

chapter D-2, r. 9

Decree respecting the automotive services industry in the Lanaudière-Laurentides regions

Act respecting collective agreement decrees
(chapter D-2, ss. 2 and 6).

R.R.Q., 1981, c. D-2, r. 44; O.C. 619-92, s. 1; O.C. 1385-99, s. 1.

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SCHEDULE I

SCHEDULE II

DIVISION 1.00

DEFINITIONS

1.01. In this Decree, unless the context requires otherwise, the following expressions mean:

(1) “apprentice” : employee who learns one of the trades for which the parity committee delivers a qualification certificate;

(2) “artisan” : person working on his own account alone or in partnership and who performs work governed by the Decree for others;

(3) “parts clerk” : employee whose duties are related mainly to distributing or selling vehicle parts, accessories or tires where such parts, accessories or tires are distributed or sold to garages, service stations, parts shops, new or used car dealers and to any establishment whose activities are governed by the Decree or where such parts, accessories or tires are used by those establishments when performing work governed by the Decree and who has fulfilled the necessary conditions in order to obtain the qualification certificate required by the parity committee;

(4) “messenger” : employee working in an establishment where the work governed by the Decree is performed, whose duties are related mainly to delivering vehicle parts, accessories or tires;

(5) “journeyman” : employee whose duties are related mainly to performing one or another of the following tasks: maintenance, tests, inspection, changes and alterations or other work of the same type, necessary or useful to keep a vehicle in good working order, and who has been qualified by the parity committee for one or more of the following trades: bodyman, mechanic, painter, wheel aligner;”;

(6) “spouse” : means either of 2 persons who:

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a de facto union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a de facto union for 1 year or more;

(7) “dismantler” : employee whose duties are related mainly to dismantling a vehicle for the purposes of selling or storing the parts;

(8) “grade” : period during which an employee acquires 2,000 hours of experience in one of the trades provided for in the Decree. Only those hours currently worked are taken into account in the computation of hours of experience;

(9) “combination of road vehicles” : a combination of vehicles composed of a motorized heavy road vehicle hauling a trailer, a semi-trailer or a detachable axle;

(10) “washer” : employee whose duties are related mainly to one or another of the following tasks: washing, cleaning, wiping or waxing vehicles or their parts, by hand or with machines;

(11) “semiskilled worker” : employee whose duties are related mainly to one or another of the following tasks:

(a) restoring, overhauling, repairing or retooling vehicle parts or accessories without assembling them on the vehicle, and examining parts or accessories sold with guarantees, whether or not they are installed on a vehicle, where they are returned because of a defect;

(b) installing accessories, upholstery, hubcaps, windshields or windows;

(c) installing, repairing, removing or installing a radiator, trailer hitch or radio;

(d) installing and repairing plates and springs of a heavy road vehicle or a combination of road vehicles;

(11.1) “relative” means the employee’s spouse, the child, father, mother, brother, sister and grandparents of the employee or the employee’s spouse as well as those persons’ spouses, their children and their children’s spouses. The following are also considered to be an employee’s relative for the purposes of this Decree:

- (a) a person having acted, or acting, as a foster family for the employee or the employee’s spouse;
- (b) a child for whom the employee or the employee’s spouse has acted, or is acting, as a foster family;
- (c) a tutor or curator of the employee or the employee’s spouse or a person under the tutorship or curatorship of the employee or the employee’s spouse;
- (d) an incapable person having designated the employee or the employee’s spouse as mandatary;
- (e) any other person in respect of whom the employee is entitled to benefits under an Act for the assistance and care the employee provides owing to the person’s state of health;

(12) *(paragraph revoked)*;

(13) “service attendant” : employee whose duties are related mainly to one or another of the following tasks: inspection or visual inspection only, lubricating, changing oil, applying anti-rust, balancing wheels, installing or repairing tires, tire pressure sensors, windshield wipers, light bulbs, filters, mufflers, except parts of those systems included between the engine and the catalyst inclusively, and installing or boosting road vehicle batteries. A service attendant may also change all fluids except for the air conditioning system.

- (a) a service attendant may also restore to its initial conditions the oil change indicator and the tire pressure indicator;
- (b) a service attendant may perform the duties mentioned in the preceding paragraph only insofar as those duties do not require the service attendant to handle other parts or other components of a system;
- (c) a service attendant may not carry on any other task included in the duties of a trade without holding an apprenticeship card for the trade, regardless of the proportion of such tasks in relation to all the tasks the service attendant is authorized to carry out;”.

(14) *(paragraph revoked)*;

(14.1) “part-time employee” : employee other than an apprentice, a journeyman, a dismantler or a semiskilled worker who, for a given week, has worked less than 30 hours. This status is evaluated each workweek;

(15) “uninterrupted service” : the uninterrupted period during which the employee is bound to the employer by a contract of employment, even if the performance of work has been interrupted without cancellation of the contract, and the period during which fixed-term contracts succeed one another without an interruption that would, in the circumstances, give cause to conclude that the contract was not renewed;

(16) “vehicle” : a combination of road vehicles and a heavy road vehicle within the meaning of this Decree as well as a motor vehicle and a road vehicle as defined in section 4 of the Highway Safety Code (chapter C-24.2), excluding mopeds and motorcycles as defined in section 4 of the Code, an all-terrain vehicle as defined in section 1 of the Regulation respecting all-terrain vehicles (chapter V-1.2, r. 6), a snowmobile as defined in section 1 of the Regulation respecting snowmobiles (chapter V-1.2, r. 1) and any other vehicle intended to be used off public roads owing to its nature, purpose or the operation of a law;

(17) “heavy road vehicle” : a road vehicle whose net mass is 4,500 kg or more.

R.R.Q., 1981, c. D-2, r. 44, s. 1.01; O.C. 2573-82, s. 1; O.C. 556-89, s. 1; O.C. 619-92, s. 2; O.C. 630-98, s. 1; O.C. 1385-99, s. 3; O.C. 102-2003, s. 1; O.C. 781-2005, s. 1; O.C. 771-2009, s. 1; O.C. 988-2011, s. 1; O.C. 156-2020, s. 1

1.02. Names of Contracting Parties

(1) Group representing the employer contracting party:

Corporation des concessionnaires d'automobiles des Laurentides;

Automotive industries Association of Canada;

Association des spécialistes de pneu et mécanique du Québec (ASPMQ);

L'Association des marchands Canadian Tire du Québec inc.;

Automotive Services Association;

M.C.Q. Mouvement Carrossiers Québec;

(2) Group representing the union party:

Unifor local 4511;

Syndicat national des employés de garage du Québec inc.

O.C. 1385-99, s. 4; O.C. 395-2001, s. 1; O.C. 137-2016, s. 1.

DIVISION 2.00

JURISDICTION

2.01. Professional and Industrial Jurisdictions:

(1) The Decree applies to the following work:

(a) repairing, altering or inspecting a vehicle, its parts or accessories;

(b) restoring, overhauling, repairing, retooling or any other work of the same type performed on vehicle parts, accessories or tires, as well as their installation on that vehicle;

(c) completely or partially dismantling a vehicle;

(d) selling gasoline, lubricants or any other similar products used for a vehicle where, in the establishment where such work is performed, work specified in paragraphs *a*, *b*, *c*, *f* or *g* is also performed;

(e) washing, waxing or cleaning a vehicle where, in the establishment where such work is performed, work specified in paragraphs *a*, *b*, *c*, *f* or *g* is also performed;

(f) distributing or selling vehicle parts, accessories or tires to garages, service stations, parts shops, new or used car dealers or to any establishment whose activities are governed by the Decree;

(g) distributing or selling vehicle parts, accessories or tires by an establishment specified in paragraph *f*, when performing work governed by the Decree;

(h) delivering vehicle parts, accessories or tires where, in the establishment where such work is performed, other work governed by the Decree is also performed.

