

Gazette officielle du Québec

Part 2

Laws and
Regulations

Volume 126

26 October
1994
No. 44



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Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 126
26 October 1994
No. 44

Summary

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Part 2 of the *Gazette officielle du Québec* is published at least every Wednesday under the title "LOIS ET RÈGLEMENTS". If a Wednesday is a legal holiday, the Official Publisher is authorized to publish on the preceding day or on the Thursday following such holiday.

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1° Acts assented to, before their publication in the annual collection of statutes;

2° proclamations of Acts;

3° regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;

4° Orders in Council of the Government, decisions of the Conseil du trésor and ministers' orders whose publication in the *Gazette officielle du Québec* is required by law or by the Government;

5° regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by laws;

6° rules of practice made by judicial courts and quasi-judicial tribunals;

7° drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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The English version contains the English text of the documents described in paragraphs 1°, 2°, 3°, 5°, 6° and 7° of section 1.

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Regulations and other acts

Gouvernement du Québec

M.O., 1994

**Order of the Minister of International Affairs,
Immigration and Cultural Communities dated
11 October 1994**

An Act respecting immigration to Québec
(R.S.Q., c. M-23.1)

CONCERNING an amendment to the Minister's Order of 30 August 1994 respecting the prescribed forms for filing an application for a certificate of selection, a certificate of acceptance and an undertaking and the form for giving an undertaking, as well as a loan application by an immigrant who is in a particularly distressful situation

WHEREAS under section 3.1.1 of the Act respecting immigration to Québec (R.S.Q., c. M-23.1), amended by section 3 of Chapter 70 of the Statutes of 1993, the application to give an undertaking and the undertaking itself must be filed on the forms prescribed by the Minister of International Affairs, Immigration and Cultural Communities;

WHEREAS the Minister's Order of 30 August 1994, published in the *Gazette officielle du Québec* of 14 September 1994, prescribed the form for applying for an undertaking and the form for giving an undertaking filed by a resident of Québec;

WHEREAS it is expedient to amend the Minister's Order of 30 August 1994 in order to replace the forms therein prescribed for applying for an undertaking and for giving an undertaking filed by a resident of Québec;

WHEREAS under Orders in Council 1237-94 and 1238-94 of 17 August 1994, 31 October 1994 was established as the date for the coming into force of certain provisions of Chapter 70 of the Statutes of 1993 concerning the forms prescribed by the Minister of International Affairs, Immigration and Cultural Communities and of the Regulation to amend the Regulation respecting the selection of foreign nationals, which provides notably for deletion of the schedules containing the forms used to apply for a certificate of selection, a certificate of acceptance and an undertaking and the form for giving an undertaking;

THEREFORE, the Minister of International Affairs, Immigration and Cultural Communities orders as follows:

THAT the Minister's Order of 30 August 1994 prescribing the form for applying for an undertaking and the form for giving an undertaking filed by a resident of Québec be amended in order to replace them by those attached to this Minister's Order.

This Minister's Order comes into force on 31 October 1994.

Montréal, 11 October 1994

BERNARD LANDRY,
*Minister of International Affairs, Immigration
and Cultural Communities*

8719

This notice appears on the back of the original of this application to give an undertaking.

NOTICE TO THE PERSON OR GROUP OF PERSONS THAT SIGNS THIS FORM

Legal proceedings may be instituted against the sponsor before any competent court in Québec if the sponsor fails to comply with this undertaking.

The ministère des Affaires internationales, de l'immigration et des Communautés culturelles may revoke an undertaking or selection certificate if, depending on the case, it was accepted or issued on the strength of false or misleading information or documents, or if it was accepted or issued in error, or if the conditions required for acceptance of the undertaking or for issuing of the selection certificate cease to exist.

This undertaking may become null and void if, depending on the case, the foreign national on whose behalf the undertaking is given does not meet the requirements of the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M.23.1, r.2), is not admitted as a permanent resident, or does not obtain a Québec selection certificate within 24 months following the date on which this undertaking was signed by the immigration officer.



Gouvernement du Québec
Ministère des Affaires Internationales,
de l'Immigration et des Communautés culturelles

FORM TO GIVE AN UNDERTAKING

FILE NO.: _____

1 I, _____, the undersigned, undertake and (where applicable) I, _____, the undersigned, undertake solidarily with my above-mentioned spouse, to sponsor the following person :

PRINCIPAL FOREIGN NATIONAL :

Family name, first name and address code	Date of birth	Relationship	Duration of undertaking
_____	_____	_____	_____ yrs
Address 1 : _____			

PERSONS ACCOMPANYING THE PRINCIPAL FOREIGN NATIONAL :

_____	_____	_____	_____ yrs
_____	_____	_____	_____ yrs
_____	_____	_____	_____ yrs
_____	_____	_____	_____ yrs
Address 2 : _____			

to provide, during the term of the undertaking, for the basic needs established in the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M-23.1, r. 2) to the extent that the person reasonably needs such support.

2 I acknowledge having received and read a copy of schedules C and C-1 of the Regulation respecting the selection of foreign nationals, which established the basic needs of the person on whose behalf the undertaking is given, and I understand that the amounts stipulated in the above-mentioned schedules will be indexed and published in compliance with the Regulation.

3 I also undertake to reimburse the Gouvernement du Québec for any amount paid as special benefits or last resort assistance benefits under the Act respecting Income security (R.S.Q., c. S-3.1.1), to the person on whose behalf the undertaking is given, for the term of the undertaking.

4 I also undertake to reimburse the Government of any province of Canada for the amount paid as special benefits, last resort assistance benefits or other similar benefits it may grant to the person on whose behalf the undertaking is given, during the term of the undertaking.

5 The term of this undertaking commences on the date when the person on whose behalf the undertaking is given obtained permanent resident's status within the meaning of the Immigration Act (R.S.C., 1985, c. I-2).

6 I authorize the ministère des Affaires Internationales, de l'Immigration et des Communautés culturelles to give a copy of this undertaking to the person on whose behalf the undertaking is given.

7 I agree that the ministère may obtain information regarding my address from other government departments or agencies.

8 I declare that the information furnished in this application is complete and accurate, and I acknowledge that I have been informed that the Minister may verify the accuracy of the information by consulting a third party and that if I furnish to the Minister, to an investigator, or an inspector any information that I knew or should have known to be false or misleading with respect to an application to give an undertaking, I am guilty of an offence and I am liable to pay a fine. The ministère may release a nominative information hereby obtained by this form to Canadian immigration authorities and other Québec departments if such communication is necessary for the carrying out of an Act in Québec.

9 I have also read and understood the text appearing on the other side of this form. Initials : _____ and, where applicable, initials of spouse : _____.

In witness whereof, I have signed at _____ this _____ day of _____ 19 ____.

Signature of sponsor

In witness whereof, I have signed at _____ this _____ day of _____ 19 ____.

Signature of spouse - sponsor

Date of immigration officer's signature

Immigration Officer

This notice appears on the back of the original of this form to give an undertaking.

NOTICE TO THE PERSON OR GROUP OF PERSONS THAT SIGNS THIS FORM

Legal proceedings may be instituted against the sponsor before any competent court in Québec if the sponsor fails to comply with this undertaking.

The ministère des Affaires internationales, de l'immigration et des Communautés culturelles may revoke an undertaking or selection certificate if, depending on the case, it was accepted or issued on the strength of false or misleading information or documents, or if it was accepted or issued in error, or if the conditions required for acceptance of the undertaking or for issuing of the selection certificate cease to exist.

This undertaking may become null and void if, depending on the case, the foreign national on whose behalf the undertaking is given does not meet the requirements of the Regulation respecting the selection of foreign nationals (R.R.Q., 1981, c. M.23.1, r.2), is not admitted as a permanent resident, or does not obtain a Québec selection certificate within 24 months following the date on which this undertaking was signed by the immigration officer.

