

Erratum

M.O., 2022

Ministerial Order 2022-030 of the Minister of Health and Social Services dated 31 March 2022

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

Gazette officielle du Québec, Part 2, April 7, 2022, Volume 154, No. 14A, page 1023A.

On page 1023A, the following text should have appeared:

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Ministerial Order 2022-030 of the Minister of Health and Social Services dated 31 March 2022

Public Health Act
(chapter S-2.2)

Ordering of measures to protect the health of the population amid the COVID-19 pandemic situation

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 118 of the Public Health Act (chapter S-2.2) which provides that the Government may declare a public health emergency in all or part of the territory of Québec where a serious threat to the health of the population, whether real or imminent, requires the immediate application of certain measures provided for in section 123 of the Act to protect the health of the population;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that that Order in Council provides that the Minister of Health and Social Services may order any measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency has consistently been renewed since that date by various Orders in Council, including by Order in Council 595-2022 dated 30 March 2022;

CONSIDERING that that Order in Council also empowers the Minister of Health and Social Services to take any of the measures provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is desirable to consolidate all the measures concerning human resources in the health and social service network into one Ministerial Order;

ORDERS AS FOLLOWS:

THAT, for the purposes of this Order,

(1) “personnel placement agency” means a person, partnership or other entity that has at least one activity consisting in offering personnel leasing services;

(2) “body in the health and social services sector” means a health and social services institution, an intermediate resource, a family-type resource or a private seniors’ residence;

(3) “service provider” means a natural person who, pursuant to a contract for services, including a contract for personnel leasing services, supplies a body in the health and social services sector with a service provider;

THAT the national and local provisions of the collective agreements in force in the health and social services network and the employment conditions that apply to non-unionized personnel be amended to enable the employer to meet the needs of the population, as per the following conditions:

(1) the sections relating to annual leave are amended to enable any person to, at the person’s request, be paid for the vacation days at straight time, excluding those provided for in the Act respecting labour standards (chapter N-1.1);

(2) the sections relating to movement of personnel that deal in particular with promotion, transfer, demotion, voluntary transfer, bumping procedures, temporarily vacant positions, replacement, assignment, re-assignment or personnel displacement are amended to enable a person to agree to temporary displacement or temporary re-assignment (intra or inter facility);

(3) for the purposes of the preceding subparagraph,

(a) a person accepting such a displacement or assignment is entitled to the more advantageous salary, in addition to continuing to be entitled to the bonuses and supplements associated with the position or assignment before the displacement, other than inconvenience bonuses;

(b) despite the preceding subparagraph *a*, a person entitled to a bonus available in the environment in which the person usually works, and who must be displaced to an environment having a different bonus, the person is entitled to the more advantageous bonus;

(c) for the person who usually converts a night bonus into paid leave, not receive remuneration in connection with the amount of the bonus so converted;

(d) a person who is entitled to floating holidays continues to accumulate them;

(e) if displaced, the person retains the same home base for the purpose of calculating displacement allocations;

(4) the sections relating to fixed price contracts or contracts of enterprise are inoperative;

(5) the employer may hire additional personnel, granting the status of temporary salaried person to every person so hired. The hiring contract under that status is valid until 31 December 2022. Despite the foregoing, the employer may terminate the contract of employment at any time on one week's prior notice;

(6) for the purposes of subparagraph 5,

(a) the person hired under the status of temporary salaried person is entitled only to the provisions of the collective agreements in the health and social services network relating to remuneration, including bonuses, supplements and overtime. Despite the foregoing, the salaried person receives the fringe benefits available to part-time salaried persons not covered by life, prescription drug and salary insurance plans;

(b) the employer is not bound by the requirements of the document entitled "Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux" for any hiring of additional personnel, except as regards the requirements of professional orders, as long as the hiring meets the normal requirements of the duties;

(c) the additional personnel so hired is not entitled to vested rights regarding future hiring and must undergo the standard selection procedure according to the provisions in force in the institution concerned;

(7) a salaried person who is immunodepressed or 70 years of age and older whose health requires a re-assignment is removed from work if the employer has been unable to set up teleworking or offer re-assignment. A full-time salaried person continues to be remunerated as if the person were at work, except for inconvenience bonuses, and a part-time salaried person is remunerated in the same manner according to the work shifts provided for in the person's work schedule;

(8) a full-time salaried person who must isolate at the request of the employer to isolate or has received an isolation order from a public health authority continues to be remunerated as if the person were at work, except inconvenience bonuses, and a part-time salaried person is remunerated in the same manner according to the work shifts provided for in the person's work schedule, except a salaried person who travels after 16 March 2020 at 11:59 p.m. and who has received an isolation order from a public health authority, who may take early advantage, if applicable, of vacation days or sick leave during the isolation;

(9) a full-time salaried person who is waiting for the result of a COVID-19 screening test who must isolate at the request of the employer to isolate or who has received an isolation order from a public health authority continues to be remunerated as if the person were at work, except inconvenience bonuses, and a part-time salaried person is remunerated in the same manner according to the work shifts provided for in the person's work schedule;

(10) for the purposes of subparagraph 9,

(a) if the result of the test is positive, a salaried person who does not have the plan provided for in Act respecting industrial accidents and occupational diseases (chapter A-3.001) may be eligible for the salary insurance plan under the provisions in the collective agreements. The salaried person is presumed to have started the waiting period, if any, during the test waiting period and the isolation;

(b) no amount may be recovered by the employer from a salaried person following the result of a test;

(11) a salaried person working a full overtime shift is offered during the shift the choice between a meal, where available, and financial compensation of \$15.00, except for a salaried person who is teleworking and a person eligible for the meal allocation during travel in accordance with the applicable collective agreements;

(12) a salaried person working a full overtime shift that is an evening, night or weekend shift may benefit from an allocation equal to a fixed amount of \$30.00 as compensation for childcare expenses for children 13 years of age and under, subject to vouchers being submitted;

(13) a salaried person and an intermediate officer, as defined in section 3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services (chapter S-4.2, r. 5.1) are entitled to a temporary bonus determined as follows:

(a) a salaried person who works in one of the work environments listed below receives an 8% bonus applicable to the salary provided for in the salary scale for the person's employment position for the hours worked in that environment:

- i. emergency units (except psychiatric emergencies);
- ii. intensive care units, if at least one diagnosed case of COVID-19 has been confirmed (except psychiatric intensive care);
- iii. clinics (screening and evaluation) specific to COVID-19;
- iv. units identified by the institution as reserved for patients with a positive COVID-19 diagnosis;
- v. units in a residential and long-term care centre;
- vi. other residential units, if at least one diagnosed case of COVID-19 has been confirmed;
- vii. pneumology units;
- viii. home support services;

(b) a salaried person who does not work in any of those work environments receives a 4% bonus applicable to the salary provided for in the salary scale for the employment position for the hours worked;

(c) an intermediate officer receives a bonus of 4% of his or her salary for the hours worked;

(14) for the purposes of the salaried person's remuneration, the temporary bonus is considered to be an inconvenience bonus;

(15) a lump sum of \$5.00 per work shift, which may be divided into half shifts, is paid to a salaried person designed by his or her immediate superior to be accompanied by the candidates enrolled in the training leading to an attestation of professional studies for health care

facility patient service support and who holds one of the following job titles appearing in the document entitled "Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux":

- (a) nurse (2471);
- (b) nursing assistant (3455);
- (c) beneficiary attendant (3480);
- (d) beneficiary attendant ("A" certification) (3459);

(16) the lump sum provided for in subparagraph 26 is paid to the salaried person for the work shift or half shift for which he or she is actually accompanied by the candidates enrolled in the training, but only for the duration of their practical training, regardless of the number of accompanying candidates;

(17) for the purposes of the salaried person's remuneration, the lump sum provided for in subparagraph 26 is considered to be an inconvenience bonus;

(18) the lump sum provided for in subparagraph 26 cannot be combined with any other bonus considered to be a bonus for responsibility or for training;

(19) every temporary salaried person referred to in subparagraph 5 assigned to COVID-19 vaccination or screening activities who has a minimum schedule where the work is in effect performed on one day or two half-days per week receives payment of the following daily lump sum amounts, divisible into half-days:

(a) \$15.00 per day actually worked, up to a maximum of \$75.00 per week, for the first work period of two consecutive weeks;

(b) \$20.00 per day actually worked, up to a maximum of \$100.00 per week, for the second work period of four consecutive weeks;

(c) \$30.00 per day actually worked, up to a maximum of \$150.00 per week, for the third work period of four consecutive weeks;

(d) \$45.00 per day actually worked, up to a maximum of \$225.00 per week, for the fourth work period of four consecutive weeks;

(e) \$65.00 per day actually worked, up to a maximum of \$325.00 per week, for the fifth work period of four consecutive weeks;

