

## Draft Regulations

### Draft Regulation

Act respecting collective agreement decrees  
(chapter D-2)

#### Cartage industry in the Québec region — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2), that the Minister of Labour, Employment and Social Solidarity has received an application from the contracting parties to amend the Decree respecting the cartage industry in the Québec region (chapter D-2, r. 3) and, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Decree to amend the Decree respecting the cartage industry in the Québec region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree amends the definition of “solid waste” to clarify the application of the Decree to products collected for the purposes of recovery or recycling and makes the Decree compliant with the Act respecting labour standards (chapter N-1.1), as amended by the Act to amend the Act respecting labour standards and other legislative provisions mainly to facilitate family-work balance (2018, chapter 21).

The regulatory impact analysis shows that the amendments have no financial impact on the enterprises covered by the Decree.

Further information on the draft Decree may be obtained by contacting Catherine Doucet, policy development advisor, Direction des politiques du travail, Ministère du Travail, de l'Emploi et de la Solidarité sociale, 425, rue Jacques-Parizeau, 5<sup>e</sup> étage, Québec (Québec) G1R 4Z1; telephone: 581 628-8934, extension 80082, or 1 888 628-8934, extension 80149 (toll free); email: catherine.doucet@mtess.gouv.qc.ca.

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to Jean Boulet, Minister of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour, Employment and Social Solidarity*

### Decree to amend the Decree respecting the cartage industry in the Québec region

Act respecting collective agreement decrees  
(chapter D-2, ss. 2, 4, 6 and 6.1)

**1.** The Decree respecting the cartage industry in the Québec region (chapter D-2, r. 3) is amended in section 1.01 by inserting the following after paragraph 21:

“(21.1) “relative”: the employee’s spouse, the child, father, mother, brother, sister and grandparents of the employee or the employee’s spouse as well as those persons’ spouses, their children, and their children’s spouses. The following are also considered to be an employee’s relative for the purposes of this Decree:

(a) a person having acted, or acting, as a foster family for the employee or the employee’s spouse;

(b) a child for whom the employee or the employee’s spouse has acted, or is acting, as a foster family;

(c) a tutor or curator of the employee or the employee’s spouse or a person under the tutorship or curatorship of the employee or the employee’s spouse;

(d) an incapable person having designated the employee or the employee’s spouse as mandatory;

(e) any other person in respect of whom the employee is entitled to benefits under an Act for the assistance and care the employee provides owing to the person’s state of health;”.

**2.** Section 10.02 is amended by inserting “an uninterrupted leave for a duration determined at the rate of” before “1 day of vacation”.

**3.** Section 10.04 is amended by replacing “5 years” by “3 years”.

**4.** Section 10.10 is amended by adding “or in the manner applicable for the regular payment of the employee’s wages” at the end.

**5.** Section 10.11 is amended by replacing “or accident or” by “; an organ or tissue donation for transplant, an accident, or domestic violence or sexual violence of which the employee has been a victim, or is absent or on leave for family or parental matters or”.

**6.** Section 11.02 is amended by replacing “1 day” and “4 extra days” in subparagraph 5 of the first paragraph by “2 days” and “3 extra days”, respectively.

**7.** Section 11.04 is amended

(1) by striking out “if the employee is credited with 60 days of continuous service” at the end of the first paragraph;

(2) by striking out the third paragraph.

**8.** Section 11.05 is amended

(1) in the first paragraph

(a) by striking out “, without pay,”;

(b) by replacing “of the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents” by “of a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26)”;

(2) by adding the following paragraph after the third paragraph:

“The first 2 days taken annually are remunerated according to the calculation formula described in section 9.04, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of continuous service, even if the employee was absent previously. The employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in this section or in section 11.05.1.”

**9.** The following is inserted after section 11.05:

“**11.05.1.** An employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence or sexual violence of which the employee has been a victim.

An employee may not, however, be absent from work for a period of not more than 104 weeks if the employee suffers a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee’s regular position. In that case, the period of absence does not begin before the date on which the criminal offence was committed, or before the expiry of the period provided for in the first paragraph, where applicable, and does not end later than 104 weeks after the commission of the criminal offence.

The first 2 days taken annually are remunerated according to the calculation formula described in section 9.04, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of continuous service, even if the employee was absent previously. The employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in this section or in section 11.05.

This section does not apply in the case of an employment injury within the meaning of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

The employee must notify the employer of his absence as soon as possible, giving the reasons for it.”

**10.** Section 13.01 is amended

(1) by replacing paragraph 5 by the following:

“(5) “solid waste”: any waste product solid at 20°C from industrial, commercial or agricultural activities, detritus, incineration residue, domestic garbage, rubbish, rubble and other trash solid at 20°C; any product mentioned above that is collected for the purposes of recovery or recycling is also included.

Automobile bodies, soils and sands soaked with hydrocarbons, pesticides, explosive or spontaneously flammable products, pathological waste, manure, mining residues and radioactive waste, muds and solid residues from pulp and paper mills or from sawmills are excluded;”;

(2) by inserting the following after paragraph 9:

“(9.1) “relative”: the employee’s spouse, the child, father, mother, brother, sister and grandparents of the employee or the employee’s spouse as well as those persons’ spouses, their children, and their children’s spouses. The following are also considered to be an employee’s relative for the purposes of this Decree:

(a) a person having acted, or acting, as a foster family for the employee or the employee’s spouse;

(b) a child for whom the employee or the employee’s spouse has acted, or is acting, as a foster family;

(c) a tutor or curator of the employee or the employee’s spouse or a person under the tutorship or curatorship of the employee or the employee’s spouse;

(d) an incapable person having designated the employee or the employee’s spouse as mandatory;

(e) any other person in respect of whom the employee is entitled to benefits under an Act for the assistance and care the employee provides owing to the person's state of health;”.