Gouvernement du Québec

O.C. 1495-94, 5 October 1994

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Garage employees

— **Mauricie**
— **Extension**

Decree to extend the Decree respecting garage employees in the Mauricie region

WHEREAS the Government made the Decree respecting garage employees in the Mauricie region (R.R.Q., 1981, c. D-2, r. 45);

WHEREAS the Association des grossistes en pièces d'automobiles de la région de Trois-Rivières, a contracting party to the Decree, is opposed to its automatic renewal;

WHEREAS in accordance with section 11.01 of the Decree, it remains into force until 9 October 1994;

WHEREAS it is expedient to extend the Decree until 9 October 1995;

WHEREAS under section 11 of the Regulations Act (R.S.Q., c. R-18.1), no proposed regulation may be made before the expiry of 45 days from its publication in the *Gazette officielle du Québec*, or before the expiry of the period indicated in the notice accompanying it or in the Act under which the proposed regulation may be made, where the notice or the Act provides for a longer period;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made notwithstanding the publication requirement in section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS in the opinion of the Government, the urgency due to the following circumstances warrants the absence of prior publication and such coming into force:

— the Decree to extend the Decree respecting garage employees in the Mauricie region is in force until 9 October 1994; after that date, the working conditions of certain employees covered by the Decree might be unfavourably changed;

— it is essential to further extend the Decree so as to allow sufficient time for the contracting parties and main opponents to the Decree to know the results of the

steps taken by the ministère de l'Emploi with the representatives of the automobile sector in respect of the implementation of a provincial regulation respecting qualifications in the automobile trades, since those results will influence their negotiation on the future of the Decree;

WHEREAS, should the proposed Decree, the text of which appears below, be published in accordance with the Regulations Act, it could not be made and come into force before 9 October 1994;

WHEREAS section 27 of the Regulations Act does not prevent a regulation from taking effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) provides that the Government may extend a decree, that the extension decree comes into force from the date of its adoption and that it must be published as soon as possible in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment:

THAT the Decree to extend the Decree respecting garage employees in the Mauricie region, attached hereto, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif

Decree to extend the Decree respecting garage employees in the Mauricie region

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8)

1. The Decree respecting garage employees in the Mauricie region (R.R.Q., 1981, c. D-2, r. 45), amended by Orders in Council 2489-83 dated 30 November 1983, 491-89 dated 29 March 1989, 229-90 dated 21 February 1990, 148-91 dated 6 February 1991, 1124-92 dated 29 July 1992 and extended by Order in Council 1367-93 dated 22 September 1993, is further extended until 9 October 1995.

2. This Decree comes into force on the date it is made by the Government.

Gouvernement du Québec

O.C. 1505-94, 12 October 1994

An Act respecting the Société de développement des entreprises culturelles (1994, c. 21)

Amendment to Order in Council 1240-94 dated 17 August 1994

WHEREAS the Act respecting the Société de développement des entreprises culturelles (1994, c. 21) was assented to on 17 June 1994;

WHEREAS under section 66 of that Act, its provisions will come into force on the date or dates fixed by the Government;

WHEREAS under Order in Council 1240-94 dated 17 August 1994, 19 October 1994 was fixed as the date of coming into force of all the provisions of the Act;

WHEREAS it is expedient to amend that Order in Council so that only some provisions of the Act come into force on that date;

IT IS ORDERED, therefore, on the recommendation of the Minister of Culture and Communications:

THAT Order in Council 1240-94 dated 17 August 1994 be amended by substituting the following for the enacting clause:

"That 19 October 1994 be fixed as the date of coming into force of sections 1 to 16 and 28, of subparagraph 1 of the first paragraph of section 29, of the first paragraph of section 30 and of sections 40, 41 and 65 of the Act respecting the Société de développement des entreprises culturelles (1994, c. 21)."

LOUIS BERNARD,
Clerk of the Conseil exécutif

8727

Gouvernement du Québec

O.C. 1508-94, 12 October 1994

Public Health Protection Act
(R.S.Q., c. P-35)

**Regulation
— Amendment**

Regulation to amend the Regulation respecting the application of the Public Health Protection Act

WHEREAS under section 45 of the Public Health Protection Act (R.S.Q., c. P-35), amended by section 662 of Chapter 57 of the Statutes of 1992, the physician or, if there is no physician, any person assisting a woman at a confinement shall fill out, for the purposes of that Act, a certificate of birth drawn up in the manner prescribed by regulation;

WHEREAS under subparagraph *e* of the first paragraph of section 69 of that Act, replaced by section 670 of chapter 57 of the Statutes of 1992, the Government may make regulations to establish the content of the certificates provided for in sections 45, 46 and 47 and the rules relating to the sending of such certificates;

WHEREAS under subparagraph *f* of the first paragraph of the same section, the Government may, in the same manner, prescribe any measure useful to the carrying out of that Act;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 69 of the Public Health Protection Act, a draft regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 15 December 1993, on page 6816, with a notice that it could be made by the Government upon the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

WHEREAS under section 18 of the Regulations Act (R.S.Q., c. R-18.1), a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under that section, the reason justifying such coming into force shall be published with the regulation;

WHEREAS in the opinion of the Government, the urgency owing to the following reason justifies such coming into force:

— the current text of the Regulation respecting the application of the Public Health Protection Act has resulted in an interpretation of the term "childbirth" that has produced a deplorable and socially unacceptable situation;

— it is urgent to make sure that this type of situation no longer occurs;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting the application of the Public Health Protection Act, attached to this Order in Council, be made.

LOUIS BERNARD,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Public Health Protection Act

Public Health Protection Act
(R.S.Q., c. P-35, s. 69, 1st par., subpars. *e* and *t*;
1992, c. 57, s. 670)

1. The Regulation respecting the application of the Public Health Protection Act (R.R.Q., 1981, c. P-35, r. 1), amended by the Regulations made by Orders in Council 3506-81 dated 16 December 1981, (Suppl., p. 1066), 2335-82 dated 13 October 1982, 975-83 dated 18 May 1983, 1215-83 dated 15 June 1983, 1814-84 dated 16 August 1984, 1894-84 dated 22 August 1984, 47-85 dated 16 January 1985, 850-85 dated 8 May 1985, 1272-86 dated 20 August 1986, 1497-86 dated 1 October 1986, 1557-87 dated 7 October 1987, 713-89 dated 10 May 1989, 1506-89 dated 13 September 1989, 1099-90 dated 1 August 1990, 1590-91 dated 20 November 1991, 1245-92 dated 26 August 1992, 1604-93 dated 17 November 1993 and 313-94 dated 2 March 1994, is further amended in section 2 by substituting the following for paragraph *a*:

"(a) "childbirth" the expulsion or extraction, from its human mother, of a living product of conception, whatever its weight, or of a non-living product of conception weighing 500 grams or more;"

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulations

Draft Regulation

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Building materials — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Decree to amend the Decree respecting the building materials industry, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft regulation is to update the working conditions prevailing in the concrete sector, which constitutes Part I of the Decree referred to above.

For that purpose, the draft regulation proposes to increase wages, to increase the number of days of annual vacation after a certain number of years of continuous service and to make the provisions of the Decree consistent with those of the Act respecting labour standards.

To date, study of the matter has revealed that the petition filed by the contracting parties to the Decree, Part I (concrete) of which governs 112 employers, 16 artisans and 1 426 employees, represents a 2.2 % increase in the hourly wage as of the coming into force of the Decree and as of 1 May 1995; the hourly wage has remained unchanged since 1992. The consultation will define the scope of the impact of the amendments sought.

Further information may be obtained by contacting Mr. Gilles Fleury, Direction des décrets, Ministère de l'Emploi, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1 (Tel: 418-643-4415; Fax: 418-643-3069).

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Employment, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

JEAN-MARC BOILY
Deputy Minister of Employment

Decree to amend the Decree respecting the building materials industry

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8)

1. The Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r. 34), amended by Orders in Council 1694-82 dated 7 July 1982 (Suppl., p. 440), 1808-83 dated 1 September 1983, 166-84 dated 18 January 1984, 1339-85 dated 26 June 1985, 1124-87 dated 22 July 1987, 1169-89 dated 12 July 1989, 933-90 dated 27 June 1990, 1670-90 dated 28 November 1990, 1101-92 dated 22 July 1992 and 1332-92 dated 9 September 1992, is further amended in the list of the names of the contracting parties by substituting the following name for the name "La Centrale des syndicats démocratiques":

"La Centrale des syndicats démocratiques (CSD)".

2. The Decree is amended by inserting the following division and section before the heading of Part I:

"0.00 DEFINITIONS

0.01 For the purposes of this Decree:

(1) "consort" means either of a man and a woman who

(a) are married and cohabiting;

(b) are living together as husband and wife and are the father and mother of the same child; or

(c) have been living together as husband and wife for one year or more;

(2) "student" means an employee who attends an educational institution on a regular basis and whose employment period is between 1 May and 1 September of the current year;

(3) "continuous service" means an uninterrupted period during which an employee is bound to an employer by a labour contract, even where performance of the work is interrupted without termination of the contract, or a period during which there is a succession of fixed-term contracts without any interruption that, in the circumstances, would lead to the conclusion that a contract was not renewed."

3. Section 2.01 is amended by substituting the following therefor:

"2.01. The employee shall receive at least the following hourly or weekly rate:

Trades	As of (insert here the date of coming into force of this Order in Council)	As of 1 May 1995
truck driver	\$11.55	\$11.80
all other trades or jobs	11.43	11.68
student:		
— 1 st year	8.57	8.76
— 2 nd year	9.14	9.34
	Per week	
watchman	460.00	471.00."