(f) \$90.00 per day actually worked, up to a maximum of \$450.00 per week, for any work period of four consecutive weeks in addition to the work period referred to in subparagraph e;

(20) if a salaried person has a non-standard work schedule, the person receives payment of the lump sum amounts set in subparagraph 19 prorated to the hours actually worked in relation to the number of hours set for the person's job title in the document entitled "Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux", provided that the person in effect worked a minimum of one day or two half-days per week;

(21) for the purposes of subparagraphs 19 and 20,

(a) a day or a half-day corresponds, as applicable, to the number of hours or half the number of hours per day set for the salaried person's job title in the document entitled "Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux";

(b) the hours actually worked include regular hours only, excluding vacation time, statutory holidays, overtime and any other type of absence, whether remunerated or not; and

(c) a week begins on Sunday;

(22) if, during a week a person does not perform the minimum work to which subparagraph 19 refers, the lump sum amount payable is recalculated beginning with the amount provided for in subparagraph a of subparagraph 19, except where the person is absent to undergo a COVID-19 screening test, must isolate at the employer's request or has received an isolation order from a public health authority, or has contracted COVID-19 and is therefore absent on sick leave, in which cases the lump sum is recalculated beginning with the amount to which the person would have been entitled were it not for the absence;

(23) a salaried person referred to in the ninety-fifth paragraph may be given a non-standard work schedule;

(24) the employer may assign a salaried person who has made an undertaking pursuant to the seventy-first to the one hundred twenty-sixth paragraphs to an activity centre or service where the person will be able to fulfill the undertaking, as long as the person meets the normal requirements of the duties;

THAT subparagraphs 1 to 6 of the second paragraph apply, with the necessary modifications, to the employment conditions of management personnel and personnel not covered by the Act respecting bargaining units in the social affairs sector (chapter U-0.1) in public and private institutions under agreement and the agreements entered into with Regroupement Les sages-femmes du Québec;

THAT subparagraphs 7 to 14 of the second paragraph apply, with the necessary modifications, to the employment conditions of personnel not covered by the Act respecting bargaining units in the social affairs sector (chapter U-0.1) in public and private institutions under agreement and the agreements entered into with Regroupement Les sages-femmes du Québec;

THAT a health and social services institution, before applying a measure set out in subparagraphs 4 to 6 of the second paragraph, be required to consult the local unions or associations concerned, unless the urgency of the situation does not permit doing so. In such a case, the unions must be informed as soon as feasible;

THAT the salary relating to the duties of a pensioner of the Pension Plan of Management Personnel who was hired under the status of temporary salaried person under subparagraph 5 of the second paragraph in a management or non-management position or who, without being appointed to a management position with the employer, temporarily carries out the duties of a management officer for the purposes of the COVID-19 pandemic, in accordance with section 2 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, be excluded from the sum of the salaries described in section 10.5 of the Regulation under the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 1);

THAT personnel members employed by the holders of ambulance service permits, health communication centres or the Corporation d'urgences-santé be granted

(1) a temporary bonus of 8% applicable to the salary provided for in the salary scale for the employment position for each hour worked by an ambulance technician referred to in section 63 of the Act respecting pre-hospital emergency services (chapter S-6.2);

(2) a temporary bonus of 4% applicable to the salary provided for in the salary scale for the employment position for each hour worked by a salaried person, whether unionized or not, in the pre-hospital emergency sector that is not covered by paragraph 1, including intermediate officers;

THAT the temporary bonus provided for in the preceding paragraph be deemed an inconvenience bonus for the purposes of the remuneration of the person who receives them;

THAT the national and local provisions of the collective agreements applicable in the health and social services network, and the employment conditions applicable to non-unionized salaried persons of that network be amended so that the salaried person who actually works the number of hours provided for under the person's job title according to the document entitled "Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux" benefit from the following measures, on the following terms and conditions:

(1) in a residential and long-term care centre, in the person's normal home base or during an assignment in such a centre, or during an assignment in a private seniors' residence, an intermediary resource or a family-type resource of the support program for the autonomy of seniors, a lump sum of \$100.00 or, in the case of a salaried person with the job title of beneficiary attendant, an amount of \$139.75 per work week be paid;

(2) in a residential and long-term care centre, for the facilities or locations designated by the Minister of Health and Social Services, in the person's normal home base or during an assignment in such a centre, or during an assignment in a private seniors' residence, an intermediary resource or a family-type resource of the support program for the autonomy of seniors, an amount in addition to the amount provided for in the preceding paragraph and corresponding to the following amount be paid:

(a) a lump sum of \$200.00 for the first period of two consecutive work weeks actually worked;

(b) a lump sum of \$400.00 for the two-week period actually worked consecutive and subsequent to the period provided for in subparagraph *a*;

(c) at the end of the period of four consecutive work weeks provided for, the salaried person who maintains eligibility conditions may again receive those lump sums according to the same sequence;

(3) in a hospital, a child and youth protection centre, a rehabilitation centre and a local community service centre, for the facilities, activity centres or places designated by the Minister of Health and Social Services, a salaried person receives a lump sum of \$100.00 per work week, as well as the amounts provided for in subparagraph 2, on the same terms and conditions, if the

person has a job title listed in Schedule I or is assigned to administrative support in a clinical sector and has a job title listed in Schedule II;

(4) in one of the environments referred to in subparagraphs 2 and 3, a lump sum of \$500.00 per week is paid where the salaried person is transferred by the employer to another health region identified by the Minister of Health and Social Services and at more than 70 km from the person's domicile; in such a case the following terms apply:

(a) the lump sums provided for in the preceding paragraphs may be cumulative with the lump sum provided for in this subparagraph;

(b) the institution to which the salaried person is transferred and the salaried person may agree to a distribution of work on a basis other than weekly and over a period of more than five days;

THAT, despite the preceding paragraph, a salaried person not be entitled to the lump sums provided for if the person is entitled to the lump sums provided for in subparagraphs 19 to 22 of the second paragraph;

THAT the following terms and conditions apply in respect of the lump sums provided for in the ninth paragraph:

(1) for the purpose of calculating eligibility to the lump sums, the hours actually worked include regular hours, vacation and public holidays and exclude overtime and any other type of absence, remunerated or not, other than the following;

(a) vacation days, statutory holidays, floating holidays, days of internal release for union activities, leaves for pregnancy-related medical visits and the time during which a salaried person holding a full-time position normally converts a night bonus into paid leave;

(b) the period during which the salaried person is in isolation waiting for the results of a COVID-19 screening test requested by the public health authorities or the employer or is in isolation as a result of a positive COVID-19 test result;

(2) the lump sums are calculated and paid proportionately to the regular hours actually worked in the environments, excluding reasons for absence mentioned in subparagraph 1;

(3) where the work schedule of a salaried person is on a basis other than weekly and over a period of more than five days, the salaried person is entitled to the payment

of the lump sums provided for, on the condition that the average of the hours worked during the reference period thus modified be equal to or greater than the number of hours worked per week provided for under the applicable job title according to the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”;

THAT for the purposes of the lump sums provided for in the ninth paragraph, the eligibility period begins on Sunday;

THAT the measures set out in the ninth, tenth, eleventh and twelfth paragraphs not apply to a salaried person performing duties in the institution’s administrative services;

THAT the applicable measures under subparagraphs 1 and 2 of the ninth paragraph apply, with the necessary modifications, to the following persons:

- (1) pharmacist;
- (2) pharmacist, head I;
- (3) pharmacist, head II;
- (4) pharmacist, head III;
- (5) pharmacist, head IV;
- (6) pharmacist, assistant head I;
- (7) pharmacist, assistant head II;

THAT the provisions of the collective agreements applicable to the unionized salaried personnel of Héma-Québec and the Institut national de santé publique du Québec, and the employment conditions that apply to the non-unionized salaried personnel of those bodies be amended so that a salaried person or a middle management officer whose employment has been identified by the employer and the Minister of Health and Social Services as having duties directly related to the COVID-19 pandemic receive a temporary bonus established as follows:

- (1) the salaried person receives a 4% bonus applicable on the salary provided for in the salary scale for the person’s job title for the hours worked;
- (2) the middle management officer receives a 4% salary bonus for the hours worked;
- (3) for the purposes of the salaried person’s and middle management officer’s remuneration, the temporary bonus is considered to be an inconvenience bonus;

THAT a salaried person or middle management officer referred to in the preceding paragraph who must be re-assigned to ensure continuation of care and services in the context of the COVID-19 pandemic,

(1) continue to receive the bonuses and supplements associated with the person’s position before the re-assignment, except inconvenience bonuses in a case where the re-assignment takes place in an environment where no bonus is so associated;

(2) if the person usually converts a night bonus into paid leave, not receive remuneration in connection with the amount of the bonus so converted; and

