



Part 2

LAWS AND REGULATIONS

21 October 2021 / Volume 153

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Part 2 – LAWS AND REGULATIONS

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Orders in Council

Gouvernement du Québec

O.C. 1330-2021, 20 October 2021

Renewal of the public health emergency pursuant to section 119 of the Public Health Act

WHEREAS the World Health Organization declared COVID-19 to be a pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

WHEREAS the pandemic constitutes a serious and real threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, under the first paragraph of section 119 of the Act, the public health emergency declared by the Government is effective for a maximum period of ten days at the expiry of which it may be renewed, as many times as necessary, for a maximum period of ten days or, with the consent of the National Assembly, for a maximum period of 30 days;

WHEREAS, under section 121 of the Act, the public health emergency is effective as soon as it is declared or renewed;

WHEREAS, while the public health emergency is in effect, despite any provision to the contrary, the Government or the Minister of Health and Social Services, if the Minister has been so empowered, may, without delay and without further formality, take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020,

until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020, until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094-2020 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020, until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020, until 18 December 2020 by Order in Council 1308-2020 dated 9 December 2020, until 25 December 2020 by Order in Council 1351-2020 dated 16 December 2020, until 1 January 2021 by Order in Council 1418-2020 dated 23 December 2020, until 8 January 2021 by Order in Council 1420-2020

dated 30 December 2020, until 15 January 2021 by Order in Council 1-2021 dated 6 January 2021, until 22 January 2021 by Order in Council 3-2021 dated 13 January 2021, until 29 January 2021 by Order in Council 31-2021 dated 20 January 2021, until 5 February 2021 by Order in Council 59-2021 dated 27 January 2021, until 12 February 2021 by Order in Council 89-2021 dated 3 February 2021, until 19 February 2021 by Order in Council 103-2021 dated 10 February 2021, until 26 February 2021 by Order in Council 124-2021 dated 17 February 2021, until 5 March 2021 by Order in Council 141-2021 dated 24 February 2021, until 12 March 2021 by Order in Council 176-2021 dated 3 March 2021, until 19 March 2021 by Order in Council 204-2021 dated 10 March 2021, until 26 March 2021 by Order in Council 243-2021 dated 17 March 2021, until 2 April 2021 by Order in Council 291-2021 dated 24 March 2021, until 9 April 2021 by Order in Council 489-2021 dated 31 March 2021, until 16 April 2021 by Order in Council 525-2021 dated 7 April 2021, until 23 April 2021 by Order in Council 555-2021 dated 14 April 2021, until 30 April 2021 by Order in Council 570-2021 dated 21 April 2021, until 7 May 2021 by Order in Council 596-2021 dated 28 April 2021, until 14 May 2021 by Order in Council 623-2021 dated 5 May 2021, until 21 May 2021 by Order in Council 660-2021 dated 12 May 2021, until 28 May 2021 by Order in Council 679-2021 dated 19 May 2021, until 4 June 2021 by Order in Council 699-2021 dated 26 May 2021, until 11 June 2021 by Order in Council 740-2021 dated 2 June 2021, until 18 June 2021 by Order in Council 782-2021 dated 9 June 2021, until 25 June 2021 by Order in Council 807-2021 dated 16 June 2021, until 2 July 2021 by Order in Council 849-2021 dated 23 June 2021, until 9 July 2021 by Order in Council 893-2021 dated 30 June 2021, until 16 July 2021 by Order in Council 937-2021 dated 7 July 2021, until 23 July 2021 by Order in Council 1062-2021 dated 14 July 2021, until 30 July 2021 by Order in Council 1069-2021 dated 21 July 2021, until 6 August 2021 by Order in Council 1072-2021 dated 28 July 2021, until 13 August 2021 by Order in Council 1074-2021 dated 4 August 2021, until 20 August 2021 by Order in Council 1080-2021 dated 11 August 2021, until 27 August 2021 by Order in Council 1127-2021 dated 18 August 2021, until 3 September 2021 by Order in Council 1150-2021 dated 25 August 2021, until 10 September 2021 by Order in Council 1172-2021 dated 1 September 2021, until 17 September 2021 by Order in Council 1200-2021 dated 8 September 2021, until 24 September 2021 by Order in Council 1225-2021 dated 15 September 2021, until 1 October 2021 by Order in Council 1251-2021 dated 22 September 2021, until 8 October 2021 by Order in Council 1277-2021 dated 29 September 2021, until 15 October 2021 by Order in Council 1293-2021 dated 6 October 2021 and until 22 October 2021 by Order in Council 1313-2021 dated 13 October 2021;

