

5. Section 37 is replaced by the following:

“37. A lawyer is honest and candid when communicating with clients or advising them.”

6. Section 88 is amended

(1) by striking out the first paragraph;

(2) by replacing the portion before subparagraph 1 of the second paragraph by the following:

“When the prohibition from acting provided for in section 87 applies, a lawyer from the same firm as the lawyer subject to that prohibition may act in a matter against the former client of that lawyer if that former client consents or if doing so is in the interests of justice, having regard to the following factors, in particular:”;

(3) by replacing “second” in the third paragraph by “first”.

7. Section 134 is amended by inserting “integrity,” after “his honesty,” in paragraph 6.

8. Section 139 is amended by replacing “under the Courts of Justice Act (chapter T-16) and the office of municipal judge” in paragraph 1 by “in the judiciary”.

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

104685

Gouvernement du Québec

O.C. 1111-2020, 21 October 2020

An Act respecting collective agreement decrees (chapter D-2)

**Automotive services industry
– Drummond and Mauricie regions
—Amendment**

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8);

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 apply to an application for amendment;

WHEREAS, under the first paragraph of section 4 of the Act, the contracting parties sent an application to amend the Decree to the Minister of Labour, Employment and Social Solidarity;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions was published in Part 2 of the *Gazette officielle du Québec* of 2 July 2020 and in a French language newspaper and an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

An Act respecting collective agreement decrees (chapter D-2, ss. 2, 4, 6 and 6.1)

1. The Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) is amended in section 1.01

(1) by inserting the following after paragraph 12:

“(12.1) “relative”: the employee’s spouse, the child, father, mother, brother, sister and grandparents of the employee or the employee’s spouse as well as those persons’ spouses, their children, and their children’s spouses. The following are also considered to be an employee’s relative for the purposes of this Decree:

(a) a person having acted, or acting, as a foster family for the employee or the employee’s spouse;

(b) a child for whom the employee or the employee’s spouse has acted, or is acting, as a foster family;

(c) a tutor or curator of the employee or the employee’s spouse or a person under the tutorship or curatorship of the employee or the employee’s spouse;

(d) an incapable person having designated the employee or the employee’s spouse as mandatary;

(e) any other person in respect of whom the employee is entitled to benefits under an Act for the assistance and care the employee provides owing to the person’s state of health;”;

(2) by striking out paragraph 13.

2. Section 3.01 is amended by striking out “and the pump attendant” in subparagraph 5.

3. Section 3.02.1 is amended

(1) by replacing “4” in paragraph 1 by “2”;

(2) by adding the following at the end:

“(3) if the employee was not informed at least 5 days in advance that the employee would be required to work, unless the nature of the duties requires the employee to remain available or that the employee’s services are required within the limits set out in paragraph 1.”.

4. Section 4.01 is amended

(1) by inserting the following after the first paragraph:

“Hours worked on a day other than a day in the standard workweek described in section 3.01 entail a premium of 50% of the hourly wage currently paid to the employee.”;

(2) by replacing “Notwithstanding the first paragraph” at the beginning of the second paragraph by “Notwithstanding the first and second paragraphs”.

5. Section 4.03 is amended by striking out “the pump attendant and for”.

6. Section 7.04 is amended by replacing “5” by “3”.

7. Section 8.04 is amended

(1) in the first paragraph

(a) by striking out “, without pay,”;

(b) by replacing “the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents” by “a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26)”;

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

“If it is warranted, by the duration of the absence for instance, the employer may request that the employee furnish a document attesting to the reasons for the absence.”;

(3) by adding the following paragraph at the end:

“The first 2 days taken annually are remunerated according to the calculation formula described in section 6.03, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of uninterrupted service, even if the employee was absent previously.”.

8. Section 8.05 is amended by replacing the first paragraph by the following:

“An employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence or sexual violence of which the employee has been a victim.

An employee may, however, be absent from work for a period of not more than 104 weeks if the employee suffers a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee's regular position. In that case, the period of absence begins on the date on which the criminal offence was committed or, where applicable, at the expiry of the period provided for in the first paragraph, and ends not later than 104 weeks after the commission of the criminal offence.

The first 2 days taken annually are remunerated according to the calculation formula described in section 6.03, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of uninterrupted service, even if the employee was absent previously. However, the employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in this section or in section 8.04.”.

9. Section 8.06 is amended by replacing “in section 8.04” by “in sections 8.04 and 8.05”.

10. Section 8.07 is amended by replacing “for sickness or accident” in the first paragraph by “for a reason referred to in section 8.05”.

11. Section 8.10 is amended

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

“An employee may be absent from work for a period of not more than 16 weeks over a period of 12 months where the employee must stay with a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26), because of a serious illness or a serious accident. Where the relative or person is a minor child, the period of absence is not more than 36 weeks over a period of 12 months.

An employee may be absent from work for a period of not more than 27 weeks over a period of 12 months where the employee must stay with a relative, other than the employee's minor child, or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26), because of a serious and potentially mortal illness, attested by a medical certificate.”;

(2) by replacing “Section 8.05, the first paragraph of section 8.06” in the last paragraph by “The fourth paragraph of section 8.05, section 8.06”.

12. Section 9.01 is replaced by the following:

“**9.01.** The minimum hourly wage rates are the following:

Trades	As of 4 November 2020	As of 9 October 2021	As of 9 October 2022
1 Apprentice			
1st year	\$14.84	\$15.13	\$15.43
2nd year	\$15.14	\$15.44	\$15.75
3rd year	\$15.76	\$16.07	\$16.40
4th year	\$16.86	\$17.20	\$17.55
2 Journeyman			
A	\$23.13	\$23.59	\$24.06
B	\$21.38	\$21.81	\$22.25
C	\$19.55	\$19.94	\$20.34
3 Parts clerk			
Grade 1	\$13.73	\$14.10	\$14.60
Grade 2	\$14.45	\$14.74	\$15.00
Grade 3	\$15.22	\$15.52	\$15.83
Grade 4	\$16.06	\$16.38	\$16.71
Grade 5	\$16.49	\$16.82	\$17.16
Grade 6	\$17.53	\$17.88	\$18.24
Grade 7	\$18.06	\$18.42	\$18.80
4 Messenger*	—	—	—
5 Dismantler			
Grade 1	\$13.73	\$14.10	\$14.60
Grade 2	\$14.45	\$14.74	\$14.90
Grade 3	\$15.01	\$15.31	\$15.62
6 Washer*	—	—	—
7 Semiskilled worker			
Grade 1	\$14.62	\$14.91	\$15.21
Grade 2	\$15.88	\$16.20	\$16.52
Grade 3	\$17.12	\$17.46	\$17.81
8 Pump attendant	<i>Revoked</i>	<i>Revoked</i>	<i>Revoked</i>

Trades	As of 4 November 2020	As of 9 October 2021	As of 9 October 2022
9 Service attendant			
Grade 1	\$13.60	\$14.10	\$14.60
Grade 2	\$13.87	\$14.48	\$15.09
Grade 3	\$14.39	\$14.68	\$15.40
Grade 4	\$15.23	\$15.53	\$15.84
Grade 5	\$16.00	\$16.32	\$16.65

* The wage is equal to the minimum wage provided for in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3), increased by \$0.25”.

13. Section 9.02 is amended by replacing the first paragraph by the following:

“Wages must be paid in cash in a sealed envelope, by cheque, or by bank transfer, by Thursday at the latest.”.

14. Section 9.13 is amended by replacing “to other employees” by “to the employer’s other employees” and “for the sole reason that the employee” by “only because of the employee’s employment status, in particular because the employee”.

15. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.