

Draft Regulations

Draft Regulation

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

Volunteer construction work

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting volunteer construction work, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation allows, on the conditions prescribed, the voluntary performance of certain construction work subject to the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20).

Study of the matter shows that the impact of the proposed Regulation on small and medium-sized businesses will be negligible.

Further information may be obtained by contacting Michel Sauvé, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1; telephone: 418 644-9592; fax: 418 643-9454.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister responsible for Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

DOMINIQUE VIEN,
Minister responsible for Labour

Regulation respecting volunteer construction work

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 19, 1st par., subpar. 14)

DIVISION I SCOPE AND PURPOSE

1. This Regulation applies to the residential, commercial and institutional sectors. It determines the construction work which, when performed voluntarily and in accordance with the conditions prescribed, is not subject to the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20).

DIVISION II VOLUNTEER WORK BY CONSTRUCTION WORKERS

2. The holder of a journeyman competency certificate, an occupation competency certificate, an apprentice competency certificate or the recipient of an exemption issued by the Commission de la construction du Québec may perform, voluntarily, any construction work corresponding to the trade covered by the certificate or exemption for the benefit of

(1) a natural person, with respect to the dwelling that the person inhabits or intends to inhabit;

(2) a charitable organization whose activities are for poverty relief, the advancement of education, the advancement of religion or another objective beneficial for the community, for purposes useful to that organization's mission.

3. The holder of a journeyman competency certificate, an occupation competency certificate, an apprentice competency certificate or the recipient of an exemption issued by the Commission de la construction du Québec may perform, voluntarily, maintenance, repair, renovation or alteration work corresponding to the trade covered by the certificate or exemption for the benefit of

(1) a non-profit organization not covered by paragraph 2 of section 2, for purposes useful to the organization's mission;

(2) a school board or a college referred to in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sector (chapter R-8.2), a public institution referred to in the Act respecting health services and social services (chapter S-4.2) or in the Act respecting health services and social services for Cree Native persons (chapter S-5), a private educational institution referred to in the Act respecting private education (chapter E-9.1) or a childcare centre, with respect to its buildings.

DIVISION III

VOLUNTEER WORK OPEN TO ANY PERSON

4. Despite sections 2 and 3, a certificate or an exemption is not required for the voluntary performance of the following construction work, for the benefit of a person or organization referred to in section 2 or 3 and for the purposes set out therein:

(1) work relating to interior and exterior painting, interior surfaces such as flooring, wall and ceiling and their finishing, and similar or related work;

(2) work related to wood or plastic structures, such as finishing carpentry, and similar or related work;

(3) work relating to doors or windows, and similar or related work;

(4) work relating to manufactured cabinets and counter tops, and similar or related work;

(5) work relating to fireproofing, waterproofing, insulation, roofing, siding other than masonry, and similar or related work;

(6) work relating to non-structural masonry, marble, granite, ceramics, terrazzo and other similar materials, and similar or related work.

5. The maintenance and repair work referred to in section 4 may also be performed voluntarily, without a certificate or exemption, for the benefit of

(1) a natural person, with respect to a duplex or triplex owned by the person;

(2) a person who operates an enterprise that has less than 10 employees, with respect to the premises in which the person operates or intends to operate the enterprise.

6. 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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