**11.** Section 18.01.1 is revoked.

**12.** Section 20.02 is amended by inserting “an uninterrupted leave for a duration determined at the rate of” before “1 working day of vacation”.

**13.** Section 20.04 is amended by replacing “5 years” by “3 years”.

**14.** Section 20.07 is amended by adding “or in the manner applicable for the regular payment of the employee's wages” at the end.

**15.** Section 20.09 is amended by replacing “or accident or” by “, an organ or tissue donation for transplant, an accident, or domestic violence or sexual violence of which the employee has been a victim, or is absent or on leave for family or parental matters or”.

**16.** Section 21.01 is amended by replacing “1 day” and “4 more days” in subparagraph 5 of the first paragraph by “2 days” and “3 extra days”, respectively.

**17.** Section 21.03 is amended

(1) by striking out “if the employee has 60 days of continuous service”;

(2) by striking out “However, the employee who adopts the child of his consort may be absent from work, without wages, for 2 days only.” at the end.

**18.** Section 21.04 is amended

(1) in the first paragraph

(a) by striking out “, without pay,”;

(b) by replacing “of his spouse, father, mother, brother, sister or one of the employee's grandparents” by “of a relative or a person for whom the employee acts as a caregiver, as attested by a professional working in the health and social services sector and governed by the Professional Code (chapter C-26)”;

(2) by adding the following after the third paragraph:

“The first 2 days taken annually are remunerated according to the calculation formula described in section 19.04, with any adjustments required in the case of

division. The employee becomes entitled to such remuneration on being credited with 3 months of continuous service, even if the employee was absent previously. The employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in this section or in section 21.04.1.”.

**19.** The following is inserted after section 21.04:

“**21.04.1.** An employee may be absent from work for a period of not more than 26 weeks over a period of 12 months owing to sickness, an organ or tissue donation for transplant, an accident, domestic violence or sexual violence of which the employee has been a victim.

An employee may not, however, be absent from work for a period of not more than 104 weeks if the employee suffers a serious bodily injury during or resulting directly from a criminal offence that renders the employee unable to hold the employee's regular position. In that case, the period of absence does not begin before the date on which the criminal offence was committed, or before the expiry of the period provided for in the first paragraph, where applicable, and does not end later than 104 weeks after the commission of the criminal offence.

The first 2 days taken annually are remunerated according to the calculation formula described in section 19.04, with any adjustments required in the case of division. The employee becomes entitled to such remuneration on being credited with 3 months of continuous service, even if the employee was absent previously. The employer is not required to remunerate more than 2 days of absence in the same year, if the employee is absent from work for a reason referred to in this section or in section 21.04.

This section does not apply in the case of an employment injury within the meaning of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

The employee must notify the employer of his or her absence as soon as possible, giving the reasons for it.”.

**20.** Section 25.01 is replaced by the following:

“**25.01.** An employee who has 3 months of active and continuous service with the same employer and who has worked at least 32 hours in each week included in the period is entitled to 6 days of sick leave per year. The employee receives 8 times his or her hourly wage provided for in this Decree. The employer may request that the employee furnish a document attesting to the reasons for the absence.”.

**21.** This Decree comes into force on (*insert the date of its publication in the Gazette officielle du Québec*).

105799

## Draft Regulation

Act respecting financial assistance  
for education expenses  
(chapter A-13.3)

### Financial assistance for education expenses — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting financial assistance for education expenses, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the other income of a student that is considered for the purpose of computing financial assistance for education expenses so as to increase the exemption of amounts received as support. It also amends the amounts used to determine the contribution of the parents, sponsor or spouse in order to decrease their contribution when computing the financial assistance of a student.

The draft Regulation also adds a situation for which advance financial assistance may be granted.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Simon Boucher-Doddridge, Director, Direction des programmes d'accessibilité financière aux études et des recours, Ministère de l'Enseignement supérieur, 1035, rue De La Chevrotière, 20<sup>e</sup> étage, Québec (Québec) G1R 5A5; telephone: 418 643-6276, extension 6085; email: [simon.boucher-doddridge@mes.gouv.qc.ca](mailto:simon.boucher-doddridge@mes.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Boulet, Acting Secretary General, Ministère de l'Enseignement supérieur, 675, boulevard René-Lévesque Est, Aile René-Lévesque, bloc 4, 3<sup>e</sup> étage, Québec (Québec) G1R 6C8; email: [jean.boulet@mes.gouv.qc.ca](mailto:jean.boulet@mes.gouv.qc.ca).

DANIELLE MCCANN  
*Minister of Higher Education*

## Regulation to amend the Regulation respecting financial assistance for education expenses

Act respecting financial assistance  
for education expenses  
(chapter A-13.3, s. 57, 1st par., subpars.1, 2, 3.2 and 24)

**1.** Section 82 of the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) as amended by section 24 of the Regulation to amend the Regulation respecting financial assistance for education expenses, made by Order in Council 1411-2021 dated 3 November 2021, is further amended by replacing “\$62,250” in the second paragraph by “\$75,000”.

**2.** Section 96 is amended by inserting “, a basic income” after “last resort financial assistance” in the second paragraph.

**3.** Schedule II is amended by replacing “\$4,200” wherever it appears in paragraph 6 by “\$6,000”.

**4.** Schedule III is replaced by the following: