



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 34

An Act respecting the resumption of transportation service in the territory of certain school boards

Introduction

**Introduced by
Mr Claude Ryan
Minister of Education**

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EXPLANATORY NOTES

The object of this bill is to ensure the resumption of pupil transportation in certain school boards.

The bill fixes the amount of increase in the wage rates of the employees of Autobus Terrebonne Inc. until 31 August 1986. It also provides for the establishment of a mediation board to make recommendations to the parties concerning the remuneration that will be applicable during the next collective agreement.

Bill 34

An Act respecting the resumption of transportation service in the territory of certain school boards

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

INTERPRETATION

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

“association of employees” means the Syndicat des Autobus Terrebonne;

“employee” means an employee within the meaning of the Labour Code (R.S.Q., chapter C-27) who was an employee of Autobus Terrebonne Inc. on 20 October 1985 or became so thereafter and who is included in a bargaining unit for which the association of employees is certified;

“employer” means Autobus Terrebonne Inc.

DIVISION II

RESUMPTION OF SERVICES

2. Every employee shall, from 12:01 a.m. on 27 March 1986, return to work and perform all the duties attached to his functions, taking account of his work schedule and of the other conditions of employment that are applicable to him, without any interruption, slowdown or reduction in his ordinary activities.

The requirements of this section do not apply to bus drivers until 1 April 1986.

3. The employer and its officers shall, from the same time, take the appropriate means to organize transportation services and, from 1 April 1986, provide such services to the pupils of the school boards concerned.

4. Every employee is prohibited from obstructing, by omission or otherwise, the normal operation of the services that the employer is required to organize and furnish pursuant to section 3.

5. The association of employees and its officers shall take the appropriate measures to induce the members of the association to comply with section 2.

DIVISION III

CONDITIONS OF EMPLOYMENT

6. The collective agreement in force between the association of employees and the employer is amended so as to give effect to the clauses set forth in the schedule to this Act.

7. The collective agreement amended as in section 6 is a collective agreement within the meaning of the Labour Code.

It is binding between the parties until 31 August 1986.

DIVISION IV

MEDIATION BOARD

8. A mediation board composed of three members, including the chairman, is hereby established.

9. Each party shall appoint one member to the board. .

The chairman shall be appointed by the Minister after consultation with the parties.

If a party fails to appoint a member before (*insert here the date occurring ten days after the date of assent to this Act*), the member shall be appointed by the Minister.

10. The mandate of the mediation board is to make recommendations to the parties on the remuneration applicable for the duration of the next collective agreement.

11. The mediation board shall submit its report to the parties not later than 31 August 1986 and, at the same time, send a copy of the report to the Minister of Labour.

DIVISION V

PENALTIES

12. 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 during which the contravention continues, to a fine

(1) of \$25 to \$100 in the case of an employee or other natural person not contemplated in paragraph 2;

(2) of \$1 000 to \$10 000 in the case of a person who, on 26 March 1986, was an officer, employee or agent of an association of employees, union, federation, confederation, congress, council or syndicate or an officer or agent of the employer, or who became so thereafter;

(3) of \$5 000 to \$50 000 in the case of the employer or an association of employees, union, federation, confederation, congress, council or syndicate.

13. Where the association of employees or any of its officers fails to comply with section 5, it or he is guilty of an offence and is liable, in addition to costs, to the fine prescribed in paragraph 2 or 3 of section 12, as the case may be, for each day or part of a day during which an employee who is a member of the association contravenes section 2.

14. Prosecution of offences described in sections 12 and 13 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 VI

FINAL PROVISIONS

15. Division II ceases to have effect on 31 August 1986 or on any earlier date fixed by order of the Government.

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

SCHEDULE

Clauses amending the collective agreement between the employer and the association of employees

- 1- The wage rates are increased by 3.5% from 31 August 1985.
- 2- Section 28.02 of the collective agreement ceases to have effect.