



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 157

**An Act respecting the restoration of
the seniority of certain employees of
the health and social services sector**

Introduction

**Introduced by
Mr Marc-Yvan Côté
Minister of Health and Social Services**

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EXPLANATORY NOTES

The object of this bill is to permit, on certain conditions, restoration of the seniority lost by an employee as a result of a work stoppage that occurred in 1989 in the health and social services sector.

The bill also provides that certain proceedings cannot be instituted or continued before a court or an arbitrator.

Bill 157

An Act respecting the restoration of the seniority of certain employees of the health and social services sector

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The seniority of an employee to whom an order made under section 23 of the Act to ensure that essential services are maintained in the health and social services sector (R.S.Q., chapter M-1.1) applies in relation to a work stoppage which occurred in 1989 shall be restored by his employer as of 1 July 1991 according to the terms and conditions determined by agreement.

As regards the employees of an establishment or of a health and social services council, such an agreement shall be entered into in accordance with Chapter III or Chapter IV, as the case may be, of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2). As regards the employees of the Corporation d'urgences-santé de la région de Montréal Métropolitain, the agreement shall be entered into between that body and the associations representing those employees.

Restoration of seniority shall not have retroactive effect.

2. Except to the extent determined by an agreement entered into under section 1, no proceeding before a court or an arbitrator may be instituted or continued against the establishment, the health and social services council, the Corporation d'urgences-santé de la région de Montréal Métropolitain or the Government, as the case may be, by an employee, the association of employees or the group of such associations bound by such an agreement, on grounds of loss of seniority, reduction in salary or interruption of salary deductions

resulting from the application of the Act to ensure that essential services are maintained in the health and social services sector, as a result of a work stoppage which occurred in 1989.

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