(3) continue to accumulate floating holidays, if the salaried person is entitled to them;

THAT it be prohibited for any service provider who has been in contact with a person known to have or suspected of having COVID-19, or who is waiting on the results of a COVID-19 test, to work during the 14-day period following the last contact with such a person, in a service or unit in a body in the health and social services sector in which no user or resident is in such a situation;

THAT every service provider be required to complete the “Refresher Course on the Application of Infection Prevention and Control (IPC) Measures” training and any other additional infection prevention and control training required by a body in the health and social services sector before providing any service to the body;

THAT it be prohibited for any personnel placement agency to supply a body in the health and social services sector with the services of a service provider who, as applicable,

(1) has been in contact in the previous 14 days with a person known to have or suspected of having COVID-19, or who is waiting on the results of a COVID-19 test, and who is to be assigned to a service or unit in a body in the health and social services sector in which no user or resident is in such a situation; or

(2) has not completed the “Refresher Course on the Application of Infection Prevention and Control (IPC) Measures” training and any other additional infection prevention and control training required by the body in the health and social services sector in which he or she is to provide services;

THAT every service provider and every personnel placement agency be required to send the following information and documents to the body in the health and social services sector to which the services are to be provided and that so requests:

(1) a list of the places in which the service provider concerned has worked in the 14 days preceding the assignment, as well as, if applicable, the fact that he or she was in contact during that period with a person known to have or suspected of having COVID-19, or who is waiting on the results of a COVID-19 test; and

(2) proof that the service provider concerned has completed the training referred to in subparagraph 2 of the preceding paragraph;

THAT it be prohibited for any service provider and personnel placement agency whose contract has been entered into, amended or renewed since 13 March 2020, to provide to a body in the health and services sector, in exchange for payment or other compensation, in whatever form, the value of which exceeds the following hourly rate, any work day by a service provider whose services correspond to duties performed by personnel covered by the following job titles listed in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”:

(1) \$74.36, for the following group of nurse clinician job titles;

- (a) nurse clinician (Institut Pinel) (1907);
- (b) nurse clinician (1911);
- (c) nurse clinician assistant head nurse, nurse clinician assistant to the immediate superior (1912);
- (d) care counsellor nurse (1913);
- (e) specialty nurse practitioner (1915);
- (f) nurse surgical first assistant (1916);
- (g) clinical nurse specialist (1917);

(2) \$71.87, for the following group of nurse job titles:

- (a) nurse team leader (2459);
- (b) nurse educator (2462);
- (c) nurse (2471);
- (d) nurse (Institut Pinel) (2473);
- (e) assistant head nurse or assistant to the immediate superior (2489);
- (f) outpost/northern clinic nurse (2491);

(3) \$47.65, for the following group of assistant nurse job titles:

- (a) nursing assistant team leader (3445);
- (b) nursing assistant (3455);

(4) \$41.96, for the following group of beneficiary attendant job titles:

- (a) beneficiary attendant (“A” certification) (3459);
- (b) beneficiary attendant (3480);
- (c) attendant in a northern institution (3505);

(5) \$32.08, for the job title of health and social services aide (3588);

(6) \$80.00, for the following group of respiratory therapist job titles:

- (a) respiratory therapist (2244);
- (b) technical coordinator (inhalation therapy) (2246);
- (c) clinical teacher (inhalation therapy) (2247);
- (d) assistant head respiratory therapist (2248);

THAT the hourly rates provided for in the preceding paragraph be increased by 20% if the place of the work of the service provider is situated in any of the following health regions:

- (1) Abitibi-Témiscamingue;
- (2) Bas-Saint-Laurent;
- (3) Côte-Nord;
- (4) Nord-du-Québec;
- (5) Gaspésie—Îles-de-la-Madeleine;
- (6) Nunavik;
- (7) Terres-Cries-de-la-Baie-James;

THAT any contract stipulation providing for payment or other compensation, in whatever form, the value of which exceeds the hourly rate set in the twenty-first or twenty-second paragraph, be without effect;

THAT, despite the twenty-first paragraph, service providers assigned to home support service may receive maximum compensation of \$0.48 per kilometre travelled in connection with their travel for the purpose of providing services to users;

THAT, despite the twenty-first paragraph, service providers assigned to a place of work situated in any of the regions listed in the twenty-second paragraph may be reimbursed, on presentation of vouchers, for the following expenses, as applicable:

- (1) expenses for travel by automobile at the maximum rate of \$0.48 per kilometre travelled between the service provider's residence and the place of work;
- (2) travel expense by means of travel other than an automobile;
- (3) lodging expense;
- (4) meal expenses, including tips, at the rate of \$10.40 for breakfast, \$14.30 for lunch and \$21.55 for supper;

THAT, despite the twenty-first paragraph, travel time for service providers whose place of work is situated in one of the regions listed in the twenty-second paragraph be considered to be regular work hours;

THAT it be prohibited for every service provider and personnel placement agency to claim or receive, per workday of a service provider referred to in the twenty-first paragraph, payment or other compensation, in whatever form, the value of which exceeds the hourly rate set in the twenty-first and twenty-second paragraphs;

THAT a service contract in force on 15 May 2020 entered into by a body in the health and social services sector to obtain the services of a service provider may not be amended to increase the rate set out in the contract if that rate is less than the maximum rate permitted under this Order;

THAT it be prohibited for anyone to hire a person who has an employment relationship with a body in the health and social services sector, a government department or agency of the gouvernement du Québec listed in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2), a school service centre, a school board, a college established under the General and Vocational Colleges Act (chapter C-29) or a university so that the person may then act as a service provider pursuant to a service contract entered into with a body in the health and social services sector;

THAT it also be prohibited for anyone to hire a person who is a recipient of a subsidy from a health and social services institution, the Minister of Health and Social Services or a body under the Minister's responsibility, or a person who has an employment relationship with such a person so that the person may then act as a service provider pursuant to a service contract entered into with a body in the health and social services sector;

THAT a body in the health and social services sector may terminate a service contract entered into to obtain the services of a service provider during the public health emergency, so as to be able to hire the person concerned, including as a temporary salaried person, without penalty or other compensation or indemnity for the body and service provider;

THAT it be prohibited for every service provider and personnel placement agency,

- (1) to provide a body in the health and social services sector with the services of a service provider who has or has had an employment relationship with such a body in the 90 days preceding the beginning of his or her assignment;

- (2) to provide a body in the health and social services sector with the services of a service provider for an assignment of a duration of less than 14 days; and

- (3) to provide a body in the health and social services sector with the services of a service provider who is already assigned to another body in the health and social services sector;

THAT subparagraphs 2 and 3 of the preceding paragraph not apply to service providers whose place of work is situated in one of the regions listed in the twenty-second paragraph;

THAT every service provider whose services are not offered through a personnel placement agency and every personnel placement agency be required to provide any body in the health and social services sector with an affidavit signed by the provider or agency or, if applicable, by a director, attesting that the service provider whose services are being offered does not have or has not had an employment relationship with a body in the health and social services sector in the 90 days preceding the beginning of his or her assignment, and that the service provider is not concurrently assigned to another body in the health and social services sector. Such an affidavit may cover more than one person assigned to the same body;

THAT the thirty-second and thirty-fourth paragraphs of this Order not apply to the providing of services corresponding to duties performed by personnel covered by the establishment guard (6422) or guard (6438) job titles in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”;

THAT it be prohibited for any public institution or private institution under agreement within the meaning of the Act respecting health services and social services (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5) to relocate a salaried person so as to open up a work shift to meet the availability of a service provider;

THAT it be prohibited for personnel placement agencies to set up any non-competition covenant or agreement having similar effects, in particular by claiming penalties, compensation or indemnities, or through any retaliatory measure, against any person wishing to be hired by a body in the health and social services sector;

THAT it be prohibited for anyone, except a body in the health and social services sector, to hire a nurse, a respiratory therapist or an assistant nurse who has or has had an employment relationship with such a body in the preceding 90 days, for the purpose of having such a person administer a COVID-19 vaccine;

THAT it be prohibited for every personnel placement agency to supply to anyone the services of a professional referred to in the preceding paragraph who has or has had an employment relationship with such a body in the preceding 90 days, for the purpose of having such a person administer a COVID-19 vaccine;

THAT the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-second, thirty-fourth and thirty-fifth paragraphs not apply in respect of a service provider assigned before 17 April 2021 to a body in the health and social services sector situated in one of the health regions listed in the twenty-second paragraph;

THAT the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth and twenty-seventh paragraphs not apply

(1) to contracts entered into before 13 March 2020 between a personnel placement agency and the Centre d’acquisitions gouvernementales that has acquired the rights and obligations of joint procurement groups recognized by the Minister of Health and Social Services, even if they have been amended or renewed since that date;

