

FOURTH SESSION

THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 88

**An Act to ensure the maintaining of electrical services
and to provide the conditions of employment of the
employees of Hydro-Québec**

First reading
Second reading
Third reading

M. PIERRE MARC JOHNSON

Ministre du travail et de la main-d'oeuvre

L'ÉDITEUR OFFICIEL DU QUÉBEC

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EXPLANATORY NOTE

The object of this bill is to ensure the resumption of regular service furnished to consumers by Hydro-Québec, and to provide the conditions of employment applicable to the employees of Hydro-Québec.

Bill 88

An Act to ensure the maintaining of electrical services
and to provide the conditions of employment of the
employees of Hydro-Québec

HER MAJESTY, with the advice and consent of the Assemblée
nationale du Québec, enacts as follows:

DIVISION I

INTERPRETATION

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

“association of employees” means the Syndicat des employés de métiers de l’Hydro-Québec, (Canadian Union of Public Employees), local 1 500, the Syndicat des techniciens de l’Hydro-Québec, (Canadian Union of Public Employees), local 957, and the Syndicat des employés de bureau de l’Hydro-Québec, (Canadian Union of Public Employees), local 2 000, including the outside employees “PLT-CL”;

“employee” means an employee within the meaning of the Labour Code, who was an employee of Hydro-Québec on 28 November 1979, and who is included in the bargaining unit for which an association of employees is certified.

DIVISION II

RESUMPTION OF SERVICES

2. Every employee shall, from 00:01 hours on 19 December 1979, taking account of his work schedule, return to work and perform all the duties attached to his functions pursuant to the conditions of employment that are applicable to him.

3. From 00:01 hours on 19 December 1979, Hydro-Québec shall take the appropriate measures to ensure resumption of its ordinary activities.

4. Every association of employees must take the appropriate measures to induce its members to comply with section 2.

DIVISION III

CONDITIONS OF EMPLOYMENT

5. The last collective agreements binding between Hydro-Québec and the associations of employees are renewed. They are, however, amended in order to render applicable the written agreements that have been reached between the parties in the course of the negotiations for the renewal of the collective agreements and the recommendations made by the mediators appointed by the Ministre du travail on 10 December 1979 in the report they transmitted to the parties on 13 December 1979.

The collective agreements thus renewed and amended constitute collective agreements within the meaning of the Labour Code. They are binding on the parties until 29 December 1982.

DIVISION IV

SANCTIONS

6. Every association of employees and every union, federation or confederation to which an association of employees belongs which authorizes, encourages or incites a person to contravene section 2 or to participate in a prohibited strike, is guilty of an offence and is liable, in addition to costs, to a fine of \$5 000 to \$50 000 for each day or part of a day during which the contravention continues.

Where any such association, union, federation or confederation has been guilty of an offence contemplated in the preceding paragraph, each of its officers, directors, employees, agents or advisers who participated in the commission of the offence or who acquiesced in it, is deemed a party to the offence and is liable to the penalty provided for the offence, whether the association, union, federation or confederation has or has not been prosecuted or convicted.

7. Every officer, director, employee, agent or adviser of an association, union, federation or confederation contemplated in section 6, who authorizes, encourages or incites a person to contravene section 2 or to participate in a prohibited strike, is guilty

of an offence and is liable, in addition to costs, to a fine of \$5 000 to \$50 000 for each day or part of a day during which the contravention continues.

An association of employees, union, federation or confederation contemplated in section 6, of which an officer, director, employee, agent or adviser is guilty of an offence contemplated in the preceding paragraph is a party to the offence and is liable to the prescribe fine in the same manner as such person.

8. Every employee who contravenes section 2 or participates in a strike or slowdown during the term of a collective agreement contemplated in section 5, is guilty of an offence and is liable, in addition to costs, to a fine of \$25 to \$100 for each day or part of a day during which the contravention continues.

9. Proceedings are instituted in accordance with the Summary Convictions Act (R.S.Q., c. P-15) by the Attorney General or by a person generally or specially authorized by him for that purpose.

DIVISION V

FINAL PROVISIONS

10. This act does not have the effect of exempting the Corporation and the employees contemplated by it from the application of the Labour Code.

11. This act comes into force on the day of its sanction.