



Québec 

AGREEMENT

ON

LABOUR MOBILITY

AND RECOGNITION OF QUALIFICATIONS,

SKILLS AND WORK EXPERIENCE

IN THE CONSTRUCTION INDUSTRY (2006)

BETWEEN

THE GOVERNMENT OF ONTARIO

AND

THE GOUVERNEMENT DU QUÉBEC

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THE GOVERNMENT OF ONTARIO
represented by the Minister of Labour and the Minister of Intergovernmental
Affairs and Minister Responsible for Democratic Renewal
(hereinafter called « Ontario »)

AND

THE GOUVERNEMENT DU QUÉBEC
represented by the ministre du Travail and by the ministre responsable des Affaires
intergouvernementales canadiennes, de la Francophonie canadienne, de l'Accord sur le
commerce intérieur, de la Réforme des institutions démocratiques
et de l'Accès à l'information
(hereinafter called « Québec »)

**ON LABOUR MOBILITY AND RECOGNITION OF QUALIFICATIONS,
SKILLS AND WORK EXPERIENCE IN THE CONSTRUCTION INDUSTRY (2006)**

Hereinafter called « the Parties »

Part 1A: Introduction

This agreement sets out measures agreed to by the governments of Ontario and Quebec to facilitate access to the construction labour markets in both provinces. It replaces all previous bilateral agreements on labour mobility and the recognition of qualifications, skills and work experience, in particular:

- the labour mobility terms of the *Ontario-Quebec Agreement on Public Procurement and Construction Labour Mobility, signed on December 24, 1993*;
- the *Agreement on Labour Mobility and Recognition of Qualifications, Skills and Work Experience in the Construction Industry (1996)*, signed on December 6, 1996; and,
- the recommendations of the *Joint Report of the Special Negotiators for Ontario and Quebec*, signed on November 11, 1999.

Several general principles have guided the development of this agreement:

- Ontario and Quebec are committed to the fair treatment of persons, goods, services and investments, regardless of where they originate in Canada.
- The province in which a person lives will not be a bar to employment, apprenticeship training or trade certification in the other province.
- Ontario and Quebec each agree to treat construction contractors and workers from the other province in a manner that is equivalent to the best treatment that each accords to its own construction contractors and workers.
- Ontario and Quebec agree that membership in a trade union will not inhibit labour mobility. At the same time, both provinces acknowledge that union

membership may be required by provincial law or by convention within the construction industry.

- Ontario and Quebec each have the right to regulate their construction industries in their own way.
- The different regulatory systems in Ontario and Quebec, which govern training and certification in the construction industry, will not prevent full recognition, by both jurisdictions, of the qualifications, skills and work experience of contractors and workers.

Implementation

In Ontario, the organizations responsible for implementing this agreement include the Ministry of Government Services (MGS), the Ministry of Training, Colleges and Universities (MTCU), the Ministry of Labour (MOL), the Workplace Safety and Insurance Board (WSIB), the Technical Standards and Safety Authority (TSSA), the Electrical Safety Authority (ESA) and any other agency specifically designated for that purpose.

In Quebec, the organizations responsible for implementing this agreement include the Ministère du Travail, the Ministère de l'emploi et de la solidarité sociale (MESS), the Commission de la construction du Québec (CCQ), the Commission de la santé et de la sécurité du travail (CSST) or any other body recognized by it, the Régie du bâtiment du Québec (RBQ), the Corporation des maîtres électriciens du Québec (CMEQ), the Corporation des maîtres mécaniciens en tuyauterie du Québec (CMMTQ) and any other agency specifically designated for that purpose.

Part 1B: Scope of the Agreement

This agreement applies to construction work performed by contractors and workers engaged in any of the trades, activities of trades or occupations that are listed in Appendices 1, 3 and 4 respectively. It also applies to specialized construction work as defined in section 2.5.1, and to the transportation of aggregates under private and government contracts.

An “Ontario worker” is a construction worker who lives in Ontario. An Ontario worker who meets the requirements of this agreement may work anywhere in Quebec where employment is found and will be deemed to be a resident of the region in which the work is carried out for the entire duration of the employment.

A “Quebec worker” is a construction worker who lives in Quebec. A Quebec worker who meets the requirements of this agreement may work anywhere in Ontario.

Both Ontario and Quebec have certain requirements that apply universally to all construction contractors, whether resident or out-of-province; for example, requirements for licensing, or for registration with tax authorities. Such requirements are explained in guidance material that supports this agreement but are not part of the agreement itself.

Part 2: Mutual Recognition of the Qualifications, Skills, Experience and Occupational Health and Safety Training of Construction Workers

Background

Ontario and Quebec have very different trade certification and apprenticeship systems.

In Ontario, worker certification in a construction trade is either compulsory or voluntary, as set out in Appendix 1, Table 1. Ontario has also adopted the Inter-provincial Red Seal program, as stipulated in the Agreement on Internal Trade (Chapter 7). Union membership is not a prerequisite to finding employment in Ontario's construction sector although certain sites or projects are deemed to be unionized.

By contrast, in Quebec certification is compulsory in all construction trades. There are also 40 "occupations" in the construction industry, open to semi-skilled labourers. Generally, construction workers in Quebec must belong to a union, but this is usually not the case in the residential renovation sector.

2.1 General Principles

Matched Trades

2.1.1 Ontario and Quebec agree that the trades listed in Appendix 1, Table 1 are matched for the purposes of this agreement.

Certificates Recognized by Both Jurisdictions

2.1.2 Subject to section 2.6, Ontario and Quebec fully recognize the certificates listed in Appendix 2.

2.1.3 Ontario workers holding any of the Ontario certificates listed in Appendix 2 are not required to obtain further certificates of competency when working in Quebec, in the applicable trade listed in Appendix 1, Table 1.

2.1.4 Quebec workers holding any of the Quebec certificates listed in Appendix 2 are not required to obtain further certificates of competency when working in Ontario, in the applicable trade listed in Appendix 1, Table 1.

2.1.5 Ontario workers who are not certified and wish to work in Quebec may present their qualifications and work experience to the appropriate authorities in either Ontario or Quebec and become certified by fulfilling the requirements set by these authorities.

Note: Ontario workers must meet the requirements set by Ontario authorities in order to work in their home province. Ontario workers who fulfill the requirements set by Quebec authorities may only work in Quebec.

2.1.6 Quebec workers who are not certified and wish to work in Ontario may present their qualifications and work experience to the appropriate authorities in either Ontario or Quebec and become certified by fulfilling the requirements set by these authorities.

Note: Quebec workers must meet the requirements set by Quebec authorities in order to work in their home province. Quebec workers who fulfill the requirements set by Ontario authorities may only work in Ontario.

2.1.7 Ontario and Quebec agree that the measures of access being developed for the trades listed in Appendix 1, Tables 2A, 2B and 2C will continue as a priority after the signing of this agreement.

2.2 Access to Matched Trades for Journeypersons and Apprentices

Access to Quebec

2.2.1 Subject to section 2.6, Quebec will fully recognize, with no further requirements other than those specified in guidance material (section 4.5.1), the following certificates issued to Ontario workers by the Ministry of Training, Colleges and Universities (MTCU) or by another agency of the Ontario government authorized to do so:

- a) Interprovincial Red Seal Certificate or Ontario Certificate of Qualification for any of the trades listed in Appendix 1, Table 1.
- b) Ontario Certificate of Apprenticeship or Provisional Certificate for any of the trades listed in Appendix 1, Table 1 for which certification is voluntary. For the purpose of working in Quebec, Ontario workers with a Certificate of Apprenticeship will be recognized as journeypersons. Those carrying a Provisional Certificate will be recognized as final stage apprentices.
- c) Ontario Apprentice Identification cards for any of the trades listed in Appendix 1, Table 1.

