

8. Section 32 is amended by striking out the second paragraph.

9. Section 167 is amended by inserting “portable” after “step ladders”.

10. Sections 247 and 273 are amended by inserting “permanent” before “ladder”.

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

103437

Gouvernement du Québec

O.C. 535-2018, 18 April 2018

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 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 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 6 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 issue and renewal of a journeyman competency certificate in respect of a trade or, as the case may be, of part of the activities of a trade;

WHEREAS, under subparagraph 8 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the cases where a person may be required to submit to

a competency evaluation examination or to undergo further vocational training, limit the practice of a trade or the carrying on of an occupation, as the case may be, while a person is undergoing vocational retraining, grant a determined period of time for undergoing required further vocational training, and determine the conditions of cancellation and reinstatement of a journeyman competency certificate and an occupation competency certificate;

WHEREAS, under subparagraph 9 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, provide for the cases in which it may and those in which it must grant an exemption from the obligation to hold a journeyman competency certificate, an occupation competency certificate or an apprentice competency certificate or apprenticeship booklet and determine, as the case may be, the criteria applicable to the granting or cancellation of such an exemption and the conditions to which the granting of such an exemption may be subject;

WHEREAS, under subparagraph 11 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the fee exigible for admission to the various types of examinations, for the issue or renewal of a journeyman competency certificate, an occupation competency certificate, an apprentice competency certificate and an apprenticeship booklet, and for the opening, analysis and processing of an employee training record or employee qualification record;

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 issuance of competency certificates;

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 issuance of competency certificates 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 issuance of competency certificates, attached to this Order in Council, be approved.

ANDRÉ FORTIER,
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., subpars. 1, 5, 6, 8, 9 and 11)

1. The Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended in section 1 by striking out the third paragraph.

2. The following is inserted after section 1.1:

“**1.1.1.** The Commission indicates in the valid journeyman competency certificate of a person who has passed the qualification examination provided for in Division IV of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) the shared activity for which the person is qualified.”

3. The following is inserted after section 2.2:

“**2.3.** The Commission issues an apprentice competency certificate corresponding to the trade of crane operator in any of the cases provided for and to a person referred to in sections 2, 3 and 8.3, and in subparagraph 5 of the first paragraph of section 14, where the person

(a) meets the admission requirements prescribed in basic school regulations made under the Education Act (chapter I-13.3), for a program of study leading to a vocational training diploma (DEP) pertaining to the trade of crane operator; and

(b) obtains from an employer registered with the Commission and in the manner provided for by the Commission, a guarantee of employment for not less than 150 hours over a period not exceeding 3 months during which the employer undertakes, towards that person, to implement the enterprise training plan provided for in section 4.1 of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) or, in the case of the person referred

to in paragraph 4 of section 2 other than the designated representative, undertakes for a period of 150 hours over a period not exceeding 3 months, to follow, within the enterprise, that training plan.

In the case of a designated representative, the certificate issued is no longer valid if its holder ceases to be the employer’s designated representative.

In the case of a person referred to in subparagraph 5 of the first paragraph of section 14, the Commission may issue only 1 apprentice competency certificate for the same employer.”

4. Section 3.2 is replaced by the following:

“**3.2.** Where a person fails the examination provided for in section 4.2 of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) or does not undergo the examination within the period prescribed by section 4.3 of that Regulation, the Commission may not issue an apprentice competency certificate corresponding to the trade of crane operator to that person, except if the application for the issuance is filed in accordance with section 2.1 of this Regulation.”

5. Section 5 is amended by replacing the second paragraph by the following:

“Qualification for a shared activity may be renewed if it is proven, in the manner provided for by the Commission, that the holder has performed the shared activity for the number of hours indicated in Schedule E to the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) for that shared activity.”

6. Section 6 is replaced by the following:

“**6.** The competency certificate issued initially upon application by an employer who files a workforce request with a guarantee of employment or under section 2.3 bears an expiry date corresponding to the last day of the fourth full month following that of its issuance and it includes the employer’s name. It is replaced by a certificate which expires 1 year after that replacement where the Commission ascertains, in the employer’s monthly reports, that the holder has worked the required 150 hours and, in the case of an apprentice competency certificate corresponding to the trade of crane operator issued under section 2.3, that the holder has passed the examination provided for in section 4.2 of the Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8).”

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