

an employee on maternity leave, the annual pensionable salary that the person would have been entitled to, had it not been for that absence or leave, if the person had benefitted from such conditions of employment.

In the case where the person, under the conditions of employment that should have been applicable during that period, would not have received salary on the date *Retraite Québec* received the person's application for redemption, the tariff applies to the annual pensionable salary that would have been paid on that date if the person had continued to hold, up to that date, the employment held on the last day worked.

If that employment no longer exists with the employer, the tariff applies to the annual pensionable salary that would have been received if the person had benefitted from the conditions of employment that should have applied on the last day worked, increased by the percentage increase in the salary scales provided for in the conditions of employment applicable to employment in the same class with an employer whose conditions of employment are governed by the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) between the last day and the day the person's application for redemption is received at *Retraite Québec*."

4. The Regulation is amended by inserting the following after section 32:

"DIVISION XII.1

CONDITIONS AND TERMS OF PAYMENT OF AN AMOUNT BY THE EMPLOYER ON REDEMPTION
(s. 134, 1st par., subpar. 14.1.1)

32.1. For the purposes of section 115.10.7.3 of the Act, an employer must pay, within 30 days of the date of the statement of account sent by *Retraite Québec*, the amount established in the statement.

Any amount not paid within the 30-day period is increased by interest, compounded annually, at the rate in Schedule VII to the Act in force on the statement of account date and calculated as of that date."

5. Schedule 0.I is amended by adding the following section at the end:

"6- The tariff applicable to pay the cost of redemption of service under section 115.10.7.1 of the Act in respect of a year or part of a year of service prior to 1 January 1988 is the tariff appearing in the table in section 3 of this Schedule.

The tariff applicable to pay the cost of redemption of service under section 115.10.7.1 of the Act in respect of a year or part of a year of service after 31 December 1987 is the tariff appearing in the table in section 1 of this Schedule."

6. This Regulation has effect from 21 March 2018, except subparagraphs 1 and 2 of the first paragraph of section 0.1.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan, enacted by section 1, which have effect from 14 June 2002, and subparagraphs 3 to 5 of the first paragraph and the second and third paragraphs of that section 0.1.1, which have effect from 17 July 2018.

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Gouvernement du Québec

T.B. 219767, 17 July 2018

Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

**Application of Title IV.2 of the Act
—Amendment**

Regulation to amend the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under subparagraph 1 of the first paragraph of section 215.13 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Government may, by regulation, determine the manner in which a person's pensionable salary, annualized pensionable salary, credited service and employee and employer contributions, together with the terms and conditions governing the payment of those contributions, are calculated for the purposes of the pension plan following the application of certain provisions of a person's conditions of employment, in particular within the scope of measures concerning alternative work schedules or the granting of leave without pay to reduce certain costs arising from the conditions of employment, or following the application of sections 79.3, 79.16 and 81.15 of the Act respecting labour standards (chapter N-1.1);

WHEREAS the Government made the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 4), by Order in Council 690-96 dated 12 June 1996;

WHEREAS it is expedient to amend the Regulation;

WHEREAS under the first paragraph of section 215.17 of the Act, government regulations under Title IV.2 are made after Retraite Québec has consulted with the pension committees referred to in section 163, section 139.3 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) and section 196.2 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1);

WHEREAS under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor, after consulting the Minister of Finance, exercises the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except for certain powers;

WHEREAS the consultations have been held, except consultations with the committee referred to in section 139.3 of the Act respecting the Pension Plan of Peace Officers in Correctional Services, since the proposed amendments are not applicable to the members of the Pension Plan of Peace Officers in Correctional Services;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan

Act respecting the Government and Public Employees Retirement Plan (chapter R-10, s. 215.13, 1st par., subpar. 1)

1. Section 4 of the Regulation respecting the application of Title IV.2 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 4) is amended by adding the following paragraphs:

“The service and the salary used for the purposes of the pension plan concerned are not reduced during the days and parts of a day of an absence described in

subparagraph 5 of the first paragraph of section 0.0.0.2 of the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers (chapter R-9.1, r. 1), of section 0.1.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2), of section 2.2 of the Regulation under the Act respecting the Teachers Pension Plan (chapter R-11, r. 1), of section 3.1 of the Regulation under the Act respecting the Civil Service Superannuation Plan (chapter R-12, r. 1) or of section 1.2 of the Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1), if the agreement concerned provides for payment of a contribution pursuant to the person’s pension plan. For that purpose, a person’s service is the service that would have been credited and the person’s pensionable salary is the pensionable salary that would have been received, had the person not been dismissed. Contributions must be paid to Retraite Québec in accordance with the provisions of the person’s pension plan. The same applies to any contributory amounts that must be paid by employers. Despite the foregoing, the agreement may provide that a person’s service is less than the service that would have been credited and that the person’s pensionable salary is less than the salary that would have been received. In that case, the person may have the days and parts of a day not credited counted in accordance with the provisions concerning redemption of absence without pay in the retirement plan of which the person is a member even though the person does not hold pensionable employment.

This section does not apply in respect of an absence described in subparagraphs 3 and 4 of the first paragraph of section 0.0.0.2 of the Regulation respecting the application of the Act respecting the Pension Plan of Certain Teachers, of section 0.1.1 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan, of section 2.2 of the Regulation under the Act respecting the Teachers Pension Plan, of section 3.1 of the Regulation under the Act respecting the Civil Service Superannuation Plan or of section 1.2 of the Regulation under the Act respecting the Pension Plan of Management Personnel.”

2. This Regulation comes into force on 17 July 2018.

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