

M.O., 1998

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

Minister's Order number 1-98 of the Minister of Education dated of 23 September 1998

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 the maximum number per class of the positions held by, and the 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 Regulation respecting certain conditions of employment of principals and academic deans of general and vocational colleges was made by Minister's Order 1-89;

WHEREAS the Minister of Education is of the opinion that it is expedient to 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, 23 September 1998

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⁽¹⁾

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 general and vocational colleges is amended by replacing the title of the regulation by the following: "Regulation respecting certain conditions of employment of senior executives of general and vocational colleges".

2. Section 1 of the said Regulation is amended as follows:

a) By inserting, after the definition of "supernumerary senior staff", the following definitions:

““college”: a general and vocational college and a regional college as defined in the General and Vocational Colleges Act (R.S.Q., c. C-29, s. 18.1);”

b) By substituting the following for the definition of "senior executive":

““senior executive”: an academic dean, a principal of a college, a principal of a regional college, a principal of a constituent college within the meaning of the General and Vocational Colleges Act”;

c) By adding the following definition:

“public and parapublic sectors”:

— the ministries, persons or agencies whose personnel is named or remunerated in accordance with the Public Service Act;

— the persons or agencies whose operational budgets are taken from the consolidated revenue fund or appear in whole or in part in the budgetary forecasts submitted to the National Assembly;

— the colleges, school boards and establishments within the meaning of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors, the government agencies covered by this law and the educational institutions at the university level;

(1) The latest amendments to the Regulation respecting certain conditions of employment of principals and academic deans of general and vocational colleges (Minister's Order 1-89 of the Minister of Higher Education and Science dated 7 December 1989 (1990, *G.O.* 2, 488) were made by Minister's Order 5-97 of the Minister of Education (1997, *G.O.* 2, 5837). For previous amendments, see "Table of Amendments and Summary Index", Éditeur officiel du Québec, updated to 1 March 1998.

— the agencies or enterprises and their totally-owned subsidiaries which must produce, by law, an annual report for deposit in the National Assembly”;

3. Divisions I and II of Chapter III are replaced by for the following:

**“DIVISION I
CALCULATION OF SALARY**

10. Salary is the remuneration to which a senior executive is entitled in accordance with this division and with Division V, excluding any premium or lump-sum payment.

11. The classification of the positions of principal and academic dean shall be determined by the Minister in accordance with the method defined in the document of the Direction des relations du travail of Higher Education dated June 1998 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 apply for the period from 1 July 1998 to 30 June 2000.

12. The classification of the positions of principal of a regional college and principal of a constituent college shall be determined by the Minister based on a job evaluation system using the following five (5) factors:

1- Complexity

- a) nature of activity;
- b) nature of supervision received.

2- Education

3- Experience

- a) experience of the work to be performed;
- b) management experience;

4- Responsibility

- a) responsibility for management;
- b) responsibility for immediate management;
- c) responsibility for the prevention of errors;
- d) responsibility for communication of work.

5- Decision-making powers

- a) nature of activity;
- b) freedom of action.

13. The salary scales of senior executives are found in Schedule II.

14. Where the dates of the increase in salary scales, the annual salary review or the calculation of the salary at the time of a movement of personnel coincide, the rules shall apply in that order.

15. The salary of a person newly appointed to a senior executive position or assigned to another senior executive position shall be determined in accordance with the rules established by the board of directors of the college.

16. The rules used to determine a senior executive’s salary must comply with the following parameters:

— the salary must be situated between the minimum rate and the maximum rate of the applicable scale;

— where the maximum rate of the salary scale does not enable a senior executive to maintain a difference of 7 % between his salary and that of a senior staff member of the college or, for a principal of a constituent college, that of a senior staff member of a constituent college, his salary shall be increased to maintain such a difference and he shall not be considered as overscale.

**DIVISION II
LUMP-SUM PAYMENTS RELATED TO THE
CALCULATION OF SALARY**

17. Where the application of sections 11, 12 and 16 has the effect of reducing the salary of a senior executive, he shall be entitled to a lump-sum payment.

The amount is variable and represents the difference between the salary he was receiving and the salary he is receiving.

The payment shall be made in accordance with the procedures for the payment of his salary.

18. If the decision of the college, made under section 15, has the effect of reducing the salary of a senior executive, the college may pay him a lump sum according to the conditions that it determines.”

4. Division V of Chapter III is replaced by the following:

**“DIVISION V
SALARY REVIEW**

28. The rules respecting salary review are those found in Schedule III of this Regulation.”

5. Division VI is inserted in Chapter III:

**“DIVISION VI
TEMPORARY ASSIGNMENT TO TWO OR MORE
CONCURRENT POSITIONS**

28.1 A college may grant a premium to a senior executive who holds temporarily, in addition to his usual position, another senior executive position for a period exceeding two months. Such premium, paid as a lump sum, cannot exceed 5 % of the salary to which he is entitled during such temporary assignment.”

6. The first paragraph of section 52 of Chapter V is replaced by the following:

“A severance allowance is equal to two months’ salary for every year of continuous service in a college or regional college as a principal of a college, principal of a regional college, academic dean, principal of a constituent college and, at Champlain Regional College, a campus director or dean.”

7. The following sections 117.1 and 117.2 are inserted after section 117 of Division I of Chapter X:

“**117.1** A senior executive engaged by another college may choose one of the following measures:

1. the reimbursement of all the cash-convertible sick-leave days to his credit;

2. the reimbursement of part of his cash-convertible sick-leave days to his credit and transfer of the remainder to the new college;

3. the transfer of all of his cash-convertible or non-cash-convertible sick-leave days to the new college. In such a case, the terms and conditions of reimbursement of his cash-convertible sick-leave days as well as the procedure respecting the use of his cash-convertible or non-cash-convertible sick-leave days shall be maintained when transferring such days.

117.2 When transferring sick-leave days, the college of origin shall forward to the new college:

1. for cash-convertible sick-leave days, a document attesting to the number of cash-convertible sick-leave days to the senior executive’s credit, the amount transferred corresponding to the value of the cash-convertible sick-leave days at the time of transfer and the terms and conditions of reimbursement;

2. for non-cash-convertible sick-leave days, a document attesting to the number of non-cash-convertible sick-leave days.”

8. Section 152 of Chapter XIII is repealed.

9. Schedule I is replaced by the following:

“SCHEDULE I

**DIVISION 1
CLASSIFICATION OF THE POSITIONS
OF PRINCIPAL FOR PURPOSES OF
REMUNERATION**

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

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

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

10. Schedule II is amended by adding the following Table C:

“TABLE C

Salary scales related to the classification system used to determine the salary of a principal of a regional college and a principal of a constituent college

As of 1 April 1998:

Class	Minimum	Maximum
14a)	47 358	58 637
14b)	48 859	60 574
15a)	50 359	62 511
15b)	51 912	64 515
16a)	53 463	66 520
16b)	55 069	68 594
17a)	56 675	70 667
17b)	58 332	72 810
18a)	59 989	74 952
18b)	61 839	77 343
19a)	63 691	79 734
19b)	65 819	82 484
20a)	67 946	85 233
20b)	70 150	88 082
21a)	72 354	90 930
21b)	74 525	93 658

11. Schedule III is amended by adding the following Division IV:

“DIVISION IV

INTEGRATION ON 1 JULY 1998

7. The senior executive covered by section 11 shall be integrated, as of 1 July 1998, 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 30 June 1998. Where the salary is less than the minimum rate of the new class of salary, it shall correspond to the rate. Where it exceeds the maximum rate, it shall correspond to that rate, but he shall be entitled to the application of section 17 of the Regulation.”

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