

Gouvernement du Québec

T.B. 197466, 18 December 2001

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

General and vocational colleges

— **Certain conditions of employment of senior staff**
— **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 and with the authorization of the Conseil du trésor, 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 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 Minister 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 amend the Regulation;

WHEREAS on 11 December 2001, the Minister of Education ordered that the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges be made;

THE CONSEIL DU TRÉSOR DECIDES

1. to approve the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges attached hereto;

2. to ask for the publication of the Regulation in the *Gazette officielle du Québec*.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges¹

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

1. Section 5 of the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges is amended by replacing the words "classification of positions in Schedule II" by the words "the description of the positions is set out in the ministerial document entitled Description des emplois-type du personnel d'encadrement des collèges d'enseignement général et professionnel".

2. Section 13 of the said Regulation is amended by replacing the words "Schedule II" by the words "Schedule I".

3. Section 14 of the said Regulation is replaced by the following:

"14. Every year, on 1 July, the class of the college, constituent college or campus shall be determined on the basis of the number of students prescribed by the Ministry in its educational specifications for the regular education programs, to which is added the number of students in continuing education computed on the basis of the activities carried out during the school year preceding the last school year.

The number of students in continuing education is obtained by dividing by 36 the number of periods-students-week (PSW) associated with the credited activities in continuing education entered in the System d'information et de gestion des données sur l'effectif collégial (SIGDEC)."

4. Sections 16 and 17 of the said Regulation are amended by replacing the words "prescribed by Schedule II" by the words "set out in the ministerial document entitled Description des emplois-type du personnel d'encadrement des collèges d'enseignement général et professionnel".

¹ The latest amendments made to the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges (Minister's Order 2-89 of the Minister of Higher Education and Science dated 7 December 1989 [1990, *G.O.* 2, 690]) were made by the Minister's Order of the Minister of Education dated 9 May 2000 (2000, *G.O.* 2, 2890) and the Minister's Order dated 21 June 2001 (2001, *G.O.* 2, 4592). For previous amendments, see *Tableau des modifications et Index sommaire*, Publications du Québec, 2000, updated to 1 February 2000.

5. Section 31 of the said Regulation is replaced by the following:

“31. A senior staff member of a college whose salaried employees receive, in accordance with their collective agreement, a premium for regional disparities shall be entitled to such a premium in accordance with the same conditions and procedures.

Moreover, a senior staff member of the Cégep de Sept-Îles shall be entitled to a stand-by premium granted to salaried employees of that college, in accordance with their collective agreement, in accordance with the same conditions and procedures.”.

6. Section 32 of the said Regulation is replaced by the following sections:

“32. Where half or more of the regular work timetable falls between 18:00 and 24:00, a manager shall receive the evening shift premium prescribed by Schedule VI for each hour actually worked.

32.1 Where half or more of the regular work schedule falls between 00:00 and 0:00, a manager shall receive the night shift premium prescribed by Schedule VI for each hour actually worked.”.

7. The title of Division VI is amended by deleting the word “temporary”.

8. Section 36.1 of the said Regulation is amended:

1° by replacing the words “may grant” by the words “shall grant”;

2° by replacing “5%” by “10%”;

3° by adding the following paragraph:

“However, where the incumbent of a management position is permanently assigned the responsibilities of two directorates, his premium is set at 5%.”.

9. Section 37 of the said Regulation is replaced by the following section:

“37. A college shall draw up an annual vacation plan for its senior staff. The plan shall establish in particular the conditions respecting the deferral of vacation of senior staff.”.

10. Section 37.1 of the said Regulation is repealed.

11. Section 40 of the said Regulation is amended by replacing paragraph *c* by the following:

“c) Plans insured by an insurer and described in the master policy of the insurance plans and in Division IV:

— compulsory basic plans:

– a life insurance plan;

– a health-accident insurance plan. This plan shall not apply, however, to a senior staff member whose application for exemption is accepted by the college in accordance with the insurance policy;

– a long-term salary insurance plan.

— complementary plans:

– an optional supplemental life insurance plan;

– a compulsory long-term salary insurance plan.”.

