

The senior administrator may not hold his position during his designation to carry out the project. At the end of his designation, the senior administrator resumes his position with his employer, subject to the provisions respecting employment stability provided for in Chapter 5. The senior administrator's choice under section 94 is made at the end of his designation.

The allowance is paid to the senior administrator in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.”

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

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M.O., 2018

Order number 2018 006 of the Minister of Health and Social Services dated 20 March 2018

An Act respecting health services and social services (chapter S-4.2)

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

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services (chapter S-4.2), which provides in particular that the Minister may, by regulation, determine the standards and scales which must be used by agencies, public institutions and private institutions under agreement for the selection, appointment and engagement of and the remuneration and other terms of employment applicable to senior and middle management personnel;

CONSIDERING that the Minister made the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1);

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING the authorization obtained by the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act;

CONSIDERING that it is expedient to make the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, attached as a Schedule, is hereby made.

GAÉTAN BARRETTE,
*Minister of Health and
Social Services*

Regulation to amend the regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

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

1. The Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) is amended in section 14 by inserting the following after the second paragraph:

“Despite the second paragraph, as of 1 April 2019, the salary increase granted to an officer shall vary between 0% and 6%, provided such increase does not take the officer's salary above the maximum for the salary class of the position he holds.

The terms of increase are established as follows:

- (1) 0% where the officer does not meet the expectations;
- (2) 2% where the officer partially meets the expectations;
- (3) 4% where the officer meets the expectations;
- (4) 6% where the officer far exceeds the expectations (the employer grants 6% to a maximum of 25% of officers on the rise).

Where an employer does not carry out the officer's performance appraisal, a salary increase of 4% is granted to that officer.”

2. Section 25 is amended by replacing the second paragraph by the following:

“Where the rule provided for in the first paragraph no longer applies, the officer shall be entitled to the salary rules provided for in the second paragraph of section 20, with the necessary modifications.”

3. Section 27 is amended

(1) by inserting “intermediate” before “officer” in the first and second paragraphs;

(2) by adding the following paragraph at the end:

“Except for the period from 1 April 2018 to 31 March 2019, the provisions of this section apply to a physician officer referred to in section 8.1, with the necessary modifications.”

4. Section 29.0.1 is amended by inserting the following after the second paragraph:

“As of 1 April 2017, an officer who holds an office of senior managerial advisor in nursing care to supervise the quality of the practice and whose usual powers of his office are exercised at more than 50% in a unit or activity centre referred to in the first or second paragraph receives an allowance for critical care of 14% of the officer’s salary. As of that same date, the officer who coordinates the unit’s or activity centre’s evening, night, weekend or statutory holiday activities referred to in the first or second paragraph receives 25% of that allowance.”

5. Section 29.0.1.1 is amended by inserting the following after the first paragraph:

“As of 1 April 2017, an officer who holds an office of senior managerial advisor in nursing care to supervise the quality of the practice and whose usual powers of his office are exercised at more than 50% in an activity centre referred to in the first paragraph also receives that allowance.”

6. Section 29.0.1.2 is amended by inserting the following after the first paragraph:

“The rule referred to in the first paragraph applies to a senior managerial advisor, with the necessary modifications.”

7. Subdivision 7 of Division 8 of Chapter 3 is replaced by the following:

“§7. Attraction and retention allowance for officers on the roll of the Ordre des psychologues du Québec

29.0.4. An officer of the psychologist profession who is a member of the Ordre des psychologues du Québec carrying out a duty whose nature of the position corresponds to the training and profession required to hold such a managerial duty receives an attraction and retention allowance of

(1) 9.5% for the period from 1 April 2017 to 1 April 2019;

(2) 6.9% for the period from 2 April 2019 to 30 March 2020.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer’s pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

“§8. Attraction and retention allowance for officers on the roll of the Barreau du Québec

29.0.5. An officer of the advocate profession who is a member of the Barreau du Québec carrying out a duty whose nature of the position corresponds to the training and profession required to hold such a managerial duty receives, as of 1 April 2017, an attraction and retention allowance.

For an officer who has reached for at least 1 year the maximum of the officer’s salary class, the allowance is 5% of the officer’s salary. That percentage is increased to 10% for the officer who has reached it for at least 2 years and to 15% after at least 3 years. Despite the foregoing, for the officer referred to in section 24 or 25, the salary shall be the salary determined by those sections.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer’s pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

“§9. Attraction and retention allowance for medical physician officers

29.0.6. As of 1 April 2017, an officer who holds graduate-level training attesting to graduate studies recognized in medical physics and who directly supervises a unit or service where activities related to the officer’s field of studies are mainly carried out receives an attraction and retention allowance of 6.2% of the officer’s salary.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

“§10. Attraction and retention allowance for occupational hygiene technician officers

29.0.7. As of 1 April 2017, an officer who holds a diploma of college studies in environmental, occupational health and safety techniques and who directly supervises a unit or service where activities related to the officer's field of studies are mainly carried out receives an attraction and retention allowance of 13.5% of the officer's salary.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

“§11. Attraction and retention allowance for biomedical engineering technician officers

29.0.8. As of 1 April 2017, an officer who holds a diploma of college studies with a specialization in electrical engineering and who directly supervises a unit or service where activities related to the officer's field of studies are mainly carried out receives an attraction and retention allowance of 9% of the officer's salary.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

“§12. Availability allowance

29.0.9. As of 1 April 2018, where the duty of a senior officer requires that the senior officer be available on a regular and continuous basis outside the senior officer's standard work schedule and that the establishment in which the senior officer works offers services 24 hours a day and 7 days a week, the senior officer receives an availability allowance.

That allowance represents 3.5% of the director's salary and 3% of the assistant director's salary. The allowance replaces the compensation for availability referred to in section 27.

The allowance is paid to the senior officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked.

The board of directors of the institution must designate the senior officer who is required to ensure continuity in the delivery of health services or social services in order to avoid any break in the continuity of such services.

This section does not apply to a physician officer referred to in section 8.1.”

8. Section 29.1 is amended by adding the following at the end:

“As of 1 April 2017, an officer who holds an office of senior managerial advisor where the usual powers of his office are exercised at more than 50% in psychiatry shall receive the holidays referred to in the first paragraph.”

9. The following is inserted after section 29.1:

**“DIVISION 10
DEVELOPMENT OF MAJOR OR NATIONAL
LARGE-SCALE PROJECTS**

29.2. As of 1 April 2018, an officer required by his employer for the development or implementation of a major or national large-scale project receives an allowance of 5% or 10% of the officer's salary.

The allowance depends on the scope of participation in the project. The scope is measured, among other things, by the scale of the desired objectives and expected results, as well as the leeway and power of representation granted to the officer.

The major or national large-scale project must have been authorized by the Minister. The Minister establishes the percentage of the allowance based on the scope of participation of the senior administrator in the project. The project is valid for a maximum period of 18 months. It may be extended by 9 months, subject to the authorization of the Minister.

The officer may not hold his position during his designation to carry out the project. At the end of his designation, the officer resumes his position with his employer, subject to the provisions respecting employment stability provided for in Chapter 5. The officer's choice under section 94 is made at the end of his designation.

The allowance is paid to the officer in the form of a lump sum in proportion to the time worked and according to the procedures of the employer's pay system. A statutory holiday, a flexible leave, an annual leave and a personal leave are considered to be time worked."

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

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