

THIRD SESSION

THIRTY-SECOND LEGISLATURE

NATIONAL ASSEMBLY OF QUÉBEC

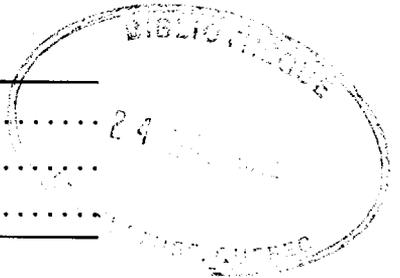
Bill 22

An Act to amend the Civil Service Act

First reading

Second reading

Third reading



MADAME DENISE LEBLANC-BANTEY

Minister of the Civil Service

QUÉBEC OFFICIAL PUBLISHER

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EXPLANATORY NOTES

The object of this bill is to amend the Civil Service Act (R.S.Q., chapter F-3.1) in order to establish a special system of collective bargaining for civil servants performing the duties of a peace officer.

In accordance with the wishes of the employees, henceforth, it will be possible to split the existing bargaining unit, which represents all persons performing duties of a peace officer, into separate units composed of employees according to their different duties.

Lastly, this bill provides for the establishment, for each unit, of a joint parity committee, which will be responsible for negotiating a collective agreement, and a method for settling disputes.

Bill 22

An Act to amend the Civil Service Act

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

1. The Civil Service Act (R.S.Q., chapter F-3.1), amended by chapter 3 of the statutes of 1981, is again amended by inserting, before section 110, the following:

"DIVISION I

"GENERAL PROVISIONS".

2. Section 110 of the said Act is amended by replacing paragraph *d* by the following paragraph:

"(d) employees who are wild life conservation officers, fishery officers, youth court constables, security officers, transport inspectors, house of detention instructors, guards or nursing attendants, and other persons performing duties of a peace officer."

3. Section 113 of the said Act is amended by adding the following paragraph:

"With the consent of the majority of the employees who are members of a group contemplated in paragraph *d* of section 110, certification may be granted to an association to represent more than one of such groups."

4. Section 114 of the said Act is replaced by the following section:

114. Any association of employees contemplated in this Act has the right to affiliate, but an association of employees contem-

plated in paragraph *d* of section 110 shall only affiliate with an association exclusively grouping employees performing duties of a peace officer, except the members of the Sûreté du Québec.”

5. Section 115 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**115.** Any group of employees contemplated in paragraph *d* of section 110 is forbidden to strike.”

6. The said Act is amended by inserting, after section 116, the following:

“DIVISION II

“SPECIAL PROVISIONS APPLICABLE TO PERSONS
PERFORMING DUTIES OF A PEACE OFFICER

“ § 1. — *Bargaining method*

“**116.1** A joint parity committee is instituted for each certified association representing one or more groups of employees contemplated in paragraph *d* of section 110.

The committee shall consist of a chairman, who shall not have the right to vote, appointed by the Government after consultation with the association concerned, and eight other members of whom four shall be appointed by the Minister of the Civil Service and four by each certified association.

“**116.2** The committee shall initiate and carry on negotiations in which its members shall take part as representatives of the Minister of the Civil Service or of the certified association with a view to the making or the renewal of a collective agreement.

“**116.3** The committee shall meet at the request of the chairman who shall convene it whenever requested by the Minister of the Civil Service or by the certified association.

“**116.4** When it deems it expedient, the committee shall submit to the Government its recommendations concerning the making or the renewal of a collective agreement.

“ § 2. — *Collective agreement*

“**116.5** On being approved by the Government, the recommendations of the committee submitted pursuant to section 116.4 have the effect of a collective agreement signed by the parties.”

“ § 3. — *Method for the settlement of disputes*

“**116.6** The Committee shall negotiate a method for the settlement of disputes.

7. Notwithstanding the time limit provided in section 111.3 of the Labour Code (R.S.Q., chapter C-27), an association of employees may, within 45 days following the date of the coming into force of this section, apply for certification under section 112 or 113 of the Civil Service Act to represent one or more groups of employees contemplated in paragraph *d* of section 110 of the latter Act.

8. Notwithstanding the second paragraph of section 113 of the Civil Service Act, the Syndicat des agents de la paix du Gouvernement du Québec shall continue to represent the groups of employees contemplated in paragraph *d* of section 110 of the said Act with the exception, however, of those groups that will have arranged to be represented by another association certified for that purpose.

9. This Act will come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by that proclamation, which will come into force on any later dates fixed by proclamation of the Government.