

(1) For Type 1 schools:

Number of weighted students	Maximum number of positions	
	Principal	Vice-principal
<b>Elementary school</b>		
225 to 549	1	—
550 to 999	1	1
1 000 or more	1	2
<b>Secondary school</b>		
225 to 499	1	—
500 to 899	1	1
900 to 1 499	1	2
1 500 to 1 999	1	3
2 000 to 2 599	1	4
2 600 to 3 099	1	5
3 100 to 3 599	1	6
3 600 or more	1	7

(2) For Type 2 schools:

Number of weighted students	Maximum number of positions	
	Principal	Vice-principal
<b>Elementary school</b>		
225 to 549	1	—
550 to 899	1	1
900 or more	1	2
<b>Elementary school</b>	See par. 1	

(3) In the case of schools of the third type, the maximum number of senior staff positions in a school is equal to the quotient obtained by dividing by 200 the total number of students enrolled in the schools, rounded off to the next whole number.

Notwithstanding the preceding paragraph, a school board may replace the position of principal by one or more senior staff positions in a school combined with teaching or other duties.

(4) In addition to the number of senior staff positions in a school prescribed in paragraphs 1 to 3, the school board may include an additional position of vice-principal for any secondary school of 1 800 students or more having not fewer than 300 students enrolled in the first cycle of the secondary program.

The school board shall distribute the positions determined under this schedule in its schools.

4. Notwithstanding section 3, where the maximum number of senior staff positions in a school determined under this schedule is less than that determined for the preceding school year, the school board shall have a maximum period of one year, as of 1 July following the school year affected by a decrease in the number of senior staff positions in a school, in which to readjust its positions.

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Gouvernement du Québec

**T.B. 203163, 13 December 2005**

Education Act  
(R.S.Q., c. I-13.3)

**School boards**  
— **Certain conditions of employment of senior executives**  
— **Amendments**

Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards

WHEREAS under section 451 of the Education Act (R.S.Q., c. I-13.3), the Minister of Education, Recreation and Sports may, by regulation and with the authorization of the Conseil du trésor, establish for all or certain school boards and for the Comité de gestion de la taxe scolaire de l'île de Montréal, a classification of positions, the maximum number of positions in each job category, working conditions, 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 senior executives of school boards was made by the minister's order dated 18 November 2004 and amended on 17 June 2005 and 6 October 2005;

WHEREAS the Regulations Act (R.S.Q., c. R-18.1) does not apply to this regulation;

WHEREAS the Minister of Education, Recreation and Sports is of the opinion that it is expedient to amend the Regulation;

WHEREAS the Minister of Education, Recreation and Sports made, on 2 December 2005, the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards;

THE CONSEIL DU TRÉSOR DECIDES :

1. to approve the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards attached hereto;

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

SERGE MARTINEAU,  
*Clerk of the Conseil du trésor*

## Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards<sup>1</sup>

Education Act  
(R.S.Q., c. I-13.3, s. 451)

**1.** The Regulation respecting certain conditions of employment of senior executives of school boards is amended by replacing the title of the Regulation by the following: “REGULATION RESPECTING CERTAIN CONDITIONS OF EMPLOYMENT OF SENIOR EXECUTIVES OF SCHOOL BOARDS AND OF THE COMITÉ DE GESTION DE LA TAXE SCOLAIRE DE L’ÎLE DE MONTRÉAL”.

**2.** The “Table of Contents” of the Regulation is amended

(1) by replacing the title of Schedule 2 by “JOB CLASSIFICATION PLAN FOR SENIOR EXECUTIVES”;

(2) by replacing the title of Schedule 3 by: “SALARY SCALES CORRESPONDING TO CLASSIFICATION PLAN”;

(3) by repealing the title of Schedule 8 and adding “Repealed”;

(4) by replacing the title of Schedule 10 by: “INTEGRATION INTO NEW CLASSIFICATION PLAN ON 2 JULY 2005”;

(5) by adding the following title at the end:

“**SCHEDULE 11**  
CONDITIONS OF EMPLOYMENT PERTAINING TO THE SENIOR EXECUTIVES OF THE COMITÉ DE GESTION DE LA TAXE SCOLAIRE DE L’ÎLE DE MONTRÉAL”.

