



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 172
(1997, chapter 72)

**An Act to again amend the Act
respecting labour standards**

**Introduced 13 November 1997
Passage in principle 25 November 1997
Passage 4 December 1997
Assented to 9 December 1997**

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EXPLANATORY NOTES

This bill amends the Act respecting labour standards to prohibit work from being performed by employees under the age of 16 between the hours of 11 p.m. and 6 a.m., except in the case of newspaper deliveries and in other cases determined by the Government. On the other hand, employers are required to organize the work schedule of employees under the age of 16 so that they may be at their family residence between the hours of 11 p.m. and 6 a.m., subject to exceptions determined by the Government.

In addition, the bill provides that accommodation and meals provided to household servants in the residence of an employer must be provided free of charge.

Lastly, the bill repeals certain provisions of the Act respecting labour standards that deal with the publication of draft regulations and regulations, to allow the relevant provisions of the Regulations Act to apply.

Bill 172

AN ACT TO AGAIN AMEND THE ACT RESPECTING LABOUR STANDARDS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Sections 33 and 34 of the Act respecting labour standards (R.S.Q., chapter N-1.1) are repealed.

2. Section 35 of the said Act is replaced by the following section :

“35. The Government may approve a regulation made under paragraphs 3 to 7 of section 29 with or without amendment.”

3. Sections 36 to 38 of the said Act are repealed.

4. The said Act is amended by inserting, after section 51, the following section :

“51.0.1. Notwithstanding section 51, an employer may not require an amount for room and board from a domestic who is housed or takes meals in the employer’s residence.”

5. The said Act is amended by inserting, after section 84.1, the following division :

“DIVISION VI.2

“NIGHT-TIME WORK BY CHILDREN

“84.2. No employer may have work done by an employee under the age of 16 years between 11 o’clock p.m. on a given day and 6 o’clock a.m. on the following day, except in the case of newspaper deliveries or in any other case determined by regulation of the Government.

“84.3. An employer for whom an employee under the age of 16 years does work must schedule the work so that, having regard to the location of the employee’s family residence, the employee may be at that family residence between the hours of 11 p.m. and 6 a.m. on any given day, except in the cases, circumstances or periods or under the conditions determined by regulation of the Government.”

6. The said Act is amended by inserting, after section 89, the following section:

“89.1. The Government may, by regulation, determine the cases in which a prohibition under section 84.2 is not applicable.

It may also, in the same manner, determine the cases, circumstances, periods or conditions where the obligation imposed by section 84.3 is not applicable.”

7. Section 92 of the said Act is repealed.

8. This Act comes into force on 9 December 1997, except the provisions of section 4 which come into force on 1 February 1998 and the provisions of sections 5 and 6 which come into force on the date to be fixed by the Government.