

Regulations and other Acts

Gouvernement du Québec

O.C. 132-2020, 26 February 2020

An Act respecting the Régie du logement
(chapter R-8.1)

Régie du logement — Remuneration and other conditions of office of commissioners — Amendment

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement

WHEREAS, under subparagraph 1 of the first paragraph of section 7.14 of the Act respecting the Régie du logement (chapter R-8.1), the Government determines, by regulation, the mode of remuneration of the commissioners of the Régie du logement and the applicable standards and scales, as well as the other conditions of office of those commissioners;

WHEREAS, under the second paragraph of section 7.14, the Government may similarly determine other conditions of office for all or certain commissioners, including social benefits other than the pension plan;

WHEREAS, under the third paragraph of section 7.14, the regulatory provisions may vary according to whether they apply to full-time or part-time commissioners or to a commissioner charged with an administrative office within the board;

WHEREAS the Government made the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (chapter R-8.1, r. 5.1);

WHEREAS it is expedient to amend the Regulation following the amendments made by Order in Council 1255-2019 of 18 December 2019 to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (in French only), which was made by Order in Council 450-2007 of 20 June 2007;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Housing:

THAT the Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement

An Act respecting the Régie du logement
(chapter R-8.1, s. 7.14)

1. The Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement (chapter R-8.1, r. 5.1) is amended in section 3 by replacing the first paragraph by the following:

“When a full-time commissioner takes office at the Board, his starting salary is determined by taking into account the level of the position to be filled and their employment income, in accordance with the standards prescribed in Schedule II. An amount representing 10% of the maximum of the salary scale applicable is added to that starting salary, subject to having reached the maximum of that salary scale.”

2. Section 4 is amended by adding the following paragraphs at the end:

“The deduction of an amount corresponding to half the amount of the retirement pension, provided for in the first paragraph, is applicable for the 2 years following the retirement date.

In the case of a part-time commissioner, the deduction of an amount corresponding to half the amount of the retirement pension is not applicable.”

3. Section 7 is amended by replacing “salary of the” by “or greater than the regular maximum of the salary” everywhere it appears.

4. Section 15 is amended by adding the following paragraph at the end:

“The vacation days accumulated by a full-time commissioner or a vice-chairman in the context of their functions at the Board and that are unused upon their departure will be reimbursed to the full-time commissioner or vice-chairman by the Board at that time.”

5. Section 16 is amended by adding the following paragraph at the end:

“The vacation days accumulated by the chairman of the Board in the context of his functions at the Board and that are unused upon his departure will be reimbursed to the chairman by the Board at that time.”

6. The following subdivision is inserted after subdivision 4 of Division II:

“§4.1. Other days off

17.1. Full-time commissioners are entitled to paid days of absence, the duration of which must be agreed upon in advance with the chairman of the Board, for the purpose of a marriage or civil union, a birth, the adoption of a child, a death, moving or for any other reason considered appropriate, in accordance with the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique (C.T. 208914, 2010-04-20, in French only) and its amendments.

17.2. Full-time commissioners benefit from the provisions concerning parental rights that are provided under chapter 13 of the Directive concernant l'ensemble des conditions de travail des cadres de la fonction publique, to the extent that they are compatible with the provisions of this Regulation.”

7. Section 24 is amended by adding the following paragraph at the end:

“Such an allowance is paid in a lump-sum payment and is not part of the pensionable salary for the purposes of pension plans and insurance.”

8. Section 26 is amended by inserting “or is bound by a service contract” after “Schedule III” in the first paragraph.

9. Schedule II is amended

(1) by striking out “or work done outside regular hours” in paragraph 4;

(2) by replacing paragraph 6 by the following:

“6. If more advantageous, calculating the average of the income received during the 3 previous years that varies notably from one year to the next because that income is

in the form of profit sharing or another form. The same applies to the regular salary received, in the event of variations in salary or changes in employment during the 3 previous years.”

10. Schedule III is amended by adding the following paragraph at the end:

“16. The federal public sector referred to in paragraphs 11 to 14 of Schedule I to the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (D. 450-2007, 2007-06-20, in French only)”.

11. This Regulation comes into force on 1 April 2020.

Level 4 commissioners of the Board who have been in office for at least 4 months as at 1 April 2020 and who receive a salary that is less than the minimum of the salary scale applicable as at 2 April 2020 will obtain a salary adjustment on that date in order that it corresponds to the minimum of the salary scale.

Level 4 commissioners of the Board who have been in office for at least 4 months as at 1 April 2020 benefit, if applicable, from a salary increase on 2 April 2020, in accordance with section 9 of the Regulation respecting the remuneration and other conditions of office of commissioners of the Régie du logement, provided that the revised salary does not exceed the maximum of the salary scale applicable to the level of the position held.

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Gouvernement du Québec

O.C. 149-2020, 26 February 2020

An Act respecting administrative justice
(chapter J-3)

**Administrative Tribunal of Québec
— Remuneration and other conditions of office
of members
— Amendment**

Regulation to amend the Regulation respecting the remuneration and other conditions of office of members of the Administrative Tribunal of Québec

WHEREAS, under subparagraph 1 of the first paragraph of section 56 of the Act respecting administrative justice (chapter J-3), the Government determines, by regulation, the mode of remuneration of the members of the Administrative Tribunal of Québec and the applicable standards and scales;