

(1) where the college requires a senior staff member to be available on standby on a continuous basis (evenings, nights and weekends) to carry out responsibilities related to the performance of his duties, a senior staff member must receive a premium equivalent to 33.33% of his straight-time hourly rate for each 8-hour stand-by period;

(2) where the college requires a senior staff member to be available on standby on an occasional basis or in any situation other than the one described in paragraph 1, a senior staff member must receive a premium equivalent to one hour's pay at the straight-time rate for each 8-hour stand-by period.

The senior staff member who receives such a premium must be able to report to work in the usual commuting time.”

**3.** Section 29 of the Regulation is amended by replacing, at the end, “under the conditions prescribed by the management policy” by “ under the same conditions as those prescribed in the second and third paragraphs of section 28”.

**4.** Section 53 of the Regulation is amended by replacing:

1° in the first paragraph, “less than 30 days” by “30 days or less”;

2° in the second paragraph, “30 days or more” by “more than 30 days”.

**5.** Section 222 of the Regulation is amended by replacing in the French text, “se” by “sa”.

**6.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*, except for section 2 which will come into force on 1 April 2019.

103700

## M.O., 2018

### Order of the Minister of Education, Recreation and Sports dated 17 August 2018

Education Act  
(chapter I-13.3)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

WHEREAS in and by section 451 of the Education Act (chapter I-13.3);

WHEREAS the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 10 May 2012 approved by the Conseil du trésor on 8 May 2012 (C.T. 211408) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 451 of the Education Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal, herewith attached, be made.

SÉBASTIEN PROULX,  
*The Minister of Education,  
Recreation and Sports*

## Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal<sup>1</sup>

Education Act  
(chapter I-13.3, s. 451)

**1.** Section 1 of the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal is amended:

1° by replacing, in the definition “association of administrators”, “the Association des cadres scolaires du Québec” by “the Association québécoise des cadres scolaires”;

2° by replacing in the definition “association of senior staff of centres”:

(a) “the Association des cadres scolaires du Québec” by “the Association québécoise des cadres scolaires”;

(b) “, the Association québécoise du personnel de direction des écoles or the Association des directions d'établissement d'enseignement de la Rive-Sud” by “or the Association québécoise du personnel de direction des écoles”;

3° by replacing, in the definition “association of senior staff of schools”, “, the Association des cadres scolaires du Québec or the Association des directions d'établissement d'enseignement de la Rive-Sud” by “or the Association québécoise des cadres scolaires”;

4° by replacing the definition of “Ministère” by “the Ministère de l'Éducation et de l'Enseignement supérieur”.

**2.** Section 7 of the Regulation is amended by replacing subparagraph *a*) of paragraph 1 by the following:

“(a) Senior staff of services

i. director

ii. assistant director of services

iii. coordinator

iv. personnel management consultant”.

**3.** Section 11 of the Regulation is amended by replacing, in the third paragraph, “one year” by “two years”.

**4.** Section 28 of the Regulation is amended:

1° by replacing the first paragraph by the following:

“The salary of a person already employed by an agency in the education sector in the teaching, professional or support staff category shall be increased by 10% of the maximum of the new salary scale that is applicable to him.”;

2° by replacing the second sentence of the second paragraph by the following: “In addition, he shall receive a lump sum equal to the positive difference between the amount determined and the maximum of the new salary scale”.

**5.** The Regulation is amended by adding, after section 30, the following:

“**30.1.** The application of section 30 cannot have the effect of granting a senior staff member a salary that is lower than that he has already received for the same position and the same salary class, except in the case of a demotion resulting from a disciplinary measure.”.

**6.** Section 32 of the Regulation is amended by replacing “, except if an assignment results from an express request by the senior staff member or from a disciplinary measure; in both cases, the application of such a procedure by the school board is optional.” by “according to the terms and conditions prescribed therein.”.

**7.** Section 48 of the Regulation is amended by replacing:

1° in the first paragraph, “\$2 500” by “\$2 600”;

2° in paragraph 2, “the senior staff member must perform his duties as principal for 50% or more of his time in such a school” by “the school board must determine whether 50% or more of the senior staff member's working time is spent at that school”.

**8.** The Regulation is amended by adding, after section 50, the following:

“**50.1.** When there is no foreman or superintendent of material resources in the school board, the school board may grant an allowance to a coordinator of material resources.”.

