

1984, chapter 37

**AN ACT RESPECTING THE CONTINUATION OF
SERVICES BY AND CONDITIONS OF EMPLOYMENT
OF AMBULANCE TECHNICIANS IN ADMINISTRATIVE
REGION 6A (GREATER MONTRÉAL)**

Bill 23

Introduced by Mr Guy Chevrette, Minister of Social Affairs

Introduced: 20 December 1984

Passage in principle: 20 December 1984

Passage: 20 December 1984

Assented to: 20 December 1984

Coming into force: 20 December 1984

Act amended: None



CHAPTER 37

An Act respecting the continuation of services by and conditions of employment of ambulance technicians in administrative region 6A (greater Montréal)

[Assented to 20 December 1984]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

INTERPRETATION

Interpre-
tation

1. In this Act, unless the context indicates otherwise,

“association of employees” means an association certified pursuant to the Labour Code (R.S.Q., chapter C-27) to represent an employee;

“employer” means a person indicated in the schedule who operates an emergency medical vehicle service or who operates an ambulance service under a permit issued in accordance with Division VI of the Public Health Protection Act (R.S.Q., chapter P-35) or any other person in favour of whom a service operated by a person indicated in the schedule is alienated or transferred in whole or in part;

“collective agreement” has the same meaning as in the Labour Code;

“employee” means an employee within the meaning of the Labour Code who is included in a bargaining unit for which an association of employees is certified and who is on 20 December 1984 an ambulance technician employed by an employer or who becomes so thereafter.

DIVISION II

CONTINUATION OF SERVICES

Services
continued

2. Every employer shall proceed to carry on his normal operations in order to maintain service as usual.

Obligations of the employer He shall in particular receive requests made to him by the coordinating centre established pursuant to section 18.3 of the Act respecting health services and social services (R.S.Q., chapter S-5) and carry them out, in keeping with the instructions and procedures of the centre.

Obligations of the employees **3.** Every employee shall perform all the duties attached to his position under the conditions of employment applicable to him without stoppage, slow-down or decrease of his normal activities.

Prohibition **4.** Every employee is prohibited from obstructing, by omission or otherwise, the normal operation of the service which an employer is required to furnish pursuant to section 2.

Obligations of associations **5.** Every association of employees and every union, federation, confederation, congress or council to which an association of employees belongs or is affiliated or of which it is a member shall take the appropriate measures to induce the employees represented by the association of employees to comply with sections 3 and 4.

DIVISION III

CONDITIONS OF EMPLOYMENT

Filing of conditions of employment **6.** Not later than 31 December 1984, the Minister of Social Affairs shall file in the office of the Labour Commissioner General the text of the provisions relating to the conditions of employment of the employees.

Contents The text shall reproduce the provisions of Sessional Paper No 242 tabled in the National Assembly 20 December 1984.

Collective agreement **7.** In respect of each employer and each association of employees, the provisions of the text tabled in the office of the Labour Commissioner General pursuant to section 6 constitute a collective agreement and the filing of the text has effect as a filing under section 72 of the Labour Code.

Effect The collective agreements constituted under this section bind the parties from 1 January 1985 to 31 December 1987.

DIVISION IV

PENALTIES

Offences and penalties **8.** Every person who contravenes or incites or encourages a person to contravene section 2, 3 or 4 is guilty of an offence and liable, in addition to costs, for each day or part of a day for which the contravention continues, to a fine

(1) of \$50 to \$200 in the case of an employee or another natural person not contemplated in subparagraph 2;

(2) of \$2 000 to \$10 000 in the case of a person who, on 20 December 1984, was an officer, director, employee, agent or adviser of an association of employees, union, federation, confederation, congress or council, or a director, agent or adviser of an employer, or who became so after that date;

(3) of \$10 000 to \$50 000 in the case of an association of employees, union, federation, confederation, congress or council.

Association
deemed
party to the
offence

Where a person referred to in subparagraph 2 of the first paragraph is guilty of an offence, the association of employees, union, federation, confederation, congress or council of which he is or has been an officer, director, employee, agent or adviser is deemed a party to the offence and is liable, in addition to costs, to the fine prescribed in subparagraph 3 of the first paragraph, for each day or part of a day for which the offence continues, whether or not the officer, director, employee, agent or adviser has been prosecuted or found guilty.

Offences
and
penalties

9. Every association of employees which fails to take the measures prescribed in section 5 is guilty of an offence and is liable, in addition to costs, to a fine of \$10 000 to \$50 000 for each day or part of a day for which an employee it represents contravenes section 3.

Offences
and
penalties

10. Every union, federation, confederation, congress or council which contravenes section 5 is guilty of an offence and is liable, in addition to costs, to a fine of \$10 000 to \$50 000 for each day or part of a day for which an employee represented by the association of employees that belongs to or is affiliated with or is a member of the union, federation, confederation, congress or council fails to take the measures prescribed by section 5.

Parties to
the offence

11. Where an association of employees or a union, federation, confederation, congress or council has been guilty of an offence described in section 8, 9 or 10, every person who was on 20 December 1984 an officer, director, employee, agent or adviser thereof or who became so thereafter and who participated in making the contravention or acquiesced therein is deemed a party to the offence and is liable, in addition to costs, to the fine prescribed in subparagraph 2 of the first paragraph of section 8, for each day or part of a day for which the offence continues, whether or not the association, union, federation, confederation, congress or council has been prosecuted or found guilty.

Prosecution **12.** Prosecution of offences described in sections 8 to 11 shall be brought in accordance with the Summary Convictions Act (R.S.Q., chapter P-15) by the Attorney General or by a person generally or specially authorized in writing by him for that purpose.

DIVISION V

FINAL PROVISIONS

Effect **13.** Division II ceases to have effect on 31 December 1987 or on any earlier date fixed by order of the Government.

Exception **14.** This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

Coming into force **15.** This Act comes into force on 20 December 1984.

SCHEDULE

- (1) Les ambulances Trudeau Inc.
- (2) Canada 112 844 Inc. operating under the firm name Ambulances S.O.S. Enr.
- (3) Canada 112 845 Inc. operating under the firm name S.O.S. médecins Enr.
- (4) St-Laurent Service Médical Inc.
- (5) Les Services d'Urgence C.A.L. Inc.
- (6) Service Para Médical Métropolitain Inc.
- (7) Médic I ambulance Inc.
- (8) Canada 123 479 Inc. operating under the firm name A.B. Ambulance Inc.
- (9) Ambulances Ghiscar Inc.
- (10) Laval Médic Inc.
- (11) Canada 123 102 Inc. operating under the firm name Services d'ambulances des Pins Inc.
- (12) Les Ambulances Marcos Inc.
- (13) Les Ambulances Ressucicar Inc.
- (14) Les Ambulances Forest et Perlmutter (F % P) Inc.
- (15) Les Ambulances Hana Inc. (123 100 Canada Inc.)
- (16) Les Ambulances Lemay Inc.
- (17) Les Ambulances Vimont Limitée
- (18) Les Ambulances André Inc (Canada 123099 Inc)