(2) **Exclusions:** The Decree does not apply to:

(a) work specified in subsection 1 where done exclusively for the employer's own service or own needs or where done exclusively on farm machinery;

(b) work specified in subsection 1 performed on a vehicle leased for 12 months or less if the economic activity of the establishment where the work is performed consists solely in leasing motor vehicles; however, that work, when performed on a vehicle leased for more than 12 months, is governed by this Decree;

(c) vulcanizing and retreading;

(d) the sale of vehicle parts, accessories or tires to parts shops or to wholesalers carried out:

i. in a warehouse or in a distribution centre;

ii. in a warehouse only, where the establishment of the employer utilizes it, at the same time, as a warehouse and a parts shop.

R.R.Q., 1981, c. D-2, r. 44, s. 2.01; O.C. 2573-82, s. 2; O.C. 556-89, s. 2; O.C. 619-92, s. 3; O.C. 353-96, s. 1; O.C. 1385-99, s. 6.

2.02. Territorial jurisdiction: The Decree applies to the territory of the municipalities listed in Schedule I.

R.R.Q., 1981, c. D-2, r. 44, s. 2.02; O.C. 2573-82, s. 3; O.C. 619-92, s. 4.

DIVISION 3.00

HOURS OF WORK

3.01. The regular workweek is 40 hours scheduled:

(1) from Monday to Friday, for the apprentice and the journeyman;

(2) from Monday to Saturday, for the dismantler and the semiskilled worker;

(3) over no more than 5 consecutive days for the parts clerk, the messenger and the service attendant, on condition that the 2 weekly days of rest of these employees are consecutive and included in the period provided for in the second paragraph;

(4) over no more than 6 consecutive days for the washer;

(5) over no more than 6 consecutive days for all the employees of an employer where the work specified in paragraph *a* or *b* of subsection 1 of section 2.01 is performed on heavy road vehicles or on combinations of road vehicles or pertains to such vehicles or combinations of vehicles.

For the purposes of subparagraphs 3 to 5 of the first paragraph, the workweek is scheduled on a weekly basis corresponding to the weekly work period used by the employer to determine the amount of wages.

R.R.Q., 1981, c. D-2, r. 44, s. 3.01; O.C. 2573-82, s. 4; O.C. 556-89, s. 3; O.C. 619-92, s. 5; O.C. 1385-99, s. 7; O.C. 102-2003, s. 2; O.C. 771-2009, s. 2; O.C. 156-2020, s. 21.

3.01.1. *(Replaced).*

O.C. 619-92, s. 5; O.C. 1385-99, s. 7.

3.02. The standard workday is no more than 10 hours scheduled over a maximum period of 11 consecutive hours.

R.R.Q., 1981, c. D-2, r. 44, s. 3.02; O.C. 556-89, s. 3; O.C. 619-92, s. 5; O.C. 1385-99, s. 7.

3.02.1. *(Replaced).*

O.C. 619-92, s. 5; O.C. 1385-99, s. 7.

3.02.2. *(Replaced).*

O.C. 630-98, s. 2; O.C. 1385-99, s. 7.

3.02.3. *(Replaced).*

O.C. 630-98, s. 2; O.C. 1385-99, s. 7.

3.03. An employee is deemed to be at work in the following situations:

- (1) while available to the employer at the place of employment and required to wait for work to be assigned;
- (2) subject to paragraph 2 of section 3.04, during the time allocated for breaks granted under the Act, the Decree or by the employer;
- (3) when travel is required by the employer;
- (4) during any trial period or training required by the employer.

R.R.Q., 1981, c. D-2, r. 44, s. 3.03; O.C. 619-92, s. 6; O.C. 1385-99, s. 7; O.C. 781-2005, s. 2.

3.04. An employee is entitled:

- (1) to a weekly minimum rest period of 32 consecutive hours;
- (2) to 1 hour of rest without pay for meals and the employer may not oblige the employee to work more than 5 consecutive hours between each meal; however, this meal period must be paid when the employee is not authorized to leave his work station;
- (3) except in the case of an event beyond his control, to an indemnity equal to 3 hours of work at his prevailing hourly rate and, if such is the case, increased due to the application of section 4.01, if the employee reports for work at the express demand of his employer or in the regular course of his employment and who works fewer than 3 consecutive hours.

R.R.Q., 1981, c. D-2, r. 44, s. 3.04; O.C. 2573-82, s. 5; O.C. 1385-99, s. 7; O.C. 781-2005, s. 2.

3.05. An employee is entitled to refuse to work:

- (1) more than 2 hours after his regular daily working hours or more than 14 working hours per 24-hour period, whichever period is the shortest;
- (2) more than 12 hours per 24-hour period if his daily working hours are flexible or non-continuous;
- (3) more than 50 working hours per week;
- (4) if the employee was not informed at least 5 days in advance that the employee would be required to work, unless the nature of the duties requires the employee to remain available or that the employee's services are required within the limits set out in paragraphs 1 and 2.

O.C. 2573-82, s. 5; O.C. 1385-99, s. 7; O.C. 781-2005, s. 2; O.C. 156-2020, s. 31.

3.06. *(Replaced).*

O.C. 2573-82, s. 5; O.C. 1385-99, s. 7.

3.07. *(Replaced).*

O.C. 2573-82, s. 5; O.C. 1385-99, s. 7.

DIVISION 4.00

OVERTIME HOURS AND NIGHT-SHIFT PREMIUM

4.01. Hours worked in addition to the standard workday or workweek entail a premium of 50% of the hourly wage currently paid to the employee, except for premiums computed on an hourly basis.

The hours of work done on a day other than those of the standard workweek provided for in section 3.01 entail an increase of 50% of the hourly wage currently paid to an employee.

Notwithstanding the first paragraph, the employer may, at the request of the employee, replace the payment of overtime by paid leave equivalent to the overtime worked plus 50%.

That leave must be taken during the 12 months following the overtime worked at a date agreed upon between the employer and the employee; otherwise the overtime must be paid. However, where the contract of employment is terminated before the employee is able to benefit from the leave, the overtime must be paid at the same time as the last payment of wages.

R.R.Q., 1981, c. D-2, r. 44, s. 4.01; O.C. 556-89, s. 4; O.C. 1385-99, s. 7; O.C. 771-2009, s. 3.

4.01.1. For a part-time employee, only those hours worked in addition to the standard workday entail a premium of 50% of the hourly wage currently paid to the employee, except for premiums computed on an hourly basis.

O.C. 102-2003, s. 3.

4.02. For the purposes of computing overtime, annual leave and paid statutory general holidays are counted as days of work.

O.C. 2573-82, s. 6; O.C. 1385-99, s. 7.

4.03. Hours worked between 9:00 p.m. and 7:00 a.m. by employees, except for washers and employees specified in subsection 5 of section 3.01 entail a premium of \$0.80 of the hourly rate currently paid.

O.C. 619-92, s. 7; O.C. 1385-99, s. 7; O.C. 395-2001, s. 2; O.C. 988-2011, s. 2; O.C. 156-2020, s. 41.

DIVISION 5.00

(Revoked).

R.R.Q., 1981, c. D-2, r. 44, Div. 5; O.C. 556-89, s. 5; O.C. 1385-99, s. 7; O.C. 781-2005, s. 4.

