

chapter D-2, r. 13

Decree respecting the building materials industry

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

TABLE OF CONTENTS

DIVISION 0.00	
DEFINITIONS.....	0.01
PART I	
DIVISION 1.00	
DIVISION 2.00	
DIVISION 3.00	
DIVISION 4.00	
DIVISION 5.00	
DIVISION 6.00	
DIVISION 7.00	
DIVISION 8.00	
DIVISION 9.00	
DIVISION 10.00	
DIVISION 11.00	
DIVISION 12.00	
PART II	
MARBLE INDUSTRY	
DIVISION 13.00	
DIVISION 14.00	
JURISDICTION.....	14.01
DIVISION 15.00	
TERRITORIAL JURISDICTION.....	15.01
DIVISION 16.00	
WAGE RATES AND JOB CLASSIFICATIONS.....	16.01
DIVISION 17.00	
STANDARD WORKING HOURS.....	17.01
DIVISION 18.00	
OVERTIME HOURS.....	18.01

DIVISION 19.00	
EVENING AND NIGHT SHIFTS.....	19.01
DIVISION 20.00	
GENERAL HOLIDAYS.....	20.01
DIVISION 21.00	
ANNUAL VACATIONS WITH PAY.....	21.01
DIVISION 22.00	
PRIOR NOTICE AND WORK CERTIFICATE.....	22.01
DIVISION 23.00	
LEAVE FOR FAMILY REASONS AND OTHER LEAVE.....	23.01
DIVISION 24.00	
APPRENTICESHIP.....	24.01
DIVISION 25.00	
DIVISION 26.00	
DIVISION 27.00	
GENERAL PROVISIONS.....	27.01
DIVISION 28.00	
FRINGE BENEFITS.....	28.01
DIVISION 29.00	
TERM OF PART II.....	29.01
DIVISION 30.00	
DIVISION 31.00	
DIVISION 32.00	

PART III

DIVISION 33.00	
DIVISION 34.00	

DIVISION 0.00

DEFINITIONS

0.01. For the purposes of this Decree:

(1) “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;

(2) (*paragraph revoked*);

(3) “continuous service” means an uninterrupted period during which an employee is bound to an employer by a labour contract, even where performance of the work is interrupted without termination of the contract, or a period during which there is a succession of fixed-term contracts without any interruption that, in the circumstances, would lead to the conclusion that a contract was not renewed.

O.C. 234-95, s. 2; O.C. 1380-99, s. 2; O.C. 440-2001, s. 1; O.C. 736-2005, s. 1.

0.02. Names of the contracting parties:

Employer party:

L’Association de la construction du Québec;

Union party:

L’Union des carreleurs et métiers connexes, local 1 (FTQ-CTC).

O.C. 1380-99, s. 3; O.C. 440-2001, s. 2.

PART I

(*Obsolete, 2000-12-31; s. 11.01*)

R.R.Q., 1981, c. D-2, r. 34, Part I; O.C. 1694-82, s. 2.

DIVISION 1.00

(*Obsolete, 2000-12-31; s. 11.01*)

R.R.Q., 1981, c. D-2, r. 34, Div. 1.00; O.C. 1694-82, s. 2.

1.01. (*Obsolete, 2000-12-31; s. 11.01*).

R.R.Q., 1981, c. D-2, r. 34, s. 1.01; O.C. 1694-82, s. 2.

1.02. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 1.02; O.C. 1694-82, s. 2; O.C. 1101-92, s. 1.

DIVISION 2.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 2.00; O.C. 1694-82, s. 2.

2.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 2.01; O.C. 1694-82, s. 2; O.C. 166-84, s. 1; O.C. 1169-89, s. 1; Erratum, 1989 G.O. 2, 3727; O.C. 1670-90, s. 3; O.C. 234-95, s. 3; O.C. 1380-99, s. 4.

2.02. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 1169-89, s. 1; O.C. 1670-90, s. 3; O.C. 1101-92, s. 2; O.C. 1380-99, s. 5.

2.03. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2.

2.04. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2.

DIVISION 3.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 3.00; O.C. 1694-82, s. 2.

3.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 3.01; O.C. 1694-82, s. 2; O.C. 234-95, s. 4; O.C. 1380-99, s. 6.

3.02. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 5; O.C. 1380-99, s. 7.

3.03. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2.

DIVISION 4.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 4.00; O.C. 1694-82, s. 2.