(2) to contracts by mutual agreement of the Centre d’acquisitions gouvernementales entered into on behalf of the Minister of Health and Social Services or a health and social services institution that provides for continued provision of services under contracts referred to in subparagraph 1, in keeping with the conditions set out in the third dash of the third paragraph of the operative part of Order in Council 177-2020 dated 13 March 2020, as it read before being revoked by Ministerial Order 2022-023 dated 23 March 2022, and on the condition that the contracts by mutual agreement

(a) have a maximum term of one year;

(b) be entered into with a personnel placement agency that, on the date the contract is entered into, holds an authorization to contract issued by the Autorité des marchés publics; and

(c) provide that the other terms and conditions, including rates, be identical to those provided for in the contract referred to in subparagraph 1;

THAT, for the purposes of the forty-third to the fifty-third paragraphs,

(1) a person be considered “adequately protected against COVID-19” if the person

(a) has received two doses of either the Moderna or Pfizer-BioNTech mRNA vaccine or two doses of the AstraZeneca/COVIDSHIELD vaccine, with an interval of no fewer than 21 days between the doses and the last dose being received at least seven days earlier;

(b) contracted COVID-19 and has received, at least seven days earlier, a dose of either vaccine described in subparagraph *a* after an interval of at least 21 days following the illness;

(c) has received the single-dose Janssen vaccine at least 14 days earlier; or

(d) has received two COVID-19 vaccine doses, one of which is a vaccine received outside Canada, other than the vaccines referred to in subparagraphs 1 and 3, and the other is the Moderna or Pfizer-BioNTech mRNA vaccine, with an interval of no fewer than 21 days between the doses and the last dose being received at least seven days earlier;

(2) a person also be considered adequately protected against COVID-19 if the person

(a) has a contraindication to vaccination against the illness certified by a health professional qualified to make such a diagnosis and entered in the vaccination registry maintained by the Minister of Health and Social Services; or

(b) has taken part in the Medicago inc. clinical trial seeking to validate the safety or efficacy of a COVID-19 vaccine candidate;

(3) “health and social service provider” means

(a) persons who are hired or who begin to practise for a health and social services institution;

(b) the following persons who have direct contact with persons to whom health and social services are provided or who are in direct physical contact with persons providing such services, particularly because of common areas being shared:

- i. student and trainees;
- ii. voluntary workers;
- iii. subcontractors not providing care to users or residents in the environments concerned, except those acting in an emergency;

THAT the following be required to be adequately protected:

(1) the health and social service providers referred to in subparagraph *a* of subparagraph 3 of the forty-second paragraph;

(2) the health and social service providers referred to in subparagraph *b* of subparagraph 3 of the forty-second paragraph working or practising in the following environments;

(a) a facility maintained by a health and social services institution;

(b) an intermediate resource not covered by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2);

(c) a private seniors’ residence, except such a residence with nine or fewer units;

THAT, for the purposes of subparagraph *a* of subparagraph 2 of the preceding paragraph, every place other than a facility maintained by a health and social services

institution where services are provided by such an institution be considered to be such a maintained facility, but only as regards the providers of the health or social services;

THAT a health and social service provider referred to in the forty-third paragraph be required to provide proof of being adequately protected against COVID-19, as applicable, to the health and social services institution in which he or wishes to be hired or practise, to the operator of the environment where the duties are performed or, for a student or trainee, to his or her educational institution;

THAT the proof required under the preceding paragraph be sent as expediently as possible as soon as the proof becomes available;

THAT a health and social services institution or the operator of an environment referred to in subparagraph 2 of the forty-third paragraph be required to verify that every health and social service provider required to be adequately protected against COVID-19 is in fact so protected;

THAT a health and social service provider required to be adequately protected against COVID-19 who has not provided the operator of an environment referred to in the forty-third paragraph with proof of protection not be able to re-enter the environment;

THAT a health and social service provider who cannot re-enter an environment pursuant to the preceding paragraph not receive, as applicable, any remuneration, benefit, fee or other form of compensation unless, at the employer’s discretion, he or she has been reassigned to other duties within the provider’s job title, if applicable, that do not require the person be adequately protected against COVID-19;

THAT an operator not covered by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements send to the health and social services institution with which an agreement has been entered into an attestation stating that the health and social service providers required to be adequately protected against COVID-19 are in fact so protected;

THAT if an operator not covered by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements does not send the attestation required by the preceding paragraph, the health and social services institution with which an agreement has been entered into cease to compensate the resource and may move the users taken in charge to another living environment;

THAT a health and social services institution may send the Minister a list of health and social service providers performing duties in the facilities it maintains for the purpose of ensuring that they are adequately protected;

THAT no person, partnership or body may impose a penalty or claim an indemnity or other redress on grounds that a person, owing to the application of this Order, denied a person access to a place, terminated a contract or turned to another person, partnership or body to replace the person;

THAT, for the purposes of the fifty-fifth to sixty-ninth paragraphs, “health and social service provider” means a person working or practising for

- (1) a health and social services institution;
- (2) an intermediate resource not covered by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements;
- (3) a private seniors’ residence, except such a residence with nine or fewer units;
- (4) a palliative care hospice within the meaning of paragraph 2 of section 3 of the Act respecting end-of-life care (chapter S-32.0001);
- (5) a religious institution which maintains residential and long-term care facilities to receive its members or followers;
- (6) a specialized medical centre within the meaning of section 333.1 of the Act respecting health services and social services;
- (7) a medical imaging laboratory within the meaning of section 30.1 of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2);
- (8) Corporation d’Urgences-santé;
- (9) holders of ambulance service permits;
- (10) Héma-Québec;
- (11) Institut national de santé publique du Québec;
- (12) the Ministère des Transports, but only for the Service aérien gouvernemental;

THAT a subcontractor providing care to users or residents of the environments referred to in the fifty-fourth paragraph be held to be a health and social service provider;

THAT, for the purposes of subparagraphs 8 to 12 of the fifty-fourth paragraph, only the fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth, sixty-fifth, sixty-sixth, sixty-seventh and sixty-eighth paragraphs apply to providers having direct physical contact with the persons to whom health and social services are provided;

THAT the fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth, sixty-fifth, sixty-sixth, sixty-seventh and sixty-eighth paragraphs not apply to teachers working in a rehabilitation centre for young persons with adjustment problems operated by a health and social services institution;

THAT a health and social service provider be required to undergo COVID-19 screening, in accordance with the terms of the sixty-first, sixty-second, sixty-third and sixty-fourth paragraphs, except if the provider

(1) has received two doses of either the Moderna or Pfizer-BioNTech mRNA vaccine or two doses of the AstraZeneca/COVIDSHIELD vaccine, with an interval of no fewer than 21 days between the doses and the last dose being received at least seven days earlier;

(2) contracted COVID-19 and has received, at least seven days earlier, a dose of either vaccine described in subparagraph 1 after an interval of at least 21 days following the illness;

(3) has received the single-dose Janssen vaccine at least 14 days earlier;

(4) has received a dose of a vaccine referred to in subparagraph 1 no fewer than seven days earlier and fewer than 60 days earlier;

(5) has a contraindication to vaccination against the illness certified by a health professional qualified to make such a diagnosis and entered in the vaccination registry maintained by the Minister of Health and Social Services;

(6) has taken part in the Medicago inc. clinical trial seeking to validate the safety or efficacy of a COVID-19 vaccine candidate;

(7) contracted COVID-19 fewer than 60 days earlier;

(8) has received two COVID-19 vaccine doses, one of which is a vaccine received outside Canada, other than the vaccines referred to in subparagraphs 1 and 3, and the other is the Moderna or Pfizer-BioNTech mRNA vaccine, with an interval of no fewer than 21 days between the doses and the last dose being received at least seven days earlier; or

(9) works exclusively from home;

THAT a health and social service provider be required to provide the operator of the environment or the person responsible for its organization with proof, as applicable, that the vaccine or vaccines referred to in the preceding paragraph have been received or that the provider satisfies the conditions described in subparagraph 5, 6 or 7 of that paragraph;

THAT a health and social services institution may send the Minister a list of health and social service providers working or practising in the facilities it maintains for the purpose of ensuring that they are adequately protected;

THAT a health and social service provider required to undergo COVID-19 screening pursuant to the fifty-eighth paragraph be required to undergo a minimum of three screening tests per week, administered by an authorized professional, and to provide the results to the operator of the environment or to the person responsible for its organization;

THAT, despite the preceding paragraph, a health and social service provider working fewer than three consecutive days per week be required to undergo a minimum number of COVID-19 screening tests equal to the number of days on which he or she is present in the environment or works for its organization;

THAT a health and social service provider referred to in the sixty-first or sixty-second paragraph be required to undergo the screening tests outside working hours, and receive no remuneration or reimbursement for costs related to the screening tests;

