

NATIONAL ASSEMBLY

FIRST SESSION

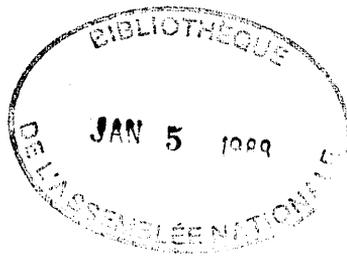
THIRTY-THIRD LEGISLATURE

Bill 114

**An Act to amend the Act respecting
labour relations, vocational training and
manpower management in the
construction industry**

Introduction

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



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EXPLANATORY NOTES

The principal object of this bill is to extend the time for negotiating collective agreements in the construction industry, to make a corresponding change in the prescribed time for changing union allegiance in the industry, and to make the effective date of the workers' choice of union allegiance coincide with the beginning of negotiations.

This bill also contains transitional measures, making it possible, should the term of the decree now governing the conditions of employment in the construction industry be extended, to postpone the beginning of the next round of collective bargaining in the industry, and making it clear that the union associations will not have to verify their representativeness over again.

Bill 114

An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 17 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by inserting the words “made by order under section 47” after the word “decree” in the third line of subsection 8.

2. The said Act is amended by replacing the expressions “expiry date of the decree” and “expiry of the decree” wherever they appear in sections 28 to 32, 36, 37 and 42 by the words “original expiry date of the decree made by order under section 47”.

3. Section 28 of the said Act is amended by replacing the word “eighth” in the eighth line by the words “first five days of the twelfth”.

4. Section 29 of the said Act is amended by replacing the word “seventh” in the second line by the word “twelfth”.

5. Section 30 of the said Act is amended

(1) by replacing the word “eighth” in the first line of subparagraph c of the first paragraph by the word “thirteenth”;

(2) by replacing the word “seventh” in the second line of the second paragraph by the word “twelfth”;

(3) by replacing the word “seventh” in the first line of the fourth paragraph by the word “twelfth”.

6. Section 31 of the said Act is amended by replacing the word “seventh” in the third line of the first paragraph by the word “twelfth”.

7. Section 32 of the said Act is amended by replacing the word “sixth” in the first line of the first paragraph by the word “eleventh”.

8. Section 34 of the said Act is amended by replacing the third paragraph by the following paragraph:

“The certificate has effect from the first day of the eighth month preceding the original expiry date of the decree made by order under section 47.”

9. Section 36 of the said Act is amended by replacing the word “second” in the first line of the second paragraph by the word “eighth”.

10. Section 37 of the said Act is amended by replacing the word “third” in the third line by the word “ninth”.

11. Section 42 of the said Act is amended

(1) by replacing the word “third” in the first line of the second paragraph by the words “first day of the seventh”;

(2) by adding, at the end of the fourth paragraph, the following sentence: “To that end, the associations may agree on a bargaining structure and bargaining procedures.”

TRANSITIONAL AND FINAL PROVISIONS

12. The ballot held pursuant to the Regulation respecting the holding of a secret ballot among the employees of the construction industry made by Order in Council 1559-87 (1987, G.O. 2, 6010) is deemed to have been held within the time prescribed in section 32 of the Act respecting labour relations, vocational training and manpower management in the construction industry.

13. A certificate establishing the degree of representativeness of an association and an employee’s card issued after the holding of the ballot referred to in section 12 pursuant to sections 34 and 36 of the said Act take effect on 1 March 1988.

Notwithstanding the first paragraph, the certificate takes effect, for the purposes of section 51 of the said Act, on 15 February 1988.

The certificate takes effect, for the purposes of Chapter V and section 47 of the said Act, on the said date if a first decree extending the Construction Decree adopted by Order in Council 172-87 (1987, G.O. 2, 1271) for a period of at least six months has not been adopted before that date or, if such a decree extending the decree has been so adopted, on the first day of the eighth month preceding its expiry date fixed in such decree extending the decree.

14. Where the certificate referred to in section 34 of the said Act is still valid on (*insert here the date of the day preceding the coming into force of this section*), it ceases to have effect on the dates on which the certificate referred to in section 13 takes effect, according to the purposes described in that section.

Where the card referred to in section 36 of the said Act is still valid on (*insert here the date of the day preceding the coming into force of this section*), it ceases to have effect on the date on which the card referred to in the first paragraph of section 13 takes effect.

15. The notice provided for in section 42 of the said Act in view of beginning the negotiation of a collective agreement may be given from the date of taking effect of the certificate for the purposes of Chapter V of the said Act determined under the second paragraph of section 13, and not later than the first day of the month following that date.

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