



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 67

**An Act to amend the Act respecting
labour standards as regards differences
in treatment**

Introduction

**Introduced by
Madam Diane Lemieux
Minister of Labour**

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EXPLANATORY NOTES

This bill amends the Act respecting labour standards to prohibit, as regards matters covered by labour standards, differences in treatment based solely on the date of hiring between employees performing the same tasks in the same establishment.

Certain exceptions to that prohibition are provided for, as well as a transition period to enable the policies and practices regarding employment conditions to be adapted progressively.

The bill requires a report on the application of its provisions to be made to the Government and to be tabled in the National Assembly, and provides for the eventual cessation of effect of the provisions it introduces.

Bill 67

AN ACT TO AMEND THE ACT RESPECTING LABOUR STANDARDS AS REGARDS DIFFERENCES IN TREATMENT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

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

“DIVISION VII.1

“DIFFERENCES IN TREATMENT

“87.1. No agreement or decree shall operate to grant to an employee, in respect of matters covered by the labour standards prescribed in Divisions I to VI and VII of this chapter and solely on the basis of the employee’s hiring date, a condition of employment less advantageous than that granted to other employees performing the same tasks in the same establishment.

“87.2. A condition of employment based on seniority or years of service does not contravene section 87.1.

Nor is there any such contravention, as regards wages, where a wage rate results from a change in the range of the wage scale applicable to all the employees performing the same tasks in the same establishment, or from the replacement of the single wage rate having applied to those employees by a wage scale.

“87.3. Conditions of employment applicable to an employee following a reclassification or demotion, a special arrangement for the handicapped, an amalgamation of enterprises or an internal reorganization in an enterprise that are temporarily more advantageous than the conditions applicable to other employees performing the same tasks in the same establishment shall be disregarded for the purposes of sections 87.1 and 87.2.”

2. The Minister of Labour shall, not later than (*insert here the date of the fifth anniversary of assent to this Act*), report to the Government on the application of Division VII.1 of the Act respecting labour standards, enacted by section 1 of this Act.

The report shall be tabled in the National Assembly within the next 15 days or, if the Assembly is not sitting, within 15 days of resumption.

3. Section 1 has effect from (*insert here the date of the third anniversary of assent to this Act*).

4. Division VII.1 of the Act respecting labour standards, enacted by section 1 of this Act, ceases to have effect on 31 December 2004, or on any other date determined by the Government.

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