

Draft Regulations

Draft Regulation

Public Service Act
(R.S.Q., c. F-3.1.1)

Holding of competitions — Amendments

Notice is hereby given, in accordance with the second paragraph of section 50.1 of the Public Service Act (R.S.Q., c. F-3.1.1), that the Regulation to amend the Regulation respecting the holding of competitions, the text of which appears below, may be made by the Conseil du trésor with or without amendment upon the expiry of 30 days following this publication.

The purpose of the draft Regulation is to make amendments that determine the norms for using candidate inventories. Its purpose is also to simplify and update certain provisions related to the notices of competitions and to the qualifications list.

Further information may be obtained by contacting Martine Gauthier at the Secrétariat of the Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8, by telephone at (418) 528-6614, by fax at (418) 646-8131 or by e-mail at martine.gauthier@sct.gouv.qc.ca.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 30-day period, to the Minister of State for Administration and the Public Service, Minister responsible for Administration and the Public Service and Chair of the Conseil du trésor, édifice H, 875, Grande-Allée Est, Québec (Québec) G1R 5R8.

SYLVAIN SIMARD,
*Minister of State for Administration and the Public Service,
Minister responsible for Administration and the Public
Service and Chair of the Conseil du trésor*

Regulation to amend the Regulation respecting the holding of competitions*

Public Service Act
(R.S.Q., c. F-3.1.1, s. 50.1, 1st par., subpars. 1, 2, 3, 5
and 7; 1999, c. 58, s. 2; 2000, c. 8, s. 135)

1. Section 1 of the Regulation respecting the holding of competitions is amended by adding the words “and to candidate inventories established under the Act” at the end.

2. Section 2 is amended by inserting the words “or to the establishment of a candidate inventory” after the word “competition” in the first paragraph.

3. Section 7 is amended by inserting the words “or a candidate inventory” after the word “competition”.

4. Section 8 is amended by substituting the following for the first paragraph:

“8. In the case of the holding of a competition for promotion or the establishment of a candidate inventory for promotion, eligibility may be restricted, taking into account the criteria listed in section 7, to persons belonging to the administrative unit for which the competition is held or for which the candidate inventory is established and to persons on reserve who would otherwise belong to that administrative unit.”

5. The heading of Division IV is amended by striking out the words “POUR LA TENUE DE CONCOURS” in the French text.

6. The following is substituted for section 12:

“12. The period allowed for the filing of applications for a competition or a candidate inventory shall be at least five working days. The closing date shall be indicated in the notice of competition.”

* The Regulation respecting the holding of competitions, made by Order in Council 2290-85 dated 7 November 1985 (1985, *G.O.* 2, 4072) was last amended by the Decision of the Conseil du trésor bearing number 192495 dated 29 September 1998 (1998, *G.O.* 2, 4251). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

7. The headings of Divisions V and VI are amended by striking out the words “À UN CONCOURS” in the French text.

8. Section 21 is amended by inserting the words “or in the candidate inventory” after the word “competition” in the first paragraph.

9. Section 22 is amended by adding the following paragraph at the end:

“A person who is eligible for a candidate inventory shall be responsible for updating his application form and the required supporting documents.”.

10. The following is substituted for section 27:

“27. The result a person obtains following an examination or part of an examination in a competition or a candidate inventory may be transferred to any competition or candidate inventory where the following two conditions are met:

(1) the content of the examinations or parts of the examination is identical; and

(2) the period between the dates of those examinations or parts of the examination does not exceed twelve months.”.

11. The following is inserted after Division VII:

“DIVISION VII.1

USE OF CANDIDATE INVENTORIES

31.1. A candidate inventory may be used for a period of two years from the date of its establishment. Notwithstanding the foregoing, the period for using the candidate inventory may be extended, each extension corresponding to one year, by taking the following criteria into consideration:

(1) the number of applicants eligible for the candidate inventory or whose eligibility is established by the evaluation, as the case may be, who have not yet been declared qualified;

(2) the number of positions likely to be filled after competitions are held from the candidate inventory; and

(3) the appropriateness of the evaluation procedure used in relation to the nature of the position.

31.2. A candidate inventory may only be used for the purposes set forth in the notice of competition.”.

12. Division VIII, including sections 32 to 34, is revoked.

13. Section 40 is amended

(1) by substituting “either one of the lists may be used” for “the list which first took effect shall have priority for purposes of using the lists for a given staffing method” in the first paragraph; and

(2) by deleting the third paragraph.

14. Section 13 of this Regulation does not apply in respect of a qualifications list that took effect before the coming into force of this Regulation until the date provided for its expiry at the time of the coming into force of this Regulation.

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

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Draft Decree

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Installation of petroleum equipment — Amendments

Notice is hereby given that the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour has received a petition for amendments to the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33) from the contracting parties governed by the Decree and that, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the “Decree to amend the Decree respecting the installation of petroleum equipment”, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the Draft Decree is to update certain conditions of employment which have remained unchanged since 19 April 2000.

To do so, it proposes to update and clarify certain definitions, to adjust the duration of the regular workday according to the work to which the employee is assigned, to specify the type of work to which the shift premium applies, to determine the conditions to be applied when