5.01. (Revoked).

R.R.Q., 1981, c. D-2, r. 44, s. 5.01; O.C. 2573-82, s. 7; O.C. 619-92, s. 8; O.C. 1385-99, s. 7; O.C. 781-2005, s. 4.

5.02. (Revoked).

R.R.Q., 1981, c. D-2, r. 44, s. 5.02; O.C. 619-92, s. 9; O.C. 1385-99, s. 7; O.C. 781-2005, s. 4.

DIVISION 6.00

STATUTORY GENERAL HOLIDAYS

****Note**** *This Division applies to all employees, except for section 6.07 which applies to pump attendants and to washers only.*

R.R.Q., 1981, c. D-2, r. 44, Div. 6.00; O.C. 2573-82, s. 8; O.C. 1385-99, s. 7.

6.01. The following days are statutory general holidays:

- (1) 1 and 2 January;
- (2) Good Friday or Easter Monday, at the option of the employer;
- (3) the Monday preceding 25 May;
- (4) 1 July or, if this date falls on a Sunday, 2 July;
- (5) the first Monday of September;
- (6) the second Monday of October;
- (7) 25 and 26 December.

R.R.Q., 1981, c. D-2, r. 44, s. 6.01; O.C. 2573-82, s. 8; O.C. 556-89, s. 6; O.C. 619-92, s. 10; O.C. 1385-99, s. 7; O.C. 395-2001, s. 3; O.C. 781-2005, s. 5.

6.02. To be entitled to a holiday provided in section 6.01, the employee must not have been absent from work on the first working day of his work schedule preceding or following the holiday, except if:

- (1) the absence of the employee is authorized by an act or by the employer or is for a valid reason and the employee does not receive any indemnity for the holiday from the Commission des normes, de l'équité, de la santé et de la sécurité du travail;
- (2) the employee has been laid off less than 30 days preceding or following the holiday.

R.R.Q., 1981, c. D-2, r. 44, s. 6.02; O.C. 2573-82, s. 8; O.C. 619-92, s. 10; O.C. 1385-99, s. 7; O.C. 781-2005, s. 5.

6.03. For each statutory general holiday, the employer must pay the employee an indemnity equal to 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the holiday, or preceding the layoff of the employee, excluding overtime hours.

R.R.Q., 1981, c. D-2, r. 44, s. 6.03; O.C. 2573-82, s. 8; O.C. 556-89, s. 7; O.C. 619-92, s. 10; O.C. 1385-99, s. 7; O.C. 781-2005, s. 5.

6.04. If an employee must work on one of the general holidays provided for in section 6.01, the employee is remunerated for the hours worked at his prevailing rate, in addition to the indemnity provided in section 6.03.

R.R.Q., 1981, c. D-2, r. 44, s. 6.04; O.C. 2573-82, s. 8; O.C. 619-92, s. 10; O.C. 1385-99, s. 7; O.C. 781-2005, s. 5.

6.05. If a general holiday provided for in section 6.01 coincides with a non-working day, the general holiday may be taken within the 3 weeks preceding or following the general holiday, on the condition that an agreement has been reached between the employer and the employee on the day when the general holiday is to be taken.

O.C. 2573-82, s. 8; O.C. 619-92, s. 10; O.C. 1385-99, s. 7; O.C. 781-2005, s. 5; O.C. 988-2011, s. 3.

6.06. If an employee is on annual leave on one of the general holidays provided for in section 6.01, the employer must pay the employee the indemnity provided for in section 6.03 or grant him a compensatory holiday of 1 day, on a date agreed upon between the employer and the employee.

O.C. 2573-82, s. 8; O.C. 619-92, s. 10; O.C. 1385-99, s. 7; O.C. 781-2005, s. 5.

6.07. St. John the Baptist's Day is a statutory general holiday under the National holiday Act (chapter F-1.1).

O.C. 2573-82, s. 8; O.C. 1385-99, s. 7; O.C. 781-2005, s. 5.

DIVISION 7.00

ANNUAL LEAVES WITH PAY

7.01. The reference year is a period of 12 consecutive months during which an employee progressively acquires entitlement to an annual leave. That period extends from 1 May of the preceding year to 30 April of the current year.

R.R.Q., 1981, c. D-2, r. 44, s. 7.01; O.C. 2573-82, s. 9; O.C. 1385-99, s. 7.

7.02. An employee who, at the end of a reference year, is credited with less than 1 year of uninterrupted service with the same employer during that period, is entitled to an uninterrupted leave for a duration determined at the rate of 1 working day for each month of uninterrupted service, for a total leave not exceeding 2 weeks.

The indemnity for that leave is 4% of the gross wages of the employee during the reference year.

R.R.Q., 1981, c. D-2, r. 44, s. 7.02; O.C. 2573-82, s. 10; O.C. 619-92, s. 11; O.C. 1385-99, s. 7.

7.03. An employee who, at the end of a reference year, is credited with 1 year of uninterrupted service with the same employer during that period, is entitled to an annual leave of a minimum duration of 2 consecutive weeks.

The indemnity for that leave is 4% of the gross wages of the employee during the reference year.

Where the employee so requests, he is also entitled to an additional annual leave without pay for a period equal to the number of days needed to bring his annual leave to 3 weeks.

This annual leave without pay need not follow that provided in the first paragraph and may not be divided or replaced by a compensating indemnity.

R.R.Q., 1981, c. D-2, r. 44, s. 7.03; O.C. 2573-82, s. 10; O.C. 619-92, s. 11; O.C. 1385-99, s. 7; O.C. 781-2005, s. 6.

7.04. An employee who, at the end of a reference year, is credited with 3 years of uninterrupted service with the same employer during that period, is entitled to an annual leave of a minimum duration of 3 consecutive weeks.

The indemnity for that leave is 6% of the gross wages of the employee during the reference year.

R.R.Q., 1981, c. D-2, r. 44, s. 7.04; O.C. 2573-82, s. 11; O.C. 619-92, s. 12; O.C. 1385-99, s. 7; O.C. 156-2020, s. 51.

7.04.1. At the end of a reference year, an employee who has 15 years of continuous service with the same employer during that period, is entitled to a minimum of 4 weeks of annual vacation, 3 weeks of which may be continuous.

The indemnity for the annual vacation is 8% of the gross wages of the employee during the reference year.

O.C. 771-2009, s. 4.

7.05. The annual leave must be taken within 12 months following the end of the reference year.

However, under a written agreement between the employer and the employee, the annual leave may be taken, entirely or partly, during the reference year.

If, at the end of the 12 months that follow the end of a reference year, the employee is absent for a reason referred to in section 8.07, or is absent or on leave for family or parental matters, in accordance with the Act respecting Labour Standards (chapter N-1.1), the annual leave may be deferred, upon written agreement between the employer and the employee, to the following year. If there is no agreement for deferring the annual leave, the employer must then pay the employee the annual leave indemnity to which he is entitled.

A period of employment insurance, sickness, or disability, interrupted by a leave taken in accordance with this section, continues, if such is the case, after the leave, as if it had not been interrupted.

R.R.Q., 1981, c. D-2, r. 44, s. 7.05; O.C. 2573-82, s. 11; O.C. 1385-99, s. 7; O.C. 781-2005, s. 7; O.C. 156-2020, s. 6

7.06. The annual leave may be divided into 2 periods where so requested by the employee. However, the employer may refuse this request if he closes his establishment for a period equal to or greater than that of the employee's annual leave.

