

Erratum

M.O., 2017

Order of the Minister responsible for Higher Education dated 10 July 2017

General and Vocational Colleges Act
(chapter C-29)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges

Gazette officielle du Québec, Part 2, August 30, 2017, Volume 149, No. 35, page 2595.

On page 2596 and following, beginning with section 12, the regulation should read as follows:

“12. Section 47 of the Regulation is amended:

1° by replacing the first subparagraph by the following:

(1) “he may retain the services of a specialized placement or career management firm which include resourcing, counselling and assessment of potential as well as support activities in the development of his relocation plan, job search and outplacement designed to assist senior executives in finding suitable employment. These services shall be provided by an external resource specialized in this field;”;

2° by adding in the second paragraph after the words “from the date he finds employment”, “in an agency in the public or parapublic sector”.

13. Section 75 of the Regulation is amended by adding the word “total” before “disability”.

14. Section 78 of the Regulation is amended by adding the following paragraphs at the end:

“For the purposes of the short-term salary insurance plan, period of total disability means any continuous period of total disability or any series of successive periods of total disability resulting from the same illness or accident, separated by fewer than 15 days of actual full-time work or, as the case may be, part-time work in accordance with the senior executive’s regular position. The computation of the 15-day period of actual work shall not take into account vacation, paid legal holidays, leaves without pay, leaves related to parental rights or any other absence, remunerated or not.

Total disability resulting from a deliberately self-inflicted illness or injury, alcoholism or drug addiction, service in the armed forces, active participation in a riot or insurrection, or from indictable or other offences shall not be recognized as a period of total disability. However, in the case of alcoholism or drug addiction, the period during which a senior executive is receiving treatment or medical care with a view to his rehabilitation shall be recognized as a period of total disability. Also, the period of disability related to an organ donation without compensation shall be recognized as a period of total disability.”.

15. Section 79 of the Regulation is repealed.

16. Section 121 of the Regulation is amended by replacing “Human Resources and Skills Development Canada (HRSDC)” by “Employment and Social Development Canada (ESDC)”.

17. Section 121.2 of the Regulation is amended by adding at the end, the words “as well as the responsibility premiums to the exclusion of others”.

18. Section 131 of the Regulation is amended:

1° by replacing the first paragraph by the following:

“A senior executive who has accumulated 20 weeks of service and who is eligible for benefits under the Québec Parental Insurance Plan shall receive for the 21 weeks of her maternity leave an allowance based on the following formula:

(1) sum of:

(a) the amount equal to 100% of the senior executive’s basic weekly salary up to \$225; and

(b) the amount equal to 88% of the difference between the senior executive’s basic weekly salary and the amount determined under subparagraph *a* above; and

(2) from which sum, the amount of maternity or parental benefits that the senior executive is receiving or would receive under the Québec Parental Insurance Plan after submitting an application is deducted.”;

2° by replacing, in the fourth paragraph, “93% of the basic salary” by “the amount determined in paragraph 1 of the first paragraph”.

19. Section 135 of the Regulation is amended by replacing “93% of the basic salary paid” by “the gross amount determined in paragraph 1 of the first paragraph of section 131. The formula must be applied to the sum of the basic weekly salaries received”.

20. Section 136 of the Regulation is amended:

1° by replacing the first paragraph by the following:

“A senior executive who has accumulated 20 weeks of service and who is eligible for benefits under the Employment Insurance Plan, but is not eligible for benefits under the Québec Parental Insurance Plan, is entitled to receive during her maternity leave of 20 weeks, an allowance based on the following formula:

A) For each week of the waiting period prescribed by the Employment Insurance Plan, an allowance calculated as follows:

sum of:

(a) the amount equal to 100% of the senior executive’s basic weekly salary up to \$225; and

(b) the amount equal to 88% of the difference between the senior executive’s basic weekly salary and the amount determined under subparagraph *a* above.

B) For each week following the period prescribed in paragraph A), an allowance based on the following formula:

(1) sum of

(a) the amount equal to 100% of the senior executive’s basic weekly salary up to \$225; and

(b) the amount equal to 88% of the difference between the senior executive’s basic weekly salary and the amount determined under subparagraph *a* above; and

(2) from which sum, the amount of maternity or parental benefits that the senior executive is receiving or would receive under the Employment Insurance Plan after submitting an application is deducted.”;

2° by replacing, in the fourth paragraph:

(a) “93% of the basic salary” by “the amount determined in paragraph 1 of paragraph B) of the first paragraph”;

(b) “HRSDC” by “ESDC”;

3° by replacing, in the fifth paragraph:

(a) “HRSDC” by “ESDC”;

(b) “in the first subparagraph of paragraph *b*” by “in paragraph B) of the first paragraph”.

