



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 188

**An Act to amend the Act respecting
the Conseil consultatif du travail et
de la main-d'oeuvre and other
legislation**

Introduction

**Introduced by
Mr Normand Cherry
Minister of Labour**



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EXPLANATORY NOTES

The object of this bill is to allow the Conseil consultatif du travail et de la main-d'oeuvre to release the general policy, including the criteria for the appraisal of the qualifications and conduct of arbitrators, taken into consideration for the purpose of advising the Minister of Labour in respect of the list of arbitrators.

The Council will be authorized to examine certain complaints concerning an arbitrator and make the recommendations it deems appropriate to the Minister of Labour.

In addition, the bill authorizes the Minister of Labour to amend the list of arbitrators in the course of the year and requires that the Conseil consultatif du travail et de la main-d'oeuvre be consulted before any regulation concerning the remuneration of arbitrators is adopted. Finally, the bill includes an immunity clause for members of the Council and concordance provisions.

ACTS AMENDED BY THIS BILL:

- Act respecting the Conseil consultatif du travail et de la main-d'oeuvre (R.S.Q., chapter C-55);
- Labour Code (R.S.Q., chapter C-27);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20).

Bill 188

An Act to amend the Act respecting the Conseil consultatif du travail et de la main-d'oeuvre and other legislation

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Act respecting the Conseil consultatif du travail et de la main-d'oeuvre (R.S.Q., chapter C-55) is amended by inserting, after section 2, the following section:

“2.1 The Council may release the general policy taken into consideration for the purpose of advising the Minister of Labour in respect of the list of arbitrators referred to in section 77 of the Labour Code (R.S.Q., chapter C-27) and advising him under this section. The policy may include criteria for the appraisal of the arbitrators' qualifications and conduct.

The Council shall examine the complaints it receives concerning the remuneration paid to and the expenses claimed by the arbitrators whose names appear on the list as well as those concerning the conduct and qualifications of the arbitrators. The council shall also examine any complaint concerning an arbitrator submitted to it by the Minister.

The Council shall attempt to settle complaints to the satisfaction of the complainant and the arbitrator. If no settlement is reached, the Council shall transmit its findings together with the recommendations that it deems appropriate to the Minister of Labour, with a copy to the complainant and the arbitrator.”

2. The said Act is amended by inserting, after section 13, the following section:

“13.1 No member of the Council may be prosecuted by reason of an act done in good faith in the performance of his duties under

section 2.1 of this Act, section 77 of the Labour Code and section 216 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001).”

3. Section 77 of the Labour Code (R.S.Q., chapter C-27) is amended by adding, at the end of the second paragraph, the following sentence: “The Minister may, in the same manner, amend the list in the course of the year.”

4. Section 103 of the said Code is amended by replacing the first paragraph by the following paragraph:

“**103.** The Government shall determine, by regulation, after consultation with the Conseil consultatif du travail et de la main-d’oeuvre, the remuneration and expenses to which the arbitrators of disputes and grievances are entitled.”

5. Section 62 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by striking out the words “by the Conseil consultatif du travail et de la main-d’oeuvre” in the seventh and eighth lines of the first paragraph.

6. Section 105 of the said Act is amended by striking out the words “by the Conseil consultatif du travail et de la main-d’oeuvre” in the sixth and seventh lines of the second paragraph.

7. This Act comes into force on (*insert here the date of assent to this Act*).