WHEREAS, by Orders in Council 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 500-2020 dated 1 May 2020, 505-2020 dated 6 May 2020, 530-2020 dated 19 May 2020, 539-2020 and 540-2020 dated 20 May 2020, 543-2020 dated 22 May 2020, 566-2020 dated 27 May 2020, 588-2020 dated 3 June 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 689-2020 dated 25 June 2020, 708-2020 dated 30 June 2020, 788-2020 dated 8 July 2020, 810-2020 dated 15 July 2020, 813-2020 dated 22 July 2020, 817-2020 dated 5 August 2020, 885-2020 dated 19 August 2020, 913-2020 dated 26 August 2020, 943-2020 dated 9 September 2020, 947-2020 dated 11 September 2020, 964-2020 dated 21 September 2020, 1020-2020 dated 30 September 2020, 1039-2020 dated 7 October 2020, 1145-2020 dated 28 October 2020, 1346-2020 dated 9 December 2020, 1419-2020 dated 23 December 2020, 2-2021 dated 8 January 2021, 102-2021 dated 5 February 2021, 135-2021 dated 17 February 2021, 433-2021 dated 24 March 2021, 735-2021 dated 26 May 2021, 799-2021 dated 9 June 2021, 885-2021 dated 23 June 2021, 1173-2021 dated 1 September 2021 and 1276-2021 dated 24 September 2021, the Government took certain measures to protect the health of the population;

WHEREAS, by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-038 dated 15 May 2020, 2020-039 dated 22 May 2020, 2020-041 dated 30 May 2020, 2020-042 dated 4 June 2020, 2020-043 dated 6 June 2020, 2020-044 dated 12 June 2020, 2020-045 dated 17 June 2020, 2020-047 dated 19 June 2020, 2020-048 dated 26 June 2020, 2020-049 dated 4 July 2020, 2020-050 dated 7 July 2020, 2020-051 dated 10 July 2020, 2020-052 dated 19 July 2020, 2020-053 dated 1 August 2020, 2020-055 dated 6 August 2020, 2020-058 dated 17 August 2020, 2020-059 dated 26 August 2020, 2020-060 dated 28 August 2020, 2020-061 dated 1 September 2020, 2020-062 dated 4 September 2020, 2020-063 dated 11 September 2020, 2020-064 dated 17 September 2020, 2020-066 dated