12. Section 41.4 of the said Regulation is amended by deleting, at the end of the second paragraph, the words “insofar as the collective agreement so allows”.

13. Section 46 of the said Regulation is amended by replacing in the third paragraph the words “gross salary” by the word “salary”.

14. Section 55 of the said Regulation is amended:

1° by replacing the first paragraph by the following:

“The provisions of the Directive concernant le régime de rentes de survivants, adopted by the Treasury Board, shall apply to a senior staff member, subject to the following provisions:”;

2° by adding the following paragraph 3°:

“3° the definition of “remuneration” found in section 2 of the directive is replaced by the following definition:

“salary”:

— for a disability which began after 31 December 1981, salary means that set out in section 39 of this Regulation as well as, where applicable, the compulsory complementary long-term salary insurance plan;

— for a disability which began on or prior to 31 December 1981, salary means the senior staff member’s annual salary.”.

15. Section 56.1 of the said Regulation is replaced by the following:

“**56.1** The cost of the compulsory plans shall be shared by the government and all the participants of the plans according to the terms and conditions of the insuring agreement signed on 2 October 2001 by the Government of Québec and the associations representing the participants of the group insurance plans for management staff in the public and parapublic sectors for the duration of the said agreement.”.

16. Chapter VI of the said Regulation is replaced by the following:

**“CHAPTER VI
PARENTAL RIGHTS**

**DIVISION I
GENERAL PROVISIONS**

57. For the purposes of this chapter, “spouses” means persons:

1° who are married and cohabiting; or

2° who are living in a conjugal relationship and are the father and mother of the same child; or

3° who are of the opposite or the same sex and have been living in a conjugal relationship for a period of not less than one year.

However, persons shall cease to be considered as spouses upon the dissolution of their marriage through divorce or annulment or, if they are married or living in a conjugal relationship, upon a de facto separation for a period exceeding 3 months.

57.1 This chapter may not have the effect of giving a senior staff member a monetary or non-monetary benefit which he or she would not have had if he or she had remained at work.

58. Maternity leave benefits shall be paid solely as a supplement to the employment insurance benefits or as payment during a period of unemployment caused by a pregnancy for which employment insurance does not provide benefits.

59. Where the granting of a leave is restricted to only one spouse, such restriction shall apply so long as the other spouse is also an employee of the public or parapublic sector.

60. The college shall not reimburse a senior staff member for the sums that could be required of her by Human Resources Development Canada (HRDC) under the Act respecting employment insurance.

61. The salary, deferred salary and severance payments shall not be increased or decreased by the amounts received under the supplementary employment insurance benefits plan.

**DIVISION II
MATERNITY LEAVE**

62. The maximum duration of a maternity leave is 20 weeks which, subject to section 67, must be consecutive and include the day of delivery.

63. A senior staff member who becomes pregnant while she is benefiting from a leave without pay or a partial leave without pay referred to in this chapter shall also be entitled to such maternity leave and to the benefits attached thereto.

64. A senior staff member who gives birth to a still-born child after the beginning of the 20th week preceding the expected date of delivery shall also benefit from a maternity leave.

65. Should a senior staff member’s spouse who is on maternity leave die, the remainder of the 20 weeks of maternity leave and the rights and benefits attached thereto shall be transferred to the senior staff member.

66. The distribution of the maternity leave, before and after the birth, shall be the senior staff member’s decision and shall include the day of the birth.

67. Where a senior staff member is sufficiently recovered from her delivery and her child is not able to leave the health establishment, she may suspend her maternity leave by returning to work.

A senior staff member whose child is hospitalized within 15 days of birth is also entitled to the same privileges.

68. Maternity leave may be interrupted only once and shall resume when the child is brought home. When a senior staff member resumes her maternity leave, the college shall pay her only the allowance to which she would have been entitled had she not interrupted her leave.

69. If the birth occurs after the due date, a senior staff member shall be entitled to extend her maternity leave for the length of time the birth is overdue, except if she still has 2 weeks of maternity leave left after the birth.

Furthermore, a senior staff member may extend her maternity leave by 6 weeks if her child was hospitalized during her maternity leave or her child’s health requires that she do so.

