

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.

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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*.