4. Section 3.01 is amended by substituting the following for the first paragraph:

"3.01 **Standard working hours:** The standard work-week is 44 hours, from Monday to Friday. The standard workday shall not exceed 9 hours, unless, by agreement, the employer schedules his employees' working hours over not more than 4 consecutive days at 10 hours per day."

5. Section 3.02 is amended by substituting the following therefor:

"3.02 **Overtime hours:** (1) An employee, other than a watchman, shall receive time and a half his actual hourly rate for hours worked, excluding differentials established on an hourly basis, for any work carried out:

(a) in excess of the standard workday;

(b) in excess of the 44 hours in the standard work-week.

(2) An employee, other than a watchman, shall receive double his actual hourly rate for hours worked on Sundays, on a holiday provided for in section 5.02 or on a holiday replaced under section 5.03.

(3) Any overtime worked by a watchman shall be paid at double his standard rate.

(4) The employer may, at the request of an employee, replace the payment of overtime hours by a paid holiday equivalent to the overtime hours worked, the duration of which shall be increased by 50 % or 100 %, as the case may be. That holiday shall be taken within 12 months following the overtime worked at a date agreed to by the employer and the employee, failing which they shall be paid. Notwithstanding the foregoing, where the employee's labour contract is cancelled before he is able to take the holiday, the overtime hours shall be paid to him at the time of the last payment of his wages."

6. Section 4.01 is amended by substituting the following for paragraph f:

"(f) the number of overtime hours paid or replaced by a holiday with the applicable increase;"

7. Section 5.01 is amended by substituting the following therefor:

"5.01 The 24th of June is a general holiday with pay, in accordance with the National Holiday Act (R.S.Q., c. F-1.1)."

8. Section 5.03 is amended by inserting the words "flexible leave and" after the words "may observe".

9. Section 6.01 is revoked.

10. Section 6.03 is revoked.

11. Sections 6.04 to 6.09 are amended by substituting the following therefor:

"6.04 An employee who, at the end of a qualifying year, has less than one year of continuous service with the same employer during that period shall be entitled to a continuous annual vacation with pay of a duration consisting of one working day for each month of continuous service, without exceeding 2 weeks. The vacation pay shall be equal to 4 % of the employee's gross wages during the qualifying period.

6.05 An employee who, at the end of a qualifying year, has one year or more of continuous service with the same employer during that period shall be entitled to an annual vacation with pay of 2 consecutive weeks. The vacation pay shall be equal to 4 % of the employee's gross wages during the qualifying period.

6.06 An employee who, at the end of a qualifying year, has 6 years or more of continuous service with the same employer shall be entitled to an annual vacation with pay of 3 consecutive weeks. The vacation pay shall be equal to 6 % of the employee's gross wages during the qualifying period.

From 1 January 1995, the required duration of the continuous service referred to in the first paragraph shall be 5 years.

6.07 An employee who, at the end of a qualifying year, has 10 years or more of continuous service with the same employer shall be entitled to an annual vacation with pay of 4 weeks, including 3 consecutive weeks. The vacation pay shall be equal to 8 % of the employee's gross wages during the qualifying period.

6.08 An employee who, at the end of a qualifying year, has 16 years or more of continuous service with the same employer shall be entitled to an annual vacation with pay of 4 weeks, including 3 consecutive weeks. The vacation pay shall be equal to 9 % of the employee's gross wages during the qualifying period.

6.09 An employee who, at the end of a qualifying year, has 20 years or more of continuous service with the same employer shall be entitled to an annual vacation with pay of 4 weeks, including 3 consecutive weeks. The vacation pay shall be equal to 10 % of the employee's gross wages during the qualifying period."

12. Division 6.00 is amended by adding the following after section 6.09:

"**6.10** An employee who is absent because of illness, an accident, maternity leave, a work accident or an industrial disease during the qualifying year shall be entitled to vacation time equal to the vacation to which he would have been entitled had he not been absent. That vacation time shall be calculated as follows:

(1) the weekly average of the wages that the employee earned during the period actually worked is calculated;

(2) the number of weeks that he normally would have worked is calculated;

(3) the average weekly wage is multiplied by the number of weeks of vacation to which the employee is entitled;

(4) the amount calculated in step 3 is multiplied by the number of weeks calculated in step 2, and the product is divided by 52.

Notwithstanding the first paragraph, the annual vacation pay shall not exceed the indemnity to which the employee would have been entitled had he not been absent or on leave for a reason provided for in the first paragraph.

6.11 Where the labour contract is cancelled before an employee is able to take all the vacation time to which he is entitled, he shall receive, in addition to the compensatory indemnity determined pursuant to sections 6.04 to 6.09 for the vacation time he did not take, an indemnity equal to 4 %, 6 %, 8 %, 9 % or 10 %, as the case may be, of the gross wages earned during the qualifying year in progress."

13. Sections 7.01 to 7.03 are amended by substituting the following therefor:

"**7.01 Wedding:** An employee may be absent from work for one day, without loss of wages, on his wedding day.

An employee may also be absent from work, without wages, on the wedding day of one of his children, of his father or mother, of a brother or sister, or of a child of his spouse.

The employee shall notify the employer of his absence at least one week in advance.

7.01.1[°]Childbirth or adoption: An employee may be absent from work for 5 days at the time of the birth of his child or the adoption of a child. The first 2 days of absence shall be paid if the employee has 60 days of continuous service.

That leave may be taken in separate days at the employee's request but not later than 15 days after the arrival of the child at his father's or mother's residence.

The employee shall notify the employer of his absence as soon as possible.

Notwithstanding the foregoing, an employee who adopts his spouse's child may be absent from work for only 2 days, without wages.

7.02 Bereavement leave: An employee may be absent from work for 3 days without loss of wages at the time of the death or funeral of his child, of his spouse's child, of his father or mother or of a brother or sister. He may also be absent from work for one additional day at that time, but without wages.

An employee may be absent from work for one day, without wages, at the time of the death or funeral of a son-in-law or daughter-in-law, of a grandparent or grandchild, or of his spouse's father, mother, brother or sister.

7.03 Maternity leave: A female employee shall be entitled to the maternity leave provided for in the Act respecting labour standards (R.S.Q., c. N-1.1) or in a later act that may amend or replace it."

14. Division 8.00 and section 8.01 is amended by substituting the following therefor:

"8.00 NOTICE OF CESSATION OF EMPLOYMENT OR OF LAYOFF

8.01 An employer shall give an employee written notice before terminating his employment contract or before laying him off for 6 months or more.

That notice shall be one week if the employee has less than one year of continuous service, 2 weeks if he has one to 5 years of continuous service, 4 weeks if he has 5 to 10 years of continuous service and 8 weeks if he has 10 or more years of continuous service.

A notice of cessation of employment given to an employee during a period in which he is on layoff is null and void, except in the case of seasonal employment not normally lasting more than 6 months per year.

8.02 Section 8.01 does not apply to an employee:

(1) who does not have 3 months of continuous service;

(2) whose contract for a specific duration or for a specific undertaking ends;

(3) who committed a serious fault;

(4) whose labour contract is terminated as a result of an unforeseen event or who is laid off as a result of such an event.

8.03 An employer who does not give the notice provided for in section 8.01 or who gives notice of insufficient duration shall pay the employee a compensatory indemnity equal to his standard wage, not including overtime, for a period equal to the duration or residual duration of the notice to which he was entitled.

That indemnity shall be paid at the time of the cessation of employment, at the time of a layoff expected to last more than 6 months, or at the expiry of 6 months following a layoff for an indeterminate period or a layoff that was expected to last less than 6 months but that exceeds that duration."

15. Section 11.01 is amended by substituting the following therefor:

"11.01 This Part remains in force until 1 May 1996. Thereafter, it shall be renewed automatically every year, unless one of the contracting parties objects to such renewal by sending written notice to the Minister of

Employment and to the other contracting parties during November 1995 or during November of any subsequent year."

16. Section 20.05 is revoked.

17. Section 23.04 is revoked.

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

8728

Draft Regulation

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Solid waste removal

— Montréal

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Decree to amend the Decree respecting solid waste removal in the Montréal region, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Regulation is to update working conditions that have remained unchanged since 1 January 1992.

To that end, the Draft Regulation proposes amendments to certain working conditions (wages, the premium for the group insurance plan, holidays, miscellaneous leaves, advance notice). It also proposes that regional differences be eliminated by abolishing the division of the territory into 2 zones.

Study of the matter to date has revealed that the petition submitted by the contracting parties to the Decree, which governs 190 employers, 7 artisans and 1 433 employees, targets a wage increase of between 7.5 % and 8.5 % on the date of coming into force of the Decree and approximately 3.5 % on 1 January 1995. In zone 2, in which there are 84 employees, the increase combined with the elimination of the regional difference would result in a wage increase of between 18.5 % and 28.2 % on the date of coming into force. The petition also calls for an increase in the group insurance premium of 9.2 % on the date of coming into force and 8 % on 1 January 1995. The consultation period will allow for clarification of the impact of the proposed amendments.

