

M.O., 2007**Order number 2007-006 of the Minister of Health and Social Services dated 21 June 2007**

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions

CONSIDERING the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions made by Order in Council 1217-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to senior administrators of regional boards and of public health and social services institutions”, approved by T.B. 193820 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions*

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 487.2)

1. Section 4 of the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions is amended by deleting the definition of “Centre de référence des directeurs généraux et des cadres”.

2. Section 57.1 of the regulation is amended in the second paragraph:

(1) by deleting the words “from the list” from the fourth sentence;

(2) by replacing the fifth sentence with the following: “The Minister shall appoint an expert physician from the list or whose name does not appear on the list within 10 days after receiving the request”.

3. Division 2 of Chapter 5 of the regulation is replaced with the following:

“DIVISION 2 PROFESSIONAL CAREER TRANSITION SERVICES

89. A senior administrator benefiting from employment stability measures and who has elected reinstatement has access to professional career transition services

* The previous amendment to the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions enacted by Order in Council 1217-96 of 25 September 1996 (1996, *G.O.* 2, 4173) was brought by regulation enacted by Ministerial Order 2006-019 of 4 August 2006 (2006, *G.O.* 2, 2841). For earlier amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2006, updated to 1 September 2006.

including among others reception, help and advice, and evaluation of his potential, as well as support in the setting-up of his reinstatement plan, in his search for employment and in orientating him towards available positions. These services are provided by a specialized resource that is external to the employer.

90. The employer shall provide, to a senior administrator benefiting from employment stability measures and who has elected reinstatement, access to the professional career transition services described in section 89. The cost of these services shall be borne by the employer.

91. The agency shall coordinate, in collaboration with the institutions, the setting-up and management of a bank of senior administrators on reserve and a bank of available positions to be filled with employers of the region.

91.1. The Minister shall ensure that the senior administrators on reserve receive the professional career transition services to which they are entitled. In that connection, the Minister shall determine, in collaboration with the agencies, the terms and conditions for evaluating the career transition services, convey the information to the employers' associations and to the Association des directeurs généraux des services de santé et des services sociaux du Québec and ensure that the appropriate follow-up actions are taken.”

4. The last paragraph of section 93 of the regulation is amended:

(1) by replacing the words “services of the Centre de référence” with the words “professional career transition services pursuant to section 89” in the first sentence;

(2) by replacing the words “the activities of the Centre de référence” with the words “such activities with the external resource retained by the employer to provide them” in the second sentence.

5. Section 96 of the regulation is replaced with the following:

“**96.** During the remaining period of the contract, the employer shall ensure that the senior administrator who has elected the maintenance of his employment contract has access to professional career transition services pursuant to section 89. The employer shall reimburse the senior administrator for travelling and living expenses incurred as a result of his participation in such activities with the external resources retained by the employer to provide them and for his authorized employment search activities.”

6. Section 99 of the regulation is amended by replacing the words “activities of the Centre de référence” with the words “professional career transition activities with the external resource retained by the employer to provide them”.

7. Section 100 of the regulation is amended:

(1) by replacing the words “Centre de référence” with the words “external resource retained by the employer to provide career transition services” in the first sentence of subparagraph 2;

(2) by replacing the numbers 6, 30 and 60 with the numbers 3, 20 and 40, respectively, in subparagraph 2;

(3) by adding the following sentence at the end of subparagraph 2: “A copy of the reinstatement plan shall be forwarded by the employer to the agency within 10 days following its acceptance”.

8. Section 107 of the regulation is amended by deleting subparagraph 4.

9. Section 118 of the regulation is amended by deleting the words “the Centre de référence des directeurs généraux et des cadres” from the third paragraph.

10. Section 140 of the regulation is replaced with the following:

“**140.** At the request of the senior administrator, the employer may provide access to career transition services to the senior administrator who benefits from a severance pay under section 134. These career transition services, the duration of which is determined by the employer, shall be of a minimum duration of 6 months and a maximum duration of 18 months.”

11. Section 158.3 of the regulation is repealed.

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