THAT a health and social service provider who refuses or neglects to provide the proof required by the fifty-ninth paragraph, to undergo COVID-19 screening required pursuant to the fifty-eighth paragraph or to provide the test results in accordance with the sixty-first paragraph not be able to be reassigned or work from home, and the provider's absence be an absence without authorization, without loss of seniority;

THAT the privileges of a physician, a pharmacist or a dentist who refuses or neglects to undergo COVID-19 screening required pursuant to the fifty-eighth paragraph be suspended;

THAT every person providing services within the framework of the direct allowance home care mechanism – service employment paycheque or a domestic help social economy enterprise be required to provide, at the request of the person to whom the services are provided, proof that the vaccine or vaccines referred to in the fifty-eighth

paragraph have been received or that the conditions described in subparagraph 5, 6 or 7 of that paragraph are satisfied, or provide the results of a COVID-19 screening test undergone fewer than 72 hours earlier;

THAT every person providing services within the framework of the direct allowance home care mechanism – service employment paycheque or a domestic help social economy enterprise who does not provide the proof requested pursuant to the preceding paragraph not be able to provide services to the person who made the request;

THAT a health and social service provider required to undergo COVID-19 screening under the fifty-eighth paragraph not be able to receive the bonuses, lump sums, allowances or compensations provided for in this Order;

THAT a health and social service provider who is not required to undergo COVID-19 screening only pursuant to subparagraph 9 of the fifty-eighth paragraph not be able to receive the bonuses, lump sums, allocations or financial compensations referred to in the preceding paragraph;

THAT, for the purposes of the seventy-first to the one hundred twenty-sixth paragraphs,

(1) “institution” mean a public institution or a private institution under agreement within the meaning of the Act respecting health services and social services or the Act respecting health services and social services for Cree Native persons;

(2) “salaried person” mean a salaried person in an institution whose job title forms part of the class of nursing and cardio-respiratory care personnel, as set out in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”, other than nursing externs and respiratory therapy externs;

(3) “officer” mean an officer within the meaning of section 3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions, having line, staff or advisory responsibilities in connection with salaried persons and who is in one of the following employment families:

(a) unit head, family medicine group or university family medicine group;

(b) coordinator or head of activities, professional services (bed management, continuum of care, stay management);

(c) coordinator, nursing care;

(d) service, program and unit head and head of activities, nursing care;

(e) sector head, nursing care;

(f) managerial advisor, nursing care;

(g) coordinator or head of activities, nursing care (evenings, nights, weekends and holidays/housing);

(h) ranking assistant, nursing care;

(i) coordinator, respiratory therapy services;

(j) head, respiratory therapy services;

(k) manager, residential and long-term care facility;

(l) unit head, lodging in a residential and long-term care facility;

(m) head, perinatal, neonatal or pediatric unit in a general and specialized hospital centre;

(n) Info-Santé program head;

(o) head, psychiatric hospital unit;

(p) coordinator, institutional activities;

THAT a salaried person receive, for each work shift effectively worked during a weekend in addition to the person's scheduled work shifts, an amount of

(1) \$200 if the person works in a facility maintained by an institution situated in a health region listed in Schedule III;

(2) \$400 if the person works in a facility maintained by an institution situated in a health region listed in Schedule IV;

THAT, to receive the lump sum provided for in the preceding paragraph, a salaried person be required to be present at work, in keeping with the person's work schedule, during the seven days preceding and following the work shift effectively worked during the weekend;

THAT, for the purposes of eligibility for the lump sums provided for in the seventy-first paragraph, a salaried person entitled to a statutory holiday or union leave or, if applicable, to convert an evening or night bonus into paid leave be deemed to be present at work;

THAT every salaried person on a day schedule who undertakes to work full time evenings or nights for a period of four consecutive weeks receive a lump sum of \$2,000 at the end of the period;

THAT the preceding paragraph also apply to every salaried person who has a position or assignment with rotating shifts and who agrees to work only evenings or nights;

THAT, to receive the lump sum provided for in the seventy-fourth paragraph, a salaried person be required to be present at work, in keeping with the person's work schedule, for the entire period concerned;

THAT, for the purposes of the preceding paragraph, a salaried person entitled to a statutory holiday be deemed to be present at work;

THAT every person who was not working for an institution on 23 September 2021 and who undertakes to work full time for an institution as a salaried person for a minimum period of one year receive, on assuming duties, a lump sum of

(1) \$2,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule III;

(2) \$5,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule IV;

THAT every salaried person who was working for an institution on 23 September 2021 and who undertakes to work full time for the institution for a minimum period of one year receive, on signing the undertaking, a lump sum of

(1) \$5,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule III;

(2) \$8,000 if the person works in a facility maintained by an institution situated in a health region listed in Schedule IV;

THAT a salaried person who was working for an institution on 23 September 2021 and moved before 31 March 2022 be able to be hired and work full time in another institution for a minimum period of one year and receive the lump sum provided for in the preceding paragraph;

THAT a person referred to in the seventy-eighth, seventy-ninth or eightieth paragraph receive a lump sum of \$10,000 at the end of the period specified in the undertaking, insofar as the undertaking has been complied with;

THAT every salaried person with status as a full-time salaried person without working the number of hours set out in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux” because the person has a flexible work schedule with reduced working time, and who undertakes with an institution to work according to the agreed work schedule for a minimum period of one year receive a maximum of 60% of the lump sums provided for in the seventy-ninth, eightieth or eighty-first paragraphs;

THAT every salaried person who undertakes with an institution to perform part-time work in the institution for at least 9 days per 14-day period for a minimum period of one year receive a maximum of 50% of the lump sums provided for in the seventy-eighth, seventy-ninth, eightieth or eighty-first paragraphs;

THAT every salaried person remain eligible for the lump sums provided for in the seventy-eighth, seventy-ninth, eightieth and eighty-first paragraphs if the person is on leave without pay to teach, provided that the person work for the institution for a minimum of 7 days per 14-day period, and in which case the person receive the maximum of the following percentages of lump sums:

- (1) 70% if the person works 7 days per 14-day period;
- (2) 80% if the person works 8 days per 14-day period;
- (3) 90% if the person works 9 days per 14-day period;

THAT the preceding paragraph apply only to a salaried person who complies with the following conditions:

(1) the teaching is directly related to the fields of practice of salaried persons in the class of nursing and cardio-respiratory care personnel, as set out in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”;

(2) the person works a full-time equivalent if the person’s work in the institution is in addition to the person’s teaching load;

THAT, to be eligible to receive the lump sums provided for in the seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second and eighty-third paragraphs, a salaried person must have signed the undertaking on or before 31 March 2022 and be available for work on that date according to the number of days per week set in the person’s undertaking;

THAT a salaried person on maternity, paternity, adoption or parental leave be able to sign an undertaking after 31 March 2022 for a duration not to exceed 31 March 2023, provided the person is available for full-time work or to work for 9 days per 14-day period, in the case of a part-time salaried person, on the date the person returns to work, and receive, as applicable, the lump sums provided for in the seventy-eighth, seventy-ninth or eighty-first, eighty-second and eighty-third paragraphs in one payment, at the end of the undertaking, insofar as undertaking has been complied with;

THAT the salaried persons referred to in the seventy-eighth, seventy-ninth or eightieth paragraphs be able to convert the evening or night bonus into paid leave;

THAT the lump sums referred to in the seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second and eighty-third paragraphs be paid in proportion to the number of regular working hours actually worked;

THAT, despite the provisions of the seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second and eighty-third paragraphs, a retired person hired be eligible for the lump sums provided for in those paragraphs and that the sums be paid in proportion to the number of regular working hours actually worked in the year, if the person works part time or the employment relationship is severed before the end of the undertaking;

THAT, for the purposes of the eighty-ninth and ninetieth paragraphs, annual leave, floating holidays and statutory holidays and, except for retired persons hired, a maximum of 10 days of any other authorized absence be considered to be regular working hours actually worked;

THAT a retired person who undertakes to work for an institution pursuant to the seventy-eighth, seventy-ninth, eightieth or eighty-first paragraphs be able to be reimbursed, at the end of the period specified in the undertaking, insofar as the undertaking has been complied with, up to the amount usually required for a one-year practise, for expenses incurred to obtain the right to perform the necessary professional activities according to the requirements of the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”;

THAT every person working for an institution, other than a physician, who refers a salaried person not employed by an institution so that he or she may be hired by the institution as a salaried person receive a referral bonus of \$500 if the referred person passes the probation period and completes at least six months of service with the institution;

THAT for the purposes of the preceding paragraph, a trainee be deemed to be employed by an institution;

THAT every salaried person working in a facility maintained by an institution situated in a health region listed in Schedule III who undertakes to work full time for a facility maintained by an institution situated in a health region listed in Schedule IV for a period of at least four consecutive months receive, on signing the undertaking, a lump sum of \$1,000;