A further purpose of the Draft Regulation is to act on a request by Travailleurs éboueurs du Québec, which has asked to be accepted as a union contracting party to the Decree.

Further information may be obtained by contacting Ms. Lise Genest, Direction des décrets, ministère de l'Emploi, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1 (Telephone: 418-643-4415; fax: 418-643-3069).

Any interested person having comments to make on the above matter is asked to send them in writing, before the expiry of the 45-day period, to the undersigned, ministère de l'Emploi, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

JEAN-MARC BOILY,
Deputy Minister of Employment

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

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 8)

1. The Decree respecting solid waste removal in the Montréal region (R.S.Q., 1981, c. D-2, r. 29), amended by Orders in Council 2220-82 dated 22 September 1982, 2316-82 dated 6 October 1982, 2278-84 dated 11 October 1984, 1124-87 dated 22 July 1987, 1479-88 dated 28 September 1988, 180-90 dated 14 February 1990 and 618-90 dated 2 May 1990, is further amended in the list of the names of the contracting parties:

(1) by substituting the following name for "L'Association des Entrepreneurs en Service Sanitaire du Québec Inc.":

"L'Association des entrepreneurs de services en environnement du Québec Inc.";

(2) by substituting the following name for "Le Syndicat des Vidangeurs de la Rive-Sud Inc.":

"Travailleurs éboueurs du Québec".

2. Section 1.01 of the Decree is amended:

(1) by substituting the following for paragraph 1:

"(1) "helper": employee who participates in the removal, transportation or unloading of solid waste;"

(2) by substituting the following for paragraphs 3 and 4:

"(3) "probationary employee": employee who has not completed 350 hours of work with his employer during one trimester;

(4) "regular employee": employee who performed 350 hours of work with his employer during one trimester; he is deemed to be a regular employee as of the first day of the following trimester and remains so up to the end of his employment;"

(3) by substituting the following for paragraph 6:

"(6) "unloading": disposing of waste at a landfill site, a dry materials disposal site, a transfer station, an incinerator, or any other disposal site, including the treatment or valorization of recyclable materials where such operations are performed by the same employees who are assigned to the removal and transportation of solid waste;"

(4) by adding the following after paragraph 9:

"(10) "removal": any of the operations involved in the collection, transportation and unloading of solid waste;

(11) "spouse": either of a man and a woman who

(a) are married and cohabiting;

(b) are living together as husband and wife and are the father and mother of the same child;

(c) have been living together as husband and wife for one year or more;

(12) "continuous service": means an uninterrupted period during which the employee is bound to the employer by a contract of employment, even if the performance of the work has been interrupted without cancellation of the contract, and a period during which fixed term contracts succeed one another without an interruption that would, in the circumstances, give cause to conclude that the contract was not renewed."

3. The following is substituted for section 2.01 of the Decree:

"2.01 Territorial jurisdiction: This Decree applies to the municipalities listed in Schedule 1 and included in administrative regions 06, 13, 14, 15 and 16."

4. The following is substituted for section 5.02 of the Decree:

"5.02 An employee who waits at his home at his employer's request receives an indemnity equal to 4.5 times his hourly wage."

5. The following is substituted for section 6.01 of the Decree:

"6.01 Minimum hourly wages are as follows:

	As of (enter date of coming into force of this Decree)	As of 95 01 01
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1. Regular employee:

(a) Driver

i. self-loading truck	\$16.38	\$16.93
ii. side-loading truck	\$17.18	\$17.73
iii. other vehicle	\$16.18	\$16.73

(b) Helper	\$15.88	\$16.43
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2. Probationary employee

(a) Truck driver, any category	\$15.63	\$16.18
(b) Helper	\$15.38	\$15.93."

6. Section 6.02 of the Decree is amended:

(1) by substituting the figures 1 to 5 for the letters indicating paragraphs a to e;

(2) by substituting the following for paragraphs f to i:

"(6) the number of hours paid at the regular rate;

(7) the number of overtime hours paid or replaced by a holiday, with the applicable increase;

(8) the nature and amount of the premiums, indemnities or allowances paid;

(9) the wage rate;

(10) the amount of the gross wages;

(11) the nature and amount of the deductions made;

(12) the amount of the net wages paid to the employee."

7. Section 6.03 of the Decree is amended by substituting the word "regular" for the word "full-time".

8. Division 6.00 of the Decree is amended by adding the following after section 6.03:

"6.04 When an employee performs tasks for which the remuneration varies according to the classification and type of task, he shall receive the most advantageous wage for the entire shift."

9. The following sections are substituted for sections 7.01 and 7.02 of the Decree:

"7.01 This Division applies to regular employees only.

7.02 Each month, the employer remits to the Comité paritaire des éboueurs de la région de Montréal, for each insurable employee, a premium for the group insurance plan adopted by the contracting parties and administered by the parity committee. The amount of the premium is as follows:

(1) as of (enter date of coming into force of this Decree):	\$43.50
(2) as of 1 January 1995:	\$47.00."

10. Section 8.01 of the Decree is amended by substituting the words "The 24th of June" for the words "St. John the Baptist's Day".

11. Section 8.02 of the Decree is amended:

(1) by substituting, in subsection 1, the word "regular" for the word "full-time";

(2) by substituting, in subsection 2, the word "Probationary" for the word "Part-time" and by inserting "1 July," after the words "Good Friday".

12. The following is substituted for section 8.04 of the Decree:

"8.04 Holiday pay is payable to an employee who works:

(1) the working day preceding and following the holiday;

(2) the collection day, doubled because of the holiday; or

(3) the holiday at his employer's request."

13. Section 8.05 of the Decree is amended:

(1) by substituting the word "regular" for the word "full-time" in subsection 1;

(2) by substituting the word "probationary" for the word "part-time" in subsection 2;

(3) by substituting the following for subsection 3:

"3. To be entitled to a general holiday, the employee shall have 60 days of continuous service to his credit with the firm and shall not have been absent from work without the authorization of the employer or a valid reason the day preceding and following such holiday."

14. Section 8.07 of the Decree is amended by substituting the word "regular" for the word "full-time".

15. Sections 9.04 and 9.05 of the Decree are amended by deleting the word "full-time".

16. The following sections are substituted for sections 10.01 to 10.05 of the Decree:

"10.01 On the occasion of the death of his spouse, father, mother, child, brother or sister, or of the father or mother of his spouse, a regular employee is entitled to a paid leave of 3 days, including the funeral day. He may also be absent for one other day on such occasion, but without pay.

10.02 On the occasion of the death or funeral of a brother or sister of his spouse, a regular employee is entitled to a leave of one day with pay.

10.03 An employee mentioned in sections 10.01 and 10.02 receives 9 times his hourly wage for each day of leave falling on a working day.

10.04 A probationary employee may be absent from work for one day, without loss in pay, on the occasion of the death or funeral of his spouse, child or spouse's child, or of his father, mother, brother or sister. He may also be absent for 3 additional days on such occasion, but without pay.

10.05 A probationary employee may be absent from work for one day, without pay, on the occasion of the death or funeral of the father, mother, brother or sister of his spouse.

10.06 An employee may be absent from work for one day, without pay, on the occasion of the death or funeral of a son-in-law or daughter-in-law, or of one of his grandparents or grandchildren.

10.07 In the cases mentioned in sections 10.01, 10.02, 10.04, 10.05 and 10.06, the employee shall notify the employer of his absence as soon as possible.

10.08 An employee may be absent from work for one day, without loss in pay, on his wedding day.

An employee may also be absent from work, without pay, on the wedding day of one of his children, of his father, mother, brother or sister, or of his spouse's child.

The employee shall notify his employer of his absence at least one week in advance.

10.09 An employee may be absent from work for 5 days on the occasion of the birth of his child or the adoption of a child. The first 2 days of absence are paid if the employee has 60 days of continuous service to his credit.

That leave may be taken as separate days at the employee's request and may not be taken later than 15 days after the child arrives at the residence of his father or mother.

The employee shall notify his employer of his absence as soon as possible.

Notwithstanding the foregoing, an employee who adopts his spouse's child may be absent from work for only 2 days, without pay.

10.10 The paid leaves provided for in this section shall be granted to an employee who, according to his regular schedule, was to have worked, subject to the Act respecting labour standards (R.S.Q., c. N-1.1)."

17. Section 12.01 of the Decree is amended by adding the following after the second paragraph:

"The notice does not apply to an employee:

(1) whose contract for a given period or a given firm has expired;

(2) who has committed a serious offence;

(3) whose contract was terminated or who was laid off because of a fortuitous event."