During those extensions, a senior staff member shall not receive any benefit or salary. However, she shall be entitled to the benefits prescribed in section 88.12 provided she is entitled to them.

69.1 The maternity leave may be less than 20 weeks. If the senior staff member returns to work two weeks after the birth, she shall produce, at the college's request, a medical certificate attesting that she has sufficiently recovered to resume work.

69.2 The college must send to the senior staff member, during the fourth week preceding the termination of the maternity leave, a notice indicating the scheduled date of termination of the maternity leave.

Any senior staff member who receives from the college the notice described above must report for work on the date of termination of the maternity leave, unless she extends the maternity leave as provided in Division V.

70. To obtain a maternity leave, a senior staff member must notify the college at least 3 weeks prior to the date of departure. Such notice must be accompanied by a medical certificate attesting to the pregnancy and the due date.

The time limit regarding the presentation of the notice may be less if a medical certificate attests that the senior staff member must leave her job sooner than expected. In case of an unforeseen event, a senior staff member shall be exempted from the formality of the notice provided that she give the college a medical certificate stating that she had to leave her job immediately.

§1. Cases eligible for employment insurance

71. A senior staff member who has accumulated 20 weeks of service and who, following the submission of an application for benefits under the employment insurance plan, receives such benefits, shall be entitled, during her maternity leave to receive :

1° for each week of the waiting period stipulated by the employment insurance plan, an allowance equal to 93% of her basic weekly salary ;

2° for each week she is receiving employment insurance benefits, a complementary allowance equal to the difference between 93% of her basic weekly salary and the weekly employment insurance benefit that she is receiving.

This complementary allowance shall be calculated on the basis of the employment insurance benefits that a senior staff member is entitled to receive without taking

into account the amounts deducted from such benefits because of the reimbursement of benefits, interest, penalties and other amounts recoverable under the employment insurance plan.

The maternity leave allocation paid by the Government of Québec shall be deducted from the benefits to be paid under this subdivision.

However, in the case of the senior staff member who works for more than one employer, she shall receive a complementary allowance equal to the difference between 93% of her basic weekly salary paid by the college and the percentage of the employment insurance benefits corresponding to the proportion of basic weekly salary it pays her in relation to the total basic weekly salaries paid by all the employers. To this end, the senior staff member shall provide each of her employers with a statement of the weekly salaries paid by each of them and the amount of the benefits paid by Human Resources Development Canada.

Where the number of weeks of employment insurance benefits is reduced by Human Resources Development Canada, where applicable, a senior staff member shall continue to receive the complementary allowance without taking into account such reduction by Human Resources Development Canada as if she had received employment insurance benefits during that period ;

3° for each of the weeks that follow those described in paragraph 2° of this section, an allowance equal to 93% of her basic weekly salary up to the end of the 20th week of the maternity leave.

72. An absent senior staff member shall accumulate service if her absence is authorized, particularly for total disability, and includes benefits or remuneration.

73. For the purposes of this division, basic weekly salary means the senior staff member's regular salary distributed on a weekly basis.

74. No benefit may be paid during a period of vacation for which the senior staff member is paid.

75. The college may not offset, by means of the allowance paid to a senior staff member on maternity leave, a reduction in employment insurance benefits attributable to income earned from another employer.

76. Notwithstanding section 75, the college shall pay compensation if a senior staff member proves, by means of a letter to this effect from the employer who pays this regular salary, that the income earned from another employer is regular salary. Where the senior staff member

proves that only a portion of that income is regular salary, compensation payable shall be in proportion to that portion.

77. An employer paying the regular salary as determined in section 76 must, at a senior staff member's request, provide such a letter.

78. The total amounts received by the senior staff member during her maternity leave in employment insurance benefits, compensation and salary may not exceed 93% of the salary paid by her employer or, where applicable, by her employers.

79. Compensation owing for the first 2 weeks shall be paid by the college within the 2 weeks following the beginning of the leave; compensation due after that date shall be paid at 2-week intervals. In the case of a senior staff member eligible for employment insurance benefits, the first instalment shall only be payable 15 days after the college obtains proof that she is receiving employment insurance benefits. For the implementation of this section, a statement of benefits, a stub or a computerized information statement provided by Human Resources Development Canada to the college shall be accepted as proof.

