

5. This Order comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Québec, 18 May 2023

GENEVIÈVE GUILBAULT
Minister of Transport and Sustainable Mobility

106280

M.O., 2023

Order 2023-002 of the Minister of Higher Education dated 17 May 2023

General and Vocational Colleges Act
(chapter C-29)

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges

THE MINISTER OF HIGHER EDUCATION,

CONSIDERING section 18.1 of the General and Vocational Colleges Act (chapter C-29);

CONSIDERING the making of the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges by the Minister's Order dated 17 June 2005 approved by the Conseil du trésor on 21 June 2005 (T.B. 202574) and its amendments;

CONSIDERING that it is expedient to amend the existing Regulation and to make the Regulation attached to this Order;

CONSIDERING that authorization has been obtained from the Conseil du trésor in accordance with section 18.1 of the General and Vocational Colleges Act;

CONSIDERING that the Regulations Act (chapter R-18.1) is not applicable to such a regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges, attached to this Order, is hereby made.

Québec, 17 May 2023

PASCALE DÉRY
Minister of Higher Education

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges

General and Vocational Colleges Act
(chapter C-29, s. 18.1)

1. The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges is amended in section 1

(1) by striking out the definition of “local committee”;

(2) by replacing “l'Éducation et de l'Enseignement supérieur” in the definition of “Ministry” by “l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie”;

(3) by replacing “Responsible for Higher Education” in the definition of “Minister” by “of Higher Education, Research, Science and Technology”;

(4) by inserting “school service centres,” after “colleges,” in paragraph 3 of the definition of “public and parapublic sectors”;

(5) by inserting the following in alphabetical order:

““local branch” means the aggregate of the senior staff of a college who are members of the Association;”

2. Section 4 is amended by inserting “, including various paid leaves,” after “cash benefit”.

3. Section 12 is amended by adding the following paragraphs at the end:

“He shall inform the Association of the reception of a special evaluation request and shall notify the Association of his decision concerning the job classification and the classification of the position.

The evaluation and determination of the salary scale is the Minister's responsibility.”

4. Section 18 is amended by replacing “campus or collegial studies centre” by “collegial studies centre or campus”.

5. Sections 19 and 19.1 are replaced by the following:

“19. The salary of a person who was not employed by a college shall be determined on the basis of the person's education and experience without exceeding the maximum rate of the applicable salary scale, taking into account, where applicable, the application of section 19.1.

The salary of a person already employed by a college as senior staff member or in another class of staff shall be determined by adding to the salary the person was receiving 10% of the maximum of the new salary scale applicable to the person which salary must be situated between the minimum and maximum rates of the new salary scale, taking into account, where applicable, the application of section 19.1.

19.1. The maximum salary of a senior staff member with a successfully completed master's degree in a recognized institution and whose field of study is pertinent or related to the position is equivalent to 102.5% of the maximum of the salary scale for the class of his position.

The maximum salary of a senior staff member with a successfully completed doctoral degree in a recognized institution and whose field of study is pertinent or related to the position is equivalent to 105% of the maximum of the salary scale for the class of his position.

The senior staff member who has master's and doctoral degrees cannot receive both salary rates prescribed by the preceding paragraphs.

The additional remuneration is part of the salary defined in section 1.

The senior staff member who receives the salary prescribed by any of the preceding paragraphs is not considered as overscale.”

6. Section 25 is amended by replacing “in the management policy” in the second paragraph by “in section 45.1 of this Regulation”.

7. Section 30 is amended

(1) by replacing “4.0%” by “4.5%”;

(2) by adding “, taking into account, where applicable, the application of section 19.1.” at the end.

8. The heading of Division V of Chapter IV is amended by replacing “positions” by “responsibilities”.

9. Section 36 is replaced by the following:

“**36.** Where a senior staff position is vacant, a college shall grant a premium to a senior staff member who temporarily performs, in addition to his usual duties, part or all of the responsibilities of that position during more than two consecutive months. Such premium cannot exceed 10% of the salary of his position. It is paid to a senior staff

member who has held the responsibilities of the vacant position in addition to his usual duties during more than two consecutive months, but it is calculated as of the first day of the combination of the responsibilities.

If the responsibilities of the vacant position are held by a number of senior staff members, in addition to their usual duties, the premium distributed among the senior staff members cannot exceed 15% of the maximum of the salary scale of the vacant position.

The premium shall be paid according to the same terms and conditions as those for the payment of his salary, until the end of the combination of the responsibilities.

The premium for the temporary combination of responsibilities shall not apply to the replacement of a senior staff member during his period of annual vacation.

The college shall inform the Ministry, according to the modalities determined by the Minister, of the payment of the premium to one or more senior staff members for a period of more than twelve months.