The annual leave may also be divided into more than 2 periods where so requested by the employee, provided the employer consents thereto.

A leave not exceeding 1 week cannot be divided.

R.R.Q., 1981, c. D-2, r. 44, s. 7.06; O.C. 2573-82, s. 11; O.C. 619-92, s. 13; O.C. 1385-99, s. 7.

7.07. An employee is entitled to know the date of his annual leave at least 4 weeks in advance.

An employee must notify the employer at least 4 weeks in advance as to when he prefers to take his annual leave.

R.R.Q., 1981, c. D-2, r. 44, s. 7.07; O.C. 2573-82, s. 11; O.C. 1385-99, s. 7.

7.08. An employee must receive the indemnity for the annual leave in a single payment before the leave begins.

However, where the annual leave is divided in accordance with section 7.06, the indemnity will correspond to the fraction of the annual leave.

R.R.Q., 1981, c. D-2, r. 44, s. 7.08; O.C. 2573-82, s. 11; O.C. 1385-99, s. 7.

7.09. Employers are prohibited from replacing a leave provided for in sections 7.02 to 7.04.1 by a compensatory indemnity. However, at the request of the employee, the third week and, if such is the case, the fourth week may be replaced by a compensatory indemnity if the establishment closes for 2 weeks on the occasion of the annual leave.

R.R.Q., 1981, c. D-2, r. 44, s. 7.09; O.C. 2573-82, s. 11; O.C. 1385-99, s. 7; O.C. 771-2009, s. 5.

7.10. Should an employee provided for in sections 7.03 and 7.04.1 be absent for a reason referred to in section 8.07 or be on maternity or paternity leave during the reference year, and should that absence result in the reduction of that employee's annual leave indemnity, the employee is then entitled to an indemnity equal, as the case may be, to twice, 3 times or 4 times the weekly average of the wage earned during the period of work. An employee provided for in section 7.02 whose annual leave is less than 2 weeks is entitled to that amount in proportion to the days of leave credited to his account.

Notwithstanding the first paragraph, the annual leave indemnity must not exceed the indemnity to which the employee would have been entitled if he had not been absent or on leave owing to a reason provided for in the first paragraph.

O.C. 2573-82, s. 11; O.C. 1385-99, s. 7; O.C. 771-2009, s. 6; O.C. 156-2020, s. 7.

7.11. Where an employee quits his employment, he receives the indemnity related to the leave acquired before the preceding 1 May, if the leave was not taken, as well as the indemnity due to him for the period which has elapsed since that date.

O.C. 2573-82, s. 11; O.C. 1385-99, s. 7.

7.12. An employer may not reduce the duration of the employee's annual leave mentioned in section 9.10.1 or modify the calculation of the indemnity for the leave, with respect to that granted to the employer's other employees who do the same tasks in the same establishment, for the sole reason that he generally works less hours per week.

O.C. 781-2005, s. 8; O.C. 156-2020, s. 8.

7.13. *(Replaced).*

O.C. 2573-82, s. 11; O.C. 1385-99, s. 7.

7.14. *(Replaced).*

O.C. 2573-82, s. 11; O.C. 1385-99, s. 7.

7.15. *(Replaced).*

O.C. 2573-82, s. 11; O.C. 619-92, s. 14; O.C. 1385-99, s. 7.

DIVISION 8.00

SPECIAL LEAVES

8.01. An employee may be absent from work for 3 days without reduction of wages, by reason of the death or the funeral of his spouse, his child or the child of his spouse, or of his father, mother, brother or sister. He may also be absent from work, without pay, for 2 more days on such occasion.

R.R.Q., 1981, c. D-2, r. 44, s. 8.01; O.C. 2573-82, s. 12; O.C. 619-92, s. 15; O.C. 1385-99, s. 7.

8.02. An employee may be absent from work for 1 day without reduction of wages, by reason of the death or the funeral of a son-in-law, daughter-in-law, one of his grandparents or grandchildren, or of the father, mother, brother or sister of his spouse.

R.R.Q., 1981, c. D-2, r. 44, s. 8.02; O.C. 2573-82, s. 12; O.C. 619-92, s. 15; O.C. 1385-99, s. 7.

8.03. In the circumstances referred to in sections 8.01 and 8.02, the employee must advise his employer of his absence as soon as possible.

O.C. 2573-82, s. 12; O.C. 619-92, s. 15; O.C. 1385-99, s. 7.

8.04. An employee may be absent from work for 1 day without reduction of wages, on his wedding day or his civil union.

An employee may also be absent from work, without pay, on the wedding day or day of the civil union of one of his children, of his father, mother, brother or sister or of a child of his spouse.

The employee must advise his employer of his absence not less than 1 week in advance.

O.C. 619-92, s. 15; O.C. 1385-99, s. 7; O.C. 781-2005, s. 9.

8.05. An employee may be absent from work for 5 days by reason of the birth of his child, the adoption of a child or the termination of pregnancy in or after the 20th week of pregnancy. The first 2 days of absence are remunerated.

This leave may be divided into days at the request of the employee. It may not be taken more than 15 days after the child arrives at the residence of his or her father or mother or, if such is the case, the termination of pregnancy.

The employee must advise his employer of his absence as soon as possible.

However, an employee who adopts the child of his spouse may be absent from work for only 2 days, without pay.

O.C. 619-92, s. 15; O.C. 1385-99, s. 7; O.C. 781-2005, s. 10; O.C. 156-2020, s. 9.

8.06. An employee may be absent from work for 10 days a year to fulfil obligations relating to the care, health or education of the employee's child or the child of the employee's spouse, or because of the state of health of a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26).

The leave may be divided into days. A day may also be divided if the employer consents thereto.

If it is warranted, by the duration of the absence for instance, the employer may request that the employee furnish a document attesting to the reasons for the absence.

The employee must advise his employer of his absence as soon as possible and take the reasonable steps within his power to limit the leave and its duration.

The first 2 days taken annually are remunerated according to the calculation formula described in section 6.03, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of uninterrupted service, even if the employee was absent previously.

O.C. 781-2005, s. 11; O.C. 156-2020, s. 10.

8.07. An employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence or sexual violence of which the employee has been a victim.

An employee may, however, be absent from work for a period of not more than 104 weeks if the employee suffers a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee's regular position. In that case, the period of absence does not begin before the date on which the criminal offence was committed, or before the expiry of the period provided for in the first paragraph, where applicable, and does not end later than 104 weeks after the commission of the criminal offence.

However, this section does not apply if the occupational injury is within the meaning of the Act respecting industrial diseases and occupational accidents (chapter A-3.001).

O.C. 781-2005, s. 11; O.C. 156-2020, s.11.

8.07.1. The second paragraph of section 8.07 applies if it may be inferred from the circumstances of the event that the employee's serious bodily injury is probably the result of a criminal offence.

However, an employee may not take advantage of such a period of absence if it may be inferred from the circumstances that the employee was probably a party to the criminal offence or probably contributed to the injury by a gross fault.

O.C. 156-2020, s. 12.

8.07.2. The second paragraph of section 8.07 applies if the employee suffered the injury

(1) while lawfully arresting or attempting to arrest an offender or suspected offender or assisting a peace officer making an arrest; or

(2) while lawfully preventing or attempting to prevent the commission of an offence or suspected offence, or assisting a peace officer who is preventing or attempting to prevent the commission of an offence or suspected offence.

O.C. 156-2020, s. 12.

8.08. The employee must advise his employer of his absence as soon as possible and the reasons for the absence.

If it is warranted by the duration of the absence or its repetitive nature, for instance, the employer may request that the employee furnish a document attesting to those reasons.