80. Service shall be calculated with any employer that is a public or parapublic sector body (public service, education, health services and social services), a regional health and social services board, a body with employees whose employment conditions or salary standards and scales are determined or approved by the Government, the Office franco-québécois pour la jeunesse, the Société de gestion du réseau informatique des commissions scolaires or a body mentioned in Schedule C of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2).

Furthermore, the requirement of 20 weeks of service under sections 71 and 82 is deemed to have been satisfied if the senior staff member has satisfied this requirement as an employee of any of the employers mentioned in the first paragraph.

81. A senior staff member may defer a maximum of 4 weeks' annual vacation if it falls within her maternity leave and if she notifies the college in writing of the date of such deferral no later than 2 weeks before the termination of the said maternity leave.

§2. Cases not eligible for employment insurance

82. A senior staff member excluded from employment insurance benefits or declared ineligible shall also be excluded from any other compensation. However, a full-time senior staff member who has accumulated 20 weeks of service shall also be entitled, for 12 weeks, to a compensation equal to 93% of her basic weekly salary in accordance with this division if she is ineligible for employment insurance benefits because she did not hold an insurable job for the required number of work hours during the reference period prescribed by the employment insurance plan.

DIVISION III PATERNITY LEAVE

83. A senior staff member shall be entitled to paid leave upon the birth of his child, the duration of which shall not exceed 5 working days. He shall also be entitled to such leave if the child is stillborn and the birth occurs after the beginning of the 20th week preceding the due date. This paid leave may be discontinuous but must be taken between the beginning of the delivery and the 15th day following the mother's or the child's return home. One of the 5 days may be used for the baptism or the registration.

DIVISION IV LEAVES FOR ADOPTION AND LEAVES WITHOUT PAY FOR THE PURPOSE OF ADOPTING A CHILD

84. A senior staff member who legally adopts a child, other than his or her spouse's child, shall benefit from a leave for a maximum duration of 10 consecutive weeks, provided that his or her spouse not also be on such a leave. This leave must be taken following the child's placement order or an equivalent procedure in the case of an international adoption in accordance with the adoption plan or at another time agreed to with the college.

85. For every week of the leave mentioned in section 84, a senior staff member shall receive an allowance equal to the salary he or she would have received had he or she been at work.

86. A senior staff member who legally adopts a child and who does not benefit from the leave for adoption mentioned in section 84 shall be entitled to a leave for a maximum period of 5 working days, of which only the first 2 shall be remunerated.

This leave may be discontinuous but it may not be taken more than 15 days following the child's arrival home.

However, if it involves the spouse's child, the senior staff member shall be entitled only to a leave without pay for a maximum period of 2 working days.

87. A senior staff member shall benefit for the purpose of adopting a child from a leave without pay of a maximum duration of 10 weeks as of the date he or she assumes full legal responsibility for the child.

88. A senior staff member who travels outside of Québec in order to adopt a child shall obtain, for that purpose and upon written request to the college 4 weeks in advance where possible, a leave without pay for the required travel time. Where the trip results in obtaining actual custody of the child, the duration of the leave without pay shall not exceed 10 weeks in accordance with section 87. During such a leave, the senior staff member shall be entitled to the same benefits as those attached to leave without pay under this chapter.

88.1 Sections 84 and 88 shall not apply to a senior staff member who adopts his or her spouse's child.

88.2 The leave for adoption prescribed in section 84 may take effect on the date of the beginning of the leave without pay with a view to adopt where the duration of the latter shall not exceed a consecutive period of 10 weeks and where the senior staff member so decides upon making the request provided for in section 87.

Where the leave for adoption takes effect on the date of the beginning of the leave without pay, the senior staff member shall be entitled only to the benefits prescribed for the adoption leave.

If, however, no adoption results following such leave with a view to adopt for which the senior staff member received an allowance under section 85, the senior staff member shall be deemed to have been on leave without pay and he or she shall repay the allowance to the college according to the terms and conditions to be agreed between the college and the senior staff member concerned. However, the senior staff member shall repay the allowance within one year.