The Commission de la construction du Québec (CCQ) will fully recognize the hours of apprenticeship training put in by Ontario apprentices on construction sites in either Ontario or Quebec, to the extent that these hours have been validated by the MTCU, for the purpose of determining the period of apprenticeship that will apply to an Ontario worker in Quebec.

Access to Ontario

2.2.2 Subject to section 2.6, Ontario will fully recognize, with no further requirements other than those specified in guidance material (section 4.5.1), the following certificates issued to Quebec workers by the CCQ or by any other agency of the Quebec government authorized to do so:

- a) Interprovincial Red Seal Certificate, Journeyperson Competency Certificate or Certificate of Qualification for any of the trades listed in Appendix 1, Table 1.
- b) Apprentice Competency Certificate or a Quebec Apprenticeship Booklet or card for any of the trades listed in Appendix 1, Table 1.

The MTCU will fully recognize the hours of apprenticeship training put in by Quebec apprentices on construction sites in either Quebec or Ontario, to the extent that these hours have been validated by the CCQ or by the MESS, for the purpose of determining the period of apprenticeship that will apply in Ontario.

2.3 Access to Activities of Trades

Background

Many Ontario workers employed in a construction trade for which certification is voluntary, have acquired extensive skills and experience in their trade without ever obtaining a formal Certificate of Qualification. In order to achieve effective labour mobility for these workers, Ontario and Quebec have agreed to the process outlined below. It provides a way for skilled but uncertified workers to have their experience and qualifications evaluated by the MTCU in Ontario; and, to obtain a Trade Activity Card for presentation to the CCQ upon registration to work in Quebec.

- 2.3.1 Subject to section 2.6, Ontario and Quebec agree that an Ontario worker with a Trade Activity Card may work in Quebec on behalf of an Ontario contractor and have full access to the applicable activities of trades listed in Appendix 3, in all sectors of the construction industry in Quebec.
- 2.3.2 Ontario workers with no certification in a voluntary trade listed in Appendix 1, Table 1, seeking work in Quebec, must apply to the MTCU for an assessment of their competency to work in any trade activity listed in Appendix 3.
- 2.3.3 The application for assessment must provide evidence that the applicant's skills and experience meet the requirements established by the Director of Apprenticeship, to work in a particular trade activity. Satisfactory evidence would include:
 - a) completion of the appropriate section of a checklist "Attestation of Competencies" or,
 - b) completion of required competencies in the Training Standards book; or,
 - c) completion of the number of hours required for the trade activity, if appropriate, as set out in the *Trades Qualification and Apprenticeship Act* or the *Apprenticeship and Certification Act*; or,
 - d) other forms of evidence acceptable to the MTCU.
- 2.3.4 The MTCU will evaluate the application and evidence of competency and issue a letter of confirmation to an applicant who meets the requirements to work in a particular trade activity.
- 2.3.5 An Ontario worker must present the letter of confirmation from the MTCU to the Jobs Protection Office (JPO) of the Ministry of Labour (MOL), or another designated office of the MOL, in order to receive a Trade Activity Card for the trade activity specified in the letter of confirmation.
- 2.3.6 An Ontario worker must then present the Trade Activity Card to the CCQ and, as required by law, join one of the representative associations for workers.
- 2.3.7 The CCQ will recognize the Trade Activity Card as proof of the worker's competency to work in a specified trade activity and will issue a card identifying the representative association chosen by the worker. Ontario workers must carry both cards with them at all times when working in Quebec.
- 2.3.8 For the purpose of working in Quebec, an Ontario worker with a Trade Activity Card will be recognized as a journeyman.

2.4 Requirements to Work in Occupations in Quebec and Trades in Ontario

Background

In addition to the trades and specialties for which certification is compulsory in Quebec's construction industry, Quebec also has a set of 40 defined occupations with various training requirements.

- 2.4.1 Appendix 4 lists the occupations that currently exist in Quebec's construction industry and are regulated by the CCQ. Also listed, for each occupation are the requirements to work in Quebec and in Ontario.
- 2.4.2 In order to work in Quebec, in any of the occupations listed in Appendix 4 for which there are no MESS certification requirements, the CCQ will exempt Ontario workers from having to take the course entitled "Construction, projects, equipment and organization" and of having to hold an Occupation Competency Certificate, if they can provide proof of:
- 750 or more hours of work experience in the construction industry; or,
 - one or more hours of work experience in the construction industry plus proof of having completed occupational health and safety training that is equivalent to Quebec's compulsory course.
- 2.4.3 A Quebec worker certified as a Grutier may work in Ontario as a Hoisting Equipment Operator, for hoisting capacity of 0 to 8 tons, with no further certification requirements.

2.5 Specialized Construction Work

Definition of Specialized Construction Work

- 2.5.1 Construction work is considered "specialized" if it meets the following criteria:
- the tasks involved require knowledge and technical expertise on:
 - a specific construction technique; or,
 - the installation of a particular product; or,
 - the construction-related repair or maintenance of a particular product;
 - the knowledge and technical expertise are acquired through compulsory training offered by the manufacturer of the product, or by a trainer approved by the manufacturer; and,
 - the manufacturer's warranty is conditional upon installation, repair or maintenance of the product being carried out by a contractor/worker who has successfully completed the manufacturer's compulsory training program.

Process to Obtain a Specialized Construction Work Card

- 2.5.2 Ontario and Quebec agree that an Ontario worker may perform specialized construction work in Quebec, if that worker is employed by an Ontario contractor, has a Specialized Construction Work Card and meets the requirements set out in section 2.6.

The Specialized Construction Work Card will specify the nature of the work to be performed.

Both provinces agree that a Specialized Construction Work Card will not be issued to a worker in cases where the work to be performed forms part of a trade for which certification is compulsory in Ontario.

2.5.3 Ontario and Quebec agree that an Ontario worker may perform specialised construction work in Quebec **without** a Specialized Construction Work Card, if the tasks involved form part of either:

- a trade listed in Appendix 1, Table 1, and the worker holds one of the certificates of qualification listed in Appendix 2; or,
- an activity of a trade listed in Appendix 3 and the worker has an applicable Trade Activity Card.

If an Ontario worker is certified in a trade, or has a Trade Activity Card, this already provides adequate access to work in Quebec. A separate Specialized Construction Work Card is **not** needed.

2.5.4 An Ontario contractor/worker who wishes to carry out specialized construction work in Quebec must apply to the JPO for a Specialized Construction Work Card.

An Ontario contractor who wishes to carry out specialized construction work in Quebec must satisfy all requirements set out in section 3.1.

2.5.5 The application for a Specialized Construction Work Card must include the following:

- a description of the type of work to be performed by the applicant(s) and how it meets the criteria of specialized construction work as set out in section 2.5.1;
- identification of the special competencies and experience required to do the work;
- proof that the applicant has successfully completed the training program required by the manufacturer; and,
- documentation that the manufacturer's warranty is conditional upon installation, repair or maintenance of the product being carried out by a contractor/worker who has successfully completed the manufacturer's compulsory training program.

2.5.6 The JPO:

- will evaluate the application and issue a Specialized Construction Work Card to an applicant who meets the requirements to perform such work; and,
- will promptly transmit copies of the application and supporting information to the CCQ.

2.5.7 The CCQ:

- will promptly review the application and information received from the JPO;
- will issue a card identifying the representative association chosen, to an Ontario worker presenting a Specialized Construction Work Card, if

it is satisfied that the work to be performed meets the criteria set out in section 2.5.1; or, alternatively,

- will promptly contact the JPO to discuss the application, if it is not satisfied that the work to be performed meets the criteria set out in section 2.5.1.

2.5.8 If the JPO and the CCQ cannot agree that the work to be performed meets the criteria set out in section 2.5.1, an Ontario contractor/worker may complain to Ontario's Official Contact who will follow the dispute resolution process set out in section 6.1.

