

## Regulations and Other Acts

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Gouvernement du Québec

### **O.C. 825-97, 25 June 1997**

An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose (1997, c. 7)

#### **Remuneration reduction measures in the public sector** — **Regulation**

Remuneration reduction measures in the public sector

WHEREAS under section 4 of the Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose (1997, c. 7), every public sector employer must take the remuneration reduction measures prescribed by the Government in respect of every employee in whose respect a 1.5-day period of unpaid leave or another cutback measure considered equivalent by the Government was not applied for the period from 25 December 1996 to 31 March 1997;

WHEREAS under subparagraph 3 of the first paragraph of section 26 of the Act, the Government may prescribe the cutback measures applicable to the employees referred to in section 4 of the Act, in particular the reduction of the salary paid to the employees, the reduction of the number of days of sick-leave that are credited to the employees and may be cashed out, the reduction of the indemnity standing in lieu of sick-leave or the reduction of the indemnity pertaining to the annual vacation, and prescribe the applicable level of reduction and the terms and conditions of application;

WHEREAS under subparagraph 4 of the first paragraph of section 26 of the Act, where the Government considers it appropriate having regard to the nature of the activities of the employees concerned, it may provide for the granting of leave in return for the salary reduction measures referred to in subparagraph 3 of the first paragraph of section 26, for the number of days of leave and for the terms and conditions subject to which the leave may be taken;

WHEREAS under the second paragraph of section 26 of that Act, the measures and terms and conditions prescribed under that section may vary according to the groups of employees determined by the Government;

WHEREAS under section 5 of the Act, every public sector body must apply, according to the terms and conditions determined by the Government, a cutback measure in the form of a 1.5-day period of unpaid leave to all of its members in whose respect such a measure was not applied for the period from 25 December 1996 to 31 March 1997;

WHEREAS under section 49 of the Act, section 5, adapted as required, applies to every holder of a senior position the appointment and remuneration of whom is effected or approved by the Government;

WHEREAS the Government made Décret 327-97 dated 19 March 1997 concernant la contribution des administrateurs d'État à l'objectif de réduction des coûts de main-d'œuvre pour la période se terminant le 31 mars 1997;

WHEREAS it is expedient to prescribe the same contribution for other holders of senior positions not governed by Décret 327-97 dated 19 March 1997;

WHEREAS it is expedient to determine those measures and terms and conditions;

WHEREAS under section 27 of the Act, an order in council made under the Act takes effect on the date on which it is made or on any later date fixed therein;

IT IS ORDERED, therefore, upon the recommendation of the Chairman of the Conseil du trésor:

THAT the remuneration reduction measures attached to this Order in Council be made.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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### **SCHEDULE**

#### **REMUNERATION REDUCTION MEASURES IN THE PUBLIC SECTOR**

1. Every public sector employer shall, before 31 December 1997, reduce the remuneration paid to an employee by an amount equal to 0.5 % of the annual remuneration provided for according to the wage rate applicable to him.

Such employer must also, before 31 December 1997, grant the employee a 1.3-day period of leave at a time agreed upon with the employee, or failing an agreement, determined by the employer.

The second paragraph does not apply:

- (1) where the employer would have to replace the employee during the leave;
- (2) to a peace officer in a house of detention;
- (3) to an employee hired in a manner that is incompatible with the granting of leave, such as an employee on call or an employee hired for a specific task;
- (4) to an employee to whom leave cannot be granted owing to his absence from work.

2. Notwithstanding section 1, every institution and every body classified as an institution within the meaning of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors, every regional health and social services board, any regional health and social services council and the Corporation d'urgences-santé de la région de Montréal Métropolitain shall reduce by 1 % every amount paid as total remuneration to an employee for a 6-month period. The reduction shall be applied for 13 or 26 full, consecutive pay periods according to whether the salary is paid every week or every fortnight.

3. Section 1 applies, adapted as required, to every member of a public sector body and to every holder of a senior position the appointment and remuneration of whom is effected or approved by the Government.

4. Measures identified by the employer or agreed upon with a certified association after 18 December 1996 and having for effect a reduction of the labour costs of a public sector body in an amount of at least 0.5 % of its total payroll in order to meet the object of the Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose (1997, c. 7) or an agreement in principle to the same effect, are deemed equivalent to the measures prescribed in sections 1 and 2.

1563

Gouvernement du Québec

## O.C. 826-97, 25 June 1997

An Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose (1997, c. 7)

### Exemption of certain employers and certain employees — Regulation

Exemption of certain employers and certain employees from the application of the Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose

WHEREAS under section 58 of the Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose (1997, c. 7), the Government may exempt from the application of the Act or any provision thereof a public sector employer identified by the Government and the employer's employees or a group of its employees determined by the Government, if it considers that the conditions of employment in force on 22 March 1997 already entail a reduction of labour costs in the same proportion as provided for by the Act;

WHEREAS it is expedient to exempt certain employers and certain employees from the application of the Act;

IT IS ORDERED, therefore, upon the recommendation of the Chairman of the Conseil du trésor:

THAT the bodies referred to in paragraphs 4 and 5 of Schedule 1 to the Act respecting the reduction of labour costs in the public sector and implementing the agreements reached for that purpose and every operator of an ambulance service referred to in section 51 of the Act, be exempted, as regards their employees, from the application of Divisions II and III of the Act;

THAT the following be exempted from the application of Division II of the Act:

— the members of the Court of Québec, municipal judges and justices of the peace referred to in section 6 of the Act;

— the Agence métropolitaine de transport, as regards its employees;

— the Caisse de dépôt et de placement du Québec, as regards its employees;