



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 400
(1997, chapter 74)

**An Act respecting various legislative
provisions relating to training
in the construction industry**

**Introduced 12 December 1997
Passage in principle 12 December 1997
Passage 12 December 1997
Assented to 17 December 1997**

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EXPLANATORY NOTES

This bill enacts rules, specifically for the year 1997, governing certain expenditures of employers in the construction industry with respect to their participation in the development of manpower training.

The bill also provides for the transfer of sums accumulated in the training fund established in 1992 in the construction industry to any training fund established by a collective labour agreement applicable in a sector of that industry.

Lastly, it enables the Commission de la construction du Québec to form any committee required to give effect to the provisions of a collective agreement, in particular with respect to training.

LEGISLATION AMENDED BY THIS BILL :

- Act to foster the development of manpower training (R.S.Q., chapter D-7.1);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20).

Bill 400

AN ACT RESPECTING VARIOUS LEGISLATIVE PROVISIONS RELATING TO TRAINING IN THE CONSTRUCTION INDUSTRY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act to foster the development of manpower training (R.S.Q., chapter D-7.1) is amended by inserting, after section 64.1 enacted by section 53 of chapter 74 of the statutes of 1996, the following section :

“64.2. Contributions paid during the year 1997 by an employer in the construction industry into the training plan fund established by section 2 of the Decree amending the Construction Decree, adopted by Order in Council 1883-92 dated 16 December 1992, or into a training fund established by a collective labour agreement in force in a sector of the construction industry, shall be included in the calculation of the employer’s contribution toward the development of manpower training for 1997.

The Commission de la construction du Québec shall issue for that purpose, in the first two months of the year 1998, statements showing the contributions paid into the funds during the year 1997 by employers in the construction industry.

For the purposes of section 11, the contributions paid into the funds during the year 1997 shall be considered to be eligible training expenditures.”

2. The Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by inserting, after section 18.14, the following division :

“DIVISION IV

“OTHER COMMITTEES

“18.15. The Commission may establish any committee to give effect to the provisions of a collective agreement.

Where such a committee manages a fund established by a collective agreement, the expenditures related to the operation of the committee shall be borne by the fund.”

3. The said Act is amended by inserting, after section 126.0.2, the following section :

“126.0.3. The Commission shall apply any provision of a collective agreement providing for the transfer, to a training fund established by the collective agreement, of the sums accumulated in the training plan fund established by section 2 of the Decree amending the Construction Decree adopted by Order in Council 1883-92 dated 16 December 1992.

The Commission shall establish the amount to be transferred on the basis of the assessment made by the Commission of the contributions paid into the training plan fund in respect of the hours worked in the sector covered by the collective agreement and the proceeds of investment of the sums corresponding to those contributions, less the amounts referred to in section 92.1 that are allocated to that sector by the Commission.”

4. This Act comes into force on 17 December 1997.