

WHEREAS the Commission made the Regulation with amendment at its sitting of 17 December 2020;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act must be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 42)

**1.** The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in section 2 by striking out “146.”

**2.** Section 145 is amended by replacing the second paragraph by the following:

“The quantity of drinking water provided to the workers must be sufficient to meet their daily physiological and personal hygiene needs while taking into account, in particular, the work situation and the environmental and climatic conditions.

Without limiting the scope of the second paragraph, the quantity must at least enable each worker to drink 1 litre of drinking water, wash their hands 4 times over a period of 8 hours and take a shower once a day, when this Regulation requires that it be put at the disposal of the workers. The quantity must also ensure the proper functioning of emergency showers, if applicable.”

**3.** Section 146 is revoked.

**4.** Section 147 is replaced by the following:

“**147. Control:** In any establishment supplied with drinking water by a distribution system exempted from the application of Division I of Chapter III, “Quality control of drinking water”, of the Regulation respecting the quality of drinking water (chapter Q-2, r. 40), the employer must have a sample of that water analyzed for the control of total coliform bacteria and *Escherichia coli* bacteria before the water is put at the disposal of the workers for the first time and, subsequently, once a month.

The first and second paragraphs of section 30 of the Regulation respecting the quality of drinking water apply to that sample.

Upon receiving the analyses results, the employer must keep them posted in a visible location that is easily accessible to workers until the following results are received. In default of such a location, the employer must communicate each of the results to the workers by any appropriate means.”

**5.** Schedule VIII is revoked.

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

104946

Gouvernement du Québec

### O.C. 288-2021, 17 March 2021

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

#### Solid waste removal – Montréal — Amendment

Decree to amend the Decree respecting solid waste removal in the Montréal region

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 solid waste removal in the Montréal region (chapter D-2, r. 5);

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, in accordance with the first paragraph of section 4 of the Act, the contracting parties addressed 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 solid waste removal in the Montréal region was published in Part 2 of the *Gazette officielle du Québec* of 4 November 2020 and in a French language newspaper and in 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 without 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 solid waste removal in the Montréal region, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Decree to amend the Decree respecting solid waste removal in the Montréal region

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

**1.** The Decree respecting solid waste removal in the Montréal region (chapter D-2, r. 5) is amended in section 1.01

(1) by replacing paragraph 2 by the following:

“(2) “solid waste”: any waste product solid at 20 °C from industrial, commercial or agricultural activities, detritus, incineration and demolition residue, domestic garbage, rubbish, rubble and other trash solid at 20 °C; any product mentioned above that is collected for the purposes of recovery or recycling is also included.

Automobile bodies, soils and sands soaked with hydrocarbons, pesticides, explosive or spontaneously flammable products, pathological waste, manure, mining residues and radioactive waste, muds and solid residues from pulp and paper mills or from sawmills are excluded;”;

(2) by inserting the following after paragraph 11:

“(11.1) “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 mandatory;

(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.** The following is inserted after section 9.03:

“**9.03.1.** The employee referred to in section 9.03 is also entitled, where the employee so requests, to an additional annual leave without pay equal to the number of days required to increase his annual leave to 3 weeks.

Such additional leave need not follow immediately a leave under section 9.03 and it may not be divided, or be replaced by a compensatory indemnity.”

**3.** Section 9.04 is amended

(1) by striking out “class A” before “employee”;

(2) by replacing “5” by “3”.

**4.** Section 10.01 is amended by replacing “of his consort, father, mother, child, brother or sister, or of the father or mother of his consort” by “of his spouse, father, mother, child or the child of his spouse, brother or sister, or the father or mother of his spouse”.

**5.** Section 10.04 is revoked.

**6.** Section 10.05 is amended by replacing “1 day” and “4” by “2 days” and “3”, respectively.

**7.** Section 10.10 is amended

(1) by striking out “if the employee has 60 days of continuous service” at the end of the first paragraph;

(2) by striking out the fourth paragraph.

**8.** The following is inserted after section 10.11:

“**10.12.** An employee may be absent from work for 10 days per year to fulfil obligations relating to the custody, health or education of the employee’s child or the child of the employee’s spouse, or because of the state of health of 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).

The leave may be divided into days. A day may also be divided if the employer consents thereto.

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.

The employee must advise the employer of his absence as soon as possible and take the reasonable steps within his power to limit the leave and the duration of the leave.

The first 2 days taken annually are remunerated according to the calculation formula described in the first paragraph of section 8.05, with respect to class A employees, and according to the calculation formula described in the second paragraph of section 8.05, with respect to class B employees, 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.

**10.13.** The right provided for in the fifth paragraph of section 10.12 applies in the same manner to absences authorized according to section 79.1 of the Act respecting labour standards (chapter N-1.1). Despite the foregoing, the employer is not required to pay more than 2 days of absence in the same year where the employee is absent for any of the reasons provided for in section 79.1 of the Act respecting labour standards or section 10.12.”

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

104947

Gouvernement du Québec

**O.C. 289-2021, 17 March 2021**

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

**Building service employees – Montréal  
— Amendment**

Decree to amend the Decree respecting building service employees in the Montréal region

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 building service employees in the Montréal region (chapter D-2, r. 15);

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;