

Gouvernement du Québec

## O.C. 1705-2023, 22 November 2023

Act to modernize the occupational health and safety regime  
(2021, chapter 27)

Act respecting occupational health and safety  
(chapter S-2.1)

### **Registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites**

Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites

WHEREAS, under the third paragraph of section 207.1 of the Act respecting occupational health and safety (chapter S-2.1), as made by section 224 of the Act to modernize the health and safety regime (2021, chapter 27), the Commission des normes, de l'équité, de la santé et de la sécurité du travail bears, in accordance with the regulations, the registration, travel and accommodation expenses of training programs in which the members of the job-site committee must participate;

WHEREAS, under the third paragraph of section 211 of the Act respecting occupational health and safety, as amended by section 233 of the Act to modernize the health and safety regime, the Commission des normes, de l'équité, de la santé et de la sécurité du travail bears, in accordance with the regulations, the registration, travel and accommodation expenses of training programs in which the health and safety representative must participate;

WHEREAS, under the third paragraph of section 215.3 of the Act respecting occupational health and safety, as made by section 230 of the Act to modernize the health and safety regime, the Commission des normes, de l'équité, de la santé et de la sécurité du travail bears, in accordance with the regulations, the registration, travel and accommodation expenses of training programs in which the health and safety coordinator must participate;

WHEREAS, under subparagraph 24 of the first paragraph of section 223 of the Act respecting occupational health and safety, as it should read under section 308 of the Act to modernize the health and safety regime as of 1 January 2024 and until the coming into force of paragraph 10 of section 232 of that Act, the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations in particular to determine the registration, travel and accommodation expenses borne by it under sections 207.1, 211 and 215.3 of the Act respecting occupational health and safety;

WHEREAS, under subparagraph 42 of the first paragraph of section 223 of the Act respecting occupational health and safety, the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations generally prescribing any other measure to facilitate the application of that Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites was published in Part 2 of the *Gazette officielle du Québec* of 8 March 2023 with a notice that it could be adopted by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 21 September 2023;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of that Act is to be submitted to the Government for approval;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### **Regulation respecting registration, travel and accommodation expenses of training programs on prevention mechanisms specific to construction sites**

Act to modernize the occupational health and safety regime  
(2021, chapter 27, ss. 224, 230, 232, 233 and 308)

Act respecting occupational health and safety  
(chapter S-2.1, s. 207.1, 3rd par., s. 211, 3rd par., s. 215.3, 3rd par., and s. 223, 1st par., subpars. 24 and 42)

#### **DIVISION I** **SCOPE**

**1.** The standards set out in this Regulation apply to a person who must participate in a training program to obtain a certificate referred to in the Regulation respecting prevention mechanisms specific to construction sites

(chapter S-2.1, r. 8.2) by reason of that person's designation as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site.

## **DIVISION II** **REGISTRATION EXPENSES**

**2.** The registration expenses for a training program are borne by the Commission des normes, de l'équité, de la santé et de la sécurité du travail where a person provides to the instructor a document from a principal contractor or a representative association, as the case may be, showing that the person has been designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site, and provided that the person obtains the training certificate.

The Commission pays the registration expenses directly to the instructors according to the terms and conditions that the Commission and the instructors have agreed on.

**3.** Despite section 2, a person who is admitted to a training program but, at the time of registration, was not designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site may obtain reimbursement by the Commission of the registration expenses the person paid if the person is designated as such within 12 months of the issue of their training certificate.

A person who attended that training program as part of a more general program leading to a secondary school, college or university diploma may obtain reimbursement only of the registration expenses relating to the component of the training that led to the certificate.

In order to obtain the reimbursement of registration expenses, the person must file an application in the manner prescribed by section 7 and provide the registration fee receipt issued by the instructor.

## **DIVISION III** **TRAVEL AND ACCOMODATION EXPENSES**

**4.** The indemnities granted to a person when the training program or a part of that program is not offered remotely and requires the person's presence at a place of training located outside the usual work place are the following:

(1) \$0.600 per km for transportation expenses according to the shortest road distance between the person's domicile and the place of training for each day that travel is required between the two places to participate in the training;

(2) \$61.15 per day of training for meal expenses;

(3) \$15 per day of training for parking expenses.

