paragraphs of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, in particular, determine the conditions of admission to apprenticeship and the various types of examinations; determine the issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet; determine the conditions of issue and renewal of occupation competency certificates; and establish conditions that may favour women's access to the construction industry;

WHEREAS, after consultation with the Committee on vocational training in the construction industry in accordance with section 123.3 of the Act, the Commission made the Regulation to amend the Regulation respecting the issuance of competency certificates on 6 April 2016;

WHEREAS, under section 123.2 of the Act, every such regulation of the Commission is submitted to the Government for approval, with or without amendment;

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 issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 20 July to 2 September 2016 with

a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS comments were received following that publication and it is expedient to approve the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the issuance of competency certificates, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the issuance of competency certificates

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

**1.** The Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended in section 7

(1) by adding “8.3,” after “under section 2, 3,” in the second paragraph;

(2) by adding “8.4,” after “under section 4.2,” in the third paragraph.

**2.** Section 8.1 is amended

(1) by replacing the first paragraph by the following:

“The Commission may issue, pursuant to section 2.1, an apprentice competency certificate to a woman who has never been the holder of a certificate issued under this section, without the employer’s having to file a workforce request or guarantee that person an employment for not less than 150 hours over a period not exceeding 3 months.”;

(2) by striking out “Notwithstanding section 6,” in the second paragraph;

(3) by inserting the following after the second paragraph:

“If the employee has not worked for at least 150 hours during those 2 years, the Commission shall issue her a new certificate, on condition that an employer confirms in writing to the Commission that he binds himself to hire that person. That apprentice competency certificate expires 2 years after the date it was issued, and it is renewed where the Commission ascertains, in the monthly reports of employers registered with it, that the employee has worked for at least 150 hours during those 2 years. If the employee fails to work for at least 150 hours during the 2-year period, the Commission may again issue a certificate, under the conditions set out in this section.”.

**3.** The Regulation is amended by adding the following after section 8.2:

“**8.3** When 30% or less of the total number of employees holding an apprentice competency certificate issued for a trade and a region contemplated in an application for a certificate are available at the time of the application, the Commission may issue an apprentice competency certificate to a woman 16 years of age or older:

1° who provides an attestation that she has successfully completed a safety course required under the Safety Code for the construction industry (chapter S-2.1, r. 4);

2° who demonstrates that she meets the admission requirements prescribed in basic school regulations (régime pédagogique) made under the Education Act (chapter I-13.3) for a program of studies leading to a vocational training diploma pertaining to the trade indicated in that application;

3° in respect of whom an employer registered with the Commission files a workforce request, guarantees that woman employment for not less than 150 hours over a period not exceeding 3 months and provides the Commission with proof of the guarantee.

**8.4** When 30% or less of the total number of employees holding an occupation competency certificate issued for the region contemplated by an application for a certificate, are available at the time of application, the Commission may issue an apprentice competency certificate to every woman 16 years of age or older and in respect of whom an employer registered with the Commission files a workforce request, guarantees that woman employment for not less than 150 hours over a period not exceeding 3 months and furnishes to the Commission proof of the guarantee and proof that the woman has successfully completed a safety course required by the Safety Code for the Construction Industry (chapter S-2.1, r. 4).”.

**4.** This Regulation comes into force on 12 December 2016.

102797

Gouvernement du Québec

## O.C. 995-2016, 9 November 2016

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

### Construction industry

#### — Vocational training of the workforce

#### — Amendment

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

WHEREAS, under subparagraph 10 of the first paragraph and the fourth and fifth paragraphs of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, in particular, determine the number of apprentices in relation to the number of journeymen employed by an employer or on a job site, as well as how those ratios are applied, and determine and establish conditions that may vary in order to favour women's access to the construction industry;

WHEREAS, after consultation with the Committee on vocational training in the construction industry in accordance with section 123.3 of the Act, the Commission made the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry on 6 April 2016;

WHEREAS, under section 123.2 of the Act, every such regulation of the Commission is submitted to the Government for approval, with or without amendment;

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 vocational training of the workforce in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 20 July to 2 September 2016 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS comments were received following that publication and it is expedient to approve the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the vocational training of the workforce 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. 10, and 4th and 5th pars.)

**1.** The Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) is amended in section 18 by striking out “in the same trade or, where the tasks form a part of the practice of more than one trade, under the immediate supervision of a journeyman in each of those trades” in the second paragraph.

**2.** Section 20 is amended

(1) by striking out “in the same trade” after “at least as many journeymen”;

(2) by adding the following three paragraphs at the end of section 20:

“On a construction site, an employer may use the services of one more apprentice per journeyman than the ratio provided for in the first paragraph for each woman apprentice used, up to a maximum of 20 additional apprentices.

The apprentices and journeymen used by the employer under section 18 and this section are employees and are in the same trade. If the tasks performed by the apprentices form a part of the practice of more than one trade, the journeymen may be in each of those trades.

Women apprentices are not taken into account for the purposes of calculating the ration provided for in sections 19 and 22.”

**3.** This Regulation comes into force on 12 December 2016.

102798