

Gazette officielle du Québec

Part 2 Laws and Regulations

Volume 129
5 March 1997
No. 9

Summary

Table of Contents
Regulations and Other Acts
Index

Legal deposit — 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 1997

All rights reserved in all countries. No part of this publication may be translated, used or reproduced by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents

Page

Regulations and Other Acts

194-97	Non unionizable employees — Composition of the Comité de retraite	945
208-97	Société Innovatech du sud du Québec, An Act respecting... — Criteria of eligibility — Modalities of financial participation	945
212-97	Code of Civil Procedure — Applications relating to obligation of support — Statement by parties (Amend.)	947
233-97	Catholic School Boards — Terms of Employment of Educational Administrators (Amend.) ...	949
234-97	Education Act — Catholic School Boards — Directors-General and Assistant Directors- General — Conditions of Employment (Amend.)	951
235-97	Education Act — Catholic School Boards — Principals and Vice-Principals — Terms of Employment (Amend.)	953
243-97	Executive directors of regional boards and of public health and social services institutions — Selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal (Amend.)	955
244-97	Officers of regional boards and health and social services institutions — Accessibility to positions, remuneration, group insurance plans and employment stability (Amend.)	957
245-97	Directors general and senior and intermediate officers of regional councils, public and private establishments — Remuneration (Amend.)	958
	Principals and Academic deans — Conditions of employment (Amend.)	959
	Senior staff of general and vocational colleges (Amend.)	962

Regulations and Other Acts

Gouvernement du Québec

O.C. 194-97, 19 February 1997

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)

Non-unionizable employees — Composition of the Comité de retraite

Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees

WHEREAS under section 173.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), enacted by section 38 of Chapter 53 of the Statutes of 1996, the Government may determine, by regulation, after consulting the associations representing the non-unionizable employees referred to in Title IV.0.1 of that Act, the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning such employees and the manner in which the committee members are appointed;

WHEREAS the associations in question have been consulted and it is expedient to make such a regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10, s. 173.1; 1996, c. 53, s. 38)

1. The Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees shall be composed of the chairman of the Commission administrative des régimes de retraite et d'assurances and 14 other members appointed by the Government for a period not exceeding 2 years. Among those 14 members, 7 shall be chosen after consulting the associations representing those employees as follows:

(1) 3 persons from the education, public service and health and social services sectors;

(2) 4 other persons, one of which shall represent in particular the beneficiaries of the Government and Public Employees Retirement Plan concerning non-unionizable employees and the employees governed by Title IV.0.1 of the Act.

2. This Regulation comes into force on the date on which it is made by the Government.

1254

Gouvernement du Québec

O.C. 208-97, 19 February 1997

An Act respecting Société Innovatech du sud du Québec (1995, c. 19)

Criteria of eligibility — Modalities of financial participation

By-law respecting the criteria of eligibility applicable to initiatives and the modalities of financial participation of the Société Innovatech du sud du Québec

WHEREAS under section 25 of the Act respecting Société Innovatech du sud du Québec (1995, c. 19), the

Société shall determine, by by-law, the criteria of eligibility applicable to initiatives presented to it, and the form, modalities and, where applicable, the limits of its financial participation;

WHEREAS at a meeting of its board of directors held on 11 September 1996, the Société made the By-law respecting the criteria of eligibility applicable to initiatives and the modalities of financial participation of the Société Innovatech du sud du Québec;

WHEREAS under section 25 of that Act, the By-law is subject to the approval of the Government;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be approved without having been published as provided for in section 8 of that Act where the authority approving it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has approved it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication of the By-law and its coming into force on the date of its publication:

— proper management of the Société requires that the By-law should come into force as soon as possible;

— the realization of certain initiatives could be jeopardized;

WHEREAS it is expedient to approve the By-law;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Economy and Finance and Minister of Industry, Trade, Science and Technology and the Minister for Industry and Trade:

THAT the By-law respecting the criteria of eligibility applicable to initiatives and the modalities of financial participation of the Société Innovatech du sud du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

By-law respecting the criteria of eligibility applicable to initiatives and the modalities of financial participation of the Société Innovatech du sud du Québec

An Act respecting Société Innovatech du sud du Québec (1995, c. 19, s. 25)

Société Innovatech du sud du Québec By-law N° 1996-7

DIVISION I GENERAL PROVISION

1. Intervention by the Société Innovatech du sud du Québec shall lie within the scope of the mission assigned to the Société by the Legislator in sections 23 and 24 of the Act respecting Société Innovatech du sud du Québec (1995, c. 19) and of the government orientations relative to the regional development of the territories defined in Schedule A to that Act.

DIVISION II ELIGIBILITY CRITERIA

2. Any person, association, partnership or organization, or any group of such entities may submit an initiative to the Société.

Any application for financial participation by the Société shall be submitted to it in the form determined by it and shall include the information and documents that it may require in accordance with section 26 of the Act.

3. An initiative submitted to the Société shall lie within the scope of its mission. Such initiative shall primarily have as its ultimate objective the realization in the southern Quebec territory, by direct or indirect means, of activities related to the process of technological innovation, including research and development, technology transfers and the commercialization of innovations.

4. The Société shall ensure that an initiative it supports will finance itself in the medium term without the need for the promoters of the initiative to resort to government assistance for the realization of the initiative, other than assistance which may be granted under regular government programs.

DIVISION III FINANCIAL PARTICIPATION

5. Financial participation by the Société in the realization of initiatives may take any of the following forms:

- (1) a contribution, either refundable or non-refundable;
- (2) the acquisition of shares or participating shares under the conditions prescribed in section 30 of the Act;
- (3) the acquisition of stock purchase warrants or stock options;
- (4) a loan with or without interest;
- (5) the acquisition of debt securities;
- (6) the assumption of all or part of the interest on a loan; or
- (7) a loan repayment guarantee.

Any financial participation by the Société constitutes a disbursement that must be accounted for in its financial statements.

6. Financial participation by the Société may not exceed 75 % of the cost of realizing an initiative if that initiative does not pertain to activities of a commercial nature, or 40 % of the eligible expenses of that initiative if it does pertain to such activities.

For the purposes of the first paragraph, the total expenses related to an initiative after deduction of provincial tax credits, non-refundable contributions and contributions for the payment of interest granted on loans by the Gouvernement du Québec are considered eligible expenses.

7. In the case of an initiative pertaining to activities of a commercial nature for which provincial, federal or municipal assistance of more than \$200 000 has been granted, financial participation by the Société may not be such that the total assistance granted for that initiative exceeds 75 % of the costs related thereto.