DIVISION V

LEAVES WITHOUT PAY

88.3 A leave without pay as extended maternity, paternity or adoption leave shall not exceed 2 years.

A senior staff member who wishes to terminate such leave during the first 52 weeks must submit a written notice to this effect at least 21 days prior to his or her return.

A senior staff member who does not avail himself or herself of the leave without pay may, for the portion of the leave that his or her spouse has not used, benefit from a leave without pay.

88.4 A senior staff member who does not avail himself or herself of the leave mentioned in section 88.3 may benefit, after the birth or adoption of a child, from a leave without pay for a maximum period of 52 continuous weeks which begins at the time the senior staff member chooses and ends no later than 70 weeks after the birth or, in the case of adoption, 70 weeks after he or she assumes full legal responsibility for the child. However, this paragraph shall not apply to the senior staff member who adopts his or her spouse's child.

A senior staff member who wishes to terminate his or her leave before the anticipated date must submit a written notice to this effect at least 21 days prior to his or her return.

88.5 A leave without pay or a partial leave without pay for a maximum period of one year shall be granted to the senior staff member whose minor child experiences socioemotional problems or whose minor child is handicapped or suffers from a chronic illness requiring his or her care.

88.6 A senior staff member may be absent from work for a maximum of 6 days per year to take care of his or her minor child or his or her spouse's minor child, in cases where his or her presence is expressly required, to fulfill obligations relating to the health, safety or education of the child. The days thus used shall be deducted from the senior staff member's bank of sick-leave days and, failing that, the days of absence shall be without pay.

88.7 The college and a senior staff member must agree, in advance, on the terms and conditions of the leave without pay.

Notwithstanding the first paragraph, upon the senior staff member's return from a maximum 12-week leave without pay, he or she shall be reinstated in the duties that he or she would have had had he or she been at work, subject to the provisions of Chapter X of this Regulation.

DIVISION VI
OTHER SPECIAL LEAVES AND PREVENTIVE
REASSIGNMENT

88.8 A senior staff member shall be entitled to a special leave in the following cases:

1° when a complication in the pregnancy or a risk of miscarriage requires a work stoppage for a period prescribed by a medical certificate; such special leave cannot be extended beyond the beginning of the 8th week preceding the due date;

2° upon presentation of a medical certificate prescribing the duration, when a natural or induced miscarriage occurs before the beginning of the 20th week preceding the due date;

3° for medical examinations related to the pregnancy carried out by a health professional and attested to by a medical certificate or for examinations carried out by a midwife pursuant to the Act respecting the practice of midwifery within the framework of pilot projects (1990, c. 12).

88.9 As regards the examinations referred to in paragraph 3° of section 88.8, a senior staff member shall benefit from a special leave with pay for a maximum duration of 4 days which may be taken in half-days.

88.10 During the special leaves obtained under this division, a senior staff member shall be entitled to the benefits prescribed in sections 88.12 and 88.14.

Notwithstanding paragraph 1° of section 88.12, a senior staff member covered by section 88.8 may also avail herself of the benefits under the salary insurance plan. However, in the case of paragraph 3° of section 88.8, a senior staff member must first have used up the 4 days prescribed in section 88.9 before benefiting from the basic salary insurance plan.

88.11 A senior staff member who benefits from preventive reassignment by virtue of the Act respecting industrial accidents and occupational diseases shall avail herself of the benefits prescribed in sections 81 and 88.12 insofar as she is normally entitled to them and may subsequently avail herself of the provision prescribed in section 88.14.

DIVISION VII
OTHER PROVISIONS

88.12 During a maternity leave and the extensions prescribed in section 69 or a 10-week leave for adoption, a senior staff member shall avail himself or herself of the following benefits, insofar as he or she is normally entitled to them:

1° insurance plans excluding salary insurance benefits. However, in the case of a maternity leave, a senior staff member shall be exempted from the payment of premiums to his or her insurance plans as prescribed in the provisions of the master policy;

2° accumulation of vacation;

3° accumulation of experience and continuous service for stability of employment purposes.

The maternity leave benefits applicable cannot exceed 93% of the basic weekly salary.

88.13 During a leave without pay in accordance with this chapter, the insurance plans shall apply to a senior staff member according to the provisions of section 42.

88.14 When a senior staff member returns from a maternity leave, paternity leave, leave for adoption or leave without pay for the purpose of adopting a child, he or she shall be reinstated in the position he or she would have had had he or she been at work, subject to the provisions of Chapter X of this Regulation.

88.15 The college and a senior staff member shall agree, in advance, on the terms and conditions of a leave without pay for the purpose of adopting a child, a maternity leave, a paternity leave or a leave for adoption.”

17. The first dash of paragraph 4° of section 181 of the said Regulation is amended by replacing the words “to section 38” by the words “to Chapter 4”.

18. Part A of Schedule I of the said Regulation is replaced by the following:

**“SCHEDULE I
CLASSIFICATION PLAN**

PART A

CLASSIFICATION PLAN OF SENIOR STAFF POSITIONS OF COLLEGES AND CONSTITUENT COLLEGES

TABLE 1

**Classification plan of senior staff positions of colleges
and constituent colleges**

Position	Classification
Director of student services	D-2
Director of financial resources services	D-2
Director of human resources services	D-2
Director of material resources services	D-2
Director of communication and corporate affairs (secretary general)	D-2/SG
Director of continuing education ²	D-2
	D-2
Coordinator of educational services	C-1 or C-2 ³
Coordinator of data processing services	C-1
Coordinator of continuing education	C-1
Coordinator of continuing education services	C-2
Coordinator of student services	C-2
Coordinator of human resources services	C-2
Coordinator of financial resources services	C-2
Coordinator of material resources services	C-2
Personnel management consultant	C-F

Classes (number of students)

Class I	Class II	Class III
1999 or less	2000-3999	4000 or more

² The incumbents classified under sections 16 and 17 of this Regulation may maintain their particular classifications.

³ The classification C-2 applies to the coordinator who is responsible for one teaching sector only unless he is responsible for several teachers or professionals.

TABLE 2**Classification plan of campus senior staff positions of colleges**

Positions	Classification Level 1	Classes (number of students)		
		Class I 999 or less	Class II 1000-1999	Class III 2000 or more
Campus principal	DC			
Positions	Classification Level 2			
Assistant campus principal	DAC-1			
Assistant campus principal	DAC-2			

TABLE 3**Classification plan of manager positions of colleges and constituent colleges**

Positions	Classification	Classes (number of students)		
		Class I 999 or less	Class II 2000-3999	Class III 4000 or more
General superintendent	R-1			
Superintendent of maintenance services	R-4			
Superintendent of supply services				
Superintendent of community services				
General maintenance foreman	CO-3			
Administrative assistant	R-3	Class I 999 or less	Class II 1000-1999	Class III 2000 or more
Specialized maintenance foreman	CO-2	Single class		
Administrative officer				

”.

19. Part B of Schedule II of the said Regulation is repealed.

20. The title of Schedule III of the said Regulation is amended by replacing the words “by Schedule II” by the words “by the ministerial document entitled Description des emplois-type du personnel d’encadrement des collèges d’enseignement général et professionnel”.

21. The titles of Tables 1-A, 1-B, 1-C, 1-CC, 1-D and 1-DD of Schedule V of the said Regulation are amended by replacing the words “to positions described in Schedule II” by the words “to the different classifications prescribed in Schedule I”.

22. Schedule VI of the said Regulation is replaced by the following schedule:

“SCHEDULE VI**EVENING AND NIGHT SHIFT PREMIUMS AND WEEKEND PREMIUMS
(managers)****1. Evening shift premium**

As of 1 January 1999	As of 1 January 2000	As of 1 January 2001	As of 1 January 2002
\$0.62/hour	\$0.64/hour	\$0.66/hour	\$0.68/hour

2. Night shift premium

As of 1 January 1999	As of 1 January 2000	As of 1 April 2000	
\$0.62/hour	\$0.64/hour	Seniority	% of salary
		0 to 5 years	11%
		5 to 10 years	12%
		10 years or more	14%

3. Weekend premium

As of 1 January 1999	As of 1 January 2000	As of 1 January 2001	As of 1 January 2002
\$2.57/hour	\$2.63/hour	\$2.70/hour	\$2.77/hour

”.

23. The said Regulation is amended by adding, after Schedule VI, the following schedule:

“SCHEDULE VII**COMPENSATION FOR THE RECURRENT
EFFECTS OF THE ACT RESPECTING THE
CONDITIONS OF EMPLOYMENT IN THE PUBLIC
SECTOR AND THE MUNICIPAL SECTOR
(BILL 102)**

1. The employer shall pay a lump sum corresponding to 0.83% of the salary received during the reference period of 1 October 1995 to 31 December 1999.

That lump sum, calculated proportionally to the period of participation in the insurance plans applicable under this Regulation, shall be paid to the following persons:

1° any senior staff member subject to this Regulation as at 31 December 1999 who continues to participate in the Civil Service Superannuation Plan (C^SSP) or the Teachers Pension Plan (TPP) after that date without availing himself of his entitlement to be transferred to the Government and Public Employees Retirement Plan (GPERP) in respect of a non-unionizable employee under the provisions of the latter plan;

2° any senior staff member who, as at 1 January 2000, participated in the Pension Plan of Certain Teachers (PPCT) or in a supplemental pension plan (SPP) under the supervision of the Commission administrative des régimes de retraite et d'assurances (CARRA) and any senior staff member who, during the reference period, participated in any of these plans but who has resigned, retired or died;

3° any senior staff member assigned to a unionizable position who, during the reference period, did not participate in the GPERP in respect of a non-unionizable employee but who continued to participate in the insurance plans applicable under this Regulation;

4° any employee referred to in paragraph 3° who resigned, retired or died during the reference period.

Notwithstanding the first paragraph, the salary to be considered for a senior staff member who participated in a leave plan with deferred salary during the reference period shall be the salary that he would have received had he not participated in the plan.

2. Any senior staff member who participates in a supplemental pension plan under the supervision of the CARRA shall be entitled to a leave with pay the duration of which shall correspond to 0.83% of the number of days for which he was entitled to a salary, as a senior staff member, for the period extending from 1 January to 31 December of the same year, without exceeding 2 days per year. However, no leave may be granted for any period before 1 January 2000.

Where the calculation of the number of days of leave yields a fraction of a day, this fraction shall be rounded off to a half-day if it is equal to or greater than 0.25 and to a full day if it is equal to or greater than 0.75.

This leave shall be used in accordance with the annual vacation plan in force at the college or shall be replaced in whole or in part by a lump sum if it has not been used during the 12 months following its acquisition. In that case, for each unused leave day, the lump sum shall correspond to 0.415% of the salary received during the year of acquisition in the capacity of senior staff member or of the salary that the senior staff member would have received had he not participated in the leave plan with deferred salary.

Where the senior staff member has died, the employer shall pay an amount equal to the value of the acquired but unused days of leave, without exceeding 4 days.

3. Section 2 shall apply to any senior staff member assigned to a unionizable position if he participates in a pension plan other than the GPERP in respect of a non-unionizable employee, the Pension Plan for Management (PPM) or the Retirement Plan for Senior Officials (RPSO).

In that case, section 2 shall apply from the date on which the senior staff member starts to hold a unionizable position, if this date occurs after 31 December 1999, and shall continue to apply for any period during which the insurance plans provided for in this Regulation apply to the employee.”.

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

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Gouvernement du Québec

T.B. 197467, 18 December 2001

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(R.S.Q., c. C-29)

General and vocational colleges — Certain conditions of employment of senior executives — Amendments

Regulation to amend the Regulation respecting certain conditions of employment of senior executives 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 and with the authorization of the Conseil du trésor, 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 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 Minister made the Regulation respecting certain conditions of employment of senior executives 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 amend the Regulation;

WHEREAS on 11 December 2001, the Minister of Education ordered that the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges be made;

THE CONSEIL DU TRÉSOR DECIDES :

1. to approve the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges attached hereto;

2. to ask for the publication of the Regulation in the *Gazette officielle du Québec*.

ALAIN PARENTEAU,
Clerk of the Conseil du trésor,