21. Section 137 of the Regulation is amended by replacing the second paragraph by the following:

“However, the senior executive who has accumulated 20 weeks of service is entitled to an allowance based on the following formula for 12 weeks, if she is not receiving benefits under a parental rights plan established by another province or territory:

sum of:

(a) the amount equal to 100% of the senior executive’s basic weekly salary up to \$225; and

(b) the amount equal to 88% of the difference between the senior executive’s basic weekly salary and the amount determined under subparagraph *a* above.

Sections 133 to 135 apply to this subdivision with the necessary changes.”.

22. Section 138 of the Regulation is amended:

1° by replacing, in the third paragraph of subparagraph *b*:

(a) “Ministry of Employment and Social Solidarity” by “Ministère du Travail, de l’Emploi et de la Solidarité sociale”;

(b) “HRSDC” by “ESDC”;

2° by replacing, in the first paragraph of paragraph *c*, “health and social service agencies” by “integrated health and social services centres (CISSS) and integrated university health and social services centres (CIUSSS)”;

23. Section 141 of the Regulation is amended:

1° by adding in the first paragraph after the words “the senior executive”, “who has completed 20 weeks of service”;

2° by replacing, in the second paragraph, “subparagraph *b* of section 136” by “paragraph B) of the first paragraph of section 136”;

3° by adding, after the second paragraph, the following:

“The senior executive shall accumulate service if his absence is authorized, particularly for disability, and includes benefits or remuneration.”

24. Section 141.1 of the Regulation is amended:

1° by adding at the end, “, if the senior executive has completed 20 weeks of service”;

2° by adding the following second paragraph:

“The senior executive shall accumulate service if his absence is authorized, particularly for disability, and includes benefits or remuneration.”

25. Section 141.2 of the Regulation is amended by replacing “Subparagraphs *a* and *b* of section 138 apply” by “Section 138 applies”.

26. Section 142.3 of the Regulation is amended:

1° by adding in the first paragraph after the words “the senior executive”, “who has completed 20 weeks of service”;

2° by replacing, in the second paragraph, “subparagraph *b* of section 136” by “paragraph B) of the first paragraph of section 136”;

3° by adding, after the second paragraph, the following:

“2. Salary Scales

CLASSES	Rates on 2016-12-30 (\$)		Rates on 2017-04-01 (\$)		Rates on 2018-04-01 (\$)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
15	116 949	155 928	118 996	158 657	121 376	161 830
14	110 485	147 310	112 418	149 888	114 666	152 886
13	104 379	139 169	106 206	141 604	108 330	144 436
12	98 611	131 478	100 337	133 779	102 344	136 455
11	93 161	124 212	94 791	126 386	96 687	128 914
10	88 012	117 347	89 552	119 401	91 343	121 789
9	83 148	110 861	84 603	112 801	86 295	115 057

” ”

“The senior executive shall accumulate service if his or her absence is authorized, particularly for disability, and includes benefits or remuneration.”

27. Section 142.4 of the Regulation is amended:

1° by adding at the end, “, if the senior executive has completed 20 weeks of service”;

2° by adding the following second paragraph:

“The senior executive shall accumulate service if his or her absence is authorized, particularly for disability, and includes benefits or remuneration.”

28. Section 146 of the Regulation is amended by replacing “Subparagraphs *a* and *b* of section 138 apply” by “Section 138 applies”.

29. Section 215 of the Regulation is replaced by the following:

“**215.** The honoraria and fees of the chairman shall be borne by the party that loses, withdraws or requests a postponement of the hearing.

However, in the case of a disagreement relating to a dismissal, the honoraria and fees of the chairman shall be borne by the Minister.

In all other cases, the honoraria and fees of the chairman shall be borne equally by the parties.”

30. Section 2 of Schedule II of the Regulation is replaced by the following:

31. The Regulation respecting certain conditions of employment of senior executives of general and vocational colleges is amended by replacing the reference “R.S.Q.” by “CQLR”, wherever it is found.

32. The provisions of Chapter IX of the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges as they read on the day before the day on which this Regulation comes into force continue to apply to the senior executive already on maternity, paternity or adoption leave for the duration of the leave applicable to the event.

33. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.”

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