18. The following is substituted for section 12.02 of the Decree:

"12.02 An employer who does not give the notice prescribed by section 12.01 or who gives insufficient notice shall pay the employee a compensatory indemnity equal to his regular wage, excluding overtime, for a period equal to that of the advance notice or the remaining period covered by the notice to which he was entitled.

The indemnity shall be paid at the time the employment is terminated or at the time the employee is laid off for a period expected to last more than 6 months, or at the end of a period of 6 months for a layoff of indeterminate length or a layoff expected to last less than 6 months but which exceeds that period."

19. The following is substituted for section 13.01 of the Decree:

"13.01 This Decree remains in force until 1 January 1996. Thereafter, it shall be renewed automatically every year, unless one of the contracting parties objects to such renewal by sending written notice to that effect to the Minister of Employment and the other contracting parties during the month of October 1995 or during the month of October of any subsequent year."

20. The following is substituted for Schedule 1 of the Decree:

"SCHEDULE 1
(s. 2.01)

REGION 06 — MONTRÉAL

Communauté urbaine de Montréal

Ville d'Anjou, ville de Baie-d'Urfé, ville de Beaconsfield, cité de Côte-Saint-Luc, ville de Dollard-des-Ormeaux, cité de Dorval, ville de Hampstead, ville de Kirkland, ville de Lachine, ville de Lasalle, ville de l'Île-Dorval, ville de Montréal, ville de Montréal-Est, ville de Montréal-Nord, ville de Montréal-Ouest, ville de Mont-Royal, ville d'Outremont, ville de Pierrefonds, ville de Pointe-Claire, ville de Roxboro, ville de Sainte-Anne-de-Bellevue, ville de Sainte-Geneviève, ville de Saint-Laurent, ville de Saint-Léonard, ville de Saint-Pierre, paroisse de Saint-Raphaël-de-l'Île-Bizard, village de Senneville, ville de Verdun, ville de Westmount.

REGION 13 — LAVAL

Laval.

REGION 14 — LANAUDIÈRE

Municipalité régionale de comté d'Autray

Ville de Berthierville, Lanoraie-d'Autray, village de Lavaltrie, La Visitation-de-L'Île-Dupas, paroisse de Saint-Antoine-de-Lavaltrie, paroisse de Saint-Barthélemy, Saint-Charles-de-Mandeville, paroisse de Saint-Cléophas, paroisse de Saint-Cuthbert, paroisse de Saint-Didace, paroisse de Saint-Élisabeth, paroisse de Sainte-Geneviève-de-Berthier, ville de Saint-Gabriel, paroisse de Saint-Gabriel-de-Brandon, paroisse de Saint-Ignace-de-Loyola, paroisse de Saint-Joseph-de-Lanoraie, paroisse de Saint-Norbert, paroisse de Saint-Viateur.

Municipalité régionale de comté de Joliette

Crabtree, ville de Joliette, paroisse de Notre-Dame-de-Lourdes, Notre-Dame-des-Prairies, Sacré-Coeur-de-Crabtree, paroisse de Saint-Ambroise-de-Kildare, Saint-Charles-Borromée, Sainte-Mélanie, Saint-Paul, village de Saint-Pierre, Saint-Thomas.

Municipalité régionale de comté de L'Assomption

Ville de Charlemagne, ville de L'Assomption, ville de la Gardeur, ville et paroisse de L'Épiphanie, ville de Répigny, paroisse de Saint-Gérard-Majella, paroisse de Saint-Sulpice.

Municipalité régionale de comté de Les Moulins

Ville de Lachenaie, paroisse de La Plaine, ville de Mascouche, ville de Terrebonne.

In the municipalité régionale de comté de Matawin

Chertsey, paroisse de Lac-Paré, village et canton de Rawdon, Saint-Alphonse-Rodriguez, paroisse de Saint-Côme, paroisse de Saint-Damien, Sainte-Béatrix, paroisse de Sainte-Émilie-de-L'Énergie, Sainte-Marcelline-de-Kildare, paroisse et village de Saint-Félix-de-Valois, Saint-Jean-de-Matha, Saint-Michel-des-Saints, paroisse de Saint-Zénon.

Municipalité régionale de comté de Montcalm

Ville des Laurentides, paroisse et village de Saint-Alexis, Saint-Calixte, paroisse de Sainte-Julienne, paroisse de Sainte-Marie-Salomé, paroisse de Saint-Esprit, paroisse et village de Saint-Jacques, paroisse de Saint-Liguori, Saint-Lin, paroisse de Saint-Roch-de-L'Achigan, Saint-Roch-Ouest.

REGION 15 — LAURENTIDES

In the municipalité régionale de comté d'Argenteuil

Village de Brownsburg, village de Calumet, village de Carillon, canton de Chatham, canton de Gore, village et canton de Grenville, ville de Lachute, Mille-Isles, paroisse de Saint-André-d'Argenteuil, village de Saint-André-Est, canton de Wentworth.

Municipalité régionale de comté des Deux-Montagnes

Ville des Deux-Montagnes, Oka, paroisse d'Oka, village de Pointe-Calumet, ville de Sainte-Marthe-sur-le-Lac, ville de Saint-Eustache, paroisse de Saint-Joseph-du-Lac, municipalité de Saint-Placide.

Municipalité régionale de comté de la Rivière-du-Nord

Paroisse de Bellefeuille, village de Lafontaine, village de New Glasgow, Prévost, ville de Saint-Antoine, paroisse de Saint-Colomban, Sainte-Sophie, paroisse de Saint-Hippolyte, ville de Saint-Jérôme.

In the municipalité régionale de comté de Les Laurentides

Paroisse de Brébeuf, Sainte-Agathe-Nord, ville de Sainte-Agathe-des-Monts, village de Sainte-Agathe-Sud, village de Val-David, Val-des-Lacs, Val-Morin.

In the municipalité régionale de comté de Les Pays-d'en-Haut

Ville d'Estérel, village de Mont-Rolland, Morin-Heights, Piedmont, Saint-Adolphe-d'Howard, ville de Sainte-Adèle, paroisse de Sainte-Anne-des-Lacs, paroisse de Sainte-Marguerite-du-Lac-Masson, paroisse de Saint-Sauveur, village de Saint-Sauveur-des-Monts, Wentworth-Nord.

Municipalité régionale de comté de Matawinie
Entrelacs.**Municipalité régionale de comté de Mirabel**
Ville de Mirabel.**Municipalité régionale de comté de Thérèse-de-Blainville**

Ville de Blainville, ville de Boisbriand, ville de Bois-des-Filion, ville de Lorraine, ville de Rosemère, ville de Sainte-Anne-des-Plaines, ville de Sainte-Thérèse.

REGION 16 — MONTÉRÉGIE**In the municipalité régionale de comté d'Acton**

Ville d'Acton-Vale, paroisse de Saint-André-d'Acton, paroisse de Sainte-Christine, paroisse de Saint-Éphrem-d'Upton, paroisse de Saint-Nazaire-d'Acton, paroisse de Saint-Théodore-d'Acton, village d'Upton.

Municipalité régionale de comté de Beauharnois-Salaberry

Ville de Beauharnois, Grande-Île, ville de Maple Grove, village de Melocheville, Sainte-Martine, Saint-Étienne-de-Beauharnois, paroisse de Saint-Louis-de-Gonzague, Saint-Paul-de-Châteauguay, paroisse de Saint-Stanislas-de-Kostka, ville de Saint-Timothée, paroisse

de Saint-Urbain-Premier, ville de Salaberry-de-Valleyfield.

Municipalité régionale de comté de Champlain

Ville de Brossard, ville de Greenfield Park, ville de Lemoyne, ville de Longueuil, ville de Saint-Hubert, ville de Saint-Lambert.

Municipalité régionale de comté de La Vallée-du-Richelieu

Ville de Beloeil, ville de Carignan, ville de Chambly, village de McMasterville, ville de Mont-Saint-Hilaire, ville de Otterburn Park, Saint-Antoine-sur-Richelieu, ville de Saint-Basile-le-Grand, ville de Saint-Bruno-de-Montarville, paroisse de Saint-Charles, village de Saint-Charles-sur-Richelieu, paroisse et village de Saint-Denis, paroisse de Saint-Marc-sur-Richelieu, Saint-Mathieu-de-Beloeil.

Municipalité régionale de comté de Lajemmerais

Ville de Boucherville, paroisse de Calixa-Lavallée, ville de Contrecoeur, Saint-Amable, ville de Sainte-Julie, ville de Varennes, village de Verchères.

Municipalité régionale de comté de Le Bas-Richelieu

Village de Massueville, paroisse de Saint-Aimé, paroisse de Saint-David, paroisse de Sainte-Anne-de-Sorel, paroisse de Saint-Victoire-de-Sorel, paroisse de Saint-Gérard-Majella, ville de Saint-Joseph-de-Sorel, paroisse de Saint-Michel d'Yamaska, ville de Saint-Ours, paroisse de Saint-Robert, paroisse de Saint-Roch-de-Richelieu, ville de Sorel, ville de Tracy, village de Yamaska, village de Yamaska-Est.