**3.** Section 2 of the Regulation is amended by replacing “Ministry of Education” in the first sentence by “Minister”.

**4.** Section 4 of the Regulation is amended

(1) by replacing the definition of “administrator” by the following: ““administrator”: means a person who holds a position of senior staff of services or manager in a school board or of senior staff of the Comité de gestion de la taxe scolaire de l’île de Montréal;”;

(2) by replacing the definition of “senior staff member” by the following: ““senior staff member”: means an administrator, a senior staff member in a school or a senior staff member in a centre;”;

(3) by striking out the definition of “in-school/centre administrator” (cadre d’établissement);”;

(4) by inserting “of a school board or of the Comité de gestion de la taxe scolaire de l’île de Montréal” at the end of the definition of “senior executive;”;

(5) by inserting the following definition after the definition of “in-school/centre administrator”:

““Minister”: means the Minister of Education, Recreation and Sports;”.

**5.** Section 8 of the Regulation is replaced by the following section:

“**8.** The classification plan includes senior executive positions in Schedule 1 and the corresponding classification of those positions in Schedule 2.”.

**6.** Section 9 of the Regulation is replaced by the following section:

“**9.** The classification of a position corresponds to the class assigned according to the applicable population range.”.

<sup>1</sup> Regulation respecting certain conditions of employment of senior executives of school boards, made by the minister’s order dated 18 November 2004 (2004, *G.O.* 2, 5323) and amended by the minister’s order dated 17 June 2005 (2005, *G.O.* 2, 3479) of the Minister of Education, Recreation and Sports.

**7.** Section 10 of the Regulation is replaced by the following section:

“**10.** Classes shall be determined in terms of the nature and complexity of the responsibilities inherent to each position based on the results of a job evaluation process using the Hay<sup>®</sup> method.”.

**8.** Section 11 of the Regulation is replaced by the following section:

“**11.** The salary scales corresponding to the classification plan are found in Schedule 3.”.

**9.** Section 12 of the Regulation is repealed.

**10.** Section 13 of the Regulation is replaced by the following section:

“**13.** The range applicable to a job classification shall be determined on the basis of the youth (student) population, the adult education population and the vocational education population. Each range includes upper and lower limits.

The range shall be determined on the basis of the population served: youth (student) population, adult education population and vocational education population.”.

**11.** Section 14 of the Regulation is replaced by the following section:

“**14.** The youth (student) population includes the students enrolled on 30 September in the schools and centres of the school board.”.

**12.** Section 15 of the Regulation is replaced by the following section:

“**15.** The group-hours of instruction shall be determined on the basis of the general education programs, the vocational education programs and the popular education programs.

The group-hours of instruction (GHI) shall be determined on the basis of the rules issued each year by the Minister.

The adult or vocational education population, as the case may be, is obtained by dividing by 900 and by multiplying by 17 the group-hours of instruction prescribed in the preceding paragraph.”.

**13.** Section 16 of the Regulation is replaced by the following section:

“**16.** The range of positions shall be reviewed yearly. Any change in range resulting from the review shall take effect on 1 July of the current school year.

#### **Change of position to a higher range**

Where a position moves up to a higher range as a result of an increase in student population applicable to him, the incumbent's salary in the position corresponding to his new class shall be determined under paragraph 1 of section 21.

#### **Change of position to a lower range**

Where a position moves down to a lower range as a result of a decline in student population applicable to him, the incumbent's class and salary shall be maintained until such time as the decline is 10% below the lower limit of the range that was applicable to the position.

Where a decline in student population is 10% below the lower limit that was applicable to the position, the incumbent's salary in the position corresponding to his new class shall be determined under paragraph 2 of section 21.”.

**14.** Section 17 of the Regulation is replaced by the following section:

“**17.** Where a school board cannot determine the classification of a senior executive position because its principal and usual duties do not correspond to any of the job descriptions prescribed in Schedule 1, it shall submit the case to the Minister. The case file must include:

*a)* a detailed description of the senior executive's duties and responsibilities;

*b)* the situation of the senior executive in the school board's administrative structure;

*c)* the eligibility requirements.”.

**15.** Section 18 of the Regulation is replaced by the following section:

“**18.** Where in the Minister's opinion, the principal and usual duties do not correspond to any of the job descriptions prescribed in Schedule 1, he shall determine the class based on the results of a job evaluation process using the Hay<sup>®</sup> method and the corresponding salary scale:

Classes	Rates <sup>1</sup>	
	Minimum	Maximum
17	110 396	147 195
16	104 289	139 052
15	98 519	131 359
14	93 069	124 092
13	87 920	117 227
12	83 057	110 742
11	78 462	104 616
10	74 122	98 829
9	70 022	93 362
8	66 148	88 197
7	61 605	82 140

<sup>1</sup> Determined according to the rates in effect on 1 April 2003

This class may be reviewed according to the terms and conditions determined by the Minister.”.

