

NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

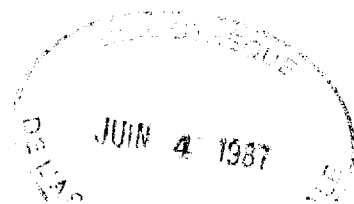
Bill 41

An Act respecting the Conseil consultatif sur l'emploi et la sécurité du revenu

Introduction

**Introduced by
Mr Pierre Paradis
Minister of Labour**

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EXPLANATORY NOTES

This bill establishes a body, the Conseil consultatif sur l'emploi et la sécurité du revenu, whose main role will consist in advising the Minister of Labour and the Minister of Manpower and Income Security in the fields of collective and individual labour relations, employment, manpower and income security.

This bill is designed to ensure that all parties and groups concerned by these matters are represented on the council.

The council will succeed to the Conseil consultatif du travail et de la main-d'oeuvre and assume part of the duties of the Conseil des affaires sociales et de la famille.

Bill 41

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

ESTABLISHMENT AND ORGANIZATION

1. A council called the “Conseil consultatif sur l'emploi et la sécurité du revenu” is hereby established.

2. The council shall be composed of not more than fifteen members, including a president, appointed by the Government.

Every member except the president shall be appointed on the advice of the associations or bodies most representative of unionized workers, employers, women's groups, non-unionized workers and other socio-economic groups active in the fields of individual or collective labour relations, employment, manpower and income security.

3. The Deputy Minister of Labour and the Deputy Minister of Manpower and Income Security, or the persons delegated by them for this purpose, shall take part in the sittings of the council but shall not have the right to vote.

4. The president is appointed for not more than five years and the other members for not more than three years.

At the end of their terms, the members remain in office until they are reappointed or replaced.

5. Any vacancy occurring during the term of office of a member of the council shall be filled as provided in section 2.

Failure to attend the number of sittings fixed by internal management by-law of the council constitutes a vacancy in the cases and circumstances indicated therein.

6. The president shall direct the activities and coordinate the work of the council.

7. The office of president of the council is incompatible with any other office.

The Government shall fix the remuneration, social benefits and other conditions of employment of the president.

8. If the president is unable to perform his duties, the Government shall appoint a person to replace him.

The Government shall fix the remuneration, social benefits and other conditions of employment of any person appointed under the first paragraph.

9. The members of the council other than the president shall receive no remuneration except in such cases, on such conditions and to such extent as may be determined by the Government.

However, they are entitled to reimbursement for expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

10. The council may hold its sittings anywhere in Québec.

The majority of the members form a quorum at sittings of the council.

11. The secretariat of the council shall be located at the place determined by the Government. A notice of the location and of any relocation of the secretariat shall be published in the *Gazette officielle du Québec*.

12. The staff of the council shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., F-3.1.1).

The president shall have in respect of the staff of the council all the powers conferred by the said Act on the chief executive officer of an agency.

DIVISION II

FUNCTIONS AND POWERS

13. The main function of the council is to advise the Minister of Labour or the Minister of Manpower and Income Security on any matter within his jurisdiction in the fields of individual or collective labour relations, employment, manpower and income security.

14. The council shall give its opinion to the Minister of Labour or to the Minister of Manpower and Income Security on any matter or project that he submits to it in the fields of individual or collective labour relations, employment, manpower or income security. The council shall in such a case carry out or commission such studies and research as the Minister may require.

The council shall give its opinion to the Minister of Labour on any matter or project pertaining to

(1) the list of arbitrators provided for in section 77 of the Labour Code (R.S.Q., chapter C-27);

(2) the government regulations under section 20 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2) or the repeal of regulations provided for in section 21 of the said Act;

(3) the list of pneumologists provided for in section 228 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001).

15. The council may

(1) submit to the Minister of Labour or to the Minister of Manpower and Income Security any matter pertaining to labour relations, employment, manpower or income security which, in its opinion, requires government attention and action;

(2) invite and receive opinions and suggestions from individuals and groups on any matter pertaining to such fields;

(3) after consultation with the Minister of Labour or the Minister of Manpower and Income Security, undertake the study of matters

relating to the exercise of his duties and carry out or commission the appropriate research.

16. The Minister of Labour or the Minister of Manpower and Income Security, as the case may be, is required to consult with the council as to any position he intends to take or recommend concerning adherence to national or international norms or standards.

17. The council may form committees for the study of particular matters and determine their attributions. It shall form such committees, at the request of the Minister of Labour.

The committees may be composed in whole or in part of persons who are not members of the council.

The members of the committees shall receive no remuneration except in such cases, on such conditions and to such extent as may be determined by the Government. However, they are entitled to reimbursement for expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

18. The council shall provide for its internal management by by-law. Every such by-law shall be submitted to the Government for approval.

DIVISION III

REPORT

19. The council shall transmit to the Minister of Labour and to the Minister of Manpower and Income Security, not later than 31 October each year, a report of its activities for the preceding fiscal year.

20. The Minister of Labour shall table the report of the council in the National Assembly within 30 days of receiving it, if it is in session, or, if it is not sitting, within 30 days of the opening of the next session or resumption.

DIVISION IV

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

21. The Act respecting the Conseil consultatif du travail et de la main-d'oeuvre (R.S.Q., chapter C-55) is repealed.

22. The Act respecting the Conseil des affaires sociales et de la famille (R.S.Q., chapter C-57) is amended by replacing section 2 by the following section:

“2. The Council may, with the approval of the Minister of Health and Social Services, undertake the study of any matter relating to social affairs and the family in the fields of health and social services.”

23. Section 4 of the said Act is amended by striking out the words “or the Minister of Manpower and Income Security, as the case may be,” in the second and third lines of the first paragraph.

24. Section 5 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph:

“5. The Council must give its advice to the Minister of Health and Social Services on any matter which he submits to it.”;

(2) by striking out the words “or the Minister of Manpower and Income Security, as the case may be,” in the first and second lines of the second paragraph.

25. Section 6 of the said Act is amended by striking out the words “or the Minister of Manpower and Income Security, as the case may be,” in the second and third lines of the second paragraph.

26. Section 7 of the said Act is amended

(1) by replacing the words “joint recommendation of the Minister of Health and Social Services and the Minister of Manpower and Income Security” in the second, third and fourth lines of the first paragraph by the words “recommendation of the Minister of Health and Social Services”;

(2) by striking out the words “the Deputy Minister of Manpower and Income Security or his delegate,” in the second and third lines of the second paragraph.

27. Section 11 of the said Act is amended by striking out the words “or the Minister of Manpower and Income Security, as the case may be” in the third and fourth lines of the first paragraph.

28. Section 17 of the said Act is amended by striking out the words “and the Minister of Manpower and Income Security” in the third and fourth lines of the first paragraph.

29. In any Act, regulation, order, order-in-council, proclamation, contract or other document, the words "Conseil consultatif du travail et de la main-d'oeuvre" are replaced by the words "Conseil consultatif sur l'emploi et la sécurité du revenu".

30. The staff of the Conseil consultatif du travail et de la main-d'oeuvre becomes, without other formality, the staff of the council established under this Act.

31. The records and other documents of the Conseil consultatif du travail et de la main-d'oeuvre are transferred to the council established under this Act.

32. The appropriations allocated to the former Council for the fiscal year 1987-88 are allocated to the council established under this Act, to the extent determined by the Government.

33. The Minister of Labour is responsible for the administration of this Act.

34. This Act will come into force on the date fixed by the Government.