

NATIONAL ASSEMBLY

FIRST SESSION THIRTY-SIXTH LEGISLATURE

Bill 190

An Act to amend the Labour Code and the Act respecting labour standards

Introduction

Introduced by
Mr Mario Dumont
Member for Rivière-du-Loup

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EXPLANATORY NOTES

This bill amends the Labour Code to provide that any clause of a collective agreement that provides, in respect of a new employee, conditions of employment that are less advantageous than those provided in respect of the other employees is contrary to public policy and prohibited by law.

In addition, the bill amends the Act respecting labour standards to provide that any special clause designed to apply to a new employee conditions of employment that are less advantageous than those applicable to the other employees pursuant to the conditions of employment policy applied by the employer is null by operation of law.

Lastly, the bill provides that less advantageous conditions of employment must be brought into conformity with the law within a period of six months after the date of assent to the Act.

Bill 190

AN ACT TO AMEND THE LABOUR CODE AND THE ACT RESPECTING LABOUR STANDARDS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 62 of the Labour Code (R.S.Q., chapter C-27) is amended by adding the following paragraph:

"Any clause of a collective agreement designed to apply to a new employee, after a particular date, conditions of employment that are less advantageous than those applicable, before that date, to the other employees governed by the agreement is contrary to public order and prohibited by law."

2. The Act respecting labour standards (R.S.Q., chapter N-1.1) is amended by inserting the following division after section 87:

"**DIVISION VII.1**

"COLLECTIVE LABOUR STANDARDS

"87.1. Any special clause designed to apply to a new employee conditions of employment that are less advantageous than those applicable to the other employees pursuant to the conditions of employment policy applied by the employer is null by operation of law."

3. This Act comes into force on (*insert here the date of assent to this Act*).

However, employers have six months after (*insert here the date of assent to this Act*) to bring any existing conditions of employment that are less advantageous to an employee into conformity with the law.