During a period of absence under the second paragraph of section 8.07, the employee may return to work intermittently or on a part-time basis if the employer consents to it.

O.C. 781-2005, s. 11; O.C. 156-2020, s. 13.

8.09. An employee's participation in the group insurance and pension plans recognized in the employee's place of employment shall not be affected by the absence from work provided in section 8.07, subject to regular payment of the contributions payable under those plans, the usual part of which is paid by the employer.

O.C. 781-2005, s. 11.

8.10. At the end of the absence mentioned in section 8.07, the employer shall reinstate the employee in the employee's former position with the same benefits, including the wages to which the employee would have been entitled had the employee remained at work. If the position held by the employee no longer exists when the employee returns to work, the employer shall recognize all the rights and privileges to which the employee would have been entitled if the employee had been at work at the time the position ceased to exist.

Nothing in the first paragraph shall prevent an employer from dismissing, suspending or transferring an employee if the consequences of an absence for a reason described in section 8.07 or the repetitive nature of the absences constitute good or sufficient cause depending on the circumstances.

O.C. 781-2005, s. 11; O.C. 156-2020, s. 14.

8.11. If the employer makes dismissals or layoffs that would have included the employee had the employee remained at work, the employee retains the same rights with respect to a return to work as the employees who were dismissed or laid off.

O.C. 781-2005, s. 11.

8.12. This section shall not grant to an employee any benefit to which the employee would not have been entitled if the employee had remained at work.

O.C. 781-2005, s. 11.

8.13. An employee may be absent from work for a period of not more than 16 weeks over a period of 12 months where the employee must stay with a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26), because of a serious illness or a serious accident. Where the relative or person is a minor child, the period of absence is not more than 36 weeks over a period of 12 months.

An employee may be absent from work for a period of not more than 27 weeks over a period of 12 months where the employee must stay with a relative, other than his minor child, or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code, because of a serious and potentially mortal illness, attested by a medical certificate.

An employee must advise the employer as soon as possible of an absence from work and, at the employer's request, furnish a document justifying the absence.

However, if a minor child of the employee has a serious and potentially mortal illness, attested by a medical certificate, the employee is entitled to an extension of the absence, which shall end at the latest 104 weeks after the beginning thereof.

O.C. 781-2005, s. 11; O.C. 156-2020, s. 15.

8.14. The employee is entitled to an extension of the absence provided for in the first paragraph of section 8.13, which ends not later than 104 weeks after the beginning of the absence, where the employee must stay with the employee's minor child who has suffered a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable carry on regular activities.

O.C. 156-2020, s. 16.

8.15. In accordance with the Act respecting labour standards (chapter N-1.1), an employee may be absent from work

- (1) if the employee's minor child has disappeared or by reason of the death of the employee's minor child;
- (2) if the employee's spouse, father, mother or child of full age commits suicide; or

(3) if the death of the employee’s spouse or child of full age occurs during or results directly from a criminal offence.

O.C. 156-2020, s. 16.

8.16. Except with respect to the death of the employee’s minor child, sections 8.14 and 8.15 apply if it may be inferred from the circumstances of the event that the serious bodily injury is probably the result of a criminal offence, the death is probably the result of such an offence or of a suicide, or the person who has disappeared is probably in danger.

However, an employee may not take advantage of the provisions if it may be inferred from the circumstances that the employee or, in the case of paragraph 3 of section 8.15, the deceased person was probably a party to the criminal offence or probably contributed to the injury by a gross fault.

Section 8.14 and paragraph 3 of section 8.15 apply if the injury or death occurs in one of the situations described in section 8.07.2.

A period of absence under sections 8.14 and 8.15 must not begin before the date on which the criminal offence that caused the serious bodily injury was committed or before the date of the death or disappearance and must not end later than 104 weeks after that date. However, during the period of absence, the employee may return to work intermittently or on a part-time basis if the employer consents to it.

If, during the same 104-week period, a new event occurs, affecting the same child and giving entitlement to a new period of absence, the maximum period of absence for those two events may not exceed 104 weeks from the date of the first event.

O.C. 156-2020, s. 16.

8.17. Sections 8.08 to 8.12 apply to the periods of absence provided for in sections 8.13, 8.14 and 8.15, with the necessary modifications.

The entitlement provided for in the fifth paragraph of section 8.06 applies in the same manner to absences authorized under section 8.07. However, the employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in those sections.

O.C. 156-2020, s. 16.

DIVISION 9.00

WAGES

9.01. The minimum hourly wage rates are as follows:

Trades	As of 11 March 2020	As of 11 March 2021	As of 11 March 2022	As of 11 March 2023
1. Apprentice				
1st grade	\$ 13.00	\$ 13.39	\$ 13.72	\$ 14.07
2nd grade	\$ 13.88	\$ 14.30	\$ 14.65	\$ 15.02
3rd grade	\$ 15.43	\$ 15.89	\$ 16.29	\$ 16.70
2. Journeyman				
A	\$ 23.68	\$ 24.39	\$ 25.00	\$ 25.63
B	\$ 20.45	\$ 21.06	\$ 21.59	\$ 22.13
C	\$ 18.51	\$ 19.07	\$ 19.54	\$ 20.03
D	\$ 16.20	\$ 16.69	\$ 17.10	\$ 17.53

9.01. The minimum hourly wage rates are as follows (*continued*):

Trades	As of 11 March 2020	As of 11 March 2021	As of 11 March 2022	As of 11 March 2023
3. Parts clerk				
1st grade	\$ 12.75	\$ 13.12	\$ 13.45	\$ 13.79
2nd grade	\$ 12.90	\$ 13.29	\$ 13.62	\$ 13.96
3rd grade	\$ 13.45	\$ 13.85	\$ 14.20	\$ 14.55
4th grade	\$ 14.26	\$ 14.69	\$ 15.05	\$ 15.43
4th class	\$ 15.57	\$ 16.04	\$ 16.44	\$ 16.85
3rd class	\$ 16.74	\$ 17.24	\$ 17.67	\$ 18.12
2nd class	\$ 17.30	\$ 17.82	\$ 18.26	\$ 18.72
1st class	\$ 17.83	\$ 18.36	\$ 18.82	\$ 19.29
4. Messenger	\$ 12.72	\$ 13.12	\$ 13.45	\$ 13.79
5. Dismantler				
1st grade	\$ 14.27	\$ 14.70	\$ 15.07	\$ 15.44
2nd grade	\$ 14.69	\$ 15.13	\$ 15.51	\$ 15.90
3rd grade	\$ 15.13	\$ 15.58	\$ 15.97	\$ 16.37
6. Washer	\$ 12.75	\$ 13.12	\$ 13.45	\$ 13.79
7. Semi-skilled worker				
1st grade	\$ 14.27	\$ 14.70	\$ 15.07	\$ 15.44
2nd grade	\$ 14.69	\$ 15.13	\$ 15.51	\$ 15.90
3rd grade	\$ 15.13	\$ 15.58	\$ 15.97	\$ 16.37
8. Service attendant				
1st grade	\$ 12.75	\$ 13.12	\$ 13.45	\$ 13.79
2nd grade	\$ 13.64	\$ 14.05	\$ 14.40	\$ 14.76
3rd grade	\$ 14.00	\$ 14.42	\$ 14.78	\$ 15.15
4th grade	\$ 14.82	\$ 15.26	\$ 15.65	\$ 16.04

R.R.Q., 1981, c. D-2, r. 44, s. 9.01; O.C. 2573-82, s. 13; Erratum, 1982 G.O. 2, 3783; O.C. 556-89, s. 8; O.C. 762-89, s. 1; O.C. 619-92, s. 16; O.C. 1385-99, s. 7; O.C. 771-2009, s. 7; O.C. 988-2011, s. 4; O.C. 137-2016, s. 2; O.C. 156-2020, s. 17.

