

NATIONAL ASSEMBLY
Thirty-fourth Legislature, first session

1991, chapter 40
**AN ACT RESPECTING THE RESTORATION
OF THE SENIORITY OF CERTAIN EMPLOYEES
OF THE HEALTH AND SOCIAL SERVICES
SECTOR**

Bill 157

Introduced by Mr Marc-Yvan Côté, Minister of Health and Social Services

Introduced 18 June 1991

Passage in principle 19 June 1991

Passage 19 June 1991

Assented to 20 June 1991

Coming into force: 20 June 1991

Act amended: None



CHAPTER 40

An Act respecting the restoration of the seniority of certain employees of the health and social services sector

[Assented to 20 June 1991]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Restoration
of seniority

1. The seniority of an employee to whom an order made under section 23 of the Act to ensure that essential services are maintained in the health and social services sector (R.S.Q., chapter M-1.1) applies in relation to a work stoppage which occurred in 1989 shall be restored by his employer as of 1 July 1991 according to the terms and conditions determined by agreement.

Agreement

As regards the employees of an establishment or of a health and social services council, such an agreement shall be entered into in accordance with Chapter III or Chapter IV, as the case may be, of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2). As regards the employees of the Corporation d'urgences-santé de la région de Montréal Métropolitain, the agreement shall be entered into between that body and the associations representing those employees.

Effect

Restoration of seniority shall not have retroactive effect.

Proceedings

2. Except to the extent determined by an agreement entered into under section 1, no proceeding before a court or an arbitrator may be instituted or continued against the establishment, the health and social services council, the Corporation d'urgences-santé de la région de Montréal Métropolitain or the Government, as the case may be, by an employee, the association of employees or the group of such associations bound by such an agreement, on grounds of loss of seniority, reduction in salary or interruption of salary deductions

resulting from the application of the Act to ensure that essential services are maintained in the health and social services sector, as a result of a work stoppage which occurred in 1989.

Coming into
force

3. This Act comes into force on 20 June 1991.