18 September 2020, 2020-067 dated 19 September 2020, 2020-068 dated 20 September 2020, 2020-069 dated 22 September 2020, 2020-072 dated 25 September 2020, 2020-074 and 2020-075 dated 2 October 2020, 2020-076 dated 5 October 2020, 2020-077 dated 8 October 2020, 2020-078 dated 10 October 2020, 2020-079 dated 15 October 2020, 2020-080 dated 21 October 2020, 2020-081 dated 22 October 2020, 2020-082 dated 25 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-088 dated 9 November 2020, 2020-090 dated 11 November 2020, 2020-091 dated 13 November 2020, 2020-093 dated 17 November 2020, 2020-094 dated 22 November 2020, 2020-096 dated 25 November 2020, 2020-097 dated 1 December 2020, 2020-099 and 2020-100 dated 3 December 2020, 2020-101 dated 5 December 2020, 2020-102 dated 9 December 2020, 2020-103 dated 13 December 2020, 2020-104 dated 15 December 2020, 2020-105 dated 17 December 2020, 2020-106 dated 20 December 2020, 2020-107 dated 23 December 2020, 2020-108 dated 30 December 2020, 2021-001 dated 15 January 2021, 2021-003 dated 21 January 2021, 2021-004 dated 27 January 2021, 2021-005 dated 28 January 2021, 2021-008 dated 20 February 2020, 2021-009 dated 25 February 2021, 2021-010 dated 5 March 2021, 2021-013 dated 13 March 2021, 2021-015 dated 16 March 2021, 2021-016 dated 19 March 2021, 2021-017 dated 26 March 2021, 2021-019 dated 28 March 2021, 2021-020 dated 1 April 2021, 2021-021 dated 5 April 2021, 2021-022 and 2021-023 dated 7 April 2021, 2021-024 dated 9 April 2021, 2021-025 dated 11 April 2021, 2021-026 dated 14 April 2021, 2021-027 dated 16 April 2021, 2021-028 dated 17 April 2021, 2021-029 dated 18 April 2021, 2021-031 dated 28 April 2021, 2021-032 dated 30 April 2021, 2021-033 dated 5 May 2021, 2021-034 dated 8 May 2021, 2021-036 dated 15 May 2021, 2021-037 dated 19 May 2021, 2021-038 dated 20 May 2021, 2021-039 dated 28 May 2021, 2021-040 dated 5 June 2021, 2021-041 dated 7 June 2021, 2021-043 dated 11 June 2021, 2021-044 dated 14 June 2021, 2021-045 and 2021-046 dated 16 June 2021, 2021-047 dated 18 June 2021, 2021-048 dated 23 June 2021, 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-051 dated 6 July 2021, 2021-052 dated 7 July 2021, 2021-053 dated 10 July 2021, 2021-054 dated 16 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated 3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-068 dated 9 October 2021, 2021-069 dated 12 October 2021, 2021-070 dated 15 October 2021 and 2021-071 and 2020-072 dated 16 October 2021, the Minister also took certain measures to protect the health of the population;

WHEREAS it is expedient to renew the public health emergency for a period of ten days;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the public health emergency be renewed until 29 October 2021;

THAT the measures provided for in Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 460-2020 dated 15 April 2020, 505-2020 dated 6 May 2020, 566-2020 dated 27 May 2020, 615-2020 dated 10 June 2020, 651-2020 dated 17 June 2020, 885-2020 dated 19 August 2020, 943-2020 dated 9 September 2020, 964-2020 dated 21 September 2020, 135-2021 dated 17 February 2021, 885-2021 dated 23 June 2021, 1173-2021 dated 1 September 2021 and 1276-2021 dated 24 September 2021 and by Ministerial Orders 2020-004 dated 15 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020, 2020-035 dated 10 May 2020, 2020-037 dated 14 May 2020, 2020-039 dated 22 May 2020, 2020-042 dated 4 June 2020, 2020-044 dated 12 June 2020, 2020-049 dated 4 July 2020, 2020-060 dated 28 August 2020, 2020-061 dated 1 September 2020, 2020-062 dated 4 September 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2020-069 dated 22 September 2020, 2020-076 dated 5 October 2020, 2020-084 dated 27 October 2020, 2020-087 dated 4 November 2020, 2020-091 dated 13 November 2020, 2020-097 dated 1 December 2020, 2020-099 dated 3 December 2020, 2020-102 dated 9 December 2020, 2020-107 dated 23 December 2020, 2021-003 dated 21 January 2021, 2021-005 dated 28 January 2021, 2021-010 dated 5 March 2021, 2021-017 dated 26 March 2021, 2021-022 dated 7 April 2021, 2021-024 dated 9 April 2021, 2021-027 dated 16 April 2021, 2021-028 dated 17 April 2021, 2021-032 dated 30 April 2021, 2021-036 dated 15 May 2021, 2021-039 dated 28 May 2021 and 2021-040 dated 5 June 2021, 2021-046 dated 16 June 2021, 2021-049 dated 1 July 2021, 2021-050 dated 2 July 2021, 2021-051 dated 6 July 2021, 2021-052 dated 7 July 2021, 2021-053 dated 10 July 2021, 2021-054 dated 16 July 2021, 2021-055 dated 30 July 2021, 2021-057 dated 4 August 2021, 2021-058 dated 13 August 2021, 2021-059 dated 18 August 2021, 2021-060 dated 24 August 2021, 2021-061 dated 31 August 2021, 2021-062 dated