Municipalité régionale de comté de Le Haut-Richelieu

Henryville, village de Henryville, ville d'Iberville, L'Acadie, village de Lacolle, village de Mont-Saint-Grégoire, paroisse de Notre-Dame-du-Mont-Carmel, Noyan, Saint-Alexandre, paroisse de Saint-Athanase, Saint-Blaise-sur-Richelieu, paroisse de Saint-Anne-de-Sabrevois, Sainte-Brigitte-d'Iberville, Saint-Georges-de-Clarenceville, paroisse de Saint-Grégoire-le-Grand, ville de Saint-Jean-sur-Richelieu, ville de Saint-Luc, paroisse de Saint-Paul-de-l'Île-aux-Noix, paroisse de Saint-Sébastien, paroisse de Saint-Valentin, Venise-en-Québec.

Municipalité régionale de comté de Le Haut-Saint-Laurent

Canton de Dundee, canton d'Elgin, Franklin, canton de Godmanchester, canton de Havelock, canton de Hinchinbrook, village de Howick, ville de Huntingdon, village d'Ormstown, paroisse de Saint-Anicet, village de Saint-Chrysostome, paroisse de Sainte-Barbe, paroisse de Saint-Jean-Chrysostome, paroisse de Saint-Malachie-d'Ormstown, paroisse de Très-Saint-Sacrement.

**Municipalité régionale de comté de
Les Jardins-de-Napierville**

Village et canton de Hemmingford, village de Napierville, paroisse de Saint-Bernard-de-Lacolle, paroisse de Saint-Cyprien-de-Napierville, paroisse de Saint-Clotilde-de-Châteauguay, paroisse de Saint-Edouard, paroisse de Saint-Jacques-le-Mineur, paroisse de Saint-Michel, paroisse de Saint-Patrice-de-Sherrington, ville de Saint-Rémi.

**In the municipalité régionale de comté de
Les Maskoutains**

Paroisse de la Présentation, paroisse de Notre-Dame-de-Saint-Hyacinthe, paroisse de Saint-Barnabé, paroisse de Saint-Bernard-Partie-Sud, paroisse et village de Saint-Damase, village de Saint-Dominique, Sainte-Hélène-de-Bagot, village de Sainte-Madeleine, paroisse de Sainte-Marie-Madeleine, paroisse et village de Sainte-Rosalie, Saint-Hughes, ville de Saint-Hyacinthe, paroisse de Saint-Hyacinthe-le-Confesseur, paroisse de Saint-Jude, paroisse et village de Saint-Liboire, paroisse de Saint-Louis, Saint-Marcel-de-Richelieu, paroisse et village de Saint-Pie, paroisse de Saint-Simon, paroisse de Saint-Thomas-d'Aquin.

Municipalité régionale de comté de Roussillon

Ville de Candiac, ville de Châteauguay, ville de Delson, ville de La Prairie, ville de Léry, ville de Mercier, ville de Saint-Constant, ville de Sainte-Catherine, paroisse de Saint-Isidore, Saint-Mathieu, paroisse de Saint-Philippe.

In the municipalité régionale de comté de Rouville

Ville de Marieville, Notre-Dame-de-Bon-Secours, ville de Richelieu, village de Rougemont, paroisse de Sainte-Angèle-de-Monnoir, paroisse de Saint-Marie-de-Monnoir, paroisse de Saint-Jean-Baptiste, Saint-Mathias-sur-Richelieu, paroisse de Saint-Michel-de-Rougemont.

**Municipalité régionale de comté de Vaudreuil-
Soulanges**

Coteau-du-Lac, Des Coteaux, ville de Hudson, Les Cèdres, ville de l'Île-Cadieux, ville de l'Île-Perrot, paroisse de Notre-Dame-de-l'Île-Perrot, ville de Pincourt, village de Pointe-des-Cascades, village de Pointe-Fortune, ville de Rigaud, Rivière-Beaudette, Saint-Clet, paroisse de Sainte-Justine-de-Newton, paroisse de Sainte-Madeleine-de-Rigaud, Sainte-Marthe, paroisse de Saint-Lazare, Saint-Polycarpe, paroisse de Saint-Télesphore, village de Saint-Zotique, Terrasse-Vaudreuil, paroisse de Très-Saint-Rédempteur, ville de Vaudreuil-Dorion, village de Vaudreuil-sur-le-Lac."

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

8725

Draft Regulation

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

**Woodworking
— Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Decree to amend the Decree respecting the woodworking industry, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft regulation is to replace an employer contracting party to the Decree.

For that purpose, the draft regulation proposes to amend the list of employer contracting parties by substituting the name "L'Association des industries de portes et fenêtres du Québec" for the name "L'Association provinciale de l'industrie du bois ouvré du Québec Inc."

To date, study of the matter shows that the contracting party for which a replacement has been requested no longer exists as an association and has, in fact, transferred its assets and obligations to L'Association des industries de portes et fenêtres du Québec. The latter Association has a membership of more than 70 businesses representing more than 80 % of the volume of sales of window products in Québec. The amendment has no impact on the working conditions provided for in the Decree.

Further information may be obtained by contacting Mrs. Lise Genest, Direction des décrets, ministère de l'Emploi, 200, Chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1 (Telephone: 418-643-4415; Fax: 418-643-3069).

Any interested person having comments to make concerning the matter is asked to send them in writing, before the expiry of the 45-day period, to the undersigned, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JEAN-MARC BOILY
Deputy Minister of Employment

Decree to amend the Decree respecting the woodworking industry

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, s. 8)

1. The Decree respecting the woodworking industry (R.R.Q., 1981, c. D-2, r. 3), amended by Orders in Council 1103-83 dated 25 May 1983, 1124-87 dated 22 July 1987 and 1029-90 dated 11 July 1990, extended by Orders in Council 393-92 dated 18 March 1992, 1411-92 dated 23 September 1992, 1886-92 dated 16 December 1992, 874-93 dated 16 June 1993, 1719-93 dated 1 December 1993 and amended by Order in Council 306-94 dated 2 March 1994, is further amended in the list of names of the contracting parties by substituting the following name for the name "L'Association provinciale de l'industrie du bois ouvré du Québec Inc.":

"L'Association des industries de portes et fenêtres du Québec".

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

8723

Draft Regulation

An Act respecting industrial accidents
and occupational diseases
(R.S.Q., c. A-3.001)

Standards and tables of personal home assistance for 1995

Notice is hereby given, in accordance with section 12 of the Regulations Act (R.S.Q., c. R-18.1), that the Draft Regulation entitled "Regulation respecting the standards and tables of personal home assistance for 1995", the text of which appears below, may be made by the Commission de la santé et de la sécurité du travail upon the expiry of 20 days from this publication.

The urgency due to the following circumstances justifies a shorter prepublication period than the period provided for in section 11 of the Regulations Act:

This Draft Regulation constitutes an in-depth reform of the current regulations concerning the standards and tables of personal home assistance. It has necessitated lengthy studies, and unanimous agreement by labour and management representatives sitting on the Board of Directors of the Commission was not achieved until 20 October 1994.

This Draft Regulation provides fairer compensation for workers suffering from serious aftereffects of an injury, in particular where the higher cerebral functions are affected, and must be in force on 1 January 1995, which would not be possible if the normal prepublication period were respected.

Any interested person having comments to make concerning the Draft Regulation is asked to send them in writing, before the expiry of the 20-day period, to Mr. Alain Albert, Vice-Chairman for Programming and Consulting, Commission de la santé et de la sécurité du travail, 1199, rue de Bleury, Montréal (Québec), H3C 4E1.

This publication replaces the publication appearing in the *Gazette officielle du Québec* on 5 October 1994 on pages 4225 and the following.

PIERRE SHEDLEUR,
Chairman of the Board of Directors and
Chief Executive Officer of the Commission
de la santé et de la sécurité du travail

Regulation respecting the standards and tables of personal home assistance for 1995

An Act respecting industrial accidents and
occupational diseases
(R.S.Q., c. A-3.001, s. 160)

DIVISION I PERSONAL HOME ASSISTANCE

1. In accordance with sections 145 and 158 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), personal home assistance may be granted to a worker who, as a result of the employment injury he has suffered, meets the following conditions:

(1) he has sustained permanent physical or mental impairment;

(2) he is unable to care for himself and to do, without assistance, the household tasks that he would normally do himself; and

(3) such assistance proves to be necessary for him to remain in or return to his residence.

2. In accordance with section 159 of the Act, personal home assistance includes payment of the cost of engaging a person to provide for the worker's assistance and supervision needs.

That person may be the worker's spouse.

3. The assistance measures are intended, in accordance with the worker's needs, to help him to care for himself and to do the household tasks he would normally do himself were it not for his injury.