1. The Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 10 May 2012 (2012, G.O. 2, 1817) and was amended by the Regulation made by the Minister's Order dated 30 March 2017 (2017, G.O. 2, 996), the Regulation made by the Minister's Order dated 14 August 2017 (2017, G.O. 2, 2607) and the Regulation made by the Minister's Order dated 30 April 2018 (2018, G.O. 2, 2290).

**9.** Section 58 of the Regulation is amended:

1° by adding, at the end of the first paragraph, “and to a senior staff member assigned to a professional, teaching or support staff position.”;

2° by replacing the second and third paragraphs by the following:

“However, this division does not apply to an assignment resulting from a disciplinary measure and to a movement of personnel resulting from subdivisions 1 and 2 of Division VII of this chapter.”.

**10.** Section 60 of the Regulation is replaced by the following:

“60. The senior staff member shall be granted the salary protection prescribed in section 59 until the maximum of the salary scale of the senior staff member’s new class of employment has reached his former salary.

However, in the case of an express request by the senior staff member, the application of the salary readjustment procedure is optional and cannot exceed two years for the same assignment.”.

**11.** Section 121 of the Regulation is amended by replacing in the French text “s’appliquent” by “s’applique”.**12.** Section 125 of the Regulation is amended by replacing, in paragraph 2 of the French text, “habilités” by “habiletés”.**13.** Section 132 of the Regulation is amended by replacing, in paragraph 1 of the French text, “the Comité de perfectionnement des services et des cadres de gérance” by “the Comité de perfectionnement des cadres et des gérants”.**14.** Section 139 of the Regulation is amended by replacing, “the Regional Placement Bureau or the Provincial Relocation Bureau” by “the Bureau national de placement”.**15.** Section 195 of the Regulation is amended by replacing, in the second paragraph, “20” by “30”.**16.** Section 196 of the Regulation is amended by replacing, in the third paragraph, “shall have 20 working days” by “shall have 30 working days”.**17.** Section 198 of the Regulation is amended by replacing “rue Saint-Amable” by “rue Jacques-Parizeau”.**18.** Section 206 of the Regulation is amended by replacing paragraph 1 by the following:

“(1) In the case of a dismissal, termination of employment or assignment to another position:

(a) order the school board to reinstate the senior staff member in his position;

(b) order the school board to reinstate the senior staff member in a position for which he is qualified as determined by the school board. In addition, the Appeals Committee may order the school board to apply the salary readjustment procedure outlined in sections 58 to 60, without taking into account the two-year limit prescribed in section 60;

(c) order the school board to pay the senior staff member compensation for damages equal to two months’ salary for every year of service in a senior staff position; the compensation may not be less than three months’ salary or more than 12 months’ salary;

(d) render any other decision the Appeals Committee believes fair and reasonable, taking into account all the circumstances of the matter.”.

**19.** Section 207 of the Regulation is amended by replacing, in the second paragraph, “30 working days” by “90 days”.**20.** Section 213 of the Regulation is replaced by the following:

“213. A disagreement that has already been the subject of a notice shall be subject to the provisions of Chapter IX as they read when the notice was submitted.”.

**21.** Schedule VI of the Regulation is amended by replacing, in the first paragraph of section 2, “the Regional Placement Bureau or the Provincial Relocation Bureau” by “the Bureau national de placement”.**22.** Schedule X of the Regulation is amended by replacing:

1° in the description of the Comité consultatif des administrateurs “the Association des cadres scolaires du Québec” by “the Association québécoise des cadres scolaires”;

2° in the description of the Comité du personnel de direction d’école “, the Association des cadres scolaires du Québec and the Association des directions d’établissement d’enseignement de la Rive-Sud” by “and the Association québécoise des cadres scolaires”;

3° in the description of the Comité du personnel de direction de centre:

(a) “the Association des cadres scolaires du Québec” by “the Association québécoise des cadres scolaires”;

(b) “, the Association québécoise du personnel de direction des écoles and the Association des directions d’établissement d’enseignement de la Rive-Sud” by “and the Association québécoise du personnel de direction des écoles”.

**23.** Schedule XIII of the Regulation is amended by:

1° replacing, in paragraph 2 of section 3, “the Direction régionale de Montréal of the Ministère.” by “the Bureau national de placement.”;

2° deleting, in paragraph 3 of section 3, “or at the Direction régionale de Montréal of the Ministère”.

**24.** The Regulation is amended by replacing, wherever the reference “R.S.Q.” occurs, by the reference “CQLR”.

**25.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*, except for sections 4 to 6, paragraph 1 of section 7 and sections 8 to 10 which will come into force on 1 April 2019.

103702