

7. Subparagraph 2 of the first paragraph of section 36 is replaced by the following:

“(2) the person’s presence is required, because of a serious illness or a serious accident, with the person’s child, spouse, spouse’s child, father, mother, father’s or mother’s spouse or any other person who is a member of the family for the purposes of the provisions in the Employment Insurance Regulations respecting compassionate care benefits.”.

8. Section 42 is amended by striking out paragraphs 5 and 6.

9. The following is inserted after section 43:

“**43.1.** For the purposes of section 41, the earnings of a recipient are allocated as follows:

(1) earnings payable for the performance of services are allocated to the period in which the services were performed;

(2) earnings paid without the performance of services or without regard to the services are allocated to the period for which they are payable;

(3) earnings paid that are from commissions are allocated

i. if they arise out of a transaction, to the week in which the transaction occurred;

ii. to the period in which the services that gave rise to the commission were performed; and

iii. to the period for which the earnings are payable, in any other case;

(4) earnings paid for holidays, including vacation and statutory holidays, are allocated

i. if the earnings are paid for a specific period, to that period; and

ii. if the earnings are paid in a lump sum without regard to a specific period, to the period for which they are payable;

(5) income replacement indemnities referred to in paragraphs 3 to 4.1 of section 42 are allocated to the period for which they are payable, except indemnities that are paid following the realization of a right, which are allocated to the period for which they are paid; and

(6) any other earnings paid are allocated

i. to the period for which they are payable;

ii. if they are not paid for a specific period, to the week in which they are paid; and

iii. if they arise out of a transaction, to the week in which the transaction occurred.

Where the period for which earnings are payable does not coincide with a week, the earnings are allocated to any week that is wholly or partly in the period in the proportion that the number of days concerned during the week is of the number of days concerned during the period.”.

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

8329

Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Personalized rates, retrospective adjustment of the assessment and use of employer experience — Amendments

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 20 September 2007, adopted the Regulation amending the Regulation respecting personalized rates, the Regulation respecting retrospective adjustment of the assessment and the Regulation respecting the use of employer experience.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 1754 in the *Gazette officielle du Québec* of 4 July 2007 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

RICHARD VERREAULT,
*Interim chairman of the Board of Directors
and Chief Executive Officer
of the Commission de la santé
et de la sécurité du travail*

Regulation to amend the Regulation respecting personalized rates*, the Regulation respecting retrospective adjustment of the assessment* and the Regulation respecting the use of employer experience*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpars. 7, 9 and 12.1)

1. The Regulation respecting personalized rates is amended in section 2.1 by replacing all that follows “of the Act to” by “that employer or an executive officer of the employer who, in addition to sitting on the board of directors, does work for the employer.”.

2. Schedule 1 is replaced by the following:

“SCHEDULE 1

(ss. 7, 20, 21)

For the year 2008:

— the qualification threshold is \$1,120;

— the amount used for the purposes of the calculation in section 20 is \$3,360;

— the amount used for the purposes of the calculation in section 21 is \$156,800.”.

* The Regulation respecting personalized rates, made by the Commission de la santé et de la sécurité du travail by Resolution A-86-98 dated 17 September 1998 (1998, *G.O.* 2, 3997), the Regulation respecting retrospective adjustment of the assessment, made by the Commission de la santé et de la sécurité du travail by Resolution A-85-98 dated 17 September 1998 (1998, *G.O.* 2, 4156) and the Regulation respecting the use of employer experience, approved by Order in Council 529-99 dated 5 May 1999 (1999, *G.O.* 2, 1282), were last amended by the Regulation to amend the Regulation respecting personalized rates, the Regulation respecting retrospective adjustment of the assessment and the Regulation respecting the use of employer experience, made by the Commission by Resolution A-15-07 dated 22 March 2007 (2007, *G.O.* 2, 1311). For previous amendments to the Regulation respecting personalized rates and the Regulation respecting retrospective adjustment of the assessment, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

3. The Regulation respecting retrospective adjustment of the assessment is amended in section 2.1 by replacing all that follows “of the Act to” by “that employer or an executive officer of the employer who, in addition to sitting on the board of directors, does work for the employer.”.

4. The Regulation respecting the use of employer experience is amended in section 3.1 by replacing all that follows “of the Act to” by “that employer or an executive officer of the employer who, in addition to sitting on the board of directors, does work for the employer.”.

5. The provisions of section 2 of this Regulation apply to the 2008 assessment year and those of sections 1, 3 and 4 apply to the same assessment year and to subsequent years.

8310

Notice

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Assessment on employers

— Applicable percentages for the payment of benefits

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 20 September 2007, adopted the Regulation respecting the applicable percentages for the purposes of levying the assessment on employers personally liable for the payment of benefits for 2008.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 1610 in the *Gazette officielle du Québec* of 4 July 2007 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

RICHARD VERREULT,
*Interim chairman of the Board of Directors
and Chief Executive Officer
of the Commission de la santé
et de la sécurité du travail*