3 September 2021, 2021-063 dated 9 September 2021, 2021-065 dated 24 September 2021, 2021-066 dated 1 October 2021, 2021-067 dated 8 October 2021, 2021-069 dated 12 October 2021, 2021-070 dated 15 October 2021 and 2021-071 and 2021-072 dated 16 October 2021, except to the extent that they were amended by those Orders in Council or Ministerial Orders, continue to apply until 29 October 2021 or until the Government or the Minister of Health and Social Services modifies or terminates them;

THAT the Minister of Health and Social Services be empowered to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act (chapter S-2.2).

YVES OUELLET
Clerk of the Conseil exécutif

105331

Gouvernement du Québec

O.C. 1344-2021, 20 October 2021

Extension of the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic

WHEREAS the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic (2021, chapter 26) was assented to on 23 September 2021;

WHEREAS, under the first paragraph of section 5 of the Act, the Act comes into force on 23 September 2021 and ceases to have effect on 23 October 2021;

WHEREAS, under the second paragraph of that section, however, the Government may, before the expiry date, extend the effect of the Act for a period of 30 days and, on the same conditions make any other extension;

WHEREAS, under the third paragraph of that section, despite the preceding paragraphs, the Act may not have effect beyond the date on which the public health emergency, declared by Order in Council 177-2020 dated 13 March 2020 and renewed in accordance with section 119 of the Public Health Act (chapter S-2.2), ends;

WHEREAS the public health emergency was renewed in accordance with section 119 of the Public Health Act until 29 October 2021 by Order in Council 1330-2021 dated 20 October 2021;

WHEREAS it is expedient to extend the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic for a period of 30 days;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the effect of the Act to establish a perimeter around certain places in order to regulate demonstrations in relation to the COVID-19 pandemic (2021, chapter 26) be extended until 21 November 2021, unless the public health emergency declared by Order in Council 177-2020 dated 13 March 2020 and renewed in accordance with section 119 of the Public Health Act (chapter S-2.2) ends before that date.

YVES OUELLET
Clerk of the Conseil exécutif

105327

Ministerial Orders

M.O., 2021

Order 2021-070 of the Minister of Health and Social Services dated 15 October 2021

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2) which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1313-2021 dated 13 October 2021;

CONSIDERING Order in Council 1276-2021 dated 24 September 2021 providing among other things the requirement for certain health and social service providers to be adequately protected;

CONSIDERING that that Order in Council also empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Order;

CONSIDERING that it is advisable to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT the taking effect of the fourth, fifth, sixth, seventh, eighth, thirteenth, fourteenth, fifteenth, sixteenth, nineteenth, twenty-second, twenty-third, twenty-fourth and twenty-sixth paragraphs of Order in Council 1276-2021 dated 24 September 2021 be postponed to 15 November 2021, except with regard to

(1) students and trainees;

(2) volunteers;

(3) persons hired or who begin to practise in the environments concerned after 15 October 2021; and

(4) subcontractors not providing care to users or residents in the environments concerned.