4.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 4.01; O.C. 1694-82, s. 2; O.C. 234-95, s. 6; O.C. 1380-99, s. 8.

4.02. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 4.02; O.C. 1694-82, s. 2; O.C. 1380-99, s. 9.

4.03. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.04. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.05. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.06. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.07. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.08. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.09. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

4.10. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 9.

DIVISION 5.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 5.00; O.C. 1694-82, s. 2.

5.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 5.01; O.C. 1694-82, s. 2; O.C. 1169-89, s. 2; O.C. 234-95, s. 7.

5.02. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 1169-89, s. 2; O.C. 1670-90, s. 4.

5.03. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 1169-89, s. 2; Erratum, 1989 G.O. 2, 372; O.C. 1670-90, s. 4; O.C. 234-95, s. 8.

5.04. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2.

5.05. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2.

5.06. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 1169-89, s. 3; O.C. 1670-90, s. 5.

DIVISION 6.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 6.00; O.C. 1694-82, s. 2.

6.01. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 6.01; O.C. 1694-82, s. 2; O.C. 234-95, s. 9.

6.02. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2.

6.02.1. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 10.

6.02.2. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1380-99, s. 10.

6.03. *(Revoked).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 10.

6.04. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 11; O.C. 1380-99, s. 11.

6.05. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 11.

6.06. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 11.

6.07. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 11.

6.08. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 11.

6.09. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 11.

6.10. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 234-95, s. 12.

6.11. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 234-95, s. 12.

DIVISION 7.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 7.00; O.C. 1694-82, s. 2.

7.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 7.01; O.C. 1694-82, s. 2; O.C. 234-95, s. 13.

7.01.1. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 234-95, s. 13.

7.02. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 13; O.C. 1380-99, s. 12.

7.03. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 1694-82, s. 2; O.C. 234-95, s. 13.

DIVISION 8.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 8.00; O.C. 1694-82, s. 2; O.C. 234-95, s. 14.

8.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 8.01; O.C. 1694-82, s. 2; O.C. 234-95, s. 14.

8.02. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 234-95, s. 14.

8.03. *(Obsolete, 2000-12-31; s. 11.01).*

O.C. 234-95, s. 14.

DIVISION 9.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 9.00; O.C. 1694-82, s. 2.

9.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 9.01; O.C. 1694-82, s. 2.

9.02. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 9.02; O.C. 1694-82, s. 2.

9.03. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 9.03; O.C. 1694-82, s. 2.

9.04. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 9.04; O.C. 1694-82, s. 2.

9.05. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 9.05; O.C. 1694-82, s. 2.

9.06. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 9.06; O.C. 1694-82, s. 2.

DIVISION 10.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 10.00; O.C. 1694-82, s. 2.

10.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.01; O.C. 1694-82, s. 2; O.C. 166-84, s. 2; O.C. 228-96, s. 1; O.C. 1380-99, s. 13.

10.02. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.02; O.C. 1694-82, s. 2; O.C. 166-84, s. 2; O.C. 228-96, s. 1; O.C. 1380-99, s. 13.

10.03. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.03; O.C. 1694-82, s. 2.

10.04. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.04; O.C. 1694-82, s. 2.

10.05. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.05; O.C. 1694-82, s. 2; O.C. 1124-87, s. 60.

10.06. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.06; O.C. 1694-82, s. 2.

10.07. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.07; O.C. 1694-82, s. 2.

10.08. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.08; O.C. 1694-82, s. 2.

10.09. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 10.09; O.C. 1694-82, s. 2.

DIVISION 11.00

(Obsolete, 2000-12-31; s. 11.01)

R.R.Q., 1981, c. D-2, r. 34, Div. 11.00; O.C. 1694-82, s. 2; O.C. 166-84, s. 3.

11.01. *(Obsolete, 2000-12-31; s. 11.01).*

R.R.Q., 1981, c. D-2, r. 34, s. 11.01; O.C. 1694-82, s. 2; O.C. 166-84, s. 3; O.C. 1169-89, s. 4; O.C. 1670-90, s. 6; O.C. 234-95, s. 15; O.C. 1380-99, s. 14.

DIVISION 12.00

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Div. 12.00; O.C. 1694-82, s. 2.

12.01. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 12.01; O.C. 1694-82, s. 2.

PART II

MARBLE INDUSTRY

DIVISION 13.00

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Div. 13.00; O.C. 1694-82, s. 2.