4. The supervision measures are intended to help the worker to care for himself between the periods during which he is performing his personal activities and his household tasks, defined in section 2.1 of Schedule 1, where he has permanent impairment entailing neurological or mental aftereffects and he has assistance needs in accordance with the standards established in the form for evaluating the personal home assistance needs provided for in that Schedule.

DIVISION II EVALUATION OF PERSONAL HOME ASSISTANCE

5. Personal home assistance needs shall be evaluated by the Commission de la santé et de la sécurité du travail taking into account the worker's situation before the employment injury, the changes resulting therefrom and its impact on the worker's autonomy.

Those needs may be evaluated through consultations with the worker's immediate family, the attending physician or other resource persons.

That evaluation shall be made in accordance with the standards provided for in this Regulation and by filling out the evaluation form in Schedule 1.

DIVISION III MONTHLY AMOUNT OF PERSONAL HOME ASSISTANCE

6. The amount of personal home assistance shall be established on a monthly basis according to the evaluation form in Schedule 1 and shall be paid to the worker once every 2 weeks, in accordance with section 163 of the Act.

The monthly amount granted shall be, subject to the maximum amount of assistance fixed in section 160 of the Act, the sum of the amount determined according to the table in section 2.3 of Schedule 1 for personal assistance needs and, where applicable, of the amount determined according to the table in section 3.3 of that Schedule for supervision needs to the extent that the amount established for assistance needs falls short of the maximum prescribed by the Act.

DIVISION IV REEVALUATION OF PERSONAL HOME ASSISTANCE

7. Personal home assistance shall be reevaluated periodically, in accordance with section 161 of the Act, to take into account changes in the worker's health and the needs arising therefrom.

8. The reevaluation shall be made in accordance with the standards provided for in this Regulation and by filling out the evaluation form in Schedule 1.

9. The amount of personal home assistance shall be adjusted, in accordance with section 163 of the Act, from the first due date after the occurrence giving rise to the adjustment.

DIVISION V CESSATION OF PERSONAL HOME ASSISTANCE

10. Personal home assistance shall cease, in accordance with sections 162 and 163 of the Act, when

(1) the worker is again able to care for himself or to do, without assistance, the household tasks he was unable to do himself by reason of his employment injury; or

(2) the worker is lodged or hospitalized in a facility maintained by an institution governed by the Act respecting health services and social services (R.S.Q., c. S-4.2) or by the Act respecting health services and social services for Cree and Inuit Native persons (R.S.Q., c. S-5).

The amount of personal home assistance shall be cancelled from the first due date after the occurrence giving rise to the cancellation.

DIVISION VI FINAL

11. This Regulation comes into force on 1 January 1995 and has effect for the year 1995.

SCHEDULE 1

(ss. 4, 5, 6 and 8)

FORM FOR EVALUATING PERSONAL HOME ASSISTANCE NEEDS**I- GENERAL INFORMATION****I.1 Worker's identity:**

Surname: _____ Given name: _____

CSST No _____ Date of birth: _____ S.I.N.: _____
year / month / dayAddress: _____
(No.) (Street)

(Municipality) (Postal code)

Telephone: _____ Date of occurrence _____
area code year / month / day**I.2 Type of evaluation:**Initial ☐ Periodical reevaluation ☐ Change in situation ☐since _____
year / month / day

Where the situation has changed, state any new developments:

I.3 Worker's medical check-up:

Diagnosis: _____

Date of consolidation: Expected Yes _____ Known _____
No _____ year / month / day

Permanent physical or mental impairment:

Expected ☐
Confirmed ☐ %

Description of permanent functional disability:

1.4 Worker's home situation

Resides alone ☐ Lives with spouse, relative or friend ☐

Dependants No ☐ Adaptation of home Yes ☐

Yes ☐ No ☐

in progress or yet to come ☐

Number and ages:

2. EVALUATION OF PERSONAL CARE AND HOME ASSISTANCE NEEDS

2.1 Table of evaluation of assistance needs

Circle the points corresponding to the assistance needs for performing each of the following activities or tasks	A- Complete assistance required	B- Partial assistance required	C- No assistance required	D- No points Enter D-1, D-2 or D-3
Getting out of bed	3	1.5	0	
Going to bed	3	1.5	0	
Washing	5	2.5	0	
Dressing	3	1.5	0	
Undressing	3	1.5	0	
Bladder relief	3	1.5	0	
Bowel movements	3	1.5	0	
Eating	5	2.5	0	
Use of home facilities	4	2	0	
Preparation of breakfast	2	1	0	
Preparation of lunch	4	2	0	
Preparation of dinner	4	2	0	
Light housekeeping	1	0.5	0	

2.3 Table of monthly amount of personal home assistance for personal care and home assistance

The total points obtained after the evaluation of each item in Table 2.1 corresponds to the following monthly amount:

Total points	Amount	Total points	Amount
0 - 2 :	\$ 0	24.5 - 28 :	\$ 644
2.5 - 4 :	\$ 50	28.5 - 32 :	\$ 743
4.5 - 8 :	\$149	32.5 - 36 :	\$ 842
12.5 - 16 :	\$248	36.5 - 40 :	\$ 942
12.5 - 16 :	\$347	40.5 - 44 :	\$1041
16.5 - 20 :	\$446	44.5 - 48 :	\$1140
20.5 - 24 :	\$545		

Results to be carried over to section 4 entitled "Summary"

2.4 Description of items evaluated

- Getting out of bed: the ability to get out of bed unassisted, taking into consideration, where applicable, the use of an orthosis, a prosthesis or a technical aid or adaptation of the residence.
- Going to bed: the ability to get into bed unassisted, taking into consideration, where applicable, the use of an orthosis, a prosthesis or a technical aid or adaptation of the residence.
- Washing: the ability to wash oneself unassisted, without taking into consideration the ability to use a bathtub or a shower. This includes basic self-care such as hair grooming, shaving and applying make-up.
- Dressing: the ability to dress oneself unassisted, including outdoor clothing.
- Undressing: the ability to undress oneself unassisted, including outdoor clothing.
- Bladder relief: the ability to relieve one's bladder by the unassisted use, where applicable, of special equipment for that purpose.
- Bowel movements: the ability to relieve one's bowels by the unassisted use, where applicable, of special equipment for that purpose.
- Eating: the ability to lift properly prepared food from the plate to one's mouth unassisted, by using, where applicable, special equipment for that activity.
- Use of home facilities: the ability to use, unassisted, common household appliances and devices such as bathroom facilities, the telephone and television, taking into consideration, where applicable, the use of a technical aid or adaptation of the residence.
- Preparation of breakfast, lunch and dinner: the ability to prepare meals and to wash dishes. Preparation of each meal is evaluated separately.

- **Light housekeeping:** the ability perform, unassisted, regular housekeeping activities such as dusting, sweeping, carrying out garbage cans and making beds.
- **Housecleaning:** the ability to perform, unassisted, housecleaning activities such as cleaning the refrigerator and the oven, washing floors and windows, spring cleaning.
- **Laundry:** the ability to use, unassisted, appliances for washing and drying clothes, including activities related thereto such as folding, ironing and putting away clothes.
- **Shopping:** the ability to use, unassisted, the facilities required to make the necessary purchases of groceries, hardware, pharmaceuticals, or to use public services such as banking and postal services, taking into consideration, where applicable, the use of a technical aid or adaptation of the residence.

3. EVALUATION OF SUPERVISION NEEDS

3. Table of evaluation of supervision needs

Higher cerebral functions	A- Close supervision required	B- Moderate supervision required	C- No supervision required	D- No points Enter D-1, D-2 or D-3
Circle the points corresponding to the supervision need pertaining to each of the following functions				
Memory	2	1	0	
Temporal orientation	2	1	0	
Spatial orientation	2	1	0	
Communication	2	1	0	
Self-control	2	1	0	
Contact with reality	2	1	0	
Supervision needs				

A: Close supervision required

The occurrence has altered this higher cerebral function and the worker must usually be kept under constant supervision except in certain daily situations where he may be left alone.

B: Moderate supervision required

The occurrence has altered this higher cerebral function and the worker must be supervised in certain daily situations. He may be left alone outside of those daily situations. Those situations are foreseeable and probable on a daily basis.

C: No supervision required

The occurrence has not significantly altered the worker's abilities with respect to this higher cerebral function and he requires no supervision or only in occasional or unforeseeable circumstances.

D: No points (enter D-1, D-2 or D-3)

D-1: The worker already had significant difficulties before the occurrence.

D-2: The need is already covered by a specialized resource or other rehabilitation measure.

D-3: Another reason explained in section 3.2 "Explanations or comments".