Québec, 15 October 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services

105328

M.O., 2021

Order 2021-071 of the Minister of Health and Social Services dated 16 October 2021

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2) which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1313-2021 dated 13 October 2021;

CONSIDERING that Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2021-036 dated 15 May 2021 and 2021-055 dated 30 July 2021, provides for, among other things, amendments to the national and local provisions of the collective agreements applicable in the health and social services network as well as certain employment conditions applicable to non-unionized salaried personnel in the network;

CONSIDERING that Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Orders 2021-028 dated 17 April 2021, 2021-036 dated 15 May 2021, 2021-039 dated 28 May 2021 and 2021-040 dated 5 June 2021, provides for, among other things, certain measures to apply to certain service providers of a health and social services institution, an intermediary resource, a family-type resource or a private seniors' residence, and to personnel placement agencies;

CONSIDERING that Order in Council 1313-2021 dated 13 October 2021 empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is advisable to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT, for the purposes of this Order,

(1) "institution" means a public institution or a private institution under agreement within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5);

(2) "salaried person" means a salaried person in an institution whose job title forms part of the class of nursing and cardio-respiratory care personnel, as set out in the document entitled *Nomenclature des titres d'emploi*, des

libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux, other than nursing externs and respiratory therapy externs;

(3) "officer" means an officer within the meaning of section 3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) in one of the following employment families:

(a) coordinator or head of activities, professional services (bed management, continuum of care, stay management);

(b) coordinator, nursing care;

(c) service, program and unit head and head of activities, nursing care;

(d) sector head, nursing care;

(e) managerial advisor, nursing care;

(f) coordinator or head of activities, nursing care (evenings, nights, weekends and holidays/housing);

THAT a salaried person receive, for each work shift effectively worked during a weekend in addition to the person's scheduled work shifts, an amount of

(1) \$200 if the person works in a facility maintained by an institution situated in a health region listed in Schedule I;

(2) \$400 if the person works in a facility maintained by an institution situated in a health region listed in Schedule II;

THAT, to receive the lump sum provided for in the preceding paragraph, a salaried person be required to be present at work, in keeping with the person's work schedule, during the seven days preceding and following the work shift effectively worked during the weekend;

THAT every salaried person on a day schedule who undertakes to work full-time evenings or nights for a period of four consecutive weeks receive a lump sum of \$2,000 at the end of the period;

THAT the preceding paragraph also apply to every salaried person who has a position or assignment with rotating shifts and who agrees to work only evenings or nights;

THAT, to receive the lump sum provided for in the fourth paragraph, a salaried person be required to be present at work, in keeping with the person's work schedule, for the entire period concerned;

THAT, for the purposes of the third and sixth paragraphs, a salaried person entitled to a statutory holiday or, if applicable, to convert a night bonus into paid leave, and who applied the benefit before 23 September 2021, be deemed to be present at work;

THAT every person who was not working for an institution on 23 September 2021 and who undertakes to work full time for an institution as a salaried person for a minimum period of one year receive, on assuming duties, a lump sum of

(1) \$2,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule I;

(2) \$5,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule II;

THAT every salaried person who was working for an institution on 23 September 2021 and who undertakes to work full time for the institution for a minimum period of one year receive, on signing the undertaking, a lump sum of

(1) \$5,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule I;

(2) \$8,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule II;

THAT a person referred to in the eighth or ninth paragraph receive a lump sum of \$10,000 at the end of the period specified in the undertaking, insofar as the undertaking has been complied with;

THAT, to be eligible to receive the lump sums provided for in the eighth, ninth and tenth paragraphs, a salaried person must have signed the undertaking on or before 15 December 2021 and be available for full-time work on that date;

THAT only the persons referred to in the ninth paragraph who converted the night bonus into paid leave before 23 September 2021 may continue that benefit;

THAT the lump sums referred to in the eighth, ninth and tenth paragraphs be paid in proportion to the number of hours actually worked, excluding overtime and converted night bonus hours, to which annual leave, floating holidays and statutory holidays are added;

THAT, despite the provisions of the eighth and ninth paragraphs, a retired person hired may, instead of undertaking to work full time for an institution, undertake to work at least 14 shifts over 28 days, in which case the lump sums in those paragraphs, as applicable, and in the tenth paragraph are paid in proportion to the number of hours actually worked, excluding overtime, during the year;

THAT a retired person who undertakes to work for an institution pursuant to the eighth, ninth or fourteenth paragraph may, at the end of the period specified in the undertaking, insofar as the undertaking has been complied with, be reimbursed for expenses incurred to obtain the right to perform the necessary professional activities according to the requirements of the document entitled *Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux*;

THAT every person working for an institution, other than a physician, who refers a salaried person not employed by an institution so that he or she may be hired by the institution as a salaried person receive a referral bonus of \$500 if the referred person passes the probation period and completes at least six months of service with the institution;

THAT every salaried person working in a facility maintained by an institution situated in a health region listed in Schedule I who undertakes to work full time for a facility maintained by an institution situated in a health region listed in Schedule II for a period of at least four consecutive months receive, on signing the undertaking, a lump sum of \$1,000;

THAT a salaried person referred to in the preceding paragraph receive a lump sum of \$3,000 at the end of the period specified in the undertaking, insofar as the undertaking has been complied with;

THAT the lump sums referred to in the seventeenth and eighteenth paragraphs be paid in proportion to the number of hours actually worked, excluding overtime, to which annual leave, floating holidays and statutory holidays are added;

THAT the following terms and conditions apply with regard to the lump sums referred to in the eighth, ninth, tenth, seventeenth and eighteenth paragraphs:

(1) any overpayment received by the salaried person must be reimbursed to the institution or may be compensated by the institution;

(2) a salaried person who takes unpaid leave or who does not comply with the conditions of the undertaking entered into becomes ineligible for the lump sums and must reimburse any payment received, without any proportional calculation being applied;

THAT a salaried person referred to in the seventeenth paragraph may be reimbursed, for each return trip between the person's residence and place of work, for the following expenses:

(1) expenses for travel by automobile, at a maximum rate of \$0.48 per kilometre travelled between the residence and place of work;

(2) actual expense for travel by a means of transportation other than an automobile;

(3) lodging expense incurred;

(4) travel time;

(5) meal expense, including tips, at a rate of \$10.40 per breakfast, \$14.30 per lunch and \$21.55 per supper;

THAT the national and local provisions of the collective agreements applicable in the health and social services network, and the employment conditions that apply to unionizable non-unionized employees and to non-unionizable employees in the health and social services network be amended so that

(1) a salaried person referred to in the seventeenth paragraph may be given a non-standard work schedule; and

(2) the employer may assign a salaried person who has made an undertaking pursuant to this Order to an activity centre or service where the person will be able to fulfill the undertaking, as long as the person meets the normal requirements of the duties;

THAT all the lump sums paid under this Order not be contributory amounts for the purposes of the retirement plan;

THAT a salaried person who would have been entitled to lump sums under the second, fourth, eighth or ninth paragraphs between 23 September 2021 and 16 October 2021 receive an equivalent lump sum;

THAT the lump sums provided for in the ninth and tenth paragraphs apply, with the necessary modifications, to a person working for a private institution not under agreement and performing duties equivalent to those of a salaried person, according to the terms set out in the eleventh, twelfth, thirteenth, twentieth, twenty-third and twenty-fourth paragraphs;

THAT every person who was working for a private seniors' residence on 23 September 2021, who is performing duties in the residence equivalent to those of a salaried person and who undertakes to work full time as such for the residence for a minimum period of one year receive a lump sum of

(1) \$2,500 on signing the undertaking;

(2) \$5,000 at the end of the period specified in the undertaking, insofar as the undertaking has been complied with;

THAT the terms set out in the eleventh, twelfth, thirteenth, twentieth, twenty-third and twenty-fourth paragraphs apply to a person referred to in the preceding paragraph;

THAT an officer be entitled to a temporary 14% allowance to apply to the officer's salary within the meaning of section 3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions;

THAT the allowance referred to in the preceding paragraph

(1) be paid as a lump sum, in proportion to the time worked, including statutory holidays, floating holidays, annual leave and personal leave; and

(2) not be contributory amounts for the purposes of the retirement plan;

THAT officers whose positions have been abolished in the two years preceding the coming into force of this Order and who have received an end-of-employment indemnity pursuant to sections 119 and 122 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions may not be rehired to hold an officer's position;

THAT the second paragraph of Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2021-036 dated 15 May 2021 and 2021-055 dated 30 July 2021, be further amended by inserting “, leave for pregnancy-related medical visits” in subparagraph *a* of subparagraph 1 after “floating holidays”;

THAT Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Orders 2021-028 dated 17 April 2021, 2021-036 dated 15 May 2021, 2021-039 dated 28 May 2021 and 2021-040 dated 5 June 2021, be further amended

(1) by adding the following at the end of the tenth paragraph:

“(4) meal expense, including tips, at a rate of \$10.40 per breakfast, \$14.30 per lunch and \$21.55 per supper;”;

(2) by inserting the following after the tenth paragraph:

“THAT, despite the sixth paragraph, travel time by service providers whose place of work is situated in a region referred to in the seventh paragraph be considered to be regular working hours;”;

(3) by inserting the following after the sixteenth paragraph:

“THAT subparagraphs 2 and 3 of the preceding paragraph not apply to service providers whose place of work is situated in a region referred to in the seventh paragraph;”;

SCHEDULE I – Health regions involved

- Bas-Saint-Laurent Health Region;
- Saguenay—Lac-Saint-Jean Health Region;
- Capitale-Nationale Health Region;
- Mauricie et Centre-du-Québec Health Region;
- Estrie Health Region;
- Montréal Health Region;
- Chaudière-Appalaches Health Region;
- Laval Health Region;
- Lanaudière Health Region;
- Laurentides Health Region;
- Montérégie Health Region.

SCHEDULE II – Health regions involved

- Abitibi-Témiscamingue Health Region;
- Côte-Nord Health Region;
- Gaspésie — Îles-de-la-Madeleine Health Region;
- Nord-du-Québec Health Region;

— Nunavik Health Region;

— Outaouais Health Region;

— Terres-Cries-de-la-Baie-James Health Region.

Québec, 16 October 2021

CHRISTIAN DUBÉ

Minister of Health and Social Services

105329

M.O., 2021

Order 2021-072 of the Minister of Health and Social Services dated 16 October 2021

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2) which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 1313-2021 dated 13 October 2021;

CONSIDERING that Ministerial Order 2021-024 dated 9 April 2021, amended by Ministerial Orders 2021-028 dated 17 April 2021, 2021-032 dated 30 April 2021 and 2021-046 dated 16 June 2021, and by Order in Council 1276-2021 dated 24 September 2021, provides for, among other things, the requirement for certain persons

to provide their employer with proof of having received a COVID-19 vaccine dose or to have no fewer than three COVID-19 screening tests per week and provide the test results to their employer;

CONSIDERING that Order in Council 1276-2021 dated 24 September 2021 provides for, among other things, the requirement for certain health and social service providers to be adequately protected;

CONSIDERING that that Order in Council also empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in the Order;

CONSIDERING that Order in Council 1313-2021 dated 13 October 2021 empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is advisable to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

THAT Ministerial Order 2021-024 dated 9 April 2021, amended by Ministerial Orders 2021-028 dated 17 April 2021, 2021-032 dated 30 April 2021 and 2021-046 dated 16 June 2021, and by Order in Council 1276-2021 dated 24 September 2021, apply, with the necessary modifications, to a person who has received no COVID-19 vaccine dose, has not contracted COVID-19 in the last six months and is not considered to be a person adequately protected against COVID-19 within the meaning of the second paragraph of Order in Council 1276-2021 dated 24 September 2021 to the extent that the person is in direct contact with persons to whom health and social services are provided and performs duties in

(1) a facility maintained by a health and social services institution;

(2) a family-type resource not covered by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2); or

(3) a private seniors' residence, except such a residence with nine or fewer units;