9.01.1. As of 30 June 2009, Class 1 or Class 2 service attendants, notwithstanding the rescinding of paragraph 14 of section 1.01, may continue to perform the work related to the adjustment and repair of brakes in addition to the work provided for in paragraph 13 of this section.

Their standard workweek is 40 hours scheduled over not more than 5 continuous days and includes 2 consecutive days of rest. This workweek is scheduled on a weekly basis corresponding to the weekly period used by the employer to determine the amount of wages of employees.

They are entitled to the following minimum hourly wage rates:

Trades	As of 11 March 2020	As of 11 March 2021	As of 11 March 2022	As of 11 March 2023
Service attendant				
2nd class	\$ 16.02	\$ 16.50	\$ 16.91	\$ 17.34
1st class	\$ 17.37	\$ 17.89	\$ 18.34	\$ 18.80

O.C. 771-2009, s. 8; O.C. 988-2011, s. 5; O.C. 137-2016, s. 3; O.C. 156-2020, s. 18.

9.01.2. The wage rates provided for in sections 9.01 and 9.01.1 may not be less than the minimum wage provided for in section 3 of the Regulation respecting labour standards (chapter N-1.1, r. 3), increased by \$0.25.

O.C. 988-2011, s. 6.

9.02. Wages must be paid in cash in a sealed envelope, by cheque or by bank transfer.

An employee is deemed not to have received payment of the wages due to him if the cheque delivered to him is not cashable within 2 working days following its receipt.

After written agreement with the majority of employees, an employer may pay them every 2 weeks.

The wages of an employee must be paid directly to him, at his place of employment and on a working day, except where the payment is made by bank transfer or is sent by mail. The wages of an employee may also, at his written request, be remitted to a third person.

If the usual day of payment of wages falls on a statutory general holiday, the wages are paid to the employee on the working day preceding that day.

R.R.Q., 1981, c. D-2, r. 44, s. 9.02; O.C. 2573-82, s. 13; O.C. 1385-99, s. 7; O.C. 781-2005, s. 12; O.C. 156-2020, s. 19.

9.02.1. *(Replaced).*

O.C. 556-89, s. 9; O.C. 1385-99, s. 7.

9.03. The employer must remit to the employee, together with his wages, a pay sheet containing sufficient information to enable the employee to verify the computation of his wages. That pay sheet must include, in particular, the following information, where applicable:

- (1) the name of the employer;
- (2) the name of the employee;
- (3) the identification of the employee's occupation;
- (4) the date of the payment and the work period corresponding to the payment;
- (5) the number of hours paid at his current rate;
- (6) the number of hours of overtime paid, cumulated or replaced by a leave with the applicable premium;
- (7) the nature and amount of the bonuses, premiums, commissions, indemnities or allowances that are being paid;
- (8) the current hourly rate;
- (9) the amount of wages before deductions;
- (10) the nature and amount of the deductions being effected;
- (11) the amount of the net wages paid to the employee.

R.R.Q., 1981, c. D-2, r. 44, s. 9.03; O.C. 619-92, s. 17; O.C. 1385-99, s. 7.

9.04. The hourly wage rates provided for in section 9.01 are minimum hourly rates. Any commission, bonus, premium and any other form of remuneration must be paid to the employee in addition to the minimum hourly wage rate. No compensation or benefit having pecuniary value may be taken into account in computing the minimum hourly rate.

R.R.Q., 1981, c. D-2, r. 44, s. 9.04; O.C. 619-92, s. 18; O.C. 1385-99, s. 7.

9.05. No signing formality other than that establishing that the sum remitted to the employee corresponds to the amount of net wages indicated on the pay sheet may be required upon payment of the wages.

R.R.Q., 1981, c. D-2, r. 44, s. 9.05; O.C. 2573-82, s. 14; O.C. 619-92, s. 19; O.C. 1385-99, s. 7.

9.06. Acceptance of a pay sheet by an employee does not entail his renunciation of the payment of all or part of the wages that are due to him.

R.R.Q., 1981, c. D-2, r. 44, s. 9.06; O.C. 2573-82, s. 14; O.C. 1385-99, s. 7.

9.07. An employer may make deductions from wages only if he is required to do so pursuant to an act, a regulation, a court order, a collective agreement, a decree or a mandatory supplemental pension plan.

The employer may also make deductions from wages if the employee consents thereto in writing, for a specific purpose mentioned in the writing.

The employee may at any time revoke that authorization, except where it pertains to membership in a group insurance plan or a supplemental pension plan.

The employer shall remit, within the 30 days, the sums so withheld to their intended receiver.

O.C. 2573-82, s. 14; O.C. 1385-99, s. 7; O.C. 781-2005, s. 13.

9.08. Any gratuity paid directly or indirectly by a patron to an employee belongs to him of right and does not form part of the wages that are otherwise due to him. Any gratuity collected by the employer must be remitted entirely to the employee who rendered the service. The word “gratuity” includes the service charge added to the patron’s bill.

The employer may not impose an arrangement to share gratuities or tips. Nor may the employer intervene, in any manner whatsoever, in the establishment of an arrangement to share gratuities or tips. Such an arrangement must result solely from the free and voluntary consent of the employees entitled to gratuities or tips.

An employer may not require an employee to pay credit card costs.

O.C. 2573-82, s. 14; O.C. 1385-99, s. 7; O.C. 781-2005, s. 14.

9.09. An employee called upon occasionally or regularly to perform tasks in different trades receives the hourly wage corresponding to his new trade receiving the most pay and is entitled to all the related conditions of employment.

An employee assigned permanently to a new trade receives the hourly wage corresponding to his new trade and is entitled to all the related conditions of employment.

O.C. 2573-82, s. 14; O.C. 1385-99, s. 7.

9.10. If an employer terminates an employee's contract of employment and takes him back in the same employment within 6 months before the end of the contract, he must pay to the employee at least the wage rate he paid to him before the end of the contract of employment.

O.C. 2573-82, s. 14; O.C. 1385-99, s. 7.

9.10.1. An employer may not remunerate an employee at a lower rate of wage than that granted to the employer's other employees performing the same tasks in the same establishment solely because of the employee's employment status, and in particular because the employee usually works less hours each week.

O.C. 781-2005, s. 15; O.C. 156-2020, s. 20.

9.11. Notwithstanding any other provision of the Decree, the employee's weekly wage must not be less than the wage he would receive if he were remunerated in accordance with the Regulation respecting labour standards (chapter N-1.1, r. 3).

O.C. 2573-82, s. 14; O.C. 619-92, s. 20; O.C. 1385-99, s. 7.

9.12. *(Replaced).*

O.C. 2573-82, s. 14; O.C. 1385-99, s. 7.

9.13. *(Replaced).*

O.C. 2573-82, s. 14; O.C. 619-92, s. 21; O.C. 1385-99, s. 7.

DIVISION 10.00

NOTICE OF TERMINATION OF EMPLOYMENT OR LAYOFF, AND WORK CERTIFICATE

10.01. An employer must give written notice to an employee before terminating his contract of employment or laying him off for 6 months or more.