3.2 Explanations or comments

(specify the activities affected, the ability to stay by oneself for a few hours or a day and the degree of supervision required)

3.3 Table of monthly amount of personal home assistance for supervision needs

A single score is assigned. The highest score (2, 1 or 0) is kept and the monthly amount corresponding thereto is added to the amount determined in Table 2.3 (subject to the maximum amount provided for in section 160 of the Act).

Score	Amount
0	\$0
1	\$149
2	\$446

Results to be carried over to section 4 entitled "Summary".

3.4 Description of items evaluated**Higher cerebral functions:**

- **Memory:** the ability to recall very recent events such as a running bath or something cooking on the stove, recent events such as an activity that took place a few hours earlier or more distant events such as paying one's rent, and the ability to act accordingly.
- **Temporal orientation:** the ability to situate oneself in the context of passing hours and days such that one can follow a schedule and keep appointments, and the ability to act accordingly.
- **Spatial orientation:** the ability to situate oneself in a known or familiar environment such that one can find the rooms in a house, recognize one's address and find one's way around the neighbourhood, and the ability to act accordingly.
- **Communication:** the ability to express one's needs in a comprehensible manner, verbally, in writing, with gestures and with sounds and to understand simple orders and instructions in everyday life, and the ability to act accordingly.

- **Self-control:** the ability to behave appropriately in terms of the surroundings or the people present and to control one's impulses or inhibitions so as to avoid placing oneself or others in a dangerous or socially unacceptable situation.

- **Contact with reality:** the ability to analyze and solve problems of everyday life and to make reasonable, safe and opportune decisions on the social, financial and personal level.

4- SUMMARY

Scores and amounts determined:

- Assistance needs: _____ /48 points \$ _____

- Supervision needs (0, 1, or 2) _____ points + \$ _____

Total monthly amount of assistance granted: \$ _____

(may not exceed the maximum amount provided for in section 160 of the Act)

Evaluation covering the period:

From _____ / _____ / _____ to _____ / _____ / _____
year month day year month day

Personal assistance services given by:

Evaluation made by (name of rehabilitation counsellor):

Date: _____ / _____ / _____
year month day

Resource persons consulted:



Municipal affairs

(L.S.)
Gouvernement
du Québec

MARTIAL ASSELIN, C.P., C.R.

At Québec, this seventh day of September, one thousand nine hundred and ninety-four.

By command,

MICHEL BOUCHARD,
Deputy Attorney General

Letters patent

Issue of letters patent in order to strike a provision from the charter of Ville de Brossard.

WHEREAS under section 3 of the Cities and Towns Act (R.S.Q., c. C-19), the Government may grant letters patent to strike any provision from the charter of a municipality;

WHEREAS a petition for amendment of the charter of Ville de Brossard has been submitted by the council of that town;

WHEREAS that petition concerns the striking out of the fourth paragraph of section 1 of the Act respecting the town of Brossard (1979, c. 101);

WHEREAS that paragraph enacts that the town is required to pay, regarding immovables it owns for purposes of a land or housing bank, all the taxes that may be required from a property owner in the municipality;

WHEREAS the formalities prescribed by section 3 have been completed;

WHEREAS it is expedient to follow up on the petition of the town;

THEREFORE, in accordance with Order in Council 1329-94 made by the Gouvernement du Québec on 7 September 1994, upon the recommendation of the Minister of Municipal Affairs, it is declared and ordered:

THAT, through the issue of letters patent, the charter of Ville de Brossard be amended by striking out the fourth paragraph of section 1 of the Act respecting the town of Brossard (1979, c. 101).

IN WITNESS WHEREOF, the Government issues these letters patent under the Great Seal of Québec.
Witness: the Right Honourable MARTIAL ASSELIN, P.C., Q.C., Lieutenant-Governor of Québec.

Libro: 1550
Folio: 6

8721



Erratum

Professional Code
(R.S.Q., c. C-26)

Notaries — Refresher training

Gazette officielle du Québec, Part 2, Vol. 126, No. 41,
October 5, 1994, O.C. 1363-94, 7 September 1994,
pp. 4203, 4204 and 4205.

This O.C. is replaced by the following:

“O.C. 1363-94, 7 September 1994

Professional Code
(R.S.Q., c. C-26)

Notaries — Refresher training

Regulation respecting refresher training periods for
notaries

WHEREAS under paragraph *j* of section 94 of the
Professional Code (R.S.Q., c. C-26), the Bureau of the
Chambre des notaires may, by regulation, determine
cases where a notary may be required to serve a period
of refresher training or take a refresher course, or re-
quired to do both;

WHEREAS under the above-mentioned paragraph, the
Bureau made the Regulation respecting refresher train-
ing period for notaries and the limitation of the right to
practise;

WHEREAS in accordance with sections 10 and 11 of
the Regulations Act (R.S.Q., c. R-18.1), the text of that
Regulation was published in Part 2 of the *Gazette
officielle du Québec* of 15 December 1993, with a notice
that it could be submitted to the Government for ap-
proval on the expiry of 45 days following that publica-
tion;

WHEREAS in accordance with section 95 of the Code,
the Office des professions du Québec has made its rec-
ommendations;

WHEREAS it is expedient to approve the Regulation
with amendments;

IT IS ORDERED, therefore, on the recommendation of
the Minister responsible for the administration of legis-
lation respecting the professions:

THAT the Regulation respecting refresher training pe-
riods for notaries, attached to this Order in Council, be
approved.

BENOÎT MORIN,
Clerk of the Conseil exécutif

Regulation respecting refresher training periods for notaries

Professional Code
(R.S.Q., c. C-26, s. 94, par. *j*)

1. The Bureau may require a notary to serve a re-
freshers training period where

(1) the notary's name is entered on the roll more than
2 years after the notary obtained his permit or more than
2 years after the date on which he became entitled to
such permit;

(2) the notary's name is re-entered on the roll 2 years
or more after the notary resigned from the Order;

(3) the notary's name is re-entered on the roll after
having been struck off for more than 2 years;

(4) the professional inspection committee or the com-
mittee on discipline has made a recommendation to that
effect pursuant to section 113 or 160 of the Professional
Code (R.S.Q., c. C-26); or

(5) the notary has served a refresher training period
not considered to comply with the objectives and terms
determined by the Bureau.

2. The refresher training period may include, in par-
ticular,

(1) a program of supplementary or refresher courses
authorized by the Bureau; and

(2) activities related to the practice of the profession
under the supervision and responsibility of a tutor.

3. A tutor is responsible for directing and assisting the notary in carrying out the activities of the refresher training period and for verifying whether the refresher training period complies with the objectives and terms determined by the Bureau.

4. A refresher training period may not extend over a period of more than 12 consecutive months.

5. The Bureau may require from a notary who must serve a refresher training period such reports and certificates as it deems necessary to ascertain that the prescribed conditions have been duly met and that the deficiencies observed have been remedied.

In the case of activities carried out under the direction of a tutor, the tutor shall, within 15 days following the completion of his duties, send to the Bureau and to the notary a report, with reasons, stating whether the notary, while under the tutor's supervision and responsibility, has complied with the objectives and terms determined by the Bureau.

The Bureau may also require additional reports from the notary or the tutor on such dates as it may determine.

6. After examining each of the required reports, the Bureau shall decide, within 60 days of receiving the last report, whether the refresher training period served by the notary complies with the objectives and terms determined. The Bureau may require the notary to serve another refresher training period, in accordance with the terms it determines, where it is of the opinion that the deficiencies observed at the time of the decision requiring the notary to serve a refresher training period have not been remedied.

7. Before deciding to require a notary to serve a refresher training period and, where applicable, to restrict his right to practise, the Bureau shall allow the notary to be heard. To that end, the Bureau shall send to the notary, by registered or certified mail, a written notice of at least 15 clear days, indicating the date and place of the hearing.

8. The Bureau's decision requiring a notary to serve a refresher training period and, where applicable, restricting his right to practise, shall give reasons and shall be sent as soon as possible to the notary by registered or certified mail.

The Bureau shall communicate to the notary's employer and partners the decision requiring the notary to serve a refresher training period and, where applicable, restricting his right to practise.

9. A decision requiring a notary to serve a refresher training period and, where applicable, restricting his right to practise shall take effect on receipt of the decision by the notary.

10. During a refresher training period, the Bureau may, upon presentation of a written request by the notary giving reasons, reduce the duration and the requirements of the refresher training period and, where expedient, may ease the conditions restricting the notary's right to practise. The Bureau shall forward such decision to the notary and, where applicable, to his tutor.

11. The Bureau's ruling on the validity of the refresher training period served by a notary and, where applicable, on the lifting of the restriction on his right to practise shall give reasons and shall be sent to the notary and, where applicable, to his tutor, employer and partners by registered or certified mail.

12. At all times, the Administrative Committee may exercise the Bureau's powers described in this Regulation.

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

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Abbreviations: A: Abrogated, N: New, M: Modified

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