THAT a salaried person referred to in the preceding paragraph receive a lump sum of \$3,000 at the end of the period specified in the undertaking, insofar as the undertaking has been complied with;

THAT every salaried person with full-time status without working the number of hours set out in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux” because the person has a flexible work schedule with reduced working time, who works in a facility maintained by an institution situated in a health region listed in Schedule III and who undertakes, for a period of at least four consecutive months, to work according to the agreed work schedule in a facility maintained by an institution situated in a health region listed in Schedule IV, receive a maximum of 60% of the lump sums provided for in the ninety-fifth and ninety-sixth paragraphs;

THAT every salaried person working in a facility maintained by an institution situated in a health region listed in Schedule III who undertakes, for a period of at least four consecutive months, to work part time for at least 9 days per 14-day period for a facility maintained by an institution situated in a health region listed in Schedule IV, receive a maximum of 50% of the lump sums provided for in the ninety-fifth and ninety-sixth paragraphs;

THAT the lump sums referred to in the ninety-fifth, ninety-sixth, ninety-seventh and ninety-eighth paragraphs be paid in proportion to the number of regular working hours actually worked;

THAT, for the purposes of the preceding paragraph, annual leave, floating holidays and statutory holidays and, except for retired persons hired, a maximum of 4 days of any other authorized absence be considered to be regular working hours actually worked;

THAT the following terms and conditions apply with regard to the lump sums referred to in the seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second, eighty-third, eighty-fifth, ninety-sixth, ninety-seventh and ninety-eighth paragraphs:

(1) any overpayment received by the salaried person must be reimbursed to the institution or may be compensated by the institution;

(2) a salaried person becomes ineligible for the lump sums and must reimburse any payment received, without any proportional calculation being applied, if the person

(a) was absent without the absence being authorized;

(b) takes more than 10 days of authorized leave without pay or, for the lump sums provided for in the ninety-fifth, ninety-sixth, ninety-seventh and ninety-eighth paragraphs, more than 4 days of authorized leave without pay;

(c) does not comply with the agreed undertaking;

THAT, for the purpose of calculating the number of days referred to in subparagraph *b* of subparagraph 2 of the preceding paragraph, authorized absences in the case of an outing provided for in the collective agreement of a salaried person working in a facility maintained by an institution situated in a sector listed in Schedule V not be taken into consideration;

THAT the undertaking of a salaried person who has signed an undertaking to work full time for a minimum period of one year in a facility maintained by an institution situated in a health region listed in Schedule III and who voluntarily ceases to work for the institution to be able to work in a facility maintained by an institution situated in a health region listed in Schedule IV be deemed to have undertaken with that latter institution, and the person receive the lump sums that apply to each of the regions in proportion to the time worked in each of them;

THAT a person who is not domiciled in a region listed in Schedule IV, who settles in that region to work as a salaried person in a facility of an institution situated in the region, and who undertakes to work full time in the facility for a minimum period of two years receive a lump sum of \$24,000, paid as follows:

(1) \$12,000 on the person’s entry into service;

(2) \$12,000 one year after the person’s entry into service;

THAT the person referred to in the preceding paragraph be required to reimburse any amount received if the person does not comply with the undertaking;

THAT every salaried person with status as a full-time salaried person without working the number of hours set out in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire

du réseau de la santé et des services sociaux” because the person has a flexible work schedule with reduced working time, and who undertakes with an institution to work according to the agreed work schedule for a minimum period of two years receive 60% of the lump sums provided for in the hundred and fourth paragraph;

THAT every salaried person who undertakes with an institution to work part time in the institution for at least 9 days per 14-day period for a minimum period of two years receive 50% of the lump sums provided for in the hundred and fourth paragraph;

THAT a salaried person referred to in the ninety-fifth paragraph be reimbursed, for each return trip between the person’s residence and place of work, for the following expenses:

- (1) expenses for travel by automobile, at a maximum rate of \$0.48 per kilometre travelled between the residence and place of work;
- (2) actual expense for travel by a means of transportation other than an automobile;
- (3) lodging expense incurred;
- (4) travel time;
- (5) meal expense, including tips, at a rate of \$10.40 per breakfast, \$14.30 per lunch and \$21.55 per supper;

THAT the amounts set out in subparagraph 5 of the preceding paragraph be increased

- (1) by 30% if the meals are provided in a commercial establishment in a municipality situated between the 49th and 50th parallels, other than the municipality of Baie-Comeau and municipalities on the Gaspé Peninsula;
- (2) by 50% if the meals are provided in a commercial establishment in a municipality situated north of the 50th parallel, other than the municipalities of Port-Cartier and Sept-Îles;

THAT, owing to exceptional circumstances, meal expense exceeding the maximum amounts set in the preceding paragraphs may be reimbursed by the head of the public body or the person designated by the head if the explanations found to be valid so warrant;

THAT the lump sums provided for in the seventy-eighth, seventy-ninth and eighty-first paragraphs apply, with the necessary modifications, to a person working for a private institution not under agreement or a palliative care

hospice within the meaning of paragraph 2 of section 3 of the Act respecting end-of-life care and performing duties equivalent to those of a salaried person;

THAT every person performing duties equivalent to those of a salaried person, with full-time status, who has a flexible work schedule with reduced working time and undertakes with an institution or a palliative care hospice referred to in the preceding paragraph to work according to the agreed work schedule for a minimum period of one year receive a maximum of 60% of the lump sums provided for in the seventy-ninth or eighty-first paragraphs;

THAT every person performing duties equivalent to those of a salaried person and who undertakes with an institution or a palliative care hospice referred to in the hundred and eleventh paragraph to work part time for at least 9 days per 14-day period for a minimum period of one year receive a maximum of 50% of the lump sums provided for in the seventy-eighth, seventy-ninth or eighty-first paragraphs;

THAT a person performing duties equivalent to those of a salaried person for an institution or a palliative care hospice referred to in the hundred and eleventh paragraph and who is on maternity, paternity, adoption of parental leave be able to sign an undertaking after 31 March 2022 for a duration not to exceed 31 March 2023, insofar as the person is available for full-time work or to work for 9 days per 14-day period, in the case of a part-time person, on the date the person returns to work and receive, as applicable, the lump sums provided for in the seventy-eight, seventy-ninth or eighty-first paragraphs in one payment, at the end of the undertaking, insofar as the undertaking has been complied with;

THAT the terms set out in the eighty-sixth, eighty-eighth, eighty-ninth, ninetieth, ninety-first and hundred and first paragraphs apply to a person referred to in the hundred and eleventh, hundred and twelfth, hundred and thirteenth or hundred and fourteenth paragraphs;

THAT every person working for a private seniors’ residence or a religious institution that maintains residential and long-term care facilities to receive its members or followers, who is performing duties in the residence equivalent to those of a salaried person and who undertakes with the residence to work full time as such for the residence for a minimum period of one year receive a lump sum of

- (1) \$2,500 on signing the undertaking;
- (2) \$5,000 at the end of the period specified in the undertaking, insofar as the undertaking has been complied with;

THAT every person performing duties equivalent to those of a salaried person, with full-time status, who has a flexible work schedule with reduced working time and undertakes with a private seniors' residence or a religious institution referred to in the preceding paragraph to work according to the agreed work schedule for a minimum period of one year receive a maximum of 60% of the lump sums provided for in that paragraph;

THAT every person performing duties equivalent to those of a salaried person and who undertakes with a private seniors' residence or a religious institution referred to in the hundred and sixteenth paragraph to work part time for at least 9 days per 14-day period for a minimum period of one year receive a maximum of 50% of the lump sums provided for in that paragraph;

THAT a person performing duties equivalent to those of a salaried person for a private seniors' residence or a religious institution referred to in the hundred and sixteenth paragraph and who is on maternity, paternity, adoption or parental leave be able to sign an undertaking after 31 March 2022 for a period not to exceed 31 March 2023, provided the person is available for full-time work or to work for 9 days per 14-day period, in the case of a part-time person, on the date the person returns to work and receive, as applicable, the lump sums provided for in the hundred and sixteenth paragraph in one payment, at the end of the undertaking, insofar as the undertaking has been complied with;

THAT the terms set out in the eighty-sixth, eighty-eighth, eighty-ninth, ninetieth, ninety-first and hundred and first paragraphs apply to a person referred to in the hundred and sixteenth, hundred and seventeenth, hundred and eighteenth or hundred and nineteenth paragraphs;

