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Part

2

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Laws and Regulations

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Summary

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- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
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Regulations and other Acts

Gouvernement du Québec

O.C. 858-2019, 21 August 2019

General and Vocational Colleges Act
(chapter C-29)

Champlain Regional College of General and Vocational Education by Champlain Regional College and its constituent colleges — Replacement

Replacement of Champlain Regional College of General and Vocational Education by Champlain Regional College and its constituent colleges

WHEREAS, under the first paragraph of section 31 of the General and Vocational Colleges Act (chapter C-29), the Government, on the recommendation of the Minister of Education and Higher Education, may, by letters patent under the Great Seal, establish regional general and vocational colleges made up of one or more constituent colleges charged with implementing programs of college studies;

WHEREAS, under the second paragraph of section 31 of the Act, on the petition of a college or on its own initiative, the Government may, in the same manner, replace an existing college with a regional college and a constituent college of a regional college or simply with a constituent college;

WHEREAS Champlain Regional College of General and Vocational Education was established as a college by letters patent under the Great Seal dated 5 May 1971, in accordance with Arrêté en conseil 1332 dated 7 April 1971;

WHEREAS, by resolution dated 23 February 2018, Champlain Regional College of General and Vocational Education requested to be replaced by a regional college and constituent colleges;

WHEREAS it is expedient to replace Champlain Regional College of General and Vocational Education by Champlain Regional College, as regional college, and its three constituent colleges;

WHEREAS, in accordance with the sixth and seventh paragraphs of section 31 of the General and Vocational Colleges Act, draft letters patent establishing Champlain

Regional College and its constituent colleges in replacement of Champlain Regional College of General and Vocational Education was published in Part 2 of the *Gazette officielle du Québec* of 17 April 2019 with a notice that the letters patent could be issued by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to order that the letters patent be issued without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT, in accordance with the attached text, Champlain Regional College be established by letters patent under the Great Seal as regional college and its three constituent colleges in order to replace Champlain Regional College of General and Vocational Education.

YVES OUELLET,
Clerk of the Conseil exécutif

LETTERS PATENT OF CHAMPLAIN REGIONAL COLLEGE

Section 1

An English regional general and vocational college under the French name “Cégep régional Champlain” and under the English name “Champlain Regional College” is hereby established.

Section 2

Champlain Regional College is made up of three constituent colleges, that is 1 constituent college designated under the French name “Cégep Champlain à Lennoxville” and under the English name “Champlain College Lennoxville”, 1 constituent college designated under the name “Cégep Champlain à Saint-Lambert” and under the English name “Champlain College Saint-Lambert” and 1 constituent college designated under the name “Cégep Champlain–Saint-Lawrence” and under the English name “Champlain–St. Lawrence College”.

Section 3

The head office of Champlain Regional College is located in the judicial district of Saint-François.

Section 4

Champlain College Lennoxville is located at the following address: 2580, rue College, Sherbrooke (Québec) J1M 2K3. Its immovables are those located at that place and belonging to Champlain Regional College. They include the buildings that, on the day preceding the date of replacement of Champlain Regional College of General and Vocational Education, were being used by Champlain College Lennoxville.

Section 5

Champlain College Saint-Lambert is located at the following address: 900, rue Riverside, Saint-Lambert (Québec) J4P 3P2. Its immovables are those located at that place and belonging to Champlain Regional College. They include the buildings that, on the day preceding the date of replacement of Champlain Regional College of General and Vocational Education, were being used by Champlain College Saint-Lambert.

Section 6

Champlain–St. Lawrence College is located at the following address: 790, avenue Nérée-Tremblay, Québec (Québec) G1V 4K2. Its immovables are those located at that place and belonging to Champlain Regional College. They include the buildings that, on the day preceding the date of replacement of Champlain Regional College of General and Vocational Education, were being used by Champlain–St. Lawrence College.

Section 7

Pursuant to the third and fourth paragraphs of section 31 of the General and Vocational Colleges Act, the functions and powers of Champlain Regional College and of the constituent colleges, covered by Chapter II of the Act, are amended as follows:

(a) Champlain Regional College distributes among its constituent colleges the human, physical and financial resources, reserving the resources it determines to be necessary for its own needs, that distribution and reservation are subject to a favourable vote of at least three quarters of the votes cast by the members of the board of governors;

(b) Champlain Regional College may determine the conditions for the exercise, by its constituent colleges, of the powers referred to in paragraphs *a*, *c* and *d* of section 6.0.1 of the General and Vocational Colleges Act and exercise, in the place of its constituent colleges, the powers of paragraph *e* of that section;

(c) Champlain Regional College determines the conditions for the application of the College Education Regulations relating to the certification of studies;

(d) pursuant to section 24.5 of the General and Vocational Colleges Act, Champlain Regional College may not, except by by-law, prescribe the payment of admission or registration fees and a constituent college may not, except by by-law, prescribe the payment of fees pertaining to college instruction services. Those by-laws are subject to the Minister's approval by Champlain Regional College pursuant to section 44 of the Act;

(e) Champlain Regional College or a constituent college may require from the other party any information or documents on the date and in the form determined by the regional college, and it must provide such information or documents as it considers necessary for the exercise of its functions and powers;

(f) in accordance with section 46 of the General and Vocational Colleges Act, Champlain Regional College establishes a strategic plan covering a period of several years, having regard to the situation prevailing at the college and at its constituent colleges and the directions of the strategic plan established by the Ministère de l'Éducation et de l'Enseignement supérieur. The plan states the objectives and the measures that are to be implemented to fulfil the mission of the college and of its constituent colleges. The strategic plan includes a success plan established by the governing boards of its constituent colleges;

(g) the board of governors designates a person to exercise the functions and powers of the director general of Champlain Regional College if the director general is absent or unable to act, after consultation with the governing board and the academic council of each constituent college;

(h) the board of governors designates a person to exercise the functions and powers of the director of a constituent college if the director is absent or unable to act, after consultation with the governing board and the academic council of that constituent college.

Section 8

The following are the first members of the board of governors of Champlain Regional College:

(a) members appointed under subparagraph *a* of the first paragraph of section 33 of the General and Vocational Colleges Act:

— François Paradis, Service Head – Gestion des actifs informatiques, CIUSSS de l'Estrie – CHUS, for the territory principally served by Champlain College Lennoxville;

—Geneviève Bourgoing, Senior Director, Business Services, Développement économique Longueuil, for the territory principally served by Champlain College Saint-Lambert;

—Cathleen Scott, retired, for the territory principally served by Champlain–St. Lawrence College;

(b) members appointed under subparagraph *b* of the first paragraph of section 33 of the General and Vocational Colleges Act:

—Carole Beaulieu, Dean, Faculté des sciences; Université de Sherbrooke, proposed by university-level teaching institutions;

—Pamela Booth-Morrison, Commissioner, Riverside School Board, proposed by the school boards in