2.5.9 Ontario contractors/workers must carry both the Specialized Construction Work Card and the card identifying their representative association, referred to in section 2.5.7, at all times.

2.5.10 For the purpose of working in Quebec, an Ontario worker with a Specialized Construction Work Card will be recognized as a journeyperson.

2.5.11 The process outlined above will be implemented for a trial period of one year after the agreement is signed, at which time it will be reviewed by the Bilateral Coordinating Committee.

2.5.12 A Specialized Construction Work Card and a card identifying a worker's representative association, issued during the trial period, will be valid until the expiration of the trial period. After the trial period, both types of cards will have to be renewed annually.

2.6 Mutual Recognition of Occupational Health and Safety Training

2.6.1 Ontario and Quebec recognize that construction workers, in addition to being qualified or certified to work in a particular trade, need training in occupational health and safety. In Quebec, such training is compulsory – workers must take a course entitled "Santé et sécurité générale sur les chantiers de construction" (Health and Safety on Construction Sites). In Ontario, instruction in occupational health and safety is available in a number of courses and is also incorporated into trade-specific certification and training programs.

2.6.2 Appendix 5 sets out Ontario trade certificates, training courses and work experience, recognized by Quebec as equivalent to its compulsory training course.

2.6.3 Ontario recognizes that Quebec's compulsory training course meets regulatory requirements in Ontario for occupational health and safety training, including training requirements related to the Workplace Hazardous Materials Information System (WHMIS); and, to fall protection in the construction industry.

2.6.4 To implement this agreement, the Commission de la santé et de la sécurité du travail (CSST), or another body recognized by the CSST, is mandated to:

- evaluate requests and, where appropriate, recognize training courses in occupational health and safety; and,
- issue certificates of completion.

The government of Quebec also undertakes to have the CSST, or another body recognized by the CSST, expeditiously respond to any request for

recognition of equivalence between Quebec's compulsory training course and other health and safety courses delivered in Ontario.

- 2.6.5 Ontario and Quebec agree to work together to recognize training courses in occupational health and safety that may be developed or amended by either province in the future.

Part 3: Mutual Recognition of the Qualifications, Skills and Experience of Construction Contractors

3.1 Requirements for Ontario Contractors to Work in Quebec

- 3.1.1 An Ontario construction contractor must obtain a licence from the Régie du bâtiment du Québec (RBQ) before bidding on a contract in Quebec. The licence is issued upon successful completion of a series of examinations and confirms the contractor's professional qualifications. It must be renewed annually. (Contractors in the electrical or pipe fitting trades – see sections 3.1.5 and 3.1.6.)
- 3.1.2 An Ontario contractor may obtain a licence from the RBQ without writing examinations to verify knowledge of construction project management, construction site safety management, and administrative management, if the contractor meets one of the following conditions:
- a) proves to the RBQ, with supporting documents, that he/she has been registered with the Tarion Warranty Corporation (formerly known as the Ontario New Home Warranty Program) for at least three years (3); or,
 - b) establishes that he/she has been registered as a construction contractor with the Companies and Personal Property Security Branch of the Ministry of Government Services (MGS) as a corporation for at least five years (5); or,
 - c) establishes that the name of the construction company, whether a partnership, limited partnership, or a sole proprietorship, has been registered with the Companies and Personal Property Security Branch of the MGS for at least five years (5).
- 3.1.3 Ontario contractors who do not meet any of the conditions set out in section 3.1.2 must comply with all regulatory requirements governing the issuance of licences in Quebec. However, these Ontario contractors may be eligible for partial or complete exemption from the contractor exams described in section 3.1.1 if they meet other equivalency provisions specified by the RBQ.
- 3.1.4 Ontario contractors who meet the conditions for RBQ registration must also comply with the other provisions of Quebec's *Regulation respecting the professional qualifications of building contractors and owner-builders* (B-1.1, r.1) to obtain a licence in Quebec.
- 3.1.5 Ontario contractors who specialize in electrical work must be members of the Corporation of Master Electricians of Quebec (Corporation des maîtres électriciens du Québec [CMEQ]). For these contractors, the CMEQ assumes all roles and responsibilities otherwise carried out by the RBQ in this agreement.
- 3.1.6 Ontario contractors who specialize in plumbing, heating, heating systems, natural gas burner systems or oil burner systems, must be members of the Corporation of Master Pipe Mechanics of Quebec (Corporation des maîtres mécaniciens en tuyauterie du Québec [CMMTQ]). For these contractors, the CMMTQ assumes all roles and responsibilities otherwise carried out by the RBQ in this agreement.

3.2 Requirements for Quebec Contractors to Work in Ontario

- 3.2.1 Quebec contractors must comply with all regulatory requirements affecting the construction industry in Ontario, including registration with MGS and with the Workplace Safety and Insurance Board (WSIB). Residential

construction contractors must also register with the Tarion Warranty Corporation.

3.2.2 Quebec contractors without a permanent place of business in Ontario must register with the Ontario Retail Sales Tax Branch of the Ministry of Finance and post a guarantee of payment of retail sales tax equal to 4% of each construction contract awarded in Ontario.

3.2.3 Quebec contractors who wish to conduct business in Ontario in any of the following types of work must register with the TSSA:

- Gasoline handling contractors
- Elevator contractors (installation/alteration/maintenance of elevating devices)
- Energy contractors
- Equipment installation (requiring welding or piping systems or other pressure equipment).

3.2.4 Quebec contractors carrying out electrical work in Ontario must register with the Electrical Safety Authority.

Part 4: Specific Legal and Administrative Commitments

4.1 Legal Commitments

4.1.1 Within 30 days of the signing of this agreement:

- Quebec agrees to make any regulatory changes that are required to implement this agreement;
- Ontario agrees to repeal the *Fairness is a Two-Way Street Act (Construction Labour Mobility)*, 1999.

Ontario and Quebec also agree to fulfill their other commitments made under this agreement within 150 days of the signing of this agreement.

4.1.2 Ontario and Quebec recognize that the regulations related to this agreement may be amended from time to time; and, each agrees to consult the other before introducing any such amendments.

4.2 Matters Related to Contractors

4.2.1 The government of Quebec undertakes to have the RBQ issue a construction contractor's licence to an Ontario contractor within one (1) working day, provided the application is complete and complies with all relevant legal requirements. With the exception of contractors in the electrical and pipefitting trades (see sections 3.1.5 and 3.1.6), Quebec confirms that this is the only licence required by an Ontario contractor before responding to a call for tender on any construction project open to Ontario contractors.

The government of Quebec also undertakes to have the CMEQ and the CMMTQ issue a contractor's licence within 10 working days to an Ontario contractor in the electrical or pipefitting trades, respectively, provided the application is complete and complies with all relevant legal requirements.

4.2.2 The government of Quebec undertakes to have the RBQ refund, within 15 days, all fees paid by an Ontario contractor who requests that its licence for tender be terminated, and who submits that request within 15 days of being notified of an unsuccessful bid, along with proof of the unsuccessful bid, unless previous construction work has already been performed under that licence.

4.2.3 In addition to obtaining a Quebec construction contractor's licence, an Ontario contractor must meet all other requirements to register with specified government departments and agencies.

4.2.4 The government of Quebec undertakes to have:

- the CCQ issue an Employer Number and process applications from Ontario contractors within one (1) working day for work in the Outaouais region and five (5) working days for work in the rest of Quebec, provided that the application is complete and complies with all relevant legal requirements;
- the CSST process applications from Ontario contractors within ten (10) working days, provided that the application is complete and complies with all relevant legal requirements; and,
- the Registraire des entreprises process applications from Ontario contractors within ten (10) working days, provided that the application is complete and complies with all relevant legal requirements.