THAT a person not become ineligible to receive the lump sums provided for in the seventy-first, seventy-fourth, seventy-eighth, seventy-ninth, eightieth, eighty-first, eighty-second, eighty-third, eighty-fourth, eighty-seventh, ninetieth, ninety-second, ninety-third, ninety-fifth, ninety-sixth, ninety-seventh, ninety-eight, hundred and fourth, hundred and sixth, hundred and seventh, hundred and eighth, hundred and eleventh, hundred and twelfth, hundred and thirteenth, hundred and fourteenth, hundred and sixteenth, hundred and seventeenth, hundred and eighteenth and hundred and nineteenth paragraphs and that any proportional amount applicable to the sums not be affected if the person is absent for the purpose of taking a COVID-19 screening test, has received an isolation order from a public health authority or has contracted COVID-19 and for that reason is on disability leave;

THAT an officer be entitled to a temporary 14% allowance to apply to the officer's salary within the meaning of section 3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions;

THAT the allowance referred to in the preceding paragraph be paid as a lump sum, in proportion to the time worked, including statutory holidays, floating holidays, annual leave and personal leave;

THAT an officer not be eligible for the temporary allowance if the officer

(1) has taken more than 10 days of leave without pay, excluding absences arising from the application of a progressive retirement agreement or leave for activities in the North;

(2) has been absent without the absence being authorized;

THAT officers whose positions have been abolished in the two years preceding 13 December 2021 and who have received an end-of-employment indemnity pursuant to sections 119 and 122 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions be able to be rehired to hold an officer's position;

THAT the hundred and twenty-second, hundred and twenty-third, hundred and twenty-fourth and hundred and twenty-fifth paragraphs apply to officers working for a palliative care hospice apply, with the necessary modifications;

THAT, for the purposes of the hundred and twenty-eighth to the hundred and forty-seventh paragraphs,

(1) "institution" means a public institution or a private institution under agreement within the meaning of the Act respecting health services and social services or the Act respecting health services and social services for Cree Native persons;

(2) "salaried person" means a salaried person in an institution whose job title forms part of one of the following classes, as set out in the document entitled *Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux*:

(a) nursing and and cardio-respiratory care personnel;

(b) paratechnical personnel and auxiliary services and trades personnel;

(c) office personnel and administrative technicians and professionals;

(d) health and social services technicians and professionals;

(3) “officer” means an officer within the meaning of section 3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions;

THAT a salaried person in an institution who works a full work shift in addition to all the hours scheduled in the regular work week, as provided for in the job title set out in the document entitled “Nomenclature des titres d’emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux”, be remunerated at double time for the additional work shift;

THAT, for every full work shift worked in addition to all the hours scheduled in the regular work week, as provided for in the job title, a salaried person in an institution, other than a retired person or a temporary salaried person referred to in subparagraph 5 of the second paragraph, accumulate one half-day of vacation, representing 50% of a full work shift, that may be used as of 1 May 2022, without an expiry period;

THAT a full-time salaried person with a non-standard work schedule who, in addition to all the hours scheduled in the person’s regular work week, works two 4-hour work shifts immediately after two 12-hour work shifts:

(1) be remunerated at double time for the two additional 4-hour work shifts;

(2) accumulate 4 hours of vacation time that may be used as of 1 May 2022, without an expiry period;

THAT, despite subparagraph 2 of the preceding paragraph, a retired person or a temporary salaried person referred to subparagraph 5 of the second paragraph receive instead a lump sum equivalent to 4 hours of vacation time;

THAT, for every full work shift worked in addition to all the hours scheduled in the regular work week, as provided for in the job title, a retired person or a temporary salaried person referred to in subparagraph 5 of the second paragraph receive a lump sum equivalent to a one half-day of vacation, representing 50% of a full work shift;

THAT, for the purposes of the hundred and twenty-eighth, hundred and twenty-ninth, hundred and thirtieth and hundred and thirty-second paragraphs, regular work shifts, vacation days, statutory holidays,

floating holidays, days of internal release for union activities, leaves for pregnancy-related medical visits, conversion of an evening or night bonus into paid leave and days on which the salaried person is absent owing to a request from the employer to self-isolate or because the person has received an isolation order from a public health authority, be considered for the purpose of calculating regular work week hours;

THAT a salaried person referred to in the hundred and twenty-ninth or hundred and thirtieth paragraphs be able, as of 1 May 2022, to request that each half-day of vacation accumulated pursuant to those paragraphs be paid at straight time;

THAT a part-time salaried person in an institution receive a lump sum of \$100 per week if the person effectively works at least 30 hours without reaching the number of hours scheduled in the job title;

THAT, for the purposes of a person’s eligibility for a lump sum provided for in the preceding paragraph, the hours effectively worked include regular hours, vacation days, statutory holidays, floating holidays, leaves for pregnancy-related medical visits, days of internal release for union activities and days on which the salaried person is absent owing to a request from the employer to self-isolate or because the person has received an isolation order from a public health authority;

THAT a salaried person not be eligible for the lump sum provided for in the hundred and thirty-fifth paragraph if the person is absent for a reason other than those described in the hundred and thirty-sixth paragraph;

THAT a part-time salaried person in an institution who works a second work shift immediately after the person’s work shift be remunerated at double time for the additional work shift if, in the same week, the person has effectively worked, in an activity centre in which services are provided 24 hours per day and 7 days per week, another full evening, night or weekend work shift, at straight time, in addition to the hours normally scheduled for the person’s position or temporary assignment, as applicable;

THAT, for the purposes of the preceding paragraph, regular hours, vacation days, statutory holidays, floating holidays, days of internal release for union activities, leaves for pregnancy-related medical visits and days on which the salaried person is absent owing to a request from the employer to self-isolate or because the person has received an isolation order from a public health authority, be considered for the purpose of calculating the hours normally scheduled for the person’s position or temporary assignment, as applicable;

THAT a salaried person in an institution not be eligible for the measure set out in the hundred and thirty-eighth paragraph more than once per week;

THAT a salaried person in an institution be able to receive, where the service exists, for each work shift worked overtime, payment or reimbursement of actual and reasonable taxi travel expense between the person's domicile and place of work, to go to or return from work, or both, according to the needs of the salaried person;

THAT a salaried person in an institution not be required to pay parking expense if the parking space is available and managed by the institution, for the period from 16 January 2022 to 14 May 2022;

THAT the national and local provisions of the collective agreements applicable in the health and social services network, and the employment conditions that apply to unionizable non-unionized employees and to non-unionizable employees in the health and social services network be amended to allow for implementation of the measures set out in the hundred and twenty-seventh to the hundred and forty-second paragraphs;

THAT the measures set out in the hundred and twenty-seventh to the hundred and forty-second paragraphs apply, with the necessary modifications, to the employment conditions of the personnel not covered by the Act respecting bargaining units in the social affairs sector in public institutions and private institutions under agreement and the agreements entered into with the Regroupement Les sages-femmes du Québec be amended in the same manner;

THAT the measures set out in the hundred and twenty-eighth, hundred and twenty-ninth, hundred and thirtieth, hundred and thirty-first, hundred and thirty-third, hundred and thirty-fourth, hundred and thirty-fifth, hundred and thirty-sixth, hundred and thirty-seventh, hundred and thirty-eighth and hundred and thirty-ninth paragraphs apply, with the necessary modifications, to a person working for a private institution not under agreement, a palliative care hospice within the meaning of paragraph 2 of section 3 of the Act respecting end-of-life care, a private seniors' residence, an intermediate resource in the Support Program for the Autonomy of Seniors (SAPA) not covered by the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements or a religious institution that maintains residential and long-term care facilities to receive its members or followers, and the person is performing duties equivalent to those of a salaried person;

THAT an officer who works for a private institution not under agreement or a palliative care hospice within the meaning of paragraph 2 of section 3 of the Act respecting end-of-life care and who agrees to replace an officer or a non-executive employee outside his or her usual work schedule be remunerated as per the usual salary rate and that that rate be increased by 150% for each hour worked over 40 hours per week;

THAT an officer in an institution who agrees to replace an officer or a non-executive employee outside his or her usual work schedule be remunerated as per the usual salary rate and that that rate be increased by 150% for each hour worked over 40 hours per week;

THAT all bonuses, allowances and lump sums paid under this Ministerial Order not be contributory amounts for the purposes of the pension plan;

THAT the following be revoked:

(1) Order in Council 1276-2021 dated 24 September 2021, amended by Ministerial Orders 2021-072 dated 16 October 2021 and 2021-080 dated 14 November 2021;

(2) Ministerial Order 2020-007 dated 21 March 2020;

(3) Ministerial Order 2020-015 dated 4 April 2020, amended by Ministerial Orders 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-023 dated 17 April 2020, 2020-031 dated 3 May 2020, 2020-034 dated 9 May 2020, 2020-038 dated 15 May 2020, 2022-003 dated 15 January 2022 and 2022-023 dated 23 March 2022;

(4) Ministerial Order 2020-017 dated 8 April 2020;

(5) Ministerial Order 2020-020 dated 10 April 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020 and 2022-024 dated 25 March 2022;