**16.** Section 19 of the Regulation is amended by striking out the second paragraph.

**17.** The heading of subdivision 1 of Division 1 of Chapter 3 of the Regulation is replaced by the following:

*“§1. Calculation of salary following a change in range and job class resulting from a fluctuation in population”.*

**18.** Section 21 of the Regulation is amended by replacing the first sentence by the following:

“Where the class of a senior executive position is modified as a result of a change in range, the senior executive’s salary shall be fixed according to one or the other of the following criteria:”.

**19.** Section 30 of the Regulation is amended by replacing “37 and 38” by “19 and 21”.

**20.** Section 33 of the Regulation is replaced by the following section:

“**33.** The salary scales of senior executives are found in Schedule 3.”.

**21.** Section 34 of the Regulation is repealed.

**22.** Section 35 of the Regulation is amended by striking out “of employment” after “class”, wherever it appears.

**23.** Section 40 of the Regulation is amended by replacing the second paragraph by the following: “The lump-sum payment shall be made according to the same terms and conditions as those pertaining to payment of salary.”.

**24.** Section 46 of the Regulation is amended by replacing “disability” in the fifth paragraph by “total disability”.

**25.** Section 75 of the Regulation is amended by replacing “Ministry of Education” by “Minister”.

**26.** Section 78 of the Regulation is amended by replacing “disability” in the first paragraph by “total disability”.

**27.** Section 81 of the Regulation is amended by replacing “disability” in the first paragraph by “total disability”.

**28.** Section 104 of the Regulation is amended by replacing “Ministry of Education” by “Minister”.

**29.** Section 112 of the Regulation is amended

(1) by replacing “prévus” in the first paragraph of the French text by “prévues”;

(2) by replacing “que, au” after “expressément” in the second paragraph of the French text by “qu’au”.

**30.** Section 116 of the Regulation is amended by replacing “an in-school/centre administrator position” by “a position of senior staff member in a school or centre” at the end of paragraph 2.

**31.** Section 135 of the Regulation is amended by replacing “Ministry of Education” by “Minister”.

**32.** Section 139 of the Regulation is amended by replacing “Ministry of Education” by “Minister”.

**33.** Schedule 2 of the Regulation is replaced by the following schedule:

**“SCHEDULE 2**  
CLASSIFICATION OF SENIOR EXECUTIVE POSITIONS

Positions	Population Range 48 000 or more	Population Range 24 000– 47 999	Population Range 12 000– 23 999	Population Range 6 000– 11 999	Population Range 5 999 or less
Director general	17	16	15	14	13
Assistant director general	14	13	12	11	10
Senior consultant to the director general	9	8	8	7	7

”.

**34.** Schedule 3 of the Regulation is replaced by the following schedule:

**“SCHEDULE 3**  
SALARY SCALES<sup>1</sup> CORRESPONDING TO  
CLASSIFICATION PLAN

Classes	Rates	
	Minimum	Maximum
17	110 396	147 195
16	104 289	139 052
15	98 519	131 359
14	93 069	124 092
13	87 920	117 227
12	83 057	110 742
11	78 462	104 616

Classes	Rates	
	Minimum	Maximum
10	74 122	98 829
9	70 022	93 362
8	66 148	88 197
7	61 605	82 140

<sup>1</sup> Determined according to the rates in effect on 1 April 2003

”.

**35.** The first paragraph of section 6 of Schedule 4 of the Regulation is amended

(1) by replacing “comprend” by “est” in the French text;

(2) by striking out “and, where applicable, the lump-sum payment resulting from the application of the salary readjustment procedure”;

(3) by replacing “reçus” par “reçu” in the French text.

**36.** Schedule 5 of the Regulation is amended

(1) by replacing paragraphs 1 and 2 of the second paragraph of section 1 by the following paragraphs:

“(1) are married or in a civil union and cohabiting;

(2) are of opposite sex or the same sex and have been living together in a conjugal relationship and are the father and mother of the same child;”;

(2) by striking out “the annual increment or” in section 17 after “resulting from”;

(3) by replacing “the regional health and social services boards” in section 22 by “the agences de développement de réseaux locaux de services de santé et de services sociaux”.

**37.** Schedule 6 of the Regulation is amended by replacing section 6 by the following:

“6. The provisions of the pension plans concerning sabbatical leave with deferred salary are contained in the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) and in the Regulation

respecting certain temporary measures prescribed by Title IV of the Act respecting the Government and Public Employees Retirement Plan (c. R-10, r.1.2).”