For the purposes of the first paragraph, government assistance may take any of the following forms:

- (1) a contribution, either refundable or non-refundable;
- (2) any investment by governments, government bodies and Crown corporations in an applicant for assistance;
- (3) a loan with or without interest;
- (4) a contribution for the payment of interest on a loan and any other financial advantage granted; or
- (5) federal and provincial tax credits.

DIVISION IV SELECTION OF INITIATIVES AND GRANTING OF ASSISTANCE

8. Initiatives that meet the criteria of eligibility provided for in this By-law shall be submitted to the Société, which shall assesses them and decide whether to support them based on the objectives of the Act and the priorities the Société adopts.

DIVISION V FINANCIAL AND FINAL PROVISIONS

9. The amounts that the Société may receive under section 29 or 31 of the Act shall not effect a reduction in the contribution that the Minister of Finance is authorized to pay to it in accordance with section 35 of that same Act.

10. This By-law comes into force on the date of its publication in the *Gazette officielle du Québec*.

Made by the board of directors of the société, this 11th day of september 1996.

PAUL I. LAMBERT,
*Chairman of the Board of Directors of
the Société Innovatech du sud du Québec*

1253

Gouvernement du Québec

O.C. 212-97, 19 February 1997

Code of Civil Procedure
(R.S.Q., c. C-25)

Applications relating to obligation of support — **Statement by parties** — **Amendment**

Regulation to amend the Regulation respecting the statement by parties in respect of applications relating to an obligation of support

WHEREAS under article 827.5 of the Code of Civil Procedure (R.S.Q., c. C-25), enacted by section 89 of Chapter 18 of the Statutes of 1995, the Government may prescribe by regulation the information that a statement by the parties accompanying an application relating to an obligation of support must contain;

WHEREAS by Order in Council 1524-95 dated 22 November 1995, the Government made the Regulation respecting the statement by parties in respect of applications relating to an obligation of support;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the draft regulation to amend the Regulation respecting the statement by parties in respect of applications relating to an obligation of support was published in Part 2 of the *Gazette officielle du Québec* of 16 October 1996, on page 4249, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the publication period has expired and no comments were sent to the Minister of Justice;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the statement by parties in respect of applications relating to an obligation of support, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the statement by parties in respect of applications relating to an obligation of support

Code of Civil Procedure
(R.S.Q., c. C-25, art. 827.5; 1995, c. 18, s. 89)

1. The Regulation respecting the statement by parties in respect of applications relating to an obligation of support, made by Order in Council 1524-95 dated 22 November 1995, is amended by substituting the Schedule attached hereto for Schedule I.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I

(s. 1)

CANADA
Province de Québec
District of

SWORN STATEMENT UNDER ARTICLE 827.5 OF THE CODE OF CIVIL PROCEDURE

File No.:

(Please complete in block letters)

IDENTITY: Applicant () Defendant ()

1. Surname(s):
Given name(s):

2. Surname at birth:

3. Sex: M () F ()

4. Language: French () English ()

5. Residential address:

Postal code: Province: Country:
Telephone at home: () At work: ()

Postal address (if different):

Postal code: Province: Country:

6. Date of birth (YYYY/MM/DD):
Social insurance number:

INFORMATION ON EMPLOYMENT AND INCOME

7. Employee: Self-employed worker:

Name and address of employer:

Postal code: Province: Country:
Remuneration: Language of communication:
French () English ()

8. The deponent is unemployed: ()

9. The deponent receives income security benefits: ()
File No.(CP 12):

10. Other income:
(Indicate the source and amount of each)

OTHER INFORMATION

11. Name at birth of deponent's mother:
12. Other name(s) used by the deponent:
13. Indicate the nature and date of the application to which this statement is attached:
14. If this statement is attached to an application for revision of support, indicate the date of the judgment awarding support (YYYY/MM/DD) and the file No., if different:

INFORMATION ON OTHER PARTY
(if it is known)

15. Residential address:
16. Telephone at home: At work:
17. Date of birth: Social insurance number:

SWORN STATEMENT

I declare that the information given is true and complete, and I have signed:
At: on this day of

Deponent

Sworn before me at on this day of
Person authorized to administer oath

SJ-766 (06-96)

1252

Gouvernement du Québec

O.C. 233-97, 26 February 1997

Education Act
(R.S.Q., c I-13.3)

Catholic School Boards
— **Terms of Employment of Educational Administrators**
— **Amendments**

Regulation to amend the Terms of Employment of Educational Administrators of Catholic School Boards Regulation

WHEREAS under section 451 of the Education Act (R.S.Q., c. I-13.3), the Government may, by regulation, establish for all or certain school boards, a classification

of positions, the maximum number of positions in each job category, working conditions, remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

WHEREAS the Government made the Terms of Employment of Educational Administrators of Catholic School Boards Regulation, by Order in Council 1325-84 dated 6 June 1984;

WHEREAS it is expedient to amend the regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation to amend the Terms of Employment of Educational Administrators of Catholic School Boards Regulation, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Terms of Employment of Educational Administrators of Catholic School Boards Regulation

Education Act
(R.S.Q., c. I-13.3, s. 451)

1. The Terms of Employment of Educational Administrators of Catholic School Boards Regulation enacted by Order in Council 1325-84 dated June 6, 1984 and amended by the regulations enacted by Orders in Council 857-85 dated May 8, 1985, 425-86 dated April 9, 1986, 950-87 dated June 17, 1987, 1458-88 dated September 28, 1988, 1857-88 dated December 14, 1988, 1690-89 dated November 1, 1989, 433-90 dated April 4, 1990, 1514-90 dated October 24, 1990, 808-91 dated June 12, 1991, 87-92 dated January 29, 1992, 891-92 dated June 17, 1992, 931-92 dated June 23, 1992, 1135-92 dated August 5, 1992, 1061-93 dated July 21, 1993, 401-94 dated March 23, 1994, 1120-94 dated June 20, 1994 and 124-97 dated February 5, 1997 is further amended by replacing section 123 by the following:

“123. In the case of a leave without pay or a partial leave without pay of less than 30 days, an educational administrator shall continue to participate in the insurance plans and shall pay the contribution that he would pay if he were at work.

Where the duration of a leave without pay, other than a partial leave without pay, is 30 days or more or, in the

case of an unpaid absence, an educational administrator shall continue to participate in the standard life insurance plan. Moreover, an educational administrator shall continue to participate in the compulsory basic health-accident insurance plan by paying his contribution and that of the board to that plan and may, if he submits a request to the board before the beginning of the leave or absence, continue to participate in all of the insured plans that he had before the leave or absence according to the provisions prescribed in the master policy.

Where the duration of a partial leave without pay is 30 days or more, an educational administrator shall continue to participate in the insurance plans based on the time worked. However, an educational administrator who continues to participate in those plans on the basis of the time normally worked prior to a partial leave without pay shall also assume his contribution and that of the board to those plans on the basis of the time not worked, excluding the board's contribution to the compulsory basic health-accident insurance plan which continues to be assumed by the latter.

An educational administrator who continues to participate in all of the insured plans that he had prior to a leave or absence without pay shall also continue to participate in the survivor's pension plan by paying the premium determined by the Conseil du trésor to cover the cost of the plan.

For the purposes of the short-term salary insurance plan, disability which develops during a leave or absence without pay shall be considered as beginning on the date on which the leave or absence terminates."

2. The said Regulation is amended by replacing section 132 by the following:

"**132.** An educational administrator on disability leave who receives a salary or benefits under the salary insurance plan shall provide the information as well as the supporting documents required by the board or its representative (the insurer or a firm of medical experts) for the purposes of verifying whether he complies with the definition of total disability in order to determine the cause and the duration and whether he agrees to undergo, at the board's expense, a medical examination by the physician chosen by the board.

An educational administrator shall also authorize the board or its representative to disclose such information and to provide the supporting documents for the purposes of assessing the possibilities of offering him a position according to the provisions prescribed in Subdivisions 1 and 1.1 of this Division."

3. The said Regulation is amended by replacing section 241 by the following:

"**241.** An educational administrator who is dismissed or whose employment is not renewed or terminated and who submits a grievance to the Appeals Committee shall continue to participate in the standard life insurance plan. Moreover, he shall continue to participate in the compulsory basic health-accident insurance plan by paying his contribution and that of the board and may also continue to participate in the other insured plans according to the provisions prescribed in the master policy until such time as the Appeals Committee renders its decision or the parties reach a settlement, provided a written request to this effect is forwarded to the insurance company concerned within 90 days of the date on which he is dismissed or his employment is not renewed or terminated. An educational administrator who continues to participate in all of the insured plans shall also continue to participate in the survivor's pension plan by paying the premium determined by the Conseil du trésor to cover the cost of the plan.

In the event of a decision rendered by the Appeals Committee in favour of the educational administrator or a settlement reached by the parties, the educational administrator shall be entitled to the reimbursement of the contribution normally paid by the board for the insured plans and the premium paid to cover his continued participation in the survivor's pension plan, retroactively to the date of his dismissal or non-renewal or termination of employment and, should the educational administrator be reinstated, any total disability that began since that date shall then be recognized."

4. The said Regulation is amended by inserting, after section 273.2, the following sections 273.3 and 273.4:

"**273.3** Schedules 3 and 7 of this Regulation are amended by replacing, wherever they are found, the words "for the period from July 1, 1994 to June 30, 1995" by the words "as of July 1, 1995".

273.4 Schedule 3.1 of this Regulation is amended:

1° by replacing, in the texts, the words "June 30, 1994" by "March 31, 1997" and "July 1, 1994" by "April 1, 1997";

2° by replacing, in section 1, the words "in office on June 30 and July 1 of the year concerned" by "in office on March 31, 1997 and April 1, 1997";

3° by deleting the words " , excluding administrators of adult education centres," in paragraph 2 of section 4;

4° by deleting paragraph 3 of section 4;

5° by replacing, in paragraphs 1° and 2° of section 6, the words “during the 1993-1994 school year” by “during the period from July 1, 1995 to March 31, 1997”.”

5. The said Regulation is amended by inserting, after section 1 of Schedule 11, the following section 2:

“2. A leave of 1.5 days without remuneration shall be granted to every educational administrator in the employ of the board on the date of publication of this Regulation in the *Gazette officielle du Québec*. The decrease in salary resulting from such leave shall be carried out no later than May 1, 1997.

For the purposes of applying this section, an educational administrator’s remuneration includes his salary and, where applicable, the lump sum resulting from the salary readjustment procedure.

Where the board cannot grant such a leave to an educational administrator, the remuneration or benefit applicable on the date of publication of this Regulation in the *Gazette officielle du Québec* shall be reduced by 1.5 days.

The measure shall apply to a part-time educational administrator in proportion to the time worked on the date of publication of this Regulation in the *Gazette officielle du Québec*.

However, an educational administrator’s contribution to his pension plan shall be calculated on the basis of the remuneration that he would have received without the leave or decrease in salary.”

6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*. However, sections 123 and 141 of the said Regulation amended by sections 1 and 3 of this Regulation take effect as of January 1, 1997.

1260

Gouvernement du Québec

O.C. 234-97, 26 February 1997

Education Act
(R.S.Q., c. I-13.3)

Catholic School Boards — Directors General and Assistant Directors General — Conditions of Employment — Amendments

Regulation to amend the Conditions of Employment of Directors General and Assistant Directors General of Catholic School Boards Regulation

WHEREAS under section 451 of the Education Act (R.S.Q., c. I-13.3), the Government may, by regulation, establish for all or certain school boards, a classification of positions, the maximum number of positions in each job category, working conditions, remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

WHEREAS the Government made the Conditions of Employment of Directors General and Assistant Directors General of Catholic School Boards Regulation, enacted by Order in Council 1326-84 dated 6 June 1984;

WHEREAS it is expedient to amend the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation to amend the Conditions of Employment of Directors General and Assistant Directors General of Catholic School Boards Regulation, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Conditions of Employment of Directors general and Assistant Directors general of Catholic School Boards Regulation

Education Act
(R.S.Q., c. I-13.3., s. 451)

1. The Conditions of Employment of Directors-General and Assistant Directors-General of Catholic School Boards Regulation enacted by Order-in-Council 1326-84 dated June 6, 1984 and amended by the Regulations enacted by Orders-in-Council 858-85 dated May 8,

1985, 426-86 dated April 9, 1986, 1715-86 dated November 19, 1986, 951-87 dated June 17, 1987, 1459-88 dated September 28, 1988, 1858-88 dated December 14, 1988, 1691-89 dated November 1, 1989, 1515-90 dated October 24, 1990, 809-91 dated June 12, 1991, 892-92 dated June 17, 1992, 932-92 dated June 23, 1992, 1136-92 dated August 5, 1992, 1062-93 dated July 21, 1993, 402-94 dated March 23, 1994, 1121-94 dated July 20, 1994 and 125-97 dated February 5, 1997 is further amended by replacing section 23 by the following:

“**23.** For the 1995-1996 to 1997-1998 school years, the lump-sum bonus shall not apply to executives.”

2. The said Regulation is amended by replacing section 58 by the following:

“**58.** In the case of a leave without pay or a partial leave without pay of less than 30 days, an executive shall continue to participate in the insurance plans and shall pay the contribution that he would pay if he were at work.

Where the duration of a leave without pay, other than a partial leave without pay, is 30 days or more or, in the case of an unpaid absence, an executive shall continue to participate in the standard life insurance plan. Moreover, an executive shall continue to participate in the compulsory basic health-accident insurance plan by paying his contribution and that of the board to that plan and may, if he submits a request to the board before the beginning of the leave or absence, continue to participate in all the insured plans that he had before the leave or absence according to the provisions prescribed in the master policy.

Where the duration of a partial leave without pay is 30 days or more, an executive shall continue to participate in the insurance plans based on the time worked. However, an executive who continues to participate in those plans on the basis of the time normally worked prior to a partial leave without pay shall also assume his contribution and that of the board to those plans on the basis of the time not worked, excluding the board's contribution to the compulsory basic health-accident insurance plan which continues to be assumed by the latter.

An executive who continues to participate in all of the insured plans that he had prior to a leave or absence without pay shall also continue to participate in the survivor's pension plan by paying the premium determined by the Conseil du trésor to cover the cost of the plan.

For the purposes of the short-term salary insurance plan, disability which develops during a leave or absence without pay shall be considered as beginning on the date on which the leave or absence terminates.”

3. The said Regulation is amended by replacing section 67 by the following:

“**67.** An executive on disability leave who receives a salary or benefits under the salary insurance plan shall provide the information as well as the supporting documents required by the board or its representative (the insurer or a firm of medical experts) for the purposes of verifying whether he complies with the definition of total disability in order to determine the cause and the duration and whether he agrees to undergo, at the board's expense, a medical examination by the physician chosen by the board.

An executive shall also authorize the board or its representative to disclose such information and to provide the supporting documents for the purposes of assessing the possibilities of offering him a position according to the provisions prescribed in Subdivisions 1 and 1.1 of this Division.”

4. The said Regulation is amended by replacing section 190 by the following:

“**190.** An executive who is dismissed or whose employment ties are severed upon the expiry of a mandate and who submits a complaint to the Appeals Committee shall continue to participate in the standard life insurance plan. Moreover, he shall continue to participate in the compulsory basic health-accident insurance plan by paying his contribution and that of the board and may also continue to participate in the other insured plans according to the provisions prescribed in the master policy until such time as the Appeals Committee renders its decision or the parties reach a settlement, provided a written request to this effect is forwarded to the insurance company concerned within 90 days of the date on which he is dismissed or his employment ties are severed. An executive who continues to participate in all of the insured plans shall also continue to participate in the survivor's pension plan by paying the premium determined by the Conseil du trésor to cover the cost of the plan.

In the event of a decision rendered by the Appeals Committee in favour of an executive or a settlement reached by the parties, an executive shall be entitled to the reimbursement of the contribution normally paid by the board for the insured plans and the premium paid to cover his continued participation in the survivor's pension plan, retroactively to the date of his dismissal or

break in his employment ties and, should the executive be reinstated, any total disability that began since that date shall then be recognized.”.

5. The said Regulation is amended by replacing section 191.29 by the following:

“**191.29** Subject to the provisions concerning a partial leave without pay prescribed in section 58, a director general shall continue to benefit from the insurance plans, except for salary insurance benefits, during the portion of the leave without pay determined under section 191.25, where applicable. Moreover, a director general shall continue to participate in his pension plan subject to the provisions of the pension plan concerning the redemption of the portion of the leave without pay. In such case, a director general’s request for the redemption of the portion of the leave without pay must be received by the Commission administrative des régimes de retraite et d’assurances prior to his retirement date.”.

6. The said Regulation is amended by inserting, after section 192.2, the following sections 192.3 and 192.4:

“**192.3** Schedules 1 and 4 of this Regulation are amended by replacing, wherever they are found, the words “for the period from July 1, 1994 to June 30, 1995” by the words “as of July 1, 1995”.

192.4 Schedule 4.1 of this Regulation is amended:

1° by replacing, in the texts, the words “June 30, 1994” by “March 31, 1997” and “July 1, 1994” by “April 1, 1997”;

2° by replacing, in section 1, the words “in office on June 30 and July 1 of the year concerned” by “in office on March 31, 1997 and April 1, 1997”;

3° by replacing, in paragraphs 1° and 2° of section 6, the words “during the 1993-1994 school year” by “during the period from July 1, 1995 to March 31, 1997”.

7. The said Regulation is amended by inserting, after section 1 of Schedule 10, the following section 2:

“2. A leave of 1.5 days without remuneration shall be granted to every executive in the employ of the board on the date of publication of this Regulation in the *Gazette officielle du Québec*. The decrease in salary resulting from such leave shall be carried out no later than May 1, 1997.

For the purposes of applying this section, an executive’s remuneration includes his salary and, where applicable, the lump sum resulting from the salary readjustment procedure.

Where the board cannot grant such a leave to an executive, the remuneration or benefit applicable on the date of publication of this Regulation in the *Gazette officielle du Québec* shall be reduced by 1.5 days.

The measure shall apply to a part-time executive in proportion to the time worked on the date of publication of this Regulation in the *Gazette officielle du Québec*.

However, an executive’s contribution to his pension plan shall be calculated on the basis of the remuneration that he would have received without the leave or decrease in salary.”.

8. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*. However, sections 58, 190 and 191.29 of the said Regulation amended by sections 1, 4 and 5 of this Regulation take effect as of January 1, 1997.

1259

Gouvernement du Québec

O.C. 235-97, 26 February 1997

Education Act
(R.S.Q., c. I-13.3)

Catholic School Boards
— **Terms of Employment of Principals**
and **Vice Principals**
— **Amendments**

Regulation to amend the Terms of Employment of Principals and Vice-Principals of Catholic School Boards Regulation

WHEREAS under section 451 of the Education Act (R.S.Q., c. I-13.3), the Government may, by regulation, establish for all or certain school boards, a classification of positions, the maximum number of positions in each job category, working conditions, remuneration, recourses and rights of appeal of the members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

WHEREAS the Government made the Terms of Employment of Principals and Vice-Principals of Catholic School Boards Regulation, by Order in Council 1327-84 dated 6 June 1984;

WHEREAS it is expedient to amend the regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Education:

THAT the Regulation to amend the Terms of Employment of Principals and Vice-Principals of Catholic School Boards Regulation, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Terms of Employment of Principals and Vice-principals of Catholic School Boards Regulation

Education Act
(R.S.Q., c. I-13.3., s. 451)

1. The Terms of Employment of Principals and Vice-principals of Catholic School Boards Regulation enacted by Order-in-Council 1327-84 dated June 6, 1984 and amended by the regulations enacted by Orders-in-Council 859-85 dated May 8, 1985, 427-86 dated April 9, 1986, 952-87 dated June 17, 1987, 1460-88 dated September 28, 1988, 1859-88 dated December 14, 1988, 1692-89 dated November 1, 1989, 434-90 dated April 4, 1990, 1516-90 dated October 24, 1990, 810-91 dated June 12, 1991, 88-92 dated January 29, 1992, 893-92 dated June 17, 1992, 933-92 dated June 23, 1992, 1137-92 dated August 5, 1992, 1063-93 dated July 21, 1993, 403-94 dated March 23, 1994, 1122-94 dated June 20, 1994 and 126-97 dated February 5, 1997 is further amended by replacing section 85 by the following:

“**85.** In the case of a leave without pay or a partial leave without pay of less than 30 days, a school administrator shall continue to participate in the insurance plans and shall pay the contribution that he would pay if he were at work.

Where the duration of a leave without pay, other than a partial leave without pay, is 30 days or more or, in the case of an unpaid absence, a school administrator shall continue to participate in the standard life insurance plan. Moreover, a school administrator shall continue to participate in the compulsory basic health-accident insurance plan by paying his contribution and that of the board to that plan and may, if he submits a request to the board before the beginning of the leave or absence, continue to participate in all of the insured plans he had before the leave or absence according to the provisions prescribed in the master policy.

Where the duration of a partial leave without pay is 30 days or more, a school administrator shall continue to participate in the insurance plans based on the time worked. However, a school administrator who continues to participate in those plans on the basis of the time

normally worked prior to a partial leave without pay shall also assume his contribution and that of the board to those plans on the basis of the time not worked, excluding the board's contribution to the compulsory basic health-accident insurance plan which continues to be assumed by the latter.

A school administrator who continues to participate in all of the insured plans that he had prior to a leave or absence without pay shall also continue to participate in the survivor's pension plan by paying the premium determined by the Conseil du trésor to cover the cost of the plan.

For the purposes of the short-term salary insurance plan, disability which develops during a leave or absence without pay shall be considered as beginning on the date on which the leave or absence terminates.”.

2. The said Regulation is amended by replacing section 94 by the following:

“**94.** A school administrator on disability leave who receives a salary or benefits under the salary insurance plan shall provide the information as well as the supporting documents required by the board or its representative (the insurer or a firm of medical experts) for the purposes of verifying whether he complies with the definition of total disability in order to determine the cause and the duration and whether he agrees to undergo, at the board's expense, a medical examination by the physician chosen by the board.

A school administrator shall also authorize the board or its representative to disclose such information and to provide the supporting documents for the purposes of assessing the possibilities of offering him a position according to the provisions prescribed in Subdivisions 1 and 1.1 of this Division.”.

3. The said Regulation is amended by replacing section 203 by the following:

“**203.** A school administrator who is dismissed or whose employment is not renewed or terminated and who submits a complaint to the Appeals Committee shall continue to participate in the standard life insurance plan. Moreover, he shall continue to participate in the compulsory basic health-accident insurance plan by paying his contribution and that of the board and may also continue to participate in the other insured plans according to the provisions prescribed in the master policy until such time as the Appeals Committee renders its decision or the parties reach a settlement, provided a written request to this effect is forwarded to the insurance company concerned within 90 days of the date on

which he is dismissed or his employment is not renewed or terminated. A school administrator who continues to participate in all of the insured plans shall also continue to participate in the survivor's pension plan by paying the premium determined by the Conseil du trésor to cover the cost of the plan.

In the event of a decision rendered by the Appeals Committee in favour of the school administrator or a settlement reached by the parties, the school administrator shall be entitled to the reimbursement of the contribution normally paid by the board for the insured plans and the premium paid to cover his continued participation in the survivor's pension plan, retroactively to the date of his dismissal, non-renewal or termination of employment and, should the school administrator be reinstated, any total disability that began since that date shall then be recognized."

4. The said Regulation is amended by inserting, after section 234.2, the following sections 234.3 and 234.4:

"**234.3** Schedule 3 of this Regulation is amended by replacing, wherever they are found, the words "for the period from July 1, 1994 to June 30, 1995" by the words "as of July 1, 1995".

234.4 Schedule 3.1 of this Regulation is amended:

1° by replacing, in the texts, the words "June 30, 1994" by "March 31, 1997" and "July 1, 1994" by "April 1, 1997";

2° by replacing, in section 1, the words "in office on June 30 and July 1 of the year concerned" by "in office on March 31, 1997 and April 1, 1997";

3° by replacing, in paragraphs 1 and 2 of section 6, the words "during the 1993-1994 school year" by "during the period from July 1, 1995 to March 31, 1997".

5. The said Regulation is amended by inserting, after section 1 of Schedule 10, the following section 2:

"**2.** A leave of 1.5 days without remuneration shall be granted to every school administrator in the employ of the board on the date of publication of this Regulation in the *Gazette officielle du Québec*. The decrease in salary resulting from such leave shall be carried out no later than May 1, 1997.

For the purposes of applying this section, a school administrator's remuneration includes his salary and, where applicable, the lump sum resulting from the salary readjustment procedure.

Where the board cannot grant such a leave to a school administrator, the remuneration or benefit applicable on the date of publication of this Regulation in the *Gazette officielle du Québec* shall be reduced by 1.5 days.

The measure shall apply to a part-time school administrator in proportion to the time worked on the date of publication of this Regulation in the *Gazette officielle du Québec*.

However, a school administrator's contribution to his pension plan shall be calculated on the basis of the remuneration that he would have received without the leave or decrease in salary."

6. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*. However, sections 85 and 203 of the said Regulation amended by sections 1 and 3 of this Regulation take effect as of January 1, 1997.

1258

Gouvernement du Québec

O.C. 243-97, 26 February 1997

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Executive directors of regional boards and of public health and social services institutions

— Selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal

Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions

WHEREAS under subparagraph 1 of the first paragraph of section 507 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the Government may, by regulation, determine the standards and scales which must be used by regional boards, public institutions and private institutions under agreement for the selection, appointment and engagement of and the remuneration and other terms of employment applicable to executive directors and senior and middle management personnel;

WHEREAS the Government may also, under the same section, establish by regulation, for persons referred to in subparagraphs 1 and 2 of the first paragraph of that

section who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, termination of employment or non-renewal of employment, except when arising from forfeiture of office, and for cases of suspension without pay or of demotion. The regulation may also prescribe a procedure for the settlement of disagreements over the interpretation and application of the terms of employment established thereby. Lastly, it may prescribe a method for the designation of an arbitrator, to which sections 100.1 and 139 to 140 of the Labour Code (R.S.Q., c. C-27) apply, and the measures the arbitrator may take after having heard the parties;

WHEREAS under Order in Council 1217-96 dated 25 September 1996, the Government made the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions;

WHEREAS it is expedient to amend that Regulation;

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

THAT the Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 507, 1st par., subpars. 1 and 2)

1. The Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of

appeal applicable to the executive directors of regional boards and of public health and social services institutions, made by Order in Council 1217-96 dated 25 September 1996, is amended by inserting the following after section 158:

“**158.1** On 1 April 1997, a salary increase shall be granted to a senior administrator whose work performance during the period from 1 April 1996 to 31 March 1997 is deemed satisfactory. There shall be no appeal under this Regulation regarding the appraisal made by the employer to that effect. The rate of this increase shall represent 4 %, of the salary of the senior administrator at 31 March 1997, provided that this increase does not make the salary of the senior administrator higher than the maximum of the salary class for his position.

The second, third, fourth and fifth paragraphs of section 30 apply to the increase for 1997-1998, by substituting the date “1 April” for the date “1 July” wherever it is found and by making the consequential changes in Schedule II.

158.2 No later than 1 May 1997, the remuneration of a senior administrator shall be reduced by an amount equivalent to 1.5 days of work. A 1.5-day leave without pay shall be granted to the senior administrator by the employer. The senior administrator has until 31 March 1998 to take that leave.

Where a senior administrator holds a part-time position, the reduction in remuneration and the corresponding leave without pay shall be determined in proportion to the time worked at his position.

The senior administrator’s contribution to his retirement plan shall nonetheless be computed on the basis of the remuneration that he would have received were it not for the reduction in remuneration provided for in the first paragraph and in the second paragraph for a part-time senior administrator.”.

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

O.C. 244-97, 26 February 1997

An Act respecting health services and social services
(R.S.Q., c. S-4.2)

**Officers of regional boards and health
and social services institutions**

**— Accessibility to positions, remuneration, group
insurance plans and employment stability measures**

Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions

WHEREAS under subparagraph 1 of the first paragraph of section 507 of the Act respecting health services and social services (R.S.Q., c. S-4.2), the Government may, by regulation, determine the standards and scales which must be used by regional boards, public institutions and private institutions under agreement for the selection, appointment and engagement of and the remuneration and other terms of employment applicable to executive directors and senior and middle management personnel;

WHEREAS the Government may also, under the same section, establish by regulation, for persons referred to in subparagraphs 1 and 2 of the first paragraph of that section who are not governed by a collective agreement, a procedure of appeal for cases of dismissal, termination of employment or non-renewal of employment, except when arising from forfeiture of office, and for cases of suspension without pay or of demotion. The regulation may also prescribe a procedure for the settlement of disagreements over the interpretation and application of the terms of employment established thereby. Lastly, it may prescribe a method for the designation of an arbitrator, to which sections 100.1 and 139 to 140 of the Labour Code (R.S.Q., c. C-27) apply, and the measures the arbitrator may take after having heard the parties;

WHEREAS under Order in Council 1218-96 dated 25 September 1996, the Government made the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions;

WHEREAS it is expedient to amend that Regulation;

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

THAT the Regulation to amend the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting accessibility to positions,
remuneration, group insurance plans
and employment stability measures
applicable to officers of regional boards
and health and social services
institutions**

An Act respecting health services and social services
(R.S.Q., c. S-4.2, s. 507, 1st par., subpars. 1 and 2)

1. The Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions, made by Order in Council 1218-96 dated 25 September 1996, is amended by inserting the following after section 133:

“**133.1** On 1 April 1997, a salary increase shall be granted to an officer whose work performance during the period from 1 April 1996 to 31 March 1997 is deemed satisfactory. There shall be no appeal under this Regulation regarding the appraisal made by the employer to that effect. The rate of this increase shall represent 4 % of the salary of the officer at 31 March 1997, provided that this increase does not make the salary of the officer higher than the maximum of the salary class for his position.

Where an officer holds a part-time position on 1 April 1997 and the percentage of time worked is less than 50 % for the reference period, the salary increase for satisfactory performance shall be 2 % of his salary at 31 March 1997.

The second, third and fourth paragraphs of section 14 apply to the increase for 1997-1998, by substituting the date “1 April” for the date “1 July” wherever it is found and by making the consequential changes in Schedule II.

133.2 No later than 1 May 1997, the remuneration of an officer shall be reduced by an amount equivalent to 1.5 days of work. A 1.5-day leave without pay shall be

granted to the officer by the employer. The officer has until 31 March 1998 to take that leave.

Where an officer holds a part-time position, the reduction in remuneration and the corresponding leave without pay shall be determined in proportion to the time worked at his position.

The officer's contribution to his retirement plan shall nonetheless be computed on the basis of the remuneration that he would have received were it not for the reduction in remuneration provided for in the first paragraph and in the second paragraph for a part-time officer."

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

1263

Gouvernement du Québec

O.C. 245-97, 26 February 1997

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5)

Directors general and senior and intermediate officers of regional councils, public establishments and private establishment

— Remuneration — Amendments

Regulation to amend the Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services for Cree Native persons

WHEREAS under section 154 of the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5), the Government may, by regulation, determine the standards and scales to be followed by regional councils, public institutions and the private institutions contemplated in sections 176 and 177, for the selection, appointment, remuneration and other conditions of employment of executive directors and senior and intermediate officers;

WHEREAS by Order in Council 1572-90 dated 7 November 1990, the Government made the Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public

establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services;

WHEREAS it is expedient to amend that Regulation;

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

THAT the Regulation to amend the Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services for Cree Native persons

An Act respecting health services and social services for Cree Native persons
(R.S.Q., c. S-5, s. 154, 1st par., subpars. 1 and 2)

1. The Regulation respecting remuneration of directors general and senior and intermediate officers of regional councils, public establishments and private establishments referred to in sections 176 and 177 of the Act respecting health services and social services for Cree Native persons, made by Order in Council 1572-90 dated 7 November 1990 and amended by the Regulations made by Orders in Council 828-91 dated 12 June 1991, 573-93 dated 21 April 1993, 1155-93 dated 18 August 1993 and 1421-94 dated 7 September 1994, is further amended by inserting the following after the title "Adjustment of Individual Remuneration" under Division II of Chapter II of Title IV:

"**26.1** No later than 1 May 1997, the remuneration of an officer shall be reduced by an amount equivalent to 1.5 days of work. Unpaid leave of 1.5 days shall be granted to the officer by the employer. The officer has until 31 March 1998 to take that leave.

Where an officer holds a part-time position, the reduction in remuneration and the corresponding unpaid leave shall be determined in proportion to the time worked at his position.

The officer's contribution to his retirement plan shall nonetheless be computed on the basis of the remuneration that he would have received were it not for the reduction in remuneration provided for in the first paragraph and in the second paragraph for a part-time officer."

2. The following is substituted for Division III of Chapter II of Title IV:

"DIVISION III
ADJUSTMENT OF THE REMUNERATION
OF OFFICERS FOR THE PERIOD FROM
1 APRIL 1997 TO 31 MARCH 1998

29. Notwithstanding the first paragraph of section 8, every officer whose performance review is good during the period from 1 April 1996 to 31 March 1997 shall, on 1 April 1997, be granted a salary advancement for good performance equal to 4 % of his salary at 31 March 1997. Such salary advancement applying to the salary at 31 March 1997 may not raise the officer's salary rate above the maximum for his salary class.

Notwithstanding the fourth paragraph of section 8, where an officer holds a part-time position and the proportion of time worked is less than 50 % for the reference period, the officer shall receive a salary advancement for good performance equal to 2 % of his salary at 31 March 1997.

Notwithstanding section 41, where the evaluation class of a position is upgraded, the officer shall keep his salary in the new class. However, the employer shall ensure him the minimum of the new class. The officer's salary shall be adjusted in accordance with this section.

Notwithstanding section 42, where the evaluation class of a position is downgraded, the officer shall maintain his salary. That salary shall be adjusted, where applicable, to the maximum of the new evaluation class, and this in accordance with this section."

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

1265

M.O., 1997

**Order number 1-97 of the Minister
of Education dated 28 February 1997**

General and Vocational Colleges Act
(R.S.Q., c. C-29)

Principals and academic deans

— **Conditions of employment**

— **Amendments**

Regulation to amend the Regulation respecting certain conditions of employment of principals and academic deans of general and vocational colleges

WHEREAS under section 18.1 of the General and Vocational Colleges Act (R.S.Q., c. C-29), the Minister of Education may determine, by regulation, the conditions of employment for, the classification and maximum number per class of the positions held by, and the remuneration, recourses and rights of appeal of members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

WHEREAS the Minister of Education made the Regulation respecting certain conditions of employment of principals and academic deans of general and vocational colleges by Minister's Order 1-89;

WHEREAS the Minister of Education is of the opinion that it is expedient to further amend the Regulation;

THEREFORE, the Regulation respecting certain conditions of employment of principals and academic deans of general and vocational colleges is amended by the Regulation to amend the Regulation respecting certain conditions of employment of principals and academic deans of general and vocational colleges attached hereto.

Québec, February 28, 1997

PAULINE MAROIS,
Minister of Education

**Regulation to amend the Regulation
respecting certain conditions of
employment of principals and academic
deans of general and vocational colleges**

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 18.1)

1. The Regulation respecting certain conditions of employment of principals and academic deans of gen-

eral and vocational colleges, made by Minister's Order 1-89 of the Minister of Higher Education and Science dated 7 December 1989, and amended by the regulations made by Minister's Orders 1-90 dated 16 May 1990, 2-90 dated 2 October 1990, 1-91 dated 5 June 1991, 3-92 dated 23 June 1992, 2-93 dated 21 September 1993, 3-94 dated 18 March 1994 and 4-94 dated 30 June 1994 is further amended by adding the following section 152:

“**152.** The college shall grant a senior executive in the employ of the college on 5 March 1997 1.5 days off without pay. The decrease in salary resulting from such leave must be made no later than May 1, 1997.

However, where the college cannot grant such a leave to a senior executive, it shall deduct from his remuneration an amount equal to 1.5 days based on his annual remuneration or benefit applicable on 5 March 1997.

The measure shall apply to a part-time senior executive in proportion to the time worked.

The senior executive's contribution to his pension plan shall be calculated on the basis of the remuneration he would have received without the leave or decrease in salary.”.

2. The following is substituted for section 12:

“**12.** The classification of a position of principal or academic dean shall be determined by the Minister in accordance with the method defined in the document of the Direction générale de l'enseignement collégial of February 1997 entitled *Système de classement des postes de directeur général et de directeur des études des cégeps*.

The classification defined in Schedule I to this Regulation shall be for the period from 1 July 1996 to 30 June 1998.”.

3. The following is substituted for Schedule I:

“SCHEDULE I

DIVISION I

CLASSIFICATION OF THE POSITIONS OF PRINCIPAL FOR PURPOSES OF SALARY

Class of salary	Name of college
CLASS 1	Édouard-Montpetit Ahuntsic Dawson

Class of salary	Name of college
	Vieux Montréal Limoilou Maisonneuve Vanier Sherbrooke Sainte-Foy Trois-Rivières
CLASS 2	Rimouski Jonquière François-Xavier-Garneau Montmorency
CLASS 3	Champlain Lionel-Groulx Saint-Jérôme John Abbott Rosemont Chicoutimi Saint-Hyacinthe Outaouais Lévis-Lauzon Bois-de-Boulogne
CLASS 4	Abitibi-Témiscamingue Gaspésie et des Îles Saint-Laurent André-Laurendeau Marie-Victorin
CLASS 5	St-Jean-sur-Richelieu Joliette/De Lanaudière Victoriaville La Pocatière Valleyfield Région de l'Amiante Shawinigan
CLASS 6	Granby Rivière-du-Loup Alma Drummondville Beauce-Appalaches Saint-Félicien Baie-Comeau Matane Sorel-Tracy Sept-Îles Heritage Gérald-Godin

DIVISION II
CLASSIFICATION OF THE POSITIONS OF
ACADEMIC DEAN FOR PURPOSES OF SALARY

Class of salary	Name of college
CLASS 1	Ahuntsic Dawson Édouard-Montpetit Vieux Montréal Limoilou Trois-Rivières Sherbrooke Rimouski Vanier Sainte-Foy
CLASS 2	Maisonneuve Jonquière François-Xavier-Garneau Outaouais
CLASS 3	Montmorency John Abbott Champlain Chicoutimi Rosemont Lionel-Groulx Saint-Jérôme Saint-Laurent Saint-Hyacinthe
CLASS 4	Abitibi-Témiscamingue Lévis-Lauzon Gaspésie et des Îles Marie-Victorin Joliette/De Lanaudière Bois-de-Boulogne André-Laurendeau
CLASS 5	St-Jean-sur-Richelieu Shawinigan Valleyfield Région de l'Amiante La Pocatière Victoriaville Rivière-du-Loup
CLASS 6	Granby Drummondville Alma Baie-Comeau Saint-Félicien Matane Sept-Îles Beauce-Appalaches Sorel-Tracy Heritage Gérald-Godin"

4. The following is substituted for Schedule III:

“SCHEDULE III
RULES OF SALARY REVIEW

DIVISION I
INTEGRATION INTO CLASS OF SALARY
ON 1 JULY 1996

1. A senior executive shall be integrated as of 1 July 1996 into the class of salary determined in Schedule I in relation to the position held in his college. He shall be integrated into the salary he was receiving on June 30, 1996. Where such salary is less than the minimum rate of his new class of salary, it shall correspond to that rate on April 1, 1997. Where such salary is greater than the maximum rate, it shall correspond to that rate but the senior executive shall be entitled to the application of the provisions of section 24 of this Regulation.

DIVISION II
INCREASE IN SALARY SCALES ON 1 APRIL 1997

2. Subject to provisions to the contrary in this Regulation, the salary of a senior executive who has not reached the maximum of his salary scale on 31 March 1997 shall be increased by 4.0 % on 1 April 1997, without exceeding the maximum of his salary scale.

3. Notwithstanding section 2, a college is not required to pay the entire increase to a senior executive whose performance is considered unsatisfactory.

DIVISION III
CRITERIA APPLICABLE TO CERTAIN SENIOR
EXECUTIVES ON DISABILITY LEAVE

4. A senior executive on disability leave during the period from 1 July 1995 to 31 March 1997 who held a position for at least 6 months during that period is entitled to the salary increase determined in section 2.

5. Where a senior executive returns from sick leave which began prior to 1 April 1994, the salary shall be determined by maintaining the same relative position as that of his salary at the end of the first 104 weeks of disability in relation to the salary scale applicable to him at that time.”

5. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

M.O., 1997

**Order number 2-97 of the Minister of Education
dated 28 February 1997**

General and Vocational Colleges Act
(R.S.Q., c. C-29)

**Senior staff of general and vocational colleges
— Conditions of employment
— Amendments**

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges

WHEREAS under section 18.1 of the General and Vocational Colleges Act (R.S.Q., c. C-29), the Minister of Education may determine, by regulation, the conditions of employment for, the classification and maximum number per class of the positions held by, and the remuneration, recourses and rights of appeal of members of the staff who are not members of a certified association within the meaning of the Labour Code (R.S.Q., c. C-27);

WHEREAS the Minister of Education made the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges by Minister's Order 2-89;

WHEREAS the Minister of Education is of the opinion that it is expedient to further amend the Regulation;

THEREFORE, the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges is amended by the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges attached hereto.

Québec, February 28, 1997

PAULINE MAROIS,
Minister of Education

**Regulation to amend the Regulation
respecting certain conditions of
employment of senior staff of general
and vocational colleges**

General and Vocational Colleges Act
(R.S.Q., c. C-29, s. 18.1)

1. The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges, made by Minister's Order 2-89 of the Minister of Higher Education and Science dated 7 December 1989, and amended by the regulations made by Minister's Orders 3-90 dated 2 October 1990, 2-91 dated 5 June 1991, 2-92 dated 23 June 1992, 1-93 dated 21 September 1993, 2-94 dated 18 March 1994 and 2-96 dated 28 June 1996, is further amended by adding the following section 185:

“**185.** Notwithstanding section 181, the college shall grant a senior staff member in the employ of the college on 5 March 1997 1.5 days off without pay. The decrease in salary resulting from such leave must be made no later than May 1, 1997.

However, where the college cannot grant such a leave to a senior staff member, it shall deduct from his remuneration an amount equal to 1.5 days based on his annual remuneration or benefit applicable on 5 March 1997.

The measure shall apply to a part-time senior staff member in proportion to the time worked.

The senior staff member's contribution to his pension plan shall be calculated on the basis of the remuneration he would have received without the leave or decrease in salary.”

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

1262

Index Statutory Instruments

Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

Regulations — Statutes	Page	Comments
Applications relating to obligation of support — Statement by parties (Code of Civil Procedure, R.S.Q., c. C-25)	947	M
Catholic School Boards — Directors-General and Assistant Directors-General — Conditions of Employment (Education Act, R.S.Q., c. I-13.3)	951	M
Catholic School Boards — Educational Administrators — Terms of Employment (Education Act, R.S.Q., c. I-13.3)	949	M
Catholic School Boards — Principals and Vice-Principals — Terms of Employment (Education Act, R.S.Q., c. I-13.3)	953	M
Code of Civil Procedure — Applications relating to obligation of support — Statement by parties (R.S.Q., c. C-25)	947	M
Criteria of eligibility — Modalities of financial participation (An Act respecting Société Innovatech du sud du Québec, 1995, c. 19)	945	M
Directors general and senior and intermediate officers of regional councils, public and private establishments (An Act respecting health services and social services for Cree Native persons, R.S.Q., c. S-5)	958	M
Education Act — Catholic School Boards — Directors-General and Assistant Directors-General — Conditions of Employment (R.S.Q., c. I-13.3)	951	M
Education Act — Catholic School Boards — Educational Administrators — Terms of Employment (R.S.Q., c. I-13.3)	949	M
Education Act — Catholic School Boards — Principals and Vice-Principals — Terms of Employment (R.S.Q., c. I-13.3)	953	M
Executive directors of regional boards and of public health and social services institutions (An Act respecting health services and social services, R.S.Q., c. S-4.2)	955	M
General and Vocational Colleges Act — Principals and Academic deans — Conditions of employment (R.S.Q., c. C-29)	959	
General and Vocational Colleges Act — Senior staff of general and vocational colleges (R.S.Q., c. C-29)	962	
Health services and social services for Cree Native persons, An Act respecting... — Directors general and senior and intermediate officers of regional councils, public and private establishments (R.S.Q., c. S-5)	958	M

Health services and social services, An Act respecting... — Executive directors of regional boards and of public health and social services institutions (R.S.Q., c. S-4.2)	955	M
Health services and social services, An Act respecting... — Officers of regional boards and health and social services institutions (R.S.Q., c. S-4.2)	957	M
Non unionizable employees — Composition of the Comité de retraite (An Act respecting the Government and Public Employees Retirement Plan, R.S.Q., c. R-10)	945	M
Officers of regional boards and health and social services institutions (An Act respecting health services and social services, R.S.Q., c. S-4.2)	957	M
Principals and Academic deans — Conditions of employment (General and Vocational Colleges Act, R.S.Q., c. C-29)	959	M
Senior staff of general and vocational colleges (General and Vocational Colleges Act, R.S.Q., c. C-29)	962	
Société Innovatech du sud du Québec, An Act respecting... — Criteria of eligibility — Modalities of financial participation (1995, c. 19)	945	M
The Government and Public Employees Retirement Plan, An Act respecting... — Non unionizable employees — Composition of the Comité de retraite (R.S.Q., c. R-10)	945	M