That notice shall be of 1 week if the employee is credited with less than 1 year of uninterrupted service, 2 weeks if he is credited with 1 year to 5 years of uninterrupted service, 4 weeks if he is credited with 5 years to 10 years of uninterrupted service and 8 weeks if he is credited with 10 years or more of uninterrupted service.

A notice of termination of employment given to an employee during the period when he is laid off is null absolute nullity, except in the case of employment that usually lasts for not more than 6 months each year due to the influence of the seasons.

R.R.Q., 1981, c. D-2, r. 44, s. 10.01; O.C. 2573-82, s. 15; O.C. 619-92, s. 22; O.C. 1385-99, s. 7; O.C. 781-2005, s. 16.

10.01.1. *(Replaced).*

O.C. 619-92, s. 22; O.C. 1385-99, s. 7.

10.02. Section 10.01 does not apply to an employee:

- (1) who does not have 3 months of uninterrupted service;
- (2) whose contract for a fixed term or for a specific undertaking expires;
- (3) who has committed a serious fault;
- (4) for whom the end of the contract of employment or the layoff is a result of an event beyond his control.

R.R.Q., 1981, c. D-2, r. 44, s. 10.02; O.C. 2573-82, s. 15; O.C. 619-92, s. 22; O.C. 1385-99, s. 7; O.C. 781-2005, s. 17.

10.03. An employer who does not give the notice prescribed in section 10.01, or who gives a notice of an insufficient period, must pay the employee a compensatory indemnity equal to his regular wage, excluding overtime, for a period equal to the period or remaining period of notice to which he was entitled.

That indemnity must be paid at the time the employment is terminated or at the time the employee is laid off for a period expected to last more than 6 months, or at the end of a period of 6 months after a layoff of indeterminate length, or a layoff expected to last less than 6 months but which exceeds that period.

The indemnity of the employee paid wholly or partly on commission is based on his average weekly wage during the complete pay periods included in the 3 months preceding the employee's termination of employment or layoff.

The compensating indemnity provided for in section 84.0.13 of the Act respecting Labour Standards (chapter N-1.1), in case of a collective dismissal, may not be cumulated by a same employee. However, an employee shall receive the greater of the indemnities to which he is entitled.

R.R.Q., 1981, c. D-2, r. 44, s. 10.03; O.C. 2573-82, s. 15; O.C. 1385-99, s. 7; O.C. 781-2005, s. 18.

10.04. At the expiry of the contract of employment, an employee may require his employer to issue to him a work certificate in which the following information, and only the following information, is set forth: the nature and the duration of the employment, the dates on which his employment began and terminated, and the name and address of the employer. The certificate must not carry any mention of the quality of the work or the conduct of the employee.

O.C. 2573-82, s. 15; O.C. 1025-83, s. 3 (French); O.C. 556-89, s. 10; O.C. 619-92, s. 23; O.C. 1385-99, s. 7.

10.05. *(Replaced).*

O.C. 2573-82, s. 15; O.C. 1025-83, s. 4 (French); O.C. 556-89, s. 10; O.C. 619-92, s. 23; O.C. 1385-99, s. 7.

10.06. *(Replaced).*

O.C. 556-89, s. 11; O.C. 1385-99, s. 7.

10.07. *(Replaced).*

O.C. 556-89, s. 11; O.C. 1385-99, s. 7.

10.08. *(Replaced).*

O.C. 619-92, s. 24; O.C. 1385-99, s. 7.

DIVISION 11.00

APPRENTICESHIP AND RECOGNITION OF QUALIFICATION CERTIFICATES

11.01. Apprenticeship lasts 3 years. Upon entering any enterprise subject to this Decree, the apprentice registers with the parity committee so that the various stages of his apprenticeship and experience may be recorded. He also takes the compulsory theoretical courses for each apprenticeship year in a school recognized by the parity committee. No employer may hire an apprentice who has not met the foregoing requirement.

R.R.Q., 1981, c. D-2, r. 44, s. 11.01.

11.02. There shall be no more than 2 apprentices for every journeyman in each trade concerned, in each enterprise governed by this Decree.

R.R.Q., 1981, c. D-2, r. 44, s. 11.02; O.C. 771-2009, s. 9; O.C. 137-2016, s. 4.

11.03. The holder of a qualification certificate or of another form of vocational certification issued in Canada for a trade mentioned in paragraphs 3 and 5 of section 1.01, including the holder of a “Red Seal” issued in accordance with the Interprovincial Standards Red Seal Program, is exempted from any qualification examination required by the parity committee.

A person who holds one of the training qualifications referred to in Schedule II and issued by the Ministère de l'Éducation nationale de France, and who provides supporting documents proving that the person has practised the trade for the time prescribed in the Schedule, is likewise exempted.

On payment of the fees required for the issue of a qualification certificate, the parity committee shall issue to the holder referred to in the first and second paragraphs a corresponding Class C certificate or, as the case may be, a parts clerk 3rd class certificate.

O.C. 591-2010, s. 9; O.C. 986-2011, s. 7.

11.04. The hours of apprenticeship worked by an apprentice in another province or a Canadian territory, for a trade referred to in paragraphs 3 and 5 of section 1.01, must be recognized by the parity committee upon presentation of a document attesting to the hours worked. In particular, the document may be a letter or an apprenticeship booklet issued by the competent authority in matters of apprenticeship of the province or territory concerned, or a letter issued by the employer confirming the hours of apprenticeship worked by the apprentice in the employer's enterprise.

On payment of the fees required for the issue of an apprenticeship certificate, the parity committee issues to the apprentice referred to in the first paragraph an apprenticeship certificate corresponding to the number of hours worked in another province or a Canadian territory.

O.C. 888-2017, s. 4.

DIVISION 12.00

UNIFORMS

12.01. When an employee wears a uniform or special clothing, identified or not with the employer's establishment, the uniform or clothing must be supplied at no cost by the employer.

The employer cannot require an amount of money from an employee for the purchase, rental, use or upkeep of the uniform or special clothing.

At the end of his employment, an employee must return this uniform or special clothing to the employer and, failing this, the employer may deduct, from the amounts owed to the employee, the value of the uniform or special clothing, for which the employer must provide the proof of such value.

R.R.Q., 1981, c. D-2, r. 44, s. 12.01; O.C. 1630-90, s. 1; O.C. 1559-91, s. 1; O.C. 619-92, s. 25; O.C. 649-93, s. 1; O.C. 632-94, s. 1; O.C. 514-95, s. 1; O.C. 469-96, s. 1; O.C. 630-98, s. 3; O.C. 1385-99, s. 8; O.C. 781-2005, s. 19; O.C. 771-2009, s. 10; O.C. 988-2011, s. 7.

12.02. An employer is required to reimburse an employee for reasonable expenses incurred where, at the request of the employer, the employee must travel or undergo training.

R.R.Q., 1981, c. D-2, r. 44, s. 12.02; O.C. 781-2005, s. 19.

DIVISION 13.00

DURATION OF THE DECREE

13.01. This Decree remains into force until 11 March 2024. It is then renewed automatically from year to year, unless the group comprising the employer contracting party or the union contracting party opposes it by sending written notice to the Minister of Labour and to all the contracting parties comprising the other group, during September 2023 or during the September of any subsequent year.

O.C. 1385-99, s. 8; O.C. 988-2011, s. 8; O.C. 137-2016, s. 5; O.C. 156-2020, s. 211.

DIVISION 14.00

TRANSITIONAL

14.00. As of 2 March 2022, the parity committee ceases to deliver qualification certificates for the trades of electrician, radiator specialist and automatic transmission specialist.