The college may not, during the period of vacancy of the position, designate another senior staff member or interrupt that period for the sole purpose of circumventing the application of this section.

The college's decision to share the responsibilities of the position between a number of senior staff members cannot be subject to a recourse referred to in Chapter XV of this Regulation. The same applies to the allocation of the salary percentage, determined by the college, between the senior staff members.”

10. The following is inserted after section 38.2:

“DIVISION VIII RECOGNITION MEASURE

38.3. A senior staff member shall be entitled to a recognition measure for the periods concerned in accordance with the terms and conditions prescribed by Schedule V to this Regulation.

The recognition measure is not deemed to be salary and is not part of the pensionable salary for the purposes of pension plans.”

11. The heading of Chapter VI is amended by adding “AND LEAVES” at the end.

12. Sections 44 and 44.1 are replaced by the following:

**“DIVISION I
ANNUAL VACATION**

44. A senior staff member shall be entitled to a period of annual vacation paid according to the years of continuous service completed in a school service centre, a school board or a college on 31 May of each year, according to the following:

Number of years of continuous service	Number of days of annual vacation
Less than one year	2.5 days per month of continuous service, up to 30 days
1 year	30 days
2 years	31 days
3 years	32 days
4 years	33 days
5 years	34 days
6 years or more	35 days

44.1. A disabled senior staff member who is receiving a short-term salary insurance plan benefit provided for in Division II of Chapter VII accumulates vacation days as if the senior staff member were at work for a total period of twelve (12) months from the beginning of the disability. The same applies to absences without pay of more than twenty days, subject to the chapter on parental rights.”

13. The following is inserted after section 45:

**“DIVISION II
STATUTORY HOLIDAYS AND PERSONAL HOLIDAYS**

45.1. A senior staff member is entitled to the same number of statutory holidays and personal holidays as the unionized professional personnel of the college.

**DIVISION III
IN-SERVICE TRAINING LEAVE, PROFESSIONAL ACTIVITY LEAVE AND RENEWAL LEAVES**

45.2. Upon agreement with the college, a senior staff member may be absent to take part in an in-service training activity, a professional activity or for renewal.

**DIVISION IV
LEAVE FOR PUBLIC RESPONSIBILITIES**

45.3. A senior staff member is entitled to leave without pay to be a candidate in a provincial election or any other elective public office.

A senior staff member who benefits from such leave must agree on the terms and conditions for leaving and returning to work with the college.”

14. Section 197 is amended by replacing “of the executive” in the first paragraph by “of the board of directors”.

15. Section 211 is amended by striking out the second paragraph.

16. Section 262 is amended

(1) by replacing what follows the last dash in subparagraph 3 of the first paragraph by the following:

“telework, where the nature of the position allows it”;

(2) by replacing subparagraph 4 of the first paragraph by the following:

“(4) fringe benefits, including:

– the terms and conditions for taking annual vacation, subject to Chapter VI;

– leaves without pay;

– time management;”;

(3) by replacing “the local committee” in the second paragraph by “the local branch”.

17. The following is inserted after section 262.4:

**“CHAPTER XVI.2
ASSESSMENT TO A PROFESSIONAL ORDER**

262.5. A senior staff member is entitled to the refund of the assessment to a professional order where it is required for the position held.”

- 18.** Schedule I is replaced by the following:

“

SCHEDULE I
CLASSIFICATION OF SENIOR STAFF POSITIONS¹

Employment group	Class ²
DIRECTORS	
Director of services	8, 9 or 10
Center director	8 or 9
Director of college centre for transfer of technology	8, 9 or 10
COORDINATORS	
Deputy academic dean	6, 7, 8 or 9
Coordinators of services or assistant director of services	6 or 7
Coordinator of continuing education	7 or 8
MANAGERS	
Administratives services supervisor	5
General superintendent	5
Superintendent	4
Maintenance foreman	3
Administrative officer	3

-
- ^{1.} Where the principal and usual duties of a senior staff position do not correspond to any of the employment groups found in the *Plan de classification des emplois types et Guide de classement des postes de cadre pour le personnel d'encadrement des collèges d'enseignement général et professionnel*, sections 11 and 12 of the Regulation apply.
- ^{2.} Where more than one class applies to the same position, the classification of that position shall be determined by applying the classification criteria prescribed in the *Plan de classification des emplois types et Guide de classement des postes de cadre pour le personnel d'encadrement des collèges d'enseignement général et professionnel*.