DIVISION 14.00

JURISDICTION

14.01. This Part applies to any operation carried out in:

- (1) a quarry, a warehouse, or a shop of the marble industry;
- (2) a shop where marble and construction marble is worked;
- (3) a shop where precast granito (terrazzo) of all categories and for all uses is manufactured;
- (4) a shop where precast concrete panels, irrespective of their thickness, are covered with ceramic tile or marble;
- (5) a shop where slate, monolithic asbestos-cement sheets, soapstone or any other similar material is worked.

R.R.Q., 1981, c. D-2, r. 34, s. 14.01; O.C. 1808-83, s. 1; O.C. 1332-92, s. 2.

14.02. In the case of prefabricated panels where the surface is being covered with ceramic tile, such tile shall be laid by tile layers and, in cases where the surface of panels is covered with marble, such marble shall be laid by marble setters.

R.R.Q., 1981, c. D-2, r. 34, s. 14.02.

14.03. However, cement or concrete panels fabricated in shops shall not be governed by this Part.

R.R.Q., 1981, c. D-2, r. 34, s. 14.03.

14.04. Truck drivers working for public trucking enterprises who carry out transportation for remuneration shall not be governed by this Part.

O.C. 1808-83, s. 2.

DIVISION 15.00

TERRITORIAL JURISDICTION

15.01. The territorial jurisdiction of this Part comprises all the territory of Québec.

R.R.Q., 1981, c. D-2, r. 34, s. 15.01.

DIVISION 16.00

WAGE RATES AND JOB CLASSIFICATIONS

16.01. Employees receive at least the following hourly rates for each job classification indicated below and for the wage scale applicable thereto:

Classification	As of 12 March 2014	As of 1 May 2014	As of 1 May 2015	As of 1 May 2016	As of 1 May 2017
1. Cutter all categories (sawer)	\$25.61	\$26.12	\$26.65	\$27.18	\$27.72

Wage scale:

0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67

2. Polisher all categories	\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
-----------------------------------	---------	---------	---------	---------	---------

Wage scale:

0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67

DECREES — BUILDING MATERIALS INDUSTRY

3. Terrazzo cutter (granite)

\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
---------	---------	---------	---------	---------

Wage scale:

0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
----------------	---------	---------	---------	---------	---------

12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
-----------------	---------	---------	---------	---------	---------

24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
-----------------	---------	---------	---------	---------	---------

36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67
-----------------	---------	---------	---------	---------	---------

4. CNC Operator

\$25.61	\$26.12	\$26.65	\$27.18	\$27.72
---------	---------	---------	---------	---------

Wage scale:

0 to 12 months	\$15.40	\$15.71	\$16.02	\$16.34	\$16.67
----------------	---------	---------	---------	---------	---------

12 to 24 months	\$17.93	\$18.29	\$18.66	\$19.03	\$19.41
-----------------	---------	---------	---------	---------	---------

24 to 36 months	\$21.79	\$22.22	\$22.67	\$23.12	\$23.58
-----------------	---------	---------	---------	---------	---------

36 to 48 months	\$23.72	\$24.19	\$24.67	\$25.17	\$25.67
-----------------	---------	---------	---------	---------	---------

5. Shop labourer

\$16.54	\$16.88	\$17.21	\$17.56
---------	---------	---------	---------

\$17.91.

R.R.Q., 1981, c. D-2, r. 34, s. 16.01; O.C. 1808-83, s. 3; O.C. 1339-85, s. 2; O.C. 933-90, s. 2; O.C. 1332-92, s. 3; O.C. 606-95, s. 1; O.C. 1380-99, s. 15; O.C. 440-2001, s. 3; O.C. 84-2006, s. 1; O.C. 770-2009, s. 1; O.C. 253-2014, s. 1.

16.01.1. An employer who transfers a shop labourer with 2 years or more of experience to a trade position shall integrate that person into the wage scale corresponding to 12 to 24 months.

O.C. 440-2001, s. 4.

16.02. (*Revoked*).

O.C. 1332-92, s. 5; O.C. 606-95, s. 1; O.C. 1380-99, s. 16.

16.03. Special provision respecting wages: Despite any other provision in this Decree, the employer shall grant the employee at least the minimum wage provided for in the Regulation respecting labour standards (chapter N-1.1, r. 3).

O.C. 1808-83, s. 3; O.C. 1339-85, s. 2; O.C. 1332-92, s. 4.

