

7. Section 7 is amended by inserting “2.3,” after “under section 2.”

8. Section 14 is amended by adding the following paragraph:

“The Commission may not exempt a person from the obligation to hold an apprentice competency certificate corresponding to the trade of crane operator under this section, except where subparagraph 2 or 3 of the first paragraph applies.”

9. Section 19 is amended by replacing “skills” by “activities”.

10. Section 24.3 is amended by inserting “or in section 5.8” after “section 5”.

11. Section 24.5 is replaced by the following:

“**24.5.** A fee of \$100 is exigible to register for a qualification examination referred to in section 1.1 or 1.1.1, for an examination referred to in section 6 or for a competency assessment examination referred to in section 12.”

12. Section 28.15 is revoked.

13. This Regulation comes into force on 14 May 2018.

103442

Gouvernement du Québec

O.C. 536-2018, 18 April 2018

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 1 of the first paragraph 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, determine the qualifications required for the practice of each trade;

WHEREAS, under subparagraph 2 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the activities included in a trade;

WHEREAS, under subparagraph 5 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the conditions of admission to apprenticeship and the various types of examinations, and of issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet;

WHEREAS, under subparagraph 14 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, generally, adopt any other related or suppletive provision considered necessary to give effect to the provisions of that section and of the Act with respect to vocational training;

WHEREAS the Commission de la construction du Québec, after consultation with the Committee on vocational training in the construction industry, in accordance with the first paragraph of section 123.3 of the Act, made the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry;

WHEREAS, under the first and second paragraphs of section 123.2 of the Act, a regulation of the Commission de la construction du Québec referred to in section 123.1 is recommended for approval to the Government, which may amend it;

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 December 2017 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without 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, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
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., subpars. 1, 2, 5 and 14)

1. The Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) is amended in section 1 by inserting the following definition:

““shared activity” means an activity included in the definition of a trade, provided for and described in Schedule E, which may be performed by a journeyman of another trade or of a specialty (*activité partagée*).”

2. Section 4 is amended by adding the following at the end of the first paragraph:

“A person authorized to perform a shared activity may do so only in direct connection with the trade or specialty indicated in the person’s journeyman competency certificate. Where the person performs a shared activity, the person is deemed to practise the trade for which the person is qualified and that is indicated in the person’s journeyman competency certificate.»

3. The following is inserted after section 4:

“DIVISION III.1 VALIDATION OF THE PREQUALIFICATION FOR THE TRADE OF CRANE OPERATOR

4.1. The Commission establishes an enterprise training plan that a person must follow in the cases and on the conditions provided for in the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) to be admitted to the apprenticeship of the trade of crane operator.

The implementation of that training plan must allow the person to acquire the minimum skills required for the apprenticeship of the trade of crane operator and the passing of the prequalification examination provided for in section 4.2 allowing the person to continue that apprenticeship.

4.2. A person holding a valid apprentice competency certificate corresponding to the trade of crane operator and issued under section 2.3 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is eligible to sit for the prequalification examination relating to the acquisition of the minimum skills required for the apprenticeship of the trade of crane operator, as soon as that person has worked the 150 hours in accordance with section 2.3.

4.3. A person who is eligible to sit for the prequalification examination referred to in section 4.2 must register for that purpose with the Commission, pay the fees fixed by the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) and undergo that examination not later than the last day of the fourth full month following the issuance of the apprentice competency certificate corresponding to the trade of crane operator.

4.4. Sections 8 and 10 apply, with the necessary modifications, to the prequalification examination referred to in section 4.2.

4.5. If a person fails the prequalification examination referred to in section 4.2, the Commission cancels, if applicable, the person’s apprentice competency certificate corresponding to the trade of crane operator.”

4. The following is inserted after section 5.7:

“**5.8.** A person holding a valid journeyman competency certificate corresponding to a trade or a specialty provided for in Schedule E, who has successfully completed the professional training recognized by the Commission for a shared activity, is eligible to sit for the qualification examination related to that shared activity.”

5. Section 7 is replaced by the following:

“**7.** The qualification examination pertains to the trade, specialty or shared activity.”

6. Section 18 is amended by adding “or to a shared activity provided for in Schedule E” after “Schedule C or D”.

7. The following is added after Schedule D:

“SCHEDULE E
(ss. 4 and 5.1)

SHARED ACTIVITIES

SHARED ACTIVITIES		PERSON ELIGIBLE TO SIT FOR THE QUALIFICATION EXAMINATION	ANNUAL NUMBER OF HOURS FOR MAINTAINING QUALIFICATION
Activities concerned	Conditions		
Crane operator	Load displacement with a boom truck.	The holder of a journeyman competency certificate corresponding to any trade or specialty.	50 hours
	<p>The activity must be performed</p> <p>– for the sole purpose of displacing materials, equipment or refuse used for or resulting from work performed in the holder’s trade;</p> <p>– taking into account that the displacement is only toward a temporary storage point and excludes the final installation of materials or equipment;</p> <p>– on a boom truck with a maximum capacity of 30 tonnes, having only one fixed control station.</p>		

”.

8. This Regulation comes into force on 14 May 2018.

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