Employees who hold such a certificate retain the wage rate corresponding to their classification of journeyman applicable on that date with ant salary increases for as long as they continue to perform the duties related to their certificate.”.

SCHEDULE I

(s. 2.02)

TERRITORIAL JURISDICTION OF THE DECREE RESPECTING THE AUTOMOTIVE SERVICES INDUSTRY IN THE LANAUDIÈRE-LAURENTIDES REGIONS (chapter D-2, r. 9)

Lanaudière Region

Berthierville, Charlemagne, Chertsey, Crabtree, Entrelacs, Joliette, Lanoraie, L'Assomption, Lavaltrie, La Visitation-de-l'Île-Dupas, city and parish of L'Épiphanie, Mandeville, Mascouche, Notre-Dame-de-la-Merci, Notre-Dame-de-Lourdes, Notre-Dame-des-Prairies, Rawdon, Repentigny, village et paroisse de Saint-Alexis, Saint-Alphonse-Rodriguez, Saint-Ambroise-de-Kildare, Saint-Barthélemy, Saint-Calixte, Saint-Charles- Borromée, Saint-Cléophas-de-Brandon, Saint-Côme, Saint Cuthbert, Saint-Damien, Saint-Didace, Saint-Donat, Sainte-Béatrix, Sainte-Élizabeth, Sainte-Émélie-de-l'Énergie, Sainte-Geneviève-de-Berthier, Sainte-Julienne, Sainte-Marcelline-de-Kildare, Sainte-Marie-Salomé, Sainte-Mélanie, Saint-Esprit, Saint-Félix-de-Valois, Saint-Gabriel, Saint-Gabriel-de-Brandon, Saint-Ignace-de-Loyola, Saint-Jacques, Saint-Jean-de-Matha, Saint-Liguori, Saint-Lin-Laurentides, Saint-Michel-des-Saints, Saint-Norbert, Saint-Paul, Saint-Pierre, Saint-Roch-de-l'Achigan, Saint-Roch-Ouest, Saint-Sulpice, Saint-Thomas, Saint-Zénon, Terrebonne.

Laurentides Region

Arundel, Barkmère, Blainville, Boisbriand, Bois-des-Filion, Brébeuf, Brownsburg-Chatham, Chute-Saint-Philippe, Deux-Montagnes, Estérel, Ferme-Neuve, Gore, Grenville, Grenville-sur-la-Rouge, Harrington, Huberdeau, Ivry-sur-le-Lac, Kiamika, Labelle, Lac-des-Écorces, Lac-des-Seize-Îles, Lac-du-Cerf, Lachute, La Conception, Lac-Saguay, Lac-Saint-Paul, Lac-Supérieur, Lac-Tremblant-Nord, La Macaza, La Minerve, Lantier, L'Ascension, Lorraine, Mille-Isles, Mirabel, Montcalm, Mont-Laurier, Mont-Saint-Michel, Mont-Tremblant, Morin-Heights, Nominigüe, Notre-Dame-de-Pontmain, Notre-Dame-du-Laus, Oka, Piedmont, Pointe-Calumet, Prévost, Rivière-Rouge, Rosemère, Saint-Adolphe-d'Howard, Saint-Aimé-du-Lac-des-Îles, Saint-André-d'Argenteuil, Saint-Colomban, Sainte-Adèle, Sainte-Agathe-des-Monts, Sainte-Anne-des-Lacs, Sainte-Anne-des-Plaines, Sainte-Anne-du-Lac, Sainte-Lucie-des-Laurentides, Sainte-Marguerite-du-Lac-Masson, Sainte-Marthe-sur-le-Lac, Sainte-Sophie, Sainte-Thérèse, Saint-Eustache, Saint-Faustin-Lac-Carré, Saint-Hippolyte, Saint-Jérôme, Saint-Joseph-du-Lac, Saint-Placide, Saint-Sauveur, Val-David, Val-des-Lacs, Val-Morin, Wentworth, Wentworth-Nord.

O.C. 2573-82, s. 16; O.C. 556-89, s. 12; O.C. 619-92, s. 26; O.C. 1385-99, s. 9; O.C. 395-2001, s. 4; O.C. 771-2009, s. 11.

SCHEDULE II

(s. 11.03)

TRAINING QUALIFICATIONS ISSUED BY THE MINISTÈRE DE L'ÉDUCATION NATIONALE DE FRANCE AND PROFESSIONAL EXPERIENCE GIVING ENTITLEMENT TO A QUALIFICATION CERTIFICATE ISSUED BY THE PARITY COMMITTEE

Training qualification issued by the Ministère de l'Éducation nationale de France	Number of hours of practice of the trade	Qualification certificates issued by the parity committee
Baccalauréat professionnel Maintenance de véhicules automobiles, option voitures particulières	One year of practice of the trade of automobile mechanic-repairer/ confirmed technician in automobile mechanics, but no less than 2,000 hours, after obtaining that diploma	Journeyman mechanic, Class C
Baccalauréat professionnel Maintenance de véhicules automobiles, option véhicules industriels	One year of practice of the trade of industrial vehicle mechanic-repairer/ confirmed technician in industrial vehicle mechanics, but no less than 2,000 hours, after obtaining that diploma	Journeyman mechanic for heavy road vehicles, Class C
Baccalauréat professionnel Réparation des carrosseries	One year of practice of the trade of body repairer/confirmed sheet metal worker, but no less than 2,000 hours, after obtaining that diploma	Journeyman body repairer, Class C
Certificat d'aptitude professionnelle Peinture en carrosserie	Three years of practice of the trade of automobile painter/ confirmed automobile painter, but no less than 6,000 hours, after obtaining that diploma	Journeyman painter, Class C

O.C. 986-2011, s. 8.

UPDATES

R.R.Q., 1981, c. D-2, r. 44
S.Q. 1981, c. 7, s. 536
O.C. 2573-82, 1982 G.O. 2, 3468 and 3783
O.C. 1025-83, 1983 G.O. 2, 2397 (French)
S.Q. 1986, c. 91, s. 655
O.C. 556-89, 1989 G.O. 2, 1821
O.C. 762-89, 1989 G.O. 2, 2279
S.Q. 1989, c. 38, s. 319
O.C. 1630-90, 1990 G.O. 2, 2909
O.C. 1559-91, 1991 G.O. 2, 4581
O.C. 619-92, 1992 G.O. 2, 2525
O.C. 649-93, 1993 G.O. 2, 2752
O.C. 632-94, 1994 G.O. 2, 1857
O.C. 514-95, 1995 G.O. 2, 1325
O.C. 353-96, 1996 G.O. 2, 1698
O.C. 469-96, 1996 G.O. 2, 2116
O.C. 630-98, 1998 G.O. 2, 2008
O.C. 757-98, 1998 G.O. 2, 2216
O.C. 1569-98, 1998 G.O. 2, 4815
O.C. 1385-99, 1999 G.O.2, 4617
O.C. 395-2001, 2001 G.O. 2, 1926
O.C. 102-2003, 2003 G.O. 2, 906
O.C. 781-2005, 2005 G.O. 2, 3623
O.C. 771-2009, 2009 G.O. 2, 1897
O.C. 591-2010, 2010 G.O. 2, 1954
O.C. 986-2011, 2011 G.O. 2, 2662
O.C. 988-2011, 2011 G.O. 2, 2669
S.Q. 2015, c. 15, s. 237
O.C. 137-2016, 2016 G.O. 2, 1285
O.C. 888-2017, 2017 G.O. 2, 2656
O.C. 156-2020, 2020 G.O. 2, 706