

## AMENDMENTS TO OUR LABOUR LEGISLATION

On the 28th of March the Lieutenant-Governor sanctioned five labour laws which had been previously passed by the Legislative Assembly of the Province of Quebec. The bills in question are entitled as follows: *a)* An Act to amend the Professional Syndicates' Act (bill No. 22); *b)* An Act to amend the Labour Relations Act (bill No. 25); *c)* An Act to amend the Collective Agreement Act (bill No. 26); *d)* An Act to amend the Minimum Wage Act (bill No. 27); *e)* An Act to amend the Pipe-Mechanics Act (bill No. 32). The amendments to these labour laws are quite important even though they do not affect the general trend of our legislation. Indeed, these amendments, presented by the Honourable Antonio Barrette, will greatly simplify the carrying out of these Acts and prove highly useful to employees' and employers' associations. A summary of these amendments with explanatory notes will be found hereinbelow.

### *a) Professional Syndicates' Act*

An amendment to section 2 of the Professional Syndicates' Act enacts that the publication, in the *Quebec Official Gazette*, of the notice authorizing the formation of an association or professional syndicate incorporates the said professional syndicate. Formerly, it was also necessary to deposit this notice in the office of the Superior Court. This simplification of procedure will be appreciated by all the syndicates that have repeatedly requested it.

Section 17 of the Act entitled a syndicate to claim from a member ceasing to adhere thereto an assessment for a maximum period of one year. This section has been amended by reducing this period to three months.

Section 19 of the Professional Syndicates' Act allows municipal corporations to grant an exemption of taxes on immovables utilized by a syndicate as hall for workmen's meetings. This section has been amended by replacing the word: « workmen's » by the word: « syndicate ».

Finally, bill No. 22 gives a retroactive effect to the provisions of section 1. In other words, if the syndicates already formed did not deposit the notice of authorization in the office of the Superior Court at the time of their formation, the former procedure no longer binds them to do so.

### *b) Labour Relations Act*

A new paragraph is added to section 7 of the Labour Relations Act. In order to assure itself of the representative character of an association, the Board may, by by-law subject to the formalities of section 38, determine the conditions on which a person may be recognized as a member of an association. In the Legislative Assembly, the Honourable Antonio Barrette declared that the employers' and employees' associations had already been consulted about the necessity of drawing up practical by-laws that would ensure a more efficient enforcement of the Act by reducing to the limit the possibilities of jurisdictional disputes between labour associations. The Department of Labour shall in no way whatever interfere in the internal administration of labour unions. On the

contrary, the by-laws which will be determined by the Labour Relations Board will make the labour associations' work easier by establishing criterions for the recognition of all professional groups.

Section 19, as newly worded, obliges every association recognized under the Act, and which has entered into a collective agreement, to transmit two certified copies thereof to the Board. Such collective agreement shall not take effect until such deposit is made. Notwithstanding the foregoing provisions, the conditions of work stipulated in the agreement are binding upon the employer and the labour association, but the said association must make the deposit if it intends to protect its rights with regard to any other labour association that would try to obtain certification for the purpose of being recognized in its place. A supplementary paragraph of section 19 makes the provisions of the Labour Relations Act applicable to a collective agreement entered into under the Professional Syndicates' Act as from the date of the deposit of such agreement in the office of the Minister of Labour and provides for the transmission of two copies of such agreement, by the Minister, to the Labour Relations Board.

Other amendments bring up to five (5) the number of members of the Board and deal with the internal administration of that body.

### *c) Collective Agreement Act*

An amendment to section 10 stipulates that vacations with pay may be rendered obligatory by decree. A second amendment, in conformity with the Apprenticeship Assistance Act, authorizes any parity committee to grant subsidies to apprenticeship commissions.

### *d) Minimum Wage Act*

Section 2 of the Minimum Wage Act is amended so that it no longer exempts from the application of the ordinances enacted under the said Act the employees subject to a collective labour agreement passed under the Professional Syndicates' Act. The exception is maintained only for employees subject to a decree passed under the Collective Agreement Act.

A new section inserted after section 14 authorizes the Minimum Wage Commission to determine the rate of wages to be paid, for overtime, to an employee engaged and paid by the hour and not subject to a collective labour agreement, and also to determine the vacations with pay to be granted to employees by their employers.

Two paragraphs have been added to section 30. The first enacts that the prescription of a civil action arising from the Minimum Wage Act or from an ordinance rendered under this Act shall run only as from the first of May following the date of the work done in the case of employees engaged in forest operations. The second paragraph enacts that the mailing of a registered letter from the Minimum Wage Commission to an employer claiming wages for an employment shall suspend the prescription of the action, which prescrip-

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