**38.** Schedule 8 of the Regulation is repealed.

**39.** Schedule 10 of the Regulation is replaced by the following schedule:

**“SCHEDULE 10**  
**INTEGRATION INTO NEW CLASSIFICATION**  
**PLAN ON 2 JULY 2005**

**Integration into Classification Plan**

1. On 2 July 2005, the senior executive, except for the senior executive of the Comité de gestion de la taxe scolaire de l’île de Montréal, who held, on 1 July 2005, a regular senior executive position prescribed in Schedule 2 or 8 of the Regulation respecting certain conditions of employment of senior executives of school boards then in force shall be integrated into the new classification plan under section 5 of this schedule according to the rules defined hereinafter.

**Calculation of Salary**

2. On 2 July 2005, a senior executive’s salary shall be determined on the basis of the salary scales in Schedule 3 by applying the following rules and conditions:

The class assigned to a senior executive position shall be determined according to the applicable range (population prescribed in section 5 of this schedule) based on the youth population, adult education population and vocational education population of the 2005-2006 school year, determined under sections 13 to 15 of the Regulation.

A senior executive’s salary shall be determined as follows:

*a)* A senior executive shall integrate his new salary scale on 2 July 2005.

*b)* A senior executive’s salary on 1 July 2005 includes the salary and the lump sum resulting from a change to a lower class.

*c)* A senior executive’s salary on 1 July shall be increased by 2%, unless such an increase does not ensure the senior executive the minimum salary of his new scale, in which case he shall be integrated into the mini-

imum salary of his new scale or, unless the 2% increase has the effect of taking his salary above the maximum salary of his new scale, in which case he shall receive the maximum salary of his new scale.

*d)* When on 1 July 2005, the senior executive’s salary exceeds the maximum salary of his new scale, the senior executive shall receive a lump sum equal to the difference between the salary on 1 July and the maximum salary of his new scale. The lump sum shall be adjusted according to the change in salary.

*e)* The readjustment prescribed in the preceding paragraph ceases when the senior executive’s salary reaches or exceeds the 1 July 2005 salary.

**Evaluation Request**

3. A senior executive who, on the date on which the new classification plan comes into force, is of the opinion that the principal and usual duties and responsibilities that he performs do not correspond to any of the job descriptions prescribed in Schedule 1 may apply to the school board for an evaluation.

The school board shall submit the case to the Minister and shall provide a detailed description of the senior executive’s duties and responsibilities, the situation of the senior executive in the administrative structure of the school board, the eligibility requirements and any other information specified by the Minister.

Every evaluation request related to the integration into the new classification plan in effect on 2 July for which a case file is submitted to the Minister before 31 March 2006 shall have a retroactive effect to 2 July 2005.

**Other Conditions of Employment**

4. Benefits and indemnities received under parental rights or insurance plans (sections 42 to 85) shall be adjusted, on 2 July 2005, in the same manner as they are for salary scale adjustments.

**Classification of Senior Executives on 2 July 2005**

5. On 2 July 2005, a senior executive shall be integrated into the new classification plan according to the following table:



Classification 1 July 2005	Positions 2 July 2005	Population range 48 000 or more	Population range 24 000– 47 999	Population range 12 000– 23 999	Population range 6 000– 11 999	Population range 5 999 or less
HCO	Director general	17	16	15	14	13
HC1	Assistant director general	14	13	12	11	10
CC	Senior consultant to the director general	9	8	8	7	7

6. On 2 July 2005, the senior executive, except for the senior executive of the Comité de gestion de la taxe scolaire de l'île de Montréal, who held, on 1 July 2005, a regular senior executive staff position whose classification was determined by the Minister, under section 17 of this Regulation, shall be integrated on the basis of the class assigned by the Minister at the time of the integration. His salary shall be determined under section 2 of this schedule.

7. The senior executive who assumed his duties at the school board between 1 July 2005 and the day after the date of the coming into force of the Regulation shall be integrated into the new classification plan on the date on which he assumed his duties. This schedule applies by making the necessary changes.”

**40.** The Regulation is amended by adding the following Schedule 11:

#### “SCHEDULE 11

#### CONDITIONS OF EMPLOYMENT APPLICABLE TO SENIOR EXECUTIVES OF THE COMITÉ DE GESTION DE LA TAXE SCOLAIRE DE L'ÎLE DE MONTRÉAL

1. The provisions of this Regulation, except Schedules 2 and 10, apply, where applicable, to senior executives of the Comité de gestion de la taxe scolaire de l'île de Montréal (Comité de gestion de la taxe) by making the necessary changes, subject to the following special provisions.