(6) Ministerial Order 2020-023 dated 17 April 2020;

(7) Ministerial Order 2020-035 dated 10 May 2020, amended by Ministerial Orders 2020-044 dated 12 June 2020, 2020-064 dated 17 September 2020, 2020-067 dated 19 September 2020, 2021-036 dated 15 May 2021, 2021-055 dated 30 July 2021, 2021-071 dated 16 October 2021, 2021-094 dated 30 December 2021, 2022-003 dated 15 January 2022 and 2022-008 dated 23 January 2022;

(8) Ministerial Order 2020-049 dated 4 July 2020, amended by Ministerial Orders 2021-054 dated 16 July 2021, 2022-024 dated 25 March 2022 and 2022-026 dated 31 March 2022;

(9) Ministerial Order 2020-107 dated 23 December 2020, amended by Orders in Council 2-2021 dated 8 January 2021 and 799-2021 dated 9 June 2021 and by Ministerial Orders 2021-001 dated 15 January 2021, 2021-051 dated 6 July 2021, 2022-023 dated 23 March 2022 and 2022-024 dated 25 March 2022;

(10) Ministerial Order 2021-017 dated 26 March 2021, amended by Ministerial Orders 2021-028 dated 17 April 2021, 2021-036 dated 15 May 2021, 2021-039 dated 28 May 2021, 2021-040 dated 5 June 2021, 2021-071 dated 16 October 2021 and 2022-008 dated 23 January 2022;

(11) Ministerial Order 2021-032 dated 30 April 2021, amended by Ministerial Orders 2021-034 dated 8 May 2021, 2021-082 dated 17 November 2021 and 2021-093 dated 23 December 2021;

(12) Ministerial Order 2021-081 dated 14 November 2021, by Ministerial Orders 2021-085 dated 13 December 2021, 2021-088 dated 16 December 2021 and 2022-003 dated 15 January 2022;

(13) Ministerial Order 2021-085 dated 13 December 2021, amended by Ministerial Orders 2021-093 dated 23 December 2021, 2022-008 dated 23 January 2022 and 2022-026 dated 31 March 2022;

(14) Ministerial Order 2021-095 dated 31 December 2021;

(15) Ministerial Order 2022-003 dated 15 January 2022, amended by Ministerial Order 2022-008 dated 23 January 2022.

Schedule I

Planning, programming and research officer

Human relations officer

Intervention officer

Intervention officer, team leader

Medico-legal intervention officer

Medico-legal intervention officer, team leader

Psychiatric intervention officer

Psychiatric intervention officer, team leader

Service aid

Social aid

Cook's helper

Pathology assistant

Rehabilitation assistant

Laboratory or radiology technical assistant

Health care technical assistant

Pharmacy technical assistant

Senior pharmacy technical assistant

Assistant head (laboratory)

Assistant head respiratory therapist

Assistant head physiotherapist

Assistant head dietetics technician

Assistant head medical electro-physiology technologist

Assistant head radiology technologist

Assistant head nurse or assistant to the immediate superior

Audiologist

Audiologist-speech therapist

Health and social services aide

Bacteriologist

Biochemist

Clinical biochemist

Clinical biochemist, level I laboratory head

Clinical biochemist, level II laboratory head

Butcher

Stretcher bearer

Launderer

Cafeteria cashier

Candidate to the nursing profession

Candidate to the nursing assistant profession

Specialty nurse practitioner candidate	Nurse clinician assistant head nurse or nurse clinician assistant to the immediate superior
Transfusion safety clinical officer	Nurse clinician
Clinical teacher (inhalation therapy)	Nurse clinician (Institut Pinel)
Clinical teacher (physiotherapy)	Clinical nurse specialist
Transfusion safety technical officer	Outpost/northern clinic nurse
Head of module	Nurse on refresher period
Unit supervising clerk (Institut Pinel)	Nurse educator
Guidance counsellor	Nurse
Care counsellor nurse	Nurse (Institut Pinel)
Technical coordinator (inhalation therapy)	Specialty nurse practitioner
Technical coordinator (laboratory)	Nurse surgical first assistant
Technical coordinator (radiology)	Biomedical engineer
Medical electro-physiology technical coordinator	Respiratory therapist
Criminologist	Clinical instructor (laboratory)
Cook	Clinical instructor (radiology)
Cyto-technologist	Specialized peacekeeping and security facilitator (Institut Pinel)
Dietician – Nutritionist	Storekeeper
Educator	Recreation instructor
Occupational therapist	Speech therapist
Respiratory therapy extern	Cleaner
Nursing extern	Baker/pastry cook
Medical technology extern	Clinical perfusionist
Residence guard	Pharmacist
Dental hygienist	Pharmacist, head I
Nursing assistant, team leader	Pharmacist, head II
Nursing assistant on refresher period	Pharmacist, head III
Nursing assistant	Pharmacist, head IV
Nurse, team leader	

Pharmacist, assistant head I	Sexologist
Pharmacist, assistant head II	Clinical sexologist
Medical physicist	Sociotherapist (Institut Pinel)
Physiotherapist	Clinical specialist in laboratory medicine
Unit and/or pavilion attendant	Clinical activities specialist
Laundry attendant	Biological and health physics science specialist
Reception attendant	Institution guard
Housekeeping attendant (light duty)	Graduate medical laboratory technician
Housekeeping attendant (heavy duty)	Class “B” technician
Food service attendant	Recreation intervention technician
Transport attendant	Food technician
Physically handicapped beneficiaries transport attendant	Clinical cytogenetics technician
Beneficiary attendant	Dietetics technician
Beneficiary attendant, team leader	Specialized education technician
Storeroom attendant	Cardio-respiratory physiology technician
Attendant in a northern institution	Social work technician
Physiotherapy and/or occupational therapy attendant	Medical technologist
Reprocessing of medical devices attendant	Medical electro-physiology technologist
Operating room attendant	Medical imaging technologist (nuclear medicine)
Presser	Medical imaging technologist (radio-diagnostic field)
Psycho-educator	Physiotherapy technologist
Psychologist	Radiology technologist (Information and digital imaging system)
Child nurse / baby nurse	Radiotherapy technologist
Living environment supervisor	Specialized ultrasound technologist – independent practice
Midwifery services coordinator	Specialized medical imaging technologist
Revisor	Specialized radiotherapy technologist
Midwife	Community worker
Medical secretary	Social worker.

Schedule II

Administrative officer, Class 1 - administrative sector
 Administrative officer, Class 1 - clerical sector
 Administrative officer, Class 2 - administrative sector
 Administrative officer, Class 2 - clerical sector
 Administrative officer, Class 3 - administrative sector
 Administrative officer, Class 3 - clerical sector
 Administrative officer, Class 4 - administrative sector
 Administrative officer, Class 4 - clerical sector

Schedule III

Bas-Saint-Laurent Health Region;
 Saguenay—Lac-Saint-Jean Health Region;
 Capitale-Nationale Health Region;
 Mauricie et Centre-du-Québec Health Region;
 Estrie Health Region;
 Montréal Health Region;
 Chaudière-Appalaches Health Region;
 Laval Health Region;
 Lanaudière Health Region;
 Laurentides Health Region;
 Montérégie Health Region.

Schedule IV

Outaouais Health Region;
 Abitibi-Témiscamingue Health Region;
 Côte-Nord Health Region;
 Nord-du-Québec Health Region;
 Gaspésie — Îles-de-la-Madeleine Health Region;
 Nunavik Health Region;
 Terres-Cries-de-la-Baie-James Health Region.

Schedule V

Sector V, comprising the localities of Tasiujak, Ivujivik, Kangiqsualujjuaq, Aupaluk, Quaqtak, Akulivik, Kangiqsujuaq, Kangirsuk, Salluit, Tarpangajuk and Umiujaq;

Sector IV, comprising the localities of Wemindji, Eastmain, Fort Rupert (Waskaganish), Nemaska (Nemiscau), Inukjuak, Puvirnituq, Kuujjuak, Kuujjuarapik, Poste-de-la-Baleine (Whapmagoostui), Schefferville and Kawawachikamach;

Sector III, comprising the following localities:

—those situated in the territory north of the 51st degree of latitude including Mistissini, Chisasibi, Oujé-Bougoumou, Radisson, and Waswanipi, except Fermont and the localities specified in sectors IV and V;

—Parent, Sanmaur and Clova;

—those situated in the territory of Côte-Nord, extending east of Havre-St-Pierre, to the border of Labrador, including Île d'Anticosti;

Sector III, comprising the following localities:

—Municipalité de Fermont;

—those situated in the territory of Côte-Nord situated east of rivière Moisie and extending to Havre-St-Pierre inclusively;

—those of Îles-de-la-Madeleine.”

Québec, 31 March 2022

CHRISTIAN DUBÉ
Minister of Health and Social Services

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