16.04. Payment in cash: Wages must be paid in cash in a sealed envelope or by cheque. The payment may be made 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 the 2 working day following its issue.

O.C. 1380-99, s. 17.

16.05. Payment at regular intervals: Wages must be paid at regular intervals of not over 16 days.

Notwithstanding the first paragraph, the employer may pay an employee within 1 month following the commencement of his employment.

O.C. 1380-99, s. 17.

16.06. Direct payment: The wages of an employee must be paid directly to him, at his place of employment during 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.

O.C. 1380-99, s. 17.

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

O.C. 1380-99, s. 17.

16.08. Pay sheet: 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. The 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 the regular rate;
- (6) the number of overtime hours paid or replaced by a leave with the applicable premium;
- (7) the nature and amount of the bonuses, indemnities, allowances or commissions paid;
- (8) the wage rate;
- (9) the amount of wages before deductions;
- (10) the nature and the amount of the deductions effected;
- (11) the amount of net wages paid to the employee.

O.C. 1380-99, s. 17.

16.08.1. The employer must remit to the employee along with a copy of the T4 and TP4 slips a statement of the amounts paid the previous year to the Comité conjoint des matériaux de construction for the income security fund, annual vacations and paid general holidays.

O.C. 440-2001, s. 5.

16.09. Signature: 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.

O.C. 1380-99, s. 17.

16.10. Acceptance of a pay sheet: 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.

O.C. 1380-99, s. 17.

16.11. Deduction from wages: 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 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 the sums so withheld to their intended receiver.

O.C. 1380-99, s. 17; O.C. 736-2005, s. 2.

DIVISION 17.00

STANDARD WORKING HOURS

17.01. Standard working hours:

(1) The standard workweek is 40 hours scheduled from Monday to Friday. The standard workday is 8 hours, except where an agreement has been concluded allowing an employer to schedule the working hours of his employees over a maximum of 4 consecutive days of 10 hours per day.

(2) An employer may schedule the working hours of his employees on a basis other than a weekly basis, if he meets the following conditions:

(a) the purpose of the schedule is not to avoid the payment of overtime hours;

(b) he has obtained the consent of the employee concerned;

(c) the schedule has the effect of granting the employee another type of benefit to compensate for the loss of payment of overtime hours;

(d) the average of the working hours is equivalent to that of the standard workweek;

(e) working hours are scheduled over a maximum period of 4 weeks;

(f) the duration of the schedule must not exceed 1 year;

(g) he forwarded, at least 15 days before the implementation of the schedule, a written notice to that effect to the joint committee.

A scheduled period may be modified by the employer under the same conditions or renewed by him on its expiry.

R.R.Q., 1981, c. D-2, r. 34, s. 17.01; O.C. 1808-83, s. 3; O.C. 933-90, s. 4; O.C. 606-95, s. 2; O.C. 1380-99, s. 18.

17.02. An employee who reports to work without having been notified in advance that his services were not required or whose work duration is inferior to 4 hours shall be entitled to wages equal to 4 hours of work.

However, the wages provided in the first paragraph are not payable in cases where work is suspended for any reason beyond the employer's control, proof of which falls upon the employer.

R.R.Q., 1981, c. D-2, r. 34, s. 17.02; O.C. 1808-83, s. 3.

17.03. An employee is entitled to at least 45 minutes off to take his or her meal, including 15 minutes that are paid.

R.R.Q., 1981, c. D-2, r. 34, s. 17.03; O.C. 1808-83, s. 3; O.C. 253-2014, s. 2.

17.04. An employee shall be entitled to 7 minutes immediately before the end of his workday to wash up and change.

R.R.Q., 1981, c. D-2, r. 34, s. 17.04; O.C. 1808-83, s. 3; O.C. 933-90, s. 5; O.C. 440-2001, s. 6.

17.05. When called back to work outside of his standard workhours, an employee shall be entitled to a minimum of 4 hours of wages paid at the rate for overtime hours. The time required to travel to and from his residence shall be considered as hours worked.

O.C. 1808-83, s. 3.

17.06. Rest Period: The employee is entitled to a 15-minute rest period with pay for each day of work.

O.C. 1808-83, s. 3; O.C. 933-90, s. 6; O.C. 606-95, s. 3; O.C. 1380-99, s. 19.