THAT the preceding paragraph not apply persons referred to in subparagraphs 1 to 4 of the first paragraph of the operative part of Ministerial Order 2021-070 dated 15 October 2021;

THAT a health and social service provider within the meaning of Order in Council 1276-2021 dated 24 September 2021 who has received no COVID-19 vaccine dose, has not contracted COVID-19 in the last six months and is not considered to be a person adequately protected against COVID-19 within the meaning of the second paragraph of that Order in Council not be entitled to the following bonuses or lump sums:

(1) those provided for in Ministerial Order 2020-015 dated 4 April 2020, amended by Ministerial Orders 2020-017 dated 8 April 2020, 2020-023 dated 17 April 2020, 2020-031 dated 3 May 2020, 2020-034 dated 9 May 2020, 2020-038 dated 15 May 2020 and 2020-061 dated 1 September 2020, except the 4% and 8% bonuses paid to a person holding the job title of beneficiary attendant;

(2) those provided for in Ministerial Order 2020-017 dated 8 April 2020;

(3) those provided for in Ministerial Order 2020-019 dated 10 April 2020;

(4) those provided for in Ministerial Order 2020-020 dated 10 April 2020, amended by Ministerial Order 2020-044 dated 12 June 2020;

(5) those provided for in Ministerial Order 2020-028 dated 25 April 2020;

(6) those provided for in Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2021-036 dated 15 May 2021, and 2021-055 dated 30 July 2021, except the lump sum provided for in subparagraph 1 of the first paragraph paid to a person holding the job title of beneficiary attendant;

(7) those provided for in Ministerial Order 2020-044 dated 12 June 2020;

(8) those provided for in Ministerial Order 2020-049 dated 4 July 2020, amended by Ministerial Order 2021-054 dated 16 July 2021;

(9) those provided for in Ministerial Order 2020-107 dated 23 December 2020, amended by Orders in Council 2-2021 dated 8 January 2021 and 799-2021 dated 9 June 2021, and by Ministerial Orders 2021-001 dated 15 January 2021 and 2021-051 dated 6 July 2021;

(10) those provided for in Ministerial Order 2021-032 dated 30 April 2021, amended by Ministerial Order 2021-034 dated 8 May 2021;

(11) those provided for in Ministerial Order 2021-071 dated 16 October 2021;

THAT, as of 15 November 2021, the third paragraph apply to every health and social service provider who is not adequately protected or considered to be so protected;

THAT Order in Council 1276-2021 dated 24 September 2021 be amended

(1) by adding “or, in the case of a student or trainee, to his or her educational institution” at the end of the ninth paragraph;

(2) by inserting the following after the twenty-fourth paragraph:

“THAT, for a health and social service provider employed by a public health and social service institution or a private institution under agreement, an absence under the fifteenth paragraph be deemed to be an absence without authorization, without loss of seniority;”;

THAT Ministerial Order 2021-024 dated 9 April 2021, as amended, be further amended

(1) in the second paragraph,

(a) by inserting the following after subparagraph 2.1:

“(2.2) the COVID-19 screening tests required by subparagraphs 2 and 2.1 must be taken outside working hours and the salaried person receives no remuneration or reimbursement of expenses in relation to such testing;”;

(b) by replacing “must, when possible,” in subparagraph 3 by “may”;

(c) by replacing “and receives no remuneration” in subparagraph 4 by “, receives no remuneration and the absence is deemed to be an absence without authorization, without loss of seniority”;

(2) by striking out subparagraphs 4 and 5 of the fifth paragraph;

THAT the measures set out in this Order take effect on 16 October 2017, except

(1) those set out in the third paragraph, which take effect on 17 October 2021;

(2) those set out in the first and second paragraphs, which take effect on 18 October 2021; and

(3) those set out in subparagraph 1 of the fifth paragraph, which take effect on 25 October 2021.

Québec, 16 October 2021

CHRISTIAN DUBÉ
Minister of Health and Social Services

105330