

1986, chapter 2

**AN ACT RESPECTING THE RESUMPTION  
OF TRANSPORTATION SERVICE IN THE TERRITORY  
OF CERTAIN SCHOOL BOARDS**

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**Bill 34**

Introduced by Mr Claude Ryan, Minister of Education

Introduced 26 March 1986

Passage in principle 27 March 1986

Passage 27 March 1986

**Assented to 27 March 1986**

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**Coming into force: 27 March 1986**

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**Act amended:** None



## CHAPTER 2

### An Act respecting the resumption of transportation service in the territory of certain school boards

[Assented to 27 March 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### DIVISION I

##### INTERPRETATION

Interpreta-  
tion

**1.** In this Act, unless the context indicates otherwise,

“association  
of em-  
ployees”

“association of employees” means the Syndicat des Autobus  
Terrebonne;

“employee”

“employee” means an employee within the meaning of the Labour  
Code (R.S.Q., chapter C-27) who was an employee of Autobus  
Terrebonne Inc. on 20 October 1985 or became so thereafter and who  
is included in a bargaining unit for which the association of employees  
is certified;

“employer”

“employer” means Autobus Terrebonne Inc.

#### DIVISION II

##### RESUMPTION OF SERVICES

Return to  
work

**2.** Every employee shall, from 12:00 noon on 27 March 1986, return  
to work and perform all the duties attached to his functions, taking  
account of his work schedule and of the other conditions of employment  
that are applicable to him, without any interruption, slowdown or  
reduction in his ordinary activities.

Bus drivers      The requirements of this section do not apply to bus drivers until 1 April 1986.

Transportation services      **3.** The employer and its officers shall, from the same time, take the appropriate means to organize transportation services and, from 1 April 1986, provide such services to the pupils of the school boards concerned.

Prohibition      **4.** Every employee is prohibited from obstructing, by omission or otherwise, the normal operation of the services that the employer is required to organize and furnish pursuant to section 3.

Compliance with s. 2      **5.** The association of employees and its officers shall take the appropriate measures to induce the members of the association to comply with section 2.

DIVISION III

CONDITIONS OF EMPLOYMENT

Amendment to collective agreement      **6.** The collective agreement in force between the association of employees and the employer is amended so as to give effect to the clauses set forth in the schedule to this Act.

Labour Code      **7.** The collective agreement amended as in section 6 is a collective agreement within the meaning of the Labour Code.

Applicability of collective agreement      It is binding between the parties until 31 August 1986.

DIVISION IV

MEDIATION BOARD

Establishment      **8.** A mediation board composed of three members, including the chairman, is hereby established.

Members      **9.** Each party shall appoint one member to the board.

Chairman      The chairman shall be appointed by the Minister of Labour after consultation with the parties.

Appointment      If a party fails to appoint a member before 6 April 1986, the member shall be appointed by the Minister of Labour.

**Mandate**        **10.** The mandate of the mediation board is to make recommendations to the parties on the remuneration applicable for the duration of the next collective agreement.

**Report**        **11.** The mediation board shall submit its report to the parties not later than 31 August 1986 and, at the same time, send a copy of the report to the Minister of Labour.

#### DIVISION V

##### PENALTIES

**Offences and penalties**        **12.** Every person who contravenes or incites or encourages a person to contravene section 2, 3 or 4 is guilty of an offence and liable, in addition to costs, for each day or part of a day during which the contravention continues, to a fine

(1) of \$25 to \$100 in the case of an employee or other natural person not contemplated in paragraph 2;

(2) of \$1 000 to \$10 000 in the case of a person who, on 26 March 1986, was an officer, employee or agent of an association of employees, union, federation, confederation, congress, council or syndicate or an officer or agent of the employer, or who became so thereafter;

(3) of \$5 000 to \$50 000 in the case of the employer or an association of employees, union, federation, confederation, congress, council or syndicate.

**Offences and penalties**        **13.** Where the association of employees or any of its officers fails to comply with section 5, it or he is guilty of an offence and is liable, in addition to costs, to the fine prescribed in paragraph 2 or 3 of section 12, as the case may be, for each day or part of a day during which an employee who is a member of the association contravenes section 2.

**Prosecution**        **14.** Prosecution of offences described in sections 12 and 13 shall be brought in accordance with the Summary Convictions Act (R.S.Q., chapter P-15) by the Attorney General or by a person generally or specially authorized in writing by him for that purpose.

#### DIVISION VI

##### FINAL PROVISIONS

**Effect**        **15.** Division II ceases to have effect on 31 August 1986 or on any earlier date fixed by order of the Government.

**Coming into force**        **16.** This Act comes into force on 27 March 1986.

SCHEDULE

Clauses amending the collective agreement between the employer and the association of employees

1- The wage rates are increased by 3.5% from 31 August 1985.

An amount of \$150.00 is paid to each employee who conforms to section 2.

2- Section 28.02 of the collective agreement ceases to have effect.