

## Decisions

Gouvernement du Québec

**T.B. 216861, 4 October 2016**

Public Service Act  
(chapter F-3.1.1)

### Promotion further to the upgrading of a position

Regulation respecting promotion further to the upgrading of a position

WHEREAS, under subparagraph 6 of the first paragraph of section 50.1 of the Public Service Act (chapter F-3.1.1), the Conseil du trésor determines, by regulation, conditions, cases and categories of cases where the upgrading of a position may allow promotion otherwise than through a qualification process;

WHEREAS, in accordance with the second paragraph of section 50.1 of the Act, a draft Regulation respecting promotion further to the upgrading of a position was published in Part 2 of the *Gazette officielle du Québec* of 6 July 2016 with a notice that it could be made by the Conseil du trésor, with or without amendment, on the expiry of 30 days following that publication;

WHEREAS the 30-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation respecting promotion further to the upgrading of a position, attached hereto, be made.

*La greffière du Conseil du trésor,*  
MARIE-CLAUDE RIOUX

### Regulation respecting promotion further to the upgrading of a position

Public Service Act  
(chapter F-3.1.1, s. 50.1, 1st par., subpar. 6)

**1.** Subject to the provisions of the second paragraph of section 42 of the Public Service Act (chapter F-3.1.1), a public servant whose position has been upgraded shall be promoted where all of the following conditions are met:

(1) the public servant's classification must be at the same level as that of the position occupied before the position was upgraded;

(2) the public servant must have held the position for at least one year before it was upgraded;

(3) the position held by the public servant must have been upgraded as a result of a complexification in some or all of the principal and usual duties of the position;

(4) the upgraded position must require predominantly the same type of skills as those required by the position held by the public servant before the position was upgraded;

(5) the public servant has not already had his or her qualifications assessed with a view to the upgraded position under this Regulation or the Promotion without a Competition Regulation (chapter F-3.1.1, r. 4).

In addition, the promotion of a public servant under this Regulation to a team leader position or manager position is permitted only if the position occupied by the public servant before the upgrading included, principally and usually, team leader or manager responsibilities.

**2.** The Promotion without a Competition Regulation is revoked.

**3.** This Regulation comes into force on 10 November 2016.

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