#### JOB CLASSIFICATION AND CLASSIFICATION

2. Divisions 1 and 2 of Chapter 2 of this Regulation are replaced by the following provision:

The classification of a position corresponds to the class determined by the Minister in terms of the nature and complexity of the responsibilities inherent to each position based on the results of a job evaluation process

using the Hay® method. On 2 July 2005, the classification of the position of director general was determined by the Minister as follows:

Position	Class
Director general	13

The director general's salary shall be based on the salary scale in Schedule 3 corresponding to class 13 according to the rate in effect on 1 April 2003.

Class	Rates	
	Minimum	Maximum
13	\$87 920	\$117 227

3. The person who held, on 1 July 2005, a senior executive position that was not subject to an evaluation at the time of the coming into force of the new classification plan, may submit an evaluation request to the Comité de gestion de la taxe.

The Comité de gestion de la taxe shall submit the case to the Minister and shall provide a detailed description of the duties and responsibilities of the senior executive position, the situation of the senior executive in the administrative structure, the eligibility requirements and any other information specified by the Minister.

Every evaluation request related to the integration into the new classification plan in effect on 2 July for which a case file is submitted to the Minister before 31 March 2006 shall have a retroactive effect to 2 July 2005.

4. The senior executive who assumed his duties at the school board between 1 July 2005 and the day after the date of the coming into force of the Regulation shall be integrated into the new classification plan on the date on which he assumed his duties. This schedule applies by making the necessary changes.”

**41.** This regulation comes into force on 22 December 2005.

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Gouvernement du Québec

**T.B. 203184, 19 December 2005**

An Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10)

**Schedules VI and VII  
— Amendments**

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1)

**Schedules VII and VIII  
— Amendments**

Amendments to Schedules VI and VII to the Act respecting the Government and Public Employees Retirement Plan and to Schedules VII and VIII to the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 220 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1, VI and VII to the Act and any such order may have effect 12 months or less before it is made;

WHEREAS, under the first paragraph of section 217 of that Act, the rates of interest of Schedule VI to that Act are determined, for each period indicated, according to the rules and procedures determined by regulation and the rates of return on certain categories of amounts referred to in section 127 and designated by that regulation;

WHEREAS Schedule VI to that Act was last amended by section 177 of chapter 39 of the Statutes of 2004 to provide for the rate of interest based on the rates of return of certain funds payable under that Act as of 1 August 2004;

WHEREAS it is expedient to further amend Schedule VI to that Act to provide for the interest payable under the first paragraph of section 217 of that Act as of 1 June 2005;

WHEREAS, under the second paragraph of section 217 of that Act, the rates of interest of Schedule VII to that Act are determined, for each period indicated, according to the rules and procedures determined by regulation and based on an external index designated by that regulation;

WHEREAS Schedule VII to that Act was last amended by section 178 of chapter 39 of the Statutes of 2004 to provide for the rate of interest based on an external index payable under that Act as of 1 August 2004;

WHEREAS it is expedient to further amend Schedule VII to that Act to provide for the interest payable under the second paragraph of section 217 of that Act as of 1 June 2005;

WHEREAS, under the first paragraph of section 207 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, by order, amend Schedules I and III to VIII to that Act and any such order may have effect 12 months or less before it is made;

WHEREAS, under the first paragraph of section 204 of that Act, the rates of interest of Schedule VII to that Act are determined, for each period indicated, according to the rules and procedures determined by regulation and on the basis of the rates of return on certain classes of amounts referred to in section 177 of that Act and designated by that regulation;

WHEREAS Schedule VII to that Act was last amended by section 275 of chapter 39 of the Statutes of 2004 to provide for the rate of interest based on the rates of return of certain funds payable under that Act as of 1 August 2004;

WHEREAS it is expedient to further amend Schedule VII to that Act to provide for the interest payable under the first paragraph of section 204 of that Act as of 1 June 2005;

WHEREAS, under the second paragraph of section 204 of that Act, the rates of interest of Schedule VIII are determined, for each period indicated, according to the rules and procedures established by regulation and on the basis of an external index designated by that regulation;

WHEREAS Schedule VIII to that Act was last amended by section 276 of chapter 39 of the Statutes of 2004 to provide for the rate of interest based on an external index payable under that Act as of 1 August 2004;