**5.** In addition to the indemnities provided for in section 4, when the place of training is situated more than 120 km from the person's domicile, the person is entitled to the following indemnities:

(1) \$151 for each day requiring lodging to participate in the training where the lodging is required between 1 November and 31 May or \$166 where the lodging is required between 1 June and 31 October;

(2) \$7.75 for each day with an overnight stay;

(3) an indemnity corresponding to 10 km for each day of training, according to the rates set out in paragraph 1 of section 4, for travel between the place of lodging and the place of training.

However, if the place of training is more than 320 km from the person's domicile, the person is entitled to the indemnities in paragraphs 1 and 2 for an additional day.

**6.** A person who attends the training program as part of a more general program leading to a secondary school, college or university diploma is not entitled to the indemnities provided for in this Division.

## **DIVISION IV** **PAYMENT OF INDEMNITIES**

**7.** To be entitled to the payment of the indemnities provided for in Division III, a person who has attended a training program must, within 12 months of the issue of their training certificate, file an application with the Commission by completing the form made available on the Commission's website, and provide a document from a principal contractor or a representative association, as the case may be, showing that the person has been designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site.

A person who was not designated as a job-site committee member, a health and safety representative or a health and safety coordinator on a construction site at the time of registration, may obtain the payment of indemnities by the Commission if the person was designated as such within 12 months of the issue of their training certificate.

The person must keep the supporting documents for the expenses incurred for a period of 12 months from the time the application is filed in order to allow the Commission to verify that the person meets the requirements of this Regulation.

**8.** Within the scope of the application provided for in section 7, the Commission may, on presentation of the reasons in writing along with supporting documents, grant a supplementary amount, in addition to the indemnities provided for in Division III, because of exceptional circumstances, in particular where the length of the journey or poor road conditions make travel on the day of training difficult or dangerous.

**9.** The indemnities provided for in paragraphs 1 and 2 of section 4 and section 5 are revalorized according to the amendments that the Conseil du trésor may make to the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 194603, 2000-03-30) concerning indemnities for kilometrage up to 8,000 km, meal expenses for each full day away and hotel lodging expenses for Ville de Montréal. However, for the application of this Regulation, such amendments will have effect only from the 1 January that follows their adoption by the Conseil du trésor and be applicable only with respect to the expenses incurred as of that date.

The indemnity provided for in paragraph 3 of section 4 is revalorized on 1 January of every year according to the method provided for sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

The Commission publishes the revalorized amounts in Part 1 of the *Gazette officielle du Québec*.

## **DIVISION V**

### **FINAL**

**10.** This Regulation comes into force on 1 January 2024.

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## **M.O., 2023-20**

### **Order P-30.1.1-2023-20 of the Minister of Finance dated 27 November 2023**

Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (chapter P-30.1.1)

Amendments to the conditions, terms and characteristics of the Financial Assistance for Investment Program applicable to enterprises billed at Rate L and enterprises that are large power consumers served by off-grid systems

THE MINISTER OF FINANCE,

CONSIDERING the second paragraph of section 1 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (chapter P-30.1.1), which provides that the classes of eligible enterprises and the eligibility requirements of a project are determined by ministerial order, and that a ministerial order may pertain to one or more components of the Program according to the class of enterprises to which it applies;

CONSIDERING the second paragraph of section 3 of the Act, which provides in particular that the amount of financial assistance may not exceed 20% of the electricity costs for each billing period during the maximum period of application of the financial assistance, determined by ministerial order;

CONSIDERING the third paragraph of section 3 of the Act, which provides that the manner in which the financial assistance is applied is to be determined by ministerial order;

CONSIDERING the first paragraph of section 7 of the Act, which provides that the financial assistance is subject to a verification conducted in the manner determined by ministerial order;

CONSIDERING the second paragraph of section 7 of the Act, which provides in particular that where the financial assistance is revised or revoked following a verification, it may be recovered in the manner determined by ministerial order;

CONSIDERING the conditions, terms and characteristics of the Financial Assistance for Investment Program established by Order P-30.1.1-2021-01 dated 16 March 2021 (2021, G.O. 2, 1184);