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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 116

**An Act to amend the Act respecting  
labour relations, vocational training  
and manpower management in the  
construction industry and the Building  
Act**

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**Introduction**

**Introduced by  
Mr. Laurent Lessard  
Minister of Labour**

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## **EXPLANATORY NOTES**

*The purpose of this bill is to recognize the Conseil provincial du Québec des métiers de la construction (International) and the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction) as representative associations in the construction field, replacing the Conseil conjoint to which they formerly belonged.*

*The bill also adds psychological harassment to the list of matters for which a grievance may be filed.*

*Lastly, the bill contains one consequential amendment as well as transitional amendments.*

### **LEGISLATION AMENDED BY THIS BILL:**

- Building Act (R.S.Q., chapter B-1.1);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20).

## Bill 116

### AN ACT TO AMEND THE ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND MANPOWER MANAGEMENT IN THE CONSTRUCTION INDUSTRY AND THE BUILDING ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 28 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by replacing “the Conseil conjoint de la Fédération des travailleurs du Québec (FTQ-Construction) et du Conseil provincial du Québec des métiers de la construction (International)” in the third, fourth and fifth lines by “the Conseil provincial du Québec des métiers de la construction (International), the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction)”.
- 2.** Section 62 of the Act is amended by replacing “or the notice board” in the third line by “, the notice board or psychological harassment”.

#### BUILDING ACT

- 3.** Section 106 of the Building Act (R.S.Q., chapter B-1.1) is amended by replacing subparagraph 6 of the second paragraph by the following subparagraph:

“(6) two members from among the persons proposed by the representative associations within the meaning of the Act respecting labour relations, vocational training and manpower management in the construction industry (chapter R-20).”

#### TRANSITIONAL AND FINAL PROVISIONS

- 4.** For the purposes of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20), the Commission de la construction du Québec issues a certificate to the Conseil provincial du Québec des métiers de la construction (International) and the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction) establishing their representativeness based on a union representation vote held in June 2003.

The certificates are valid until the next certificates are issued under section 34 of that Act.

For the purposes of that Act, a reference to the Conseil conjoint de la Fédération des travailleurs du Québec (FTQ-Construction) et du Conseil provincial du Québec des métiers de la construction (International) in a document referred to in section 36 of the Act is deemed to be a reference to the Conseil provincial du Québec des métiers de la construction (International) or the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction), depending on the affiliation of the employees' association of which the employee is a member.

**5.** In any collective agreement within the meaning of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) expiring on 30 April 2007, a reference to the Conseil conjoint de la Fédération des travailleurs du Québec (FTQ-Construction) et du Conseil provincial du Québec des métiers de la construction (International) under that name, an abbreviated name or under another name is deemed to be a reference to the Conseil provincial du Québec des métiers de la construction (International) and the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction), with the necessary modifications.

The same applies to any regulation made under that Act.

For the purposes of the first two paragraphs, in any provision of a collective agreement or a regulation or by-law that provides for the creation of a committee on which there are one or more representatives of the Conseil conjoint de la Fédération des travailleurs du Québec (FTQ-Construction) et du Conseil provincial du Québec des métiers de la construction (International), the number of representatives from the Conseil provincial du Québec des métiers de la construction (International) and from the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction) must be equal, except if the total is an odd number, in which case the association with the greater representativeness according to the certificate issued under the first paragraph of section 4 designates one more representative.

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