- 4.2.5 The government of Ontario undertakes to have the MGS issue an identification number to a Quebec contractor within one (1) working day, if the registration is done in person and the application is complete and complies with all relevant legal requirements.
- 4.2.6 The government of Ontario undertakes to have the TSSA register a Quebec contractor in the following specialties, within 10 working days, provided that the application for registration is complete and complies with all relevant legal requirements: gasoline handling contractors, elevating devices contractors, energy contractors, and equipment installation contractors.

4.3 Matters Related to Workers

- 4.3.1 The government of Quebec undertakes to have the CCQ issue a card identifying the representative association chosen by an Ontario worker within one (1) working day provided that the worker's application is complete and complies with all relevant legal requirements.

This card is issued under the *Regulation respecting the election of a representative association by the employees of the construction industry* (R-20, r.3.1).

Quebec confirms that there is no charge for this card and that no other fees will be charged for it without Ontario's prior consent.

- 4.3.2 The government of Quebec undertakes to have the CCQ process applications from workers for exemption from the requirement to have an Occupation Competency Certificate (referred to in section 2.4.2), within one (1) working day, provided that the application is complete and complies with all relevant legal requirements.

The government of Quebec also undertakes to have the CCQ and the MESS process applications to take the qualification exams, schedule the appropriate examination and issue a certificate for any of the occupations listed in Appendix 4 and for any unmatched trades, within 30 working days provided that the application is complete and complies with all relevant legal requirements.

If the CCQ or the MESS questions the professional qualifications of an Ontario worker applying for a qualification exam in a regulated trade in Quebec, the worker may involve Ontario's Official Contact who will follow the dispute resolution process set out in section 6.1.

- 4.3.3 The government of Ontario undertakes to have the MTCU register a Quebec apprentice and issue an Apprentice Identification Card within one (1) working day of application, provided that the application is complete and complies with all relevant legal requirements.

The government of Ontario also undertakes to have the MTCU and the TSSA process applications to write qualification exams, schedule exams and issue a certificate for any unmatched trades or any occupations listed in Appendix 4, within 30 working days, provided that the application is complete and meets all relevant legal requirements.

If the MTCU or the TSSA questions the professional qualifications of a Quebec worker applying for a qualification exam in an Ontario trade listed in this agreement, the worker may involve Quebec's Official Contact who will follow the dispute resolution process set out in section 6.1.

4.3.4 The government of Quebec undertakes to have the CCQ revise its internal guideline on the issuing of exemptions for Occupation Competency Certificates to Ontario workers to reflect the terms of this agreement.

4.4 Notices of Non-Compliance

4.4.1 Ninety days after signing this agreement, the government of Quebec undertakes to have its agencies issue notices of non-compliance, which will act as warnings, where:

- a) an Ontario worker does not hold a certificate of competency or an exemption to hold such a certificate;
- b) an Ontario employer is not registered with the CCQ;
- c) an Ontario contractor does not hold a licence from the RBQ.

4.4.2 Notices of non-compliance will specify the infraction; what the worker or employer must do to comply; and, the deadline for compliance.

4.4.3 When an infraction listed in section 4.4.1 is discovered, the inspector for the agency concerned will tell the worker or the employer on the site. The notice of non-compliance will then be mailed to the appropriate person.

4.4.4 Notices of non-compliance will be issued to workers and contractors doing business within the regions of Outaouais, Abitibi-Témiscamingue and Argenteuil County and would not have the effect of creating an additional right for Ontario residents.

4.4.5 Ninety days after signing this agreement, Ontario agrees to establish comparable measures that would not have the effect of creating an additional right for Quebec residents.

4.5 Access to Services

4.5.1 To promote understanding of the regulations and to improve services to workers and contractors, Ontario and Quebec will:

- a) translate all current forms within 150 days of the agreement being signed;
- b) produce guidance material, such as fact sheets, in French and English, within 150 days of the agreement coming into effect, and subsequently provide them to affected parties;
- c) implement toll-free telephone services in French and English;
- d) regularly update all sources of information supporting this agreement, including information on their web sites, and will review all documentation annually.

Part 5: Administration and Promotion of the Agreement

5.1 Exchange of Information

- 5.1.1 Ontario and Quebec will promptly exchange copies of all statutes, regulations, administrative procedures and any other information that is required to administer this agreement.

5.2 Bilateral Coordinating Committee

- 5.2.1 Ontario and Quebec agree to renew the mandate of the Bilateral Coordinating Committee (BCC) to monitor implementation of the agreement, promote workforce mobility and access to construction sites, and to deal with all other relevant issues.
- 5.2.2 The BCC is composed of three (3) members from each province: the Assistant Deputy Minister of Labour; the Official Contact; and one other designated member.
- 5.2.3 The BCC will meet as required, but at least twice a year. The first meeting will take place within 90 days of the agreement coming into force. The members will carry out a comprehensive review of the effectiveness of this agreement every five years and issue a written report. To support the comprehensive review, Ontario and Quebec agree to exchange data annually on all aspects of labour mobility covered by this agreement; and, on the tendering of construction contracts by the crown corporations and the electrical utility corporations identified in Part 7 of this agreement.
- 5.2.4 The BCC may undertake initiatives that it deems necessary to further labour mobility and fair competition in Ontario's and Quebec's construction industries.

5.3 Measures of Access for Future Trades and Occupations

- 5.3.1 Ontario and Quebec agree to:
- continue to work together to develop measures of access for the trades and occupations under review at the time of signing of this agreement; and,
 - work together to recognize training and certification programs that may be developed by either province in the future to increase the competency of construction workers.

- 5.3.2 The BCC will review applications from the Ontario and Quebec governments to recognize trades, trade specialties, activities of trades, occupations, training programs and competencies related to construction, that are not in the current agreement.

The BCC will determine whether these applications for additional trades, etc. have merit and should be included in the agreement.

- 5.3.3 The BCC will consider applications from the Quebec and Ontario governments to review and amend the content of trades, trade specialties, activities of trades, occupations, training programs and competencies related to construction, that are already recognized in the current agreement.

The BCC will determine whether these applications for proposed changes to recognized trades, etc. should be approved

- 5.3.4 The BCC may call upon experts to participate in sub-committees to assist in accomplishing its mandates.
- 5.3.5 The BCC may modify the trades, trade specialties, activities of trades and occupations found in Appendices 1, 3, and 4.
- 5.3.6 The BCC must inform the government that made an application of its decision within thirty (30) days.
- 5.3.7 Each province may consult individuals/organizations regarding construction labour mobility issues as it deems necessary.

5.4 Promotion of the Agreement

- 5.4.1 The governments of Ontario and Quebec agree to promote the agreement by:
- issuing a joint news release expressing support for the new agreement and summarizing its main elements;
 - offering information sessions to relevant staff in the organizations, trade unions and employer associations affected by this agreement. These sessions will include information on the issue of harassment of construction contractors and workers.
 - developing and distributing brochures and pamphlets outlining the procedures to be followed to work in Ontario and Quebec (for example, permits or licences needed, government agencies to contact, etc.).

Part 6: Dispute and Complaint Resolution

6.1 Resolving Disputes About Implementation of the Agreement

- 6.1.1 The ministers responsible for the agreement will each designate an Official Contact to receive complaints about implementation of the agreement; in particular, disputes about the recognition of qualifications, skills and experience of contractors and workers, in all sectors of the construction industry in Ontario and Quebec.
- 6.1.2 Contractors and workers may complain to the Official Contact in their home province if there is any such dispute with the other government, one of its official representatives, or with a representative of any organisation covered by the agreement.
- 6.1.3 The Official Contacts have 48 hours to resolve the dispute or complaint.
- a) If both Official Contacts agree the complaint is valid, then the appropriate official will act to resolve the complaint.
 - b) If both Official Contacts agree that the complaint is *not* valid, the official who received the complaint will inform the complainant that they do not support the complaint; and, indicate that if the complainant wishes to pursue the issue, they will have to follow the normal appeal process in that province.
 - c) If the Official Contacts disagree on the validity of the complaint, the matter will be referred to the respective Assistant Deputy Ministers (ADMs).
- 6.1.4 The respective ADMs have 72 hours to consider the complaint and make a determination on its validity.
- a) If both ADMs agree that the complaint is either valid or not valid, the matter will be referred back to the official contacts for resolution as outlined in either 6.1.3(a) or 6.1.3(b) above, as the case may be.
 - b) If the ADMs cannot agree on the validity of the complaint, the matter will be referred to a committee formed of two experts (Committee of Experts), one designated by each province.
- 6.1.5 Ontario and Quebec will each maintain a list of three experts, from which each will select one to sit on the Committee of Experts.

