

## Draft Regulation

Act respecting workforce vocational training and qualification  
(chapter F-5)

### Certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation introduces rules allowing remote supervision of certain work carried on by an apprentice, including compliance by the employer with certain conditions, the establishment of a remote supervision procedure, the sending to the Minister of a notice respecting the procedure and the keeping of a register of the work carried on under remote supervision.

It also provides for a new certification in passenger ropeway mechanics specific to above-surface systems. It specifies the rules for recognizing the apprentice's proficiency in qualification elements. It adds the possibility of recognizing certain training qualifications issued in France. Lastly, it specifies certain rules applicable to the Minister's decision-making.

The draft Regulation will have a favourable impact on enterprises that will choose to avail themselves of the new provisions allowing remote supervision of certain work carried on by an apprentice.

Further information on the draft Regulation may be obtained by contacting Jean-Louis Gauthier, Direction de la qualification professionnelle, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 800, rue du Square-Victoria, 29<sup>e</sup> étage, Montréal (Québec) H4Z 1B7; telephone: 514-873-0800, extension 88333; email: jean-louis.gauthier@mtess.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET

*Minister of Labour, Employment and Social Solidarity*

### Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry

Act respecting workforce vocational training and qualification  
(chapter F-5, s. 30, 1st par., subpars. a, b, c and l)

**1.** The Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry (chapter F-5, r. 1) is amended in section 3

(1) by replacing “such as chair lifts, aerial tramways and ski lifts, including the operation of a temporary or unfinished system and” in paragraph 11 by “referred to in CAN/CSA Standard Z98, “Passenger ropeways and passenger conveyors”, including”;

(2) by adding the following at the end:

“(12) certificate in above-surface passenger ropeway mechanics (MRM-S) for the installation, maintenance, repair, renewal or alteration on above-surface passenger ropeways, rope tows, ropeways for secondary carriers and passenger conveyors referred to in CAN/CSA Standard Z98, “Passenger ropeways and passenger conveyors”, including the electrical connection of the apparatus and accessories from the main line connection switch specific to the mechanical conveyor system.”.

**2.** Section 7.1 is amended by inserting “or another French qualification recognized as equivalent by the Minister” after “France,” in the first paragraph.

**3.** Section 16 is amended by inserting the following after the second paragraph:

“Despite the foregoing, the apprentice’s proficiency in a qualification element may not be considered acquired before the apprentice receives a written confirmation from the Minister.”.

**4.** Section 17 is amended by adding “who is on the premises” at the end of the second paragraph.

**5.** The following is inserted after section 17:

**17.1.** In the cases referred to in the second paragraph of section 17, the supervision may be carried on remotely where the employer who has the work carried on by the apprentice

(1) has put in place means to enable the apprentice, during the work supervised remotely, to communicate with the qualified person referred to in section 17.5 and receive technical support from that person;

(2) has made sure that the qualified person referred to in section 17.5 may, within a reasonable time, intervene on the premises with the apprentice;

(3) has established procedures for overseeing the work and restarting the installations and equipment on which the apprentice works;

(4) has sent a notice to the Minister in accordance with section 17.2 or 17.3.

**17.2.** An employer may have the work referred to in the second paragraph of section 17 carried on under remote supervision by an apprentice provided a prior written notice is sent to the Minister, in the manner determined by the Minister. The notice must include

(1) the supervision procedure established, including

(a) the available means of communication enabling the apprentice to contact the qualified person referred to in section 17.5 who supervises the work remotely;

(b) the maximum time necessary for the qualified person referred to in section 17.5 to intervene on the premises with the apprentice;

(c) a list of the technical documents made available to the apprentice for the performance of tasks under remote supervision;

(d) the safety instructions specific to the work concerned; and

(e) the procedures for overseeing the work and restarting the installations or equipment on which the apprentice works;

(2) the type of installation where the work will be carried on by the apprentice under remote supervision; and

(3) where applicable, the duration of the work supervised remotely.

**17.3.** The employer must notify the Minister of any change to any of the elements referred to in section 17.2. The notice must be sent in writing not later than 10 days after the change takes effect.

**17.4.** The employer must, before the beginning of the work supervised remotely, give or make available to the apprentice the supervision procedure established.

The employer must also make available to the apprentice the spare parts, materials and tools required to carry on the work or inform the apprentice on how to obtain them.

**17.5.** The person who remotely supervises the work must be a worker qualified for the work concerned. The person must have at least 5 years of experience for such work, including the evaluation and certification of the proficiency in the elements of qualification.

**17.6.** The employer who has work carried on by an apprentice under remote supervision must keep a register. The register must contain, each time such work is carried on, a statement including

(1) the date of the work;

(2) the name of the apprentice who carried on the work;

(3) the apprentice’s home base;

(4) the name of the qualified person referred to in section 17.5 who supervised the work;

(5) the start and end time of the work;

(6) the identification of the equipment on which work is carried on and its location;

(7) a description of the work carried on by the apprentice; and

(8) a description of any problems the apprentice encountered, interventions made by the qualified person referred to in section 17.5 and corrections made.

Each statement must be certified monthly by an authorized person and kept by the employer for 6 years.”.

**6.** The heading of Division VII is amended by inserting “DECISIONS AND” before “CONTESTATION”.

**7.** The following is inserted before section 29:

“**28.1.** The Minister may revoke any decision made pursuant to this Regulation on the basis of a declaration, document or information that is false, misleading or incomplete.

**28.2.** Before making an unfavourable decision or revoking a decision made pursuant to this Regulation, the Minister must notify in writing the person concerned by the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and give the person the opportunity to present observations.”.

**8.** Section 31.1 is amended

(1) by replacing “provided in the first and second paragraphs of” by “provided for in”;

(2) by adding “The employer must also comply with sections 17.1 to 17.6, if applicable.” at the end.

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

105900

## Draft Regulation

Act respecting workforce vocational training and qualification  
(chapter F-5)

### Certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation introduces rules allowing remote supervision of certain work carried on by an apprentice, including compliance by the employer with certain

conditions, the establishment of a remote supervision procedure, the sending to the Minister of a notice respecting the procedure and the keeping of a register of the work carried on under remote supervision. It amends the conditions applicable to the operation and supervision of stationary engines or stationary engine installations, and the carrying on of work on the engines and installations.

It specifies the rules for recognizing the apprentice’s proficiency in qualification elements. It also adds the possibility of recognizing certain training qualifications issued in France. Lastly, it specifies certain rules applicable to the Minister’s decision-making.

The draft Regulation will have a favourable impact on enterprises that will choose to avail themselves of the new provisions allowing remote supervision of certain work carried on by an apprentice and those related to the operation and supervision of stationary engines or stationary engine installations.

Further information on the draft Regulation may be obtained by contacting Jean-Louis Gauthier, Direction de la qualification professionnelle, Ministère du Travail, de l’Emploi et de la Solidarité sociale, 800, rue du Square-Victoria, 29<sup>e</sup> étage, Montréal (Québec) H4Z 1B7; telephone: 514-873-0800, extension 88333; email: jean-louis.gauthier@mtess.gouv.qc.ca.

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JEAN BOULET

*Minister of Labour, Employment and Social Solidarity*

## Regulation to amend the regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels

Act respecting workforce vocational training and qualification  
(chapter F-5, s. 30, 1st par., subpars. *b*, *c* and *l*)

**l.** The Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels (chapter F-5, r. 2) is amended in section 1

(1) by inserting the following after the definition of “propane”: