Draft Regulation

Act respecting collective agreement decrees
(chapter D-2)

Building service employees in the Montréal region — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister has received an application from the contracting parties of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, to amend the Decree respecting building service employees in the Montréal region (chapter D-2, r. 15) and that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Regulation to amend the Decree respecting building service employees in the Montréal region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is mainly to raise the wage rates, amend certain conditions relating to the standard workweek, add a night shift bonus, increase the minimum recall indemnity, amend the conditions of eligibility for the group retirement plan and reduce the employer's contribution to the plan, amend the period of uninterrupted service required for entitlement to a vacation leave of more than 3 weeks, limit the possibility for the employer to request a medical certificate in certain circumstances as well as provide that the employer is not required to pay the credit of sick leave hours if employment is terminated for certain reasons.

The regulatory impact analysis shows that the amendments will impose a significant financial burden on enterprises given that they are intended to modernize working conditions and enhance the attractiveness of the activity sector. However, the anticipated advantages, particularly in terms of job retention, reduced employee turnover and improved sector competitiveness, are likely to offset, at least in part, the expected financial impacts.

Further information on the draft Regulation may be obtained by contacting Catherine Doucet, adviser, policy development, Direction des politiques du travail, Ministère du Travail; telephone: 418 528-9135, extension 80082, or 1 833 705-0399, extension 80082 (toll free); email: catherine.doucet@travail.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6e étage, Québec (Québec) G1R 5S1; email: ministre@travail.gouv.qc.ca.

JEAN BOULET
Minister of Labour

Regulation to amend the Decree respecting building service employees in the Montréal region

Act respecting collective agreement decrees
(chapter D-2, s. 4, 1st par., s. 6, 1st par. and s. 6.1, 1st par.).

1. The Decree respecting building service employees in the Montréal region (chapter D-2, r. 15) is amended in section 3.01

(1) by replacing subparagraph 6 of the second paragraph by the following:

"(6) a workweek may not exceed the standard workweek by more than 10 hours;";

(2) by striking out "or renewed by the employer on its expiry" in the third paragraph.

2. Section 3.08 is amended by replacing "3 hours" in the second paragraph by "4 hours".

3. Section 3.09 is amended by replacing "3 hours" by "4 hours".

4. Section 3.10 is amended by replacing "3 hours", wherever it appears, by "4 hours".

5. Section 6.01 is replaced by the following:

"**6.01.** An employee receives at least the following hourly wage:

(1) as of (*insert the date of coming into force of this Regulation*):

(*a*) Class A: $23.25;

(*b*) Class B: $23.25;

(*c*) Class C: $23.90;

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(2) as of 1 November 2026:

(*a*) Class A: $23.83;

(*b*) Class B: $23.83;

(*c*) Class C: $24.49;

(3) as of 1 November 2027:

(*a*) Class A: $24.43;

(*b*) Class B: $24.43;

(*c*) Class C: $25.10;

(4) as of 1 November 2028:

(*a*) Class A: $25.10;

(*b*) Class B: $25.10;

(*c*) Class C: $25.80;

(5) as of 1 November 2029:

(*a*) Class A: $25.79;

(*b*) Class B: $25.79;

(*c*) Class C: $26.50;

(6) as of 1 November 2030:

(*a*) Class A: $26.63;

(*b*) Class B: $26.63;

(*c*) Class C: $27.37.".

6. The following is inserted after section 6.03:

"**6.0.4.** An employee who works most of the hours of a shift between midnight and 8 a.m. receives, for each hour worked, a night shift bonus of at least,

(1) as of (*insert the date of coming into force of this Regulation*): $0.25;

(2) as of 1 November 2026: $0.50;

(3) as of 1 November 2027: $0.75;

(4) as of 1 November 2028: $1.00.".

7. Section 6.102 is replaced by the following:

"**6.102.** An employee who has regular employee status is eligible for the group retirement plan.

The employer's contribution to the plan is $0.20 per hour paid to the employee.

Once an employee has acquired the status of regular employee, the employer must pay the contribution to the plan for the hours paid before the employee obtained that status.".

8. Section 6.103 is amended by adding the following at the end:

"The employer must also send to the Parity Committee, not later than the 15th day of the month following the date on which the employee acquired regular status, the employer's contribution for the hours paid before status was obtained, as well as any volunteer contribution from the employee for that period.".

9. Section 6.105 is amended

(1) by replacing "the first day of employment" in the first paragraph by "the date of acquiring regular status";

(2) by inserting "having acquired regular status during the preceding month" at the end of the third paragraph.

10. Section 8.04 is amended by replacing "10 years" by "8 years".

11. Section 8.04.1 is amended by replacing "23 years" by "20 years".

12. Section 8.04.2 is amended by replacing "33 years" by "30 years".

13. Section 8.05 is amended by inserting ", at the option of the employee" at the end.

14. Section 8.10 is amended

(1) by inserting "or at any other time agreed on by the employee and the employer" at the end of the first paragraph;

(2) by adding the following at the end:

"At the end of the 12 months following the end of a reference year, the employer must immediately pay the indemnity for the annual vacation to which the employee is entitled.".

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15. Section 9.06 is amended by inserting "except a medical certificate" at the end of the fourth paragraph.

16. Section 9.09 is amended by inserting the following after the second paragraph:

"The employer may not, however, request the document referred to in the first paragraph for the first 3 periods of absence of a duration of 3 consecutive days or less taken over a period of 12 months.".

17. Section 10.02 is amended in the first paragraph

(1) by inserting "annual vacation days and" after "number of" in subparagraph 11;

(2) by inserting "as well as the nature and amount of premiums" at the end of subparagraph 12.

18. Section 12.03 is amended

(1) by replacing the last sentence of the first paragraph by the following: "The employer may request a document attesting to the reasons for that absence before the employer pays the indemnity to the employee.";

(2) by adding the following at the end:

"The employer may not, however, request the document referred to in the first paragraph for the first 3 periods of absence of a duration of 3 consecutive days or less taken over a period of 12 months.

The employer must reimburse the employee for the fee charged to issue the document on the paycheck following the presentation of the receipt to the employer.".

19. The following is inserted after section 12.04:

"**12.05.** The employer is not required to pay the credit of sick leave hours upon the termination of an employee's employment, except in the following cases:

(1) the employee is laid off for a period of 6 months or more and is not entitled to recall privileges under a collective agreement;

(2) the employee is laid off, is entitled to recall privileges for a period of 6 months or more under a collective agreement and loses his or her seniority under the rules of that collective agreement; or

(3) the employee is retiring and a record of employment indicating that reason is issued.".

20. Section 14.01 is amended by replacing "2024", wherever it appears, by "2030".

21. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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