

## Relations industrielles Industrial Relations



# Annual Vacation with Pay Enacted by Decrees Collective Agreement Act

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system which the Apprenticeship Commission has built up.

It will not need many years under such a system of vocational training for the labour market of the printing trades to be reorganized so as to provide an adequate supply of competent workers to meet demand for qualified labour. As well as furnishing the qualified workers which it lacks at the moment, this system of vocational training will raise the general level of the technical competence of its labour.

The employers will less and less have to depend upon a semi-skilled man-power paid at the rate of skilled labour. Besides, the volume as well as the quality of the production will increase. And this better return from labour, this increase and this improvement in the production capacity of the labour involved will be translated into a greater net value of production for the employers.

The apprentices will acquire an all-round training in the trade they have chosen. At the end of their six years of vocational training they

will be in possession of priceless capital — a trade mastered in all its essential operations. This knowledge and this experience will guarantee them continuous employment and an income stable as well as substantial. It is a fact of daily experience that the possession of a tested trade procures an economic well-being and a superior level of life as well as justified pride, and the knowledge of one's own value.

Certainly, the putting into effect of this system of vocational training is not an easy thing. But, if the Graphic Arts School and the printing establishments respectively, assume the responsibilities delegated to them in matters of vocational training, if they apply themselves in all loyalty to compete in their proper sphere in the training of their apprentices, then the Apprenticeship Commission, coordinating the efforts of these two centres of instruction, will attain its objective which is to endow the printing industry with a more competent reserve of man-power.

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## ANNUAL VACATION WITH PAY ENACTED BY DECREES

*Collective Agreement Act*

CHARLES BÉLANGER

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The regulations of public order concerning annual vacations with pay in the Province of Quebec come from the decrees in force under the Collective Agreement Act or Ordinance No. 3 (Revised) of the Minimum Wage Commission.

The *Bulletin des Relations Industrielles* has already shown the general scope and circumstances concerning the application of Ordinance No. 3,<sup>1</sup> which covers in a residual fashion the employees of industrial and commercial establishments not governed by the decrees or those not subject to collective labour agreements calling for at least one week's annual paid vacation.

It is understood that these decrees apply to more than two hundred thousand employees of industry, trade and various occupations in this Province and establish a system better adapted to their needs, because we find as the basis of the decrees a collective labour agreement.<sup>2</sup> But to

what extent do the decrees profit those interested and how do they agree with Ordinance No. 3 as far as annual vacation with pay is concerned? We believe that the importance of these regulations must not be overlooked by all those who are interested in a harmonious settlement of industrial relations. This is what we shall briefly attempt to set forth.

In order to do this we shall examine the decrees in force on December 31, 1948 and we shall group them by their principal occupation. We note that at that time there were ninety-six decrees in force, i.e. one in Mining, thirty-six in Manufacturing, fourteen in Construction, seven in Transportation, seventeen in Trade and twenty-one in Services.

An examination of these decrees reveals that seventy-seven of them contain provision for at least one week of annual paid vacation which is the equivalent of Ordinance No. 3. They may be classified as follows: Mining: 1; Manufacturing: 35; Construction: 5, of which three are for permanent employees in maintenance; Transporta-

(1) *Bulletin des Relations Industrielles*, Vol. 3, No. 10, June 1948, P. 149.

(2) *Ministère du Travail* de la Province de Québec, *Rapport général du Ministère du Travail*, 1948, p. 125.

tion: 2; Trade: 15 and Services: 19. If we compare the total of this group to the former one, it would appear that we may conclude that none of these nineteen decrees has such advantages: Baking Industry in Granby, Construction Industry in Lake St. John (two decrees), Joliette, St. Hyacinthe, St. Jean, Eastern Townships, Terrebonne and Trois Rivières; Trade in Sherbrooke and in Magog; Services — barbers and hairdressers in Rouyn and in Sherbrooke. We note however, that of this number, fourteen decrees concern seasonal enterprises, i.e. nine in Construction and five in Stevedoring. We must also state that Ordinance No. 3 does not apply to workers engaged in the construction of buildings. These last decrees are therefore not inferior on this point to the Minimum Wage Commission's ordinance.

On the other hand it is interesting to observe that twenty-two decrees of which ten in Manufacturing, one in Transportation, seven in Trade and four in Services give two weeks paid vacation and more than that, one decree in the Mining industry gives three weeks to the employees subject to it. The workers covered by these twenty-three decrees therefore benefit by much more generous advantages than those set forth by any other regulation.

However, it must be observed that in spite of the general tendency to establish a more favourable system, forty-eight decrees give only one week

annual vacation with pay without obliging the employer, in case of the termination of labour contract, to give a compensating indemnity for the vacation accumulated, as specified by Ordinance No. 3 for those employees under its jurisdiction.

More than this, we find ten decrees which permit compensation of double the salary in place of paid vacation. Such a provision cannot be interpreted as a guarantee of annual paid vacation. This is a premium for work rather than a right to annual vacation with pay.

In spite of the imperfections that can be found in these regulations, it can be seen that the present situation shows great progress, especially if we compare it with the year 1940, when only four decrees called for annual paid vacation. Seven years later, i.e. in 1947, sixty-one decrees included such provisions. The year 1948 brought an appreciable gain of sixteen new regulating measures without considering that some decrees added to the advantages already granted.

Let us mention also, in concluding this brief analysis, that among the establishments contemplated by the decrees, a great many apply a much more advantageous policy than that legally required, going up to four weeks of annual paid vacation or granting annual payment of vacation to their employees on a graduated scale.

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## DOCUMENTATION

### THE PROJECT OF THE PROVINCIAL LABOUR CODE

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*The project of the Labour Code presented to the Quebec Legislature with the Bill No. 5 is now history. As this legislative project had considerable scope, various opinions on the subject were expressed and it was withdrawn. We are therefore publishing, as a matter of record, the declaration of the Honourable Antonio Barrette, Minister of Labour, at the time Bill No. 5 was withdrawn, as well as that of the Canadian and Catholic Confederation of Labour and of the Ecclesiastical Commission of Social Studies. It will be noticed that the text of the Ecclesiastical Commission of Social Studies was not sent to the newspapers but to the Members of the Legislative Assembly. The Members of this Commission are: the Revd. Paul Emile Bolté, p.s.s., Professor of Social Sciences in the Faculty of Theology at the University of Montreal; the Revd. Father Emile Bouvier, s.j., Director of the Industrial Relations Section of the University of Montreal and moral adviser of the « Association Professionnelle des Industriels »; the Revd. Father Jacques Cousineau, s.j., moral adviser of the Central Council of the National Syndicates of Montreal and of various Federations affiliated to the Canadian and Catholic Confederation of Labour; the Revd. Gérard Dion, Assistant-Director of the Department of Industrial Relations of Laval University, moral adviser of the employers' associations of the Diocese of Quebec; the Revd. Omer Genest, moral adviser of the National Catholic Syndicates, Diocese of Chicoutimi and the Revd. Henri Pichette, general moral adviser of the Canadian and Catholic Confederation of Labour.*