”

19. Schedule II is amended

(1) by inserting the following paragraph after the first paragraph of section 1:

“In addition to the foregoing, the salary scales in force on 31 March 2022 for employment classes 6 to 10 are increased by an additional 0.75% applicable as of 1 April 2022.”;

(2) by replacing section 2 by the following:

“

2. Salary scales**Senior staff
(Annual rates)**

Class	Rate from 2020-04-01 to 2021-03-31 (\$)		Rate from 2021-04-01 to 2022-03-30 (\$)		Rate from 2022-03-31 to 2022-03-31 (\$)		Rate as of 2022-04-01 (\$)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
	10	96 067	128 085	97 988	130 647	97 988	130 647	100 698
9	90 815	121 083	92 631	123 505	92 631	123 505	95 193	126 920
8	85 849	114 463	87 566	116 752	87 566	116 752	89 987	119 980
7	80 233	106 976	81 838	109 116	81 838	109 116	84 101	112 133
6	74 985	99 977	76 485	101 977	76 485	101 977	78 600	104 797
5	70 079	93 437	71 481	95 306	71 481	95 306	72 911	97 212
4	64 029	85 370	65 310	87 077	65 310	87 077	66 616	88 819
3	58 501	77 999	59 671	79 559	59 671	79 559	60 864	81 150
2	53 450	71 265	54 519	72 690	54 519	72 690	55 609	74 144
1	48 836	65 113	49 813	66 415				

”.

20. The following is added at the end:

**“SCHEDULE V
RECOGNITION MEASURE**

1. A senior staff member is entitled to a recognition measure corresponding,

(1) for the period from 1 April 2020 to 31 March 2021,

(a) to \$250 if the senior staff member has completed between three and six months less one day of service;

(b) to \$500 if the senior staff member has completed between six and nine months less 1 day of service;

(c) to \$1,000 if the senior staff member has completed nine months of service or more;

(2) for the period from 1 April 2021 to 31 March 2022,

(a) to \$500 if the senior staff member has completed between three and six months less 1 day of service;

(b) to \$1,025 if the senior staff member has completed between six and nine months less 1 day of service;

(c) to \$2,045 if the senior staff member has completed nine months of service or more.

2. For the purpose of calculating the completed period of service provided for in this Schedule, the periods during which the senior staff member received salary insurance benefits, maternity, paternity or adoption leave benefits under the Québec Parental Insurance Plan, indemnities paid by the senior staff member’s employer in the case of parental leave or an industrial accident, and indemnities paid by the Commission des normes, de l’équité, de la santé et de la sécurité du travail and by the Société de l’assurance automobile du Québec, and the financial assistance paid in accordance with the assistance plan established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1), where applicable, are taken into account.”.

21. The Regulation is amended by replacing the words “local committee” wherever they appear by “local branch”, with the necessary modifications.

22. This Regulation comes into force on the day of its publication in the *Gazette officielle du Québec*, except

- (1) section 18 which comes into force on 31 March 2022;
- (2) sections 7 which comes into force on 1 April 2023;
- (3) section 12 insofar as it replaces section 44 of the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges, which comes into force on 1 June 2023;
- (4) sections 6 and 13, which come into force on 1 July 2023.

106273

M.O., 2023-05

Order number D-9.2-2023-05 of the Minister of Finance, May 17, 2023

Act respecting the distribution of financial products and services
(chapter D-9.2)

CONCERNING Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships

WHEREAS section 196 of the Act respecting the distribution of financial products and services (chapter D-9.2) provides that the *Autorité des marchés financiers* may determine by regulation, for each sector and class of sectors, the requirements with which the liability insurance contracts of firms, representatives acting on behalf of a firm without being employees, independent representatives and independent partnerships must be consistent and that the regulation may, in particular, prescribe the extent of coverage, the amount covered per claim, the amount of the deductible and the notice that must be given before a contract is cancelled, or prescribe the formulations of a standard policy;

WHEREAS paragraph 8 of section 223 of such Act provides that the *Autorité des marchés financiers* may, by regulation, determine for each sector, the rules relating to the keeping of records and the register of commissions;

WHEREAS the first and the second paragraphs of section 194 of such Act provide, in particular, that the *Autorité des marchés financiers* shall publish its draft regulations in the information bulletin and every draft regulation must be published with a notice stating the time that must elapse before the draft regulation may be made or be submitted for approval, and stating the fact that any interested person may, during that time, submit comments to the person designated in the notice;

WHEREAS the first and the third paragraphs of section 217 of such Act provide, in particular, that a regulation made by the *Autorité des marchés financiers* under this Act must be submitted to the Minister of Finance for approval with or without amendment, that such regulation may not be submitted for approval before 30 days have elapsed since its publication as a draft and that such regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in this regulation;

WHEREAS the draft Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships was published in the *Bulletin de l’Autorité des marchés financiers*, volume 19, no. 48 of December 8, 2022;

WHEREAS the *Autorité des marchés financiers* made, on April 27, 2023, by the decision no. 2023-PDG-0019, Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation to amend the Regulation respecting firms, independent representatives and independent partnerships appended hereto.

May 17, 2023

ERIC GIRARD
Minister of Finance