The Committee of Experts reports to the Minister of Labour of Ontario and the Ministre du travail of Quebec. The Committee will have 5 days to consider the complaint and determine its validity.

- a) If both experts agree that the complaint is either valid or not valid, the matter will be referred back to the official contacts for resolution as outlined in either 6.1.3(a) or 6.1.3(b) above, as the case may be.
- b) If the Committee disagrees on the validity of the complaint, the matter will be referred to the Minister of Labour of Ontario and the Ministre du travail of Quebec within the 5 days.

6.2 Resolving Complaints of Harassment

Prevention of Harassment

- 6.2.1 “Harassment” occurs when a contractor or worker who has the legal right to work on a construction site is intimidated, threatened or challenged by another contractor, worker, government official or other individual, or organization covered by this agreement.
- 6.2.2 Ontario and Quebec will each appoint a person to coordinate activities and to distribute information aimed at preventing harassment.
- 6.2.3 Quebec agrees to offer information sessions to the appropriate staff of the CCQ, the CSST, Revenu Quebec and the RBQ in the border region and in Montreal. Information will be made available in other parts of the province as required.
- 6.2.4 Ontario agrees to offer information sessions to the appropriate staff of the MTCU, the WSIB, the MOF and the MOL.
- 6.2.5 Quebec agrees that in the border region and in Montreal, representatives of the relevant union and employer associations will be made aware of the problem of harassment and the importance of remedying it by conveying anti-harassment information to their members.
- 6.2.6 Ontario agrees that in the border region, representatives of the relevant union and employer associations will be made aware of the problem of harassment and the importance of remedying it by conveying anti-harassment information to their members.
- 6.2.7 Ontario and Quebec agree to encourage union and employer leaders in these regions to adopt a zero-tolerance policy on harassment and to communicate this policy to their members.

Processing Complaints of Harassment

- 6.2.8 When workers or contractors believe that they have been victims of harassment, as defined in this agreement, they may make a complaint to the Official Contact in their home province. Services will be offered in French and English and will remain confidential, to the extent possible.
- 6.2.9 The Official Contacts will work together and make best efforts to resolve a complaint within 48 hours. The parties agree not to take reprisals against any person making a complaint.
- 6.2.10 The Official Contact to whom a complaint is made will note the following:
- the nature of the allegation,
 - the date and place where the incidents took place,
 - persons involved,
 - relevant documents or names of witnesses, and
 - the redress demanded.
- 6.2.11 The Official Contact to whom a complaint is made will discuss the complaint with his/her counterpart in the other province. If the Contacts agree the complaint is valid, the Contact for the province where the harassment occurred will send the case to the most competent organization in that province for investigation.

If the Contacts disagree on the validity of the complaint, the matter will be handled through the dispute resolution mechanism outlined in section 6.1.

Part 7: Tendering of Construction Contracts

7.1 Crown Corporations

7.1.1 Ontario and Quebec agree that their respective contractors shall have fair and non-discriminatory access to construction contracts of the Crown Corporations set out below, valued at or above \$100,000. The Crown Corporations covered by this agreement are:

For Ontario:

- Liquor Control Board of Ontario,
- Lottery and Gaming Corporation of Ontario, and
- Workplace Safety and Insurance Board.

For Quebec:

- Société des alcools du Québec, and
- Société des loteries du Québec.

7.1.2 Disputes related to the tendering practices of the public entities listed in section 7.1.1 will be addressed using the dispute resolution mechanism set out in Schedule 502.3, Section F, of the Agreement on Internal Trade.

7.1.3 Either Ontario or Quebec may propose additional public entities for inclusion in this agreement at any time.

7.2 Electrical Utility Corporations

7.2.1 An Ontario contractor is entitled to bid on any Hydro-Quebec construction contracts when such contracts are open for bidding to all Quebec contractors, and is subject to the same conditions applicable to Quebec contractors.

In addition, an Ontario contractor is entitled to bid on any Hydro-Quebec construction contracts to be performed in the Outaouais administrative region, when such contracts are open for bidding to contractors in this region, and is subject to the same conditions applicable to contractors in this region.

For the purposes of establishing his rights and obligations under this section, an Ontario contractor is considered to have his Head Office in the Outaouais administrative region.

7.2.2 A Quebec contractor is entitled to bid on any Hydro One and Ontario Power Generation construction contracts when such contracts are open for bidding to all contractors in Ontario, and is subject to the same conditions applicable to Ontario contractors.

In addition, a Quebec contractor is entitled to bid on Hydro One and Ontario Power Generation construction contracts to be performed in the regional municipalities of Renfrew, Lanark, Ottawa and Prescott and Russell when such contracts are open for bidding to contractors in these municipalities, and is subject to the same conditions applicable to contractors located in these municipalities.

For the purposes of establishing his rights and obligations under this section, a Quebec contractor is considered to have his Head Office in the regional municipalities of Renfrew, Lanark, Ottawa or Prescott and Russell.

- 7.2.3 Hydro-Quebec, Hydro One and Ontario Power Generation agree to publish electronically, information concerning procurement policies and processes in a manner that is readily accessible to contractors of both provinces.
- 7.2.4 Disputes related to the tendering practices of Hydro-Quebec, Hydro One and Ontario Power Generation will be addressed, in the first instance, through the dispute resolution mechanism in place at the electrical utility corporation in question. If the dispute cannot be satisfactorily resolved, and is related to the rights set out in sections 7.2.1 and 7.2.2, the dispute resolution process outlined in section 6.1 of this agreement will be followed.
- 7.2.5 In accordance with section 5.2.3 of this agreement, Ontario and Quebec agree to exchange data annually on contracts tendered and awarded by Hydro-Quebec, Hydro One and Ontario Power Generation.

Part 8: Access to Quebec's Bulk Trucking Brokerage System

- 8.1 Ontario residents have access to the bulk trucking brokerage system in Quebec as set out in Quebec's *Regulation respecting the brokerage of bulk trucking services* under the *Transport Act*.

Part 9: Final Provisions

- 9.1 If a provision of this agreement conflicts with a provision in the Agreement on Internal Trade that concerns labour mobility, the provision that ensures the greater mobility of Ontario and Quebec construction workers and contractors prevails.
- 9.2 This agreement will come into force upon repeal of the *Fairness is a Two-Way Street Act (Construction Labour Mobility), 1999*.
- 9.3 On the day this agreement comes into force, Quebec will withdraw its two complaints filed on April 30, 1999, under the Agreement on Internal Trade and under the Agreement on the Opening of Public Procurement for Québec and Ontario.
- 9.4 Exemptions and certificates issued under previous agreements will continue to be recognized until they expire.
- 9.5 Ontario and Quebec agree that they may, by mutual consent, change the terms of this agreement, in writing, at any time.
- 9.6 Ontario and Quebec agree that either one may terminate the agreement on six months' written notice to the other party.

This agreement was signed on

**FOR THE GOVERNMENT
OF ONTARIO**

**FOR THE GOUVERNEMENT DU
QUÉBEC**

Steve Peters
Minister of Labour

Laurent Lessard
Ministre du Travail

Marie Bountrogianni
Minister of Intergovernmental
Affairs and
Minister Responsible for
Democratic Renewal

Benoît Pelletier
Ministre responsable des Affaires
intergouvernementales canadiennes, de
la Francophonie canadienne, de
l'Accord sur le commerce intérieur, de la
Réforme des institutions démocratiques
et de l'Accès à l'information

APPENDIX 1

Note: The trades listed in Table 1 are matched for the purposes of this agreement but are not equivalent with respect to training requirements or qualifications.

Table 1: Matched Construction Trades

	Quebec Title	Ontario Title	Interprovincial (IP) Red Seal Title
1	Électricien / Electrician (regulated under R-20 and F-5)	Electrician – construction and maintenance / Électricien – construction et entretien **	Construction Electrician / Electricien (construction) Ont: IP only
2	Ferblantier / Tinsmith	Sheet metal worker / Tôlier **	Sheet metal worker / Ferblantier Ont: IP only
3	Frigoriste ou Tuyauteur – spécialité du frigoriste / Refrigeration mechanic or pipe-fitter – specialty of refrigeration	Refrigeration and air conditioning mechanic/ Mécanicien en réfrigération et en climatisation **	Refrigeration and air conditioning mechanic / Mécanicien de réfrigération et d'air climatisé Ont: IP only
4	Tuyauteur – spécialité du plombier / Pipe-fitter – specialty of plumber (regulated under R-20 and F-5)	Plumber / Plombier	Plumber / Plombier
5	Tuyauteur – spécialité du poseur d'appareils de chauffage / Pipe-fitter – specialty of the heating systems installer (regulated under R-20 and F-5)	Steamfitter / Monteur de tuyaux de vapeur **	Steamfitter – Pipe-fitter / Monteur d'appareils de chauffage Ont: IP only
6	Opérateur de grue automotrice –sceau rouge	Mobile Crane Operator (red seal) **	Grue automotrice sceau rouge/ Mobile Crane Operator (red seal) Ont: IP only
7	Briqueur-maçon / Bricklayer-mason	Brick and stone mason / Briqueur-Maçon **	Bricklayer / Briqueur – Maçon Ont: IP only
8	Calorifugeur / Insulator	Insulator – (heat and frost) / Poseur de matériaux isolants***	Not Applicable (N/A)
9	Carreleur / Tile setter	Terrazzo, tile and marble craft / Métier de carrelage ***	N/A
10	Charpentier-menuisier / Carpenter-joiner	General carpenter / Charpentier-menuisier Général **	Carpenter / Charpentier Ont: IP only
11	Chaudronnier / Boilermaker	Construction Boilermaker / Chaudronnier de construction**	Boilermaker / Chaudronnier Ont: IP only
12	Cimentier-applicateur / Cement finisher	Cement mason (includes cement finisher) / Cimentier (y compris le finisseur de béton)	N/A
13	Couvreur / Roofer	Roofer / Couvreur **	Roofer / Couvreur Ont: IP only
14	Ferrailleur / Reinforcing steel erector	Reinforcing rodworker / Monteur de barres d'armature	N/A

	Quebec Title	Ontario Title	Interprovincial (IP) Red Seal Title
15	Mécanicien de chantier / Millwright	Construction Millwright / Mécanicien – monteur de Construction	Industrial mechanic (millwright) / Mécanicien industriel (de chantier)
16	Mécanicien de machines lourdes / Heavy equipment mechanic	Heavy duty equipment mechanic / Mécanicien d'équipement lourd **	Heavy duty equipment technician/ technician d'équipement lourd Ont: IP only
17	Mécanicien en protection – incendie ou tuyauteur – spécialité de poseur de gicleurs / Pipe-fitter – specialty of the fire protection mechanic or pipe-fitter – specialty of the sprinkler installer	Sprinkler and fire protection installer / Installateur de systèmes de protection contre les Incendies **	Sprinkler system installer / Poseur de gicleurs Ont: IP only
18	Monteur d'acier de structure / Structural steel erector	Ironworker / Ferronnier	N/A Ont: IP only as ironworker
19	Peintre / Painter	Painter decorator (commercial and residential) / Peintre - décorateur – secteur commercial et résidentiel **	Painter and decorator / Peintre et décorateur Ont: IP only
20	Plâtrier / Plasterer	Drywall finisher and plasterer/ Finisseur de murs secs & plâtrier ****	N/A
21	Poseur de revêtements souples / Resilient flooring layer	Floor covering installer / Installateur de revêtements de sol **	Floor covering installer / Poseur de revêtements souples Ont: IP only
22	Poseur de systèmes intérieurs / Interior systems installer	Lather (Drywall, acoustic and lathing applicator) / Poseur de lattes **	N/A Ont: IP only
23	Serrurier de bâtiment / Ornamental ironworker	Ironworker / Ferronnier (Note: Ontario trade is not divided into 2 branches)	N/A
24	Vitrier et monteur mécanicien (code 310) / Setter mechanic (Glazier) (code 310)	Glazier and Metal Mechanic / Vitrier et mécanicien des métaux **	Glazier / Vitrier (Ontario only) Ont: IP only
25	Opérateur de pelles mécaniques/Shovel operator	Excavator operator-Branch 2 of Heavy equipment operator/ Opérateur d'excavatrice-Division 2 d'opérateur d'équipement lourd ***	N/A
26	Mécanicien d'ascenseur	Elevating Devices Mechanic (EDM-A)	N/A

** Ontario no longer offers provincial certification in this trade.

*** MTCU delivers a certificate of apprenticeship (C of A) to a journey person who has completed theoretical and on-the-job training in these trades.

**** Ontario exam being developed..

In Ontario:

- Certification is compulsory in trades numbered 1 – 6 and 26.
- Certification is voluntary in trades numbered 7 – 25, but may be required as a condition of employment.

In Quebec:

- *Certification is compulsory in trades numbered 1 – 26 in the regulated sector of the construction industry, subject to R-20.*
- *In the sector of the construction industry that is subject to regulation F-5, administered by the MESS, certification is compulsory only in trades numbered 1,2 3, 4, 5, 6, 17, 25 and 26 but may be required in other trades as a condition of employment.*

(1) The trade of Electrician has two Branches in Ontario: Branch 1 (Construction and Maintenance Electricians) and Branch 2 (Domestic and Rural Electrician). An Ontario Electrician-Branch 1 may perform the work of an Electrician in Quebec. An Ontario Electrician-Branch 2 must fulfil CCQ requirements to work in Quebec. A Quebec Electrician may perform the work of Electrician Branch 1 and Electrician Branch 2 in Ontario. Also, in Quebec, security systems installation is a specialty included under the trade of Electrician. Quebec workers in this specialty are not fully qualified electricians and as such must fulfil other Quebec or Ontario requirements to perform the work of an Electrician in Ontario.

Tables 2A, 2B and 2C: Gas, Propane, Petroleum and Other Trades in the Construction Sector

Tables 2A and 2B show gas, propane and petroleum trades (“gas trades”) practised in the construction industry. Table 2A is a list of gas trades in Ontario. Contractors and workers wishing to work in Ontario in the trades in Table 2A must meet certain requirements set by the TSSA. Table 2B is a list of gas trades/certificates in Quebec. Contractors and workers wishing to work in Quebec in the trades in Table 2B must meet requirements set by the MESS and the CCQ. Table 2C lists other construction trades in both provinces.

All trades in Tables 2A, 2B and 2C are under discussion at the time of signing of this agreement. For these trades, Ontario and Quebec agree to:

- complete the process already underway, and referred to in section 2.1.7 of this agreement, to develop measures of access as soon as possible;
- update Tables 2A, 2B and 2C as soon as measures of access have been developed.

2A: Ontario Gas Trades Governed by the TSSA

1	Gas Technician 1, 2 or 3
2	Gas Piping Fitter (GP)
3	Liquid Propane Fitter (LP)
4	Domestic Appliance Technician (D.A.)
5	Internal Combustion Alternate Fuel Technician <ul style="list-style-type: none"> – Natural Gas (ICE– NG), – Industrial Vehicles – Natural Gas (ICE- IV -NG) – Propane (ICE- P) – Industrial Vehicles – Propane (ICE-IV- P)
6	Propane Plant Operator 1, 2, or 3
7	Propane Cylinder Inspector
8	Oil Burner Technician 1 and 2 (OBT-1, OBT-2)
9	Oil Burner Technician 3 (OBT-3)
10	Petroleum Equipment Mechanic (PM.1, PM.2, PM.3, PM.4, PMH, or SO)
11	Elevating Devices Mechanic (EDM-B, EDM-C, EDM-E, or EDM-F)
12	Operating Engineer
13	High Pressure Welder
14	Gas Pipeline Inspector (GPI)
15	Maintenance, Repairs and Installation of Swimming Pools (with gas heater installation)

2B: Quebec Gas Trades and Certificates Governed by the MESS and the CCQ

1	MESS Certificate 132 (<i>Préposé au service de tout type d'appareil-gaz canalisés et de pétrole liquéfiés</i>) _
2	MESS Certificate 111 (<i>Préposé à l'installation de la tuyauterie-gaz canalisés</i>)
3	MESS Certificate 121 (<i>Préposé à l'installation de la tuyauterie –gaz de pétrole liquéfiés</i>)
4	MESS Certificate 134 (<i>Préposé au service d'appareil-gaz canalisés et de pétrole liquéfiés</i>)
5	MESS Certificate 131 (<i>Préposé au service d'appareil- gaz canalisés et de pétrole liquéfiés</i>)
6	MESS Certificate 314 (<i>Préposé à la carburation-véhicules-gaz canalisés</i>)_
7	MESS Certificate 226 (<i>Préposé à la carburation- Véhicules-gaz de pétrole liquéfiés</i>)_
8	MESS Certificate 222 (<i>Préposé au remplissage des bouteilles-gaz de pétrole liquéfiés</i>)
9	MESS Certificate 223 (<i>Préposé au transport et à la manutention en vrac-gaz de pétrole liquéfiés</i>)
10	MESS Certificate 312 (<i>surveillant-gaz canalisés</i>)_
11	Poseur de brûleur à l'huile
12	Mécanicien de machines fixe
13	Soudeur- Haute Pression
14	Mécanicien d'ascenseur
15	Inspecteur certifié d'équipement pétrolier

2C: Other Trades in the Construction Sector (Ontario or Quebec)

1	Domestic and Rural Electrician / Électricien – secteur résidentiel et rural
2	Elevating Devices Mechanic – Cab Renovation (EDM-D) / Mécanicien d'ascenseur – renovation de la cabine
3	Installation and Maintenance of Intercom Systems / Installation et entretien de systèmes d'intercommunication
4	Hoisting Engineer: Mobile Crane Operator, Branch 1 and 2; Tower Crane Operator
5	Grutier

APPENDIX 2

Certificates Recognized by Both Jurisdictions (subject to Section 2.6)

Quebec	Ontario
Certificat de qualification (Sceau Rouge)/ Certificate of Qualification (Red Seal) (1)	Certificate of Qualification (Red Seal)/ Certificat de qualification (Sceau Rouge) (1)
Certificat de competence – compagnon/ Journeyperson Competency Certificate (2)	Certificate of Qualification / Certificat de qualification professionnelle (3)
Not Applicable	Certificate of Apprenticeship / Certificat d'apprentissage (4)
Not Applicable	Provisional Certificate of Qualification / Certificat de qualification professionnelle provisoire (5)
Certificat de competence-apprenti Apprentice Competency Certificate (6)	Apprentice Identification Card / Carte d'identification d'apprenti (7)

Notes

(1) An Interprovincial (IP) Red Seal certificate of qualification is issued to workers who have successfully completed an Ontario apprenticeship program and an IP qualification exam based on knowledge and competencies identified in the National Occupational Analysis (NOA).

(2) The Quebec Journeyperson Competency Certificate is issued to a worker who has completed a Quebec apprenticeship program and who has passed the Commission de la construction du Québec qualifying examinations for a given trade or specialty, provided that he also supplies a certificate showing that he has taken the safety course required under the Code for the Construction Industry.

(3) The Ontario Certificate of Qualification is issued to workers who have successfully completed an Ontario apprenticeship program or who can demonstrate they have acquired the skills and experience equivalent to those attained through an Ontario apprenticeship program, and who have passed a provincial qualification exam for a given trade or specialty.

(4) The Ontario Apprenticeship Certificate is issued to a worker who has successfully completed an Ontario apprenticeship program approved by the Ministry of Training Colleges and Universities for a given trade or specialty.

(5) The Ontario Provisional Certificate is issued to workers who demonstrate they have acquired the skills and experience equivalent to those attained through an Ontario apprenticeship program for a given trade or specialty. The Provisional Certificate is conditional on a worker taking the appropriate provincial or Interprovincial (Red Seal) qualification exam within the time period established by the Ministry of Training, Colleges and Universities.

(6) The Quebec Apprenticeship Competency Certificate is generally issued to an individual who has completed vocational training at the secondary level in a construction trade, and who has taken the required safety course and has a job guarantee with an employer registered with the Commission de la Construction du Québec.

(7) The Ontario Apprentice Identification Card is issued to an individual who enters into a contract of apprenticeship with an employer and who registers this contract with the Ministry of Training, Colleges and Universities. In-school training (at community colleges or other approved training delivery organizations) is subject to provincial curriculum standards approved by the Ministry of Training, Colleges and Universities.

APPENDIX 3

Access to Activities of Trades

In addition to recognizing activities of trades listed in “ANNEXE C” of Règlement sur la formation professionnelle de la main-d’oeuvre dans l’industrie de la construction [R-20, r. 6.2], Quebec will recognize an Ontario Trade Activity Card for the following activities of trades:

1. Trades with activities that are part of the carpentry trade as well as being stand-alone trades.

Drywall, Acoustic and Lathing Applicator: (Part of Carpentry - interior finishing)

Installation of drywall
Installation of lath
Installation of thermal and sound insulation

Floor Covering Installer: (Part of carpentry- parquet flooring)

Installation and repair of carpet & pads
Installation and repair of wood floors

General Carpenter:

Framing
Building stairs

Glazier: (Part of carpentry for most activities excluding curtain walls)

Installation of curtain wall systems

Roofer: (Part of carpentry: framing – installation of trusses, dormers, roof coverings)

Retrofit, repair and resurface
Installation of single-ply roofing

Taper and Plasterer: (Part of carpentry: interior finishing)

Installation of cornices (hand-made or pre-fab) and ornamental plaster moulds

2. Trades with some activities in Schedule “C” of R-20

Painter and Decorator:

Brush and roll painting
Spray painting surfaces
Hanging wall coverings

3. Trades with no activities in Schedule “C”

Brick and Stone Mason:

Laying of concrete blocks
Building/repairing chimneys
Building/repairing fireplaces
Installation of prefabricated masonry panels

Cement mason:

Concrete finishing
Waterproofing & restoration prep work

Cement Finisher or Bricklayer:

Grouting
Sandblasting

Terrazzo, Tile and Marble Craft:

Installation of tiles
Installation of terrazzo
Installation of marble and granite indoor

Heavy Equipment Operator:

Tractor Loader Backhoe Operator
Dozer Operator

Note: Activities of trades listed in Appendix 3 may be part of a different trade in Quebec.

4. Schedule “C” of R-20, Activities of Trades

1. Carpenter-joiner

Forms
Installation of doors and windows
Parquet flooring
Installation of prefabricated coverings
Installation of cupboards and other workshop prepared or manufactured items
Installation of gypsum board
Installation of piles

2. Tinsmith

Installation of gutters
Installation of prefabricated coverings

3. Painter

Pointing and filling joints (gypsum board)

4. Plasterer

Pointing and filling joints (gypsum board)

5. Interior Systems Installer

Installation of gypsum board

APPENDIX 4

Requirements to Work in Occupations in Quebec and Trades in Ontario

	Occupation	Requirements to Work in Quebec	Requirements to work in Ontario
1	Assembler / Assembleur	CCQ occupation card	Voluntary trade
2	Boiler driver / Chauffeur de chaudières à vapeur	CCQ occupation card plus MESS certification	Compulsory TSSA certification
3	Chainperson / Chaîneur	CCQ occupation card	Voluntary trade
4	Clerk / Commis	CCQ occupation card	Voluntary trade
5	Compressor operator / Opérateur de pompes et de compresseurs	CCQ occupation card	Voluntary trade
6	Distribution welder (gas) / Soudeur de distribution (gaz)	CCQ occupation card plus either MESS certification or RBQ testing	Compulsory TSSA certification
7	Diver / Plongeur	CCQ occupation card and additional H & S requirements	Compulsory requirements under <i>OHSA</i> Regulation for Diving Operations and divers' qualifications
8	Driller / Foreur	CCQ occupation card	Voluntary trade
9	Equipment operator (lines) / Conducteur d'engins (lignes)	CCQ occupation card	Compulsory MTCU certification for hoisting capacity of 8 tons and up. Proof of competency under <i>OHSA</i> Reg. 213/91, s.96 for less than 8 tons
10	Equipment and vehicle operator / Opérateur d'équipements et de véhicules	CCQ occupation card	Voluntary trade. Operator must be able to prove competency under <i>OHSA</i> Reg. 213/91, s.96
11	Gas fitter (upstream work) / Spécialiste en branchement d'immeubles (en amont)	CCQ occupation card	Compulsory TSSA certification
12	General helper / Manoeuvre spécialisé	CCQ occupation card	Voluntary trade
13	General helper (tile setter) / Manoeuvre spécialisé (carreleur)	CCQ occupation card	Voluntary trade
14	Generator operator / Opérateur de génératrices	CCQ occupation card plus MESS certification	Compulsory TSSA certification
15	Groundsperson / Aide-monteur de lignes	CCQ occupation card	Voluntary trade
16	Heavy equipment serviceman / Homme de service sur machines lourdes	CCQ occupation card	Voluntary trade
17	Hoisting equipment operator "A" and "B" / Opérateur d'appareils de levage "A" et "B"	CCQ occupation card	Voluntary trade
18	Instrument man (surveyor) / Homme d'instrument (arpenteur)	CCQ occupation card	Voluntary trade
19	Labourer (pipe-line) / Manoeuvre (pipe-line)	CCQ occupation card	Voluntary trade
20	Labourer / Manoeuvre	CCQ occupation card	Voluntary trade
21	Line truck driver / Conducteur de camion de lignes	CCQ occupation card	Voluntary trade. Proof of competency required under <i>OHSA</i> , Reg. 213/91, s.96.

	Occupation	Requirements to Work in Quebec	Requirements to work in Ontario
22	Lineperson (transmission and distribution lines) / Monteur (lignes de transport d'énergie et de distribution)	CCQ occupation card	Voluntary trade. Proof of competency required under <i>OHS</i> A Reg. 213/91, s. 96.
23	Mechanic (lines) / Mécanicien (lignes)	CCQ occupation card	Voluntary trade
24	Oiler / Graisseur-huileur	CCQ occupation card	Voluntary trade
25	Pipe welder / Soudeur en tuyauterie	CCQ occupation card plus either MESS certification or RBQ testing	Compulsory TSSA certification
26	Pipeline welder / Soudeur de pipe-line	CCQ occupation card plus either MESS certification or RBQ testing	Compulsory TSSA certification
27	Pump and compressor operator / Opérateur de pompes et de compresseurs	CCQ occupation card	Voluntary trade
28	Rope puller / Tireur de câbles	CCQ occupation card	Voluntary trade
29	Shotfirer / Boutefeu	CCQ occupation card plus permit issued by the Sûreté du Québec plus certificate of shotfirer issued by the CSST	Voluntary trade
30	Splicer / Épisseur (homme de joint)	CCQ occupation card	Voluntary trade
31	Stationary or portable mixing plant operator / Opérateur d'usines fixes ou mobiles	CCQ occupation card	Voluntary trade
32	Steel erector welder / Soudeur monteur d'acier	CCQ occupation card CCQ occupation card plus either MESS certification or RBQ testing for high pressure welding.	Voluntary trade Compulsory TSSA certification for high pressure welding.
33	Storeperson / Magasinier	CCQ occupation card	Voluntary trade
34	T" Lineperson (communication network) / Monteur "T" (réseaux de communication)	CCQ occupation card	Voluntary trade
35	Tire and Body repairperson / Préposé au pneus et au débosselage	CCQ occupation card	Voluntary trade for work on heavy equipment. Compulsory MTCU certification for work on motor vehicles.
36	Trimmer / Émondeur	CCQ occupation card	Voluntary trade Compulsory training on chain saw (<i>OHS</i> A).
37	Truck driver / Conducteur de camion	CCQ occupation card	Voluntary trade
38	Underground worker (miner) / Travailleur souterrain (mineur)	CCQ occupation card	Compulsory requirements under <i>OHS</i> A Reg. 213/91, s 307
39	Watchperson / Gardien	CCQ occupation card	Voluntary trade
40	Welder / Soudeur	CCQ occupation card	Voluntary trade

Notes

1. *To work in Ontario in a compulsory trade, the MTCU and the TSSA will evaluate a worker's qualifications/competencies for the purpose of issuing a certificate.*
2. *Ontario workers are required to join a representative association for workers before working in Quebec.*
3. *Both Ontario and Quebec workers are required to pay registration fees in order to work in the other province (fees vary depending upon the occupation or trade).*

APPENDIX 5

Recognition of Occupational Health and Safety Training

Quebec's compulsory training course entitled "Santé et sécurité générale sur les chantiers de construction" (Health and Safety on Construction Sites) is equivalent to the training acquired by an Ontario worker who:

1. Holds one of the following certificates:

- a) Ontario Certificate of Qualification (Red Seal) in one of the trades listed in Appendix 1, Table 1;
- b) Ontario Certificate of Qualification in one of the trades listed in Appendix 1, Table 1;
- c) Ontario Provisional Certificate of Qualification issued to an Ontario worker in one of the trades listed in Appendix 1, Table 1, for which certification is voluntary;
- d) Ontario Certificate of Apprenticeship in one of the trades listed in Appendix 1, Table 1 for which certification is voluntary; or, in one of the Ontario trades listed in Appendix 4;

2. Has worked 750 or more hours in any of the occupations listed in Appendix 4.

- a) Ontario workers must provide proof of their hours of work.

3. Has completed one of the following Ontario courses:

- a) Courses offered or endorsed by the Workers' Health and Safety Centre and delivered by qualified union, management, college or school board trainers, including:
 - Level I - III or any successor programs.
- b) The Core Certification Training Program administered by the Workplace Safety and Insurance Board.
- c) Courses offered or endorsed by the Construction Safety Association of Ontario (CSAO) and delivered by qualified union, management, college or school board trainers:
 - Health and Safety Representatives Program;
 - Trade Specific Multi-level Training Programs:
 - Refrigeration and Air-Conditioning Program (Level I - III);
 - Carpenters Program (level I - III);
 - Acoustical, Drywall and Interior Systems;
 - Pipe Trades (Level I - III);
 - Electrical Utilities Program;
 - Millwrights Program.
- d) The course entitled "Construction Safety", developed by the Ontario General Contractors' Association in conjunction with the Construction Safety Association of Ontario (CSAO).