DIVISION 18.00

OVERTIME HOURS

18.01. An employee shall be paid time and a half his effective hourly wage for the hours performed in addition to the standard workweek or workday provided in Division 17.00.

R.R.Q., 1981, c. D-2, r. 34, s. 18.01; O.C. 1808-83, s. 3.

18.02. An employee shall be paid double time the effective hourly wage for the hours performed between 8 :00 p.m. and 7 :00 a.m. except the employee working on the night shift as provided in Division 19.00.

R.R.Q., 1981, c. D-2, r. 34, s. 18.02; O.C. 1808-83, s. 3.

18.03. An employee shall be paid double time the effective hourly wage for the hours performed on the general holidays, on Saturdays and Sundays and on the occasion of the annual vacation provided in Division 21.00.

O.C. 1808-83, s. 3.

DIVISION 19.00

EVENING AND NIGHT SHIFTS

19.01. Evening shift: the workday of an employee working the evening shift begins at 3:30 p.m. and ends at 11:30 p.m. However, that period may vary in each shop if there is an agreement between the employees and the employers.

An hourly premium of \$1.00 is paid to an employee working the evening shift.

R.R.Q., 1981, c. D-2, r. 34, s. 19.01; O.C. 1808-83, s. 3; O.C. 933-90, s. 7; O.C. 1380-99, s. 20; O.C. 253-2014, s. 4.

19.01.1. Night shift: the workday of an employee working the night shift begins at 11:30 p.m. and ends at 7:30 a.m. However, that period may vary in each shop if there is an agreement between the employees and the employers.

An hourly premium of \$1.50 is paid to an employee working the night shift.

O.C. 253-2014, s. 4.

19.02. (Revoked).

R.R.Q., 1981, c. D-2, r. 34, s. 19.02; O.C. 1808-83, s. 3; O.C. 933-90, s. 7; O.C. 606-95, s. 4.

19.03. An employee assigned to the night shift shall be paid double time for the overtime hours performed outside the standard hours of work.

R.R.Q., 1981, c. D-2, r. 34, s. 19.03; O.C. 1808-83, s. 3; O.C. 606-95, s. 5.

DIVISION 20.00

GENERAL HOLIDAYS

20.01. (Revoked).

R.R.Q., 1981, c. D-2, r. 34, s. 20.01; O.C. 1808-83, s. 3; O.C. 1332-92, s. 6; O.C. 606-95, s. 6; O.C. 84-2006, s. 2.

20.02. An employee shall be entitled to the following general holidays with pay: New Year's Day, Good Friday, Easter Monday, National Patriots' Day, the National Holiday, July 1, Labour Day, Thanksgiving Day, Remembrance Day, Christmas.

R.R.Q., 1981, c. D-2, r. 34, s. 20.02; O.C. 1808-83, s. 3; O.C. 933-90, s. 9; O.C. 1332-92, s. 6; O.C. 736-2005, s. 3; O.C. 84-2006, s. 3.

20.03. When a holiday mentioned in section 20.02 falls on a Saturday or a Sunday, the employer postpones the holiday to the Monday following or to the Friday preceding the holiday.

R.R.Q., 1981, c. D-2, r. 34, s. 20.03; O.C. 1808-83, s. 3; O.C. 440-2001, s. 7.

20.04. Work shall be forbidden during the holidays mentioned in section 20.02 except when the employer proves to the Building Materials Joint Committee that it is urgent and necessary to carry out work for the protection and safety of the public. Work carried out on such occasion shall be paid at the rate provided in section 18.03.

O.C. 1808-83, s. 3.

20.04.1. Indemnity: For each general holiday provided for in section 20.02, the employer shall pay the employee an indemnity equal to 1/20 of his wages earned during the 4 complete weeks of pay preceding the week of the holiday, excluding overtime hours.

O.C. 1380-99, s. 21; O.C. 736-2005, s. 4.

20.05. (*Revoked*).

O.C. 1808-83, s. 3; O.C. 1332-92, s. 7; O.C. 234-95, s. 16.

DIVISION 21.00

ANNUAL VACATIONS WITH PAY

21.01. (1) An employee is entitled each year to an annual vacation of 4 weeks, which may be divided into 2 periods. The portion of the vacation taken during the summer period shall be taken during June, July and August. The portion of the vacation taken during the winter period shall be taken during December and January.

Notwithstanding the foregoing, the annual vacation may be taken, with the employer's consent, at another time.

The employee is entitled to know the date of his annual vacation at least 8 weeks in advance.

(2) When urgent work must be performed during annual vacation periods, the employer may call back to carry out such work an employee who agrees to do so. The employee shall be paid his effective hourly wage rate increased by 100%. The employer shall notify the Building Materials Joint Committee within reasonable time.

(3) (*paragraph revoked*).

R.R.Q., 1981, c. D-2, r. 34, s. 21.01; O.C. 1808-83, s. 3; O.C. 1339-85, s. 3; O.C. 933-90, s. 10; O.C. 1332-92, s. 8; O.C. 606-95, s. 7; O.C. 84-2006, s. 4.

21.02. At the end of each week, the employer shall credit to each employee, as an indemnity for compulsory annual vacations and for general holidays, a sum equal to the percentage of the wages earned during the week provided for in the collective agreement applicable in the institutional and commercial sector of the building industry, on the same conditions and with the same obligations.

R.R.Q., 1981, c. D-2, r. 34, s. 21.02; O.C. 1808-83, s. 3; O.C. 1332-92, s. 9; O.C. 84-2006, s. 5; O.C. 770-2009, s. 2.

21.03. Before the 15th day of the month, the employer shall give the amount provided in section 21.02 to the Building Materials Joint Committee. The latter shall forward the amounts collected for each employee to the Commission de la construction du Québec which then distributes the amounts according to the manner provided in the collective agreement applicable to the institutional and commercial sector of the construction industry.

O.C. 1808-83, s. 3; O.C. 1332-92, s. 10; O.C. 440-2001, s. 8.

DIVISION 22.00

PRIOR NOTICE AND WORK CERTIFICATE

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

The 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, 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. 34, s. 22.01; O.C. 1808-83, s. 3; O.C. 1332-92, s. 11.

22.02. Section 22.01 does not apply to an employee

- (1) who has less than 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 a fortuitous event.

R.R.Q., 1981, c. D-2, r. 34, s. 22.02; O.C. 1808-83, s. 3; O.C. 1332-92, s. 11.

22.02.1. An employee who is laid off for less than 6 months or who has less than 3 months of continuous service with the same employer shall be entitled to a written prior notice consisting of 16 working hours.

O.C. 933-90, s. 11.

22.03. An employer who does not give the notice prescribed by section 22.01, or who gives insufficient notice, 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.

The 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.

O.C. 1808-83, s. 3; O.C. 1332-92, s. 12.

22.04. Work certificate: Upon expiration of the work contract, an employee may demand that his employer issues him a work certificate stating exclusively the nature and duration of his employment, the dates he began and ended his functions and the name and address of his employer. The certificate shall not mention the quality of the work or the employee's conduct.

O.C. 1808-83, s. 3.

DIVISION 23.00

LEAVE FOR FAMILY REASONS AND OTHER LEAVE

23.01. An employee with 1 year or less of continuous service with an employer may be absent from work for 1 day, without reduction of wages, on his wedding day or day of his civil union. The employee may also be absent from work, without wages, 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 consort. The employee shall notify his employer of his absence not less than 1 week in advance.

An employee with more than 1 year of continuous service with an employer may be absent from work for 2 days, without reduction of wages, for his wedding or of his civil union. The employee may also be absent from work, without wages, 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 consort. The employee shall notify his employer of his absence not less than 1 week in advance.

R.R.Q., 1981, c. D-2, r. 34, s. 23.01; O.C. 1808-83, s. 3; O.C. 1332-92, s. 13; O.C. 606-95, s. 8; O.C. 736-2005, s. 5.

23.02. An employee with 1 year or less of continuous service with an employer may be absent from work for 1 day, without reduction of wages, by reason of the death or funeral of his consort, of his child or the child of his consort, or of his father, mother, brother or sister. He may also be absent from work, without wages, for 4 additional days on such occasion.

An employee with more than 1 year of continuous service with an employer may be absent from work for 3 days, without a reduction in wages, by reason of the death or funeral of his spouse, child or child of his spouse, or his father or mother. He may also be absent from work for 2 additional days on that occasion without wages.

The employee who has more than 1 year of continuous service with an employer may be absent from work for 2 days, without a reduction in wages, by reason of the death of a sister or brother. He may also be absent for 3 additional days on that occasion without wages.

O.C. 1808-83, s. 3; O.C. 1339-85, s. 4; O.C. 1332-92, s. 13; O.C. 606-95, s. 8; O.C. 440-2001, s. 9; O.C. 736-2005, s. 6.

23.03. An employee who has 1 year or less of continuous service with an employer may be absent from work for 1 day, without reduction of wages, by reason of the death or funeral of his son-in-law, daughter-in-law, one of his grandparents or grandchildren, or of the father, mother, brother or sister of his consort.

An employee with more than 1 year of continuous service with an employer may be absent from work for 2 days, without reduction of wages, by reason of the death or funeral of his son-in-law, one of his grandparents or grandchildren, or of the father, mother, brother or sister of his consort.

In the cases referred to in the first and second paragraphs, the employee shall notify his employer of his absence as soon as possible.

O.C. 1808-83, s. 3; O.C. 1332-92, s. 13; O.C. 606-95, s. 8.

23.04. An employee may be absent from work for 5 days for the birth of his child, the adoption of a child or if there is a termination of the pregnancy in or after the twentieth week of pregnancy. The first 2 days of absence shall be remunerated if the employee has 60 days of continuous service to his credit.

That leave may be divided into days at the employee's request. It may not be taken more than 15 days following the arrival of the child at the residence of its father or mother.

The employee shall notify the employer of his absence as soon as possible.

Notwithstanding the foregoing, an employee who adopts the child of his consort may not be absent from work for more than 2 days, without wages.

O.C. 1332-92, s. 13; O.C. 234-95, s. 17; O.C. 606-95, s. 8; O.C. 736-2005, s. 7.

23.05. Maternity Leave: A female employee is entitled to maternity leave in accordance with the provisions of the Act respecting labour standards (chapter N-1.1).

O.C. 606-95, s. 8.

DIVISION 24.00

APPRENTICESHIP

24.01. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 24.01; O.C. 84-2006, s. 6.

24.02. An employer shall not employ more than 1 apprentice for 1 journeyman of each category of the trades mentioned in this part.

R.R.Q., 1981, c. D-2, r. 34, s. 24.02; O.C. 84-2006, s. 7.

24.03. No apprentice shall begin his apprenticeship before 16 years of age.

R.R.Q., 1981, c. D-2, r. 34, s. 24.03.

24.04. Apprenticeship cards shall be issued by the Building Materials Joint Committee in favour of candidates, upon the recommendation of an employer.

R.R.Q., 1981, c. D-2, r. 34, s. 24.04.

24.05. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 24.05; O.C. 84-2006, s. 8.

24.06. For polishers, a temporary probationary permit for 1 month shall be issued upon recommendation of their employer; after this period, if the employer agrees, an apprenticeship card shall be issued and, at the end of apprenticeship, they shall receive a journeyman's card after the examination provided for by the Act.

R.R.Q., 1981, c. D-2, r. 34, s. 24.06; O.C. 84-2006, s. 9.

DIVISION 25.00

(Revoked)

R.R.Q., 1981, c. D-2, r. 34, Div. 25.00; O.C. 1808-83, s. 4; O.C. 440-2001, s. 10.

25.01. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 25.01; O.C. 1808-83, s. 4; O.C. 440-2001, s. 10.

25.02. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 25.02; O.C. 1808-83, s. 4; O.C. 440-2001, s. 10.

25.03. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 25.03; O.C. 1808-83, s. 4.

DIVISION 26.00

(Revoked)

R.R.Q., 1981, c. D-2, r. 34, Div. 26.00; O.C. 1808-83, s. 5.

26.01. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 26.01; O.C. 1808-83, s. 5.

26.02. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 26.02; O.C. 1808-83, s. 5.

26.03. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 26.03; O.C. 1808-83, s. 5.

26.04. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 26.04; O.C. 1808-83, s. 5.

DIVISION 27.00

GENERAL PROVISIONS

27.01. Hand polishing shall be done by a skilled worker and in no case shall it be performed by a labourer. Never shall a labourer work alone on a machine except when accompanied by a skilled worker.

A shop having only one skilled worker is not allowed to hire more than 2 labourers. If the work calls for more employees, there shall be at least 2 skilled workers to enable the hiring of additional labourers.

R.R.Q., 1981, c. D-2, r. 34, s. 27.01.

27.02. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 27.02; O.C. 1808-83, s. 6.

DIVISION 28.00

FRINGE BENEFITS

28.01. Employers and employees shall contribute to the fringe benefits plan provided for in the collective agreement applicable in the institutional and commercial sector of the construction industry, on the same conditions and obligations.

R.R.Q., 1981, c. D-2, r. 34, s. 28.01; O.C. 1808-83, s. 7; O.C. 440-2001, s. 11.

28.02. The contributions provided in section 28.01 shall be remitted to the Building Materials Joint Committee which forwards them to the Commission de la construction du Québec, in the same manner and on the same date as for annual vacations and general holidays.

R.R.Q., 1981, c. D-2, r. 34, s. 28.02; O.C. 1808-83, s. 7; O.C. 1332-92, s. 10.

28.03. The provisions respecting fringe benefits (pension funds, life-insurance, accident-health-insurance) and the conditions and benefits related thereto shall apply with the necessary modifications.

R.R.Q., 1981, c. D-2, r. 34, s. 28.03; O.C. 1808-83, s. 7.

28.04. *(Revoked).*

R.R.Q., 1981, c. D-2, r. 34, s. 28.04; O.C. 1808-83, s. 7.

DIVISION 29.00

TERM OF PART II

29.01. Part II remains in force until 30 April 2018. It is automatically renewed from year to year thereafter, unless 1 of the contracting parties opposes the renewal by sending a written notice to that effect to the Minister of Labour and to the other contracting party during November of the year 2017 or during November of any subsequent year.

R.R.Q., 1981, c. D-2, r. 34, s. 29.01; O.C. 1808-83, s. 7; O.C. 1339-85, s. 5; O.C. 933-90, s. 12; O.C. 1332-92, s. 14; O.C. 606-95, s. 9; O.C. 1380-99, s. 22; O.C. 440-2001, s. 12; O.C. 84-2006, s. 10; O.C. 770-2009, s. 3; O.C. 253-2014, s. 5.

29.02. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 29.02; O.C. 1808-83, s. 7.

DIVISION 30.00

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Div. 30.00; O.C. 1808-83, s. 7.

30.01. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 30.01; O.C. 1808-83, s. 7.

30.02. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 30.02; O.C. 1808-83, s. 7.

DIVISION 31.00

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Div. 31.00; O.C. 1808-83, s. 7.

31.01. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 31.01; O.C. 1808-83, s. 7.

DIVISION 32.00

(Replaced).

R.R.Q., 1981, c. D-2, r. 34, Div. 32.00; O.C. 1808-83, s. 7.

32.01. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 32.01; O.C. 1808-83, s. 7.

PART III

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Pt III; O.C. 1808-83, s. 7.

DIVISION 33.00

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Div. 33.00; O.C. 1808-83, s. 7.

33.01. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 33.01; O.C. 1808-83, s. 7.

33.02. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 33.02; O.C. 1808-83, s. 7.

DIVISION 34.00

(Replaced)

R.R.Q., 1981, c. D-2, r. 34, Div. 34.00; O.C. 1808-83, s. 7.

34.01. *(Replaced).*

R.R.Q., 1981, c. D-2, r. 34, s. 34.01; O.C. 1808-83, s. 7.

UPDATES

R.R.Q., 1981, c. D-2, r. 34
O.C. 1694-82, 1982 G.O. 2, 1994; Suppl. 440
O.C. 1808-83, 1983 G.O. 2, 3366
O.C. 166-84, 1984 G.O. 2, 420
O.C. 1339-85, 1985 G.O. 2, 2186
O.C. 1124-87, 1987 G.O. 2, 3139
O.C. 1169-89, 1989 G.O. 2, 3069 and 3727
O.C. 933-90, 1990 G.O. 2, 1765
O.C. 1670-90, 1990 G.O. 2, 2926
O.C. 1101-92, 1992 G.O. 2, 4087
O.C. 1332-92, 1992 G.O. 2, 4412
S.Q. 1992, c. 44, s. 80
O.C. 234-95, 1995 G.O. 2, 789
O.C. 606-95, 1995 G.O. 2, 1434
O.C. 228-96, 1996 G.O. 2, 1270
O.C. 757-98, 1998 G.O. 2, 2216

O.C. 1380-99, 1999 G.O. 2, 4593
O.C. 440-2001, 2001 G.O. 2, 1951
O.C. 736-2005, 2005 G.O. 2, 3444
O.C. 84-2006, 2006 G.O. 2, 998
O.C. 770-2009, 2009 G.O. 2, 1895
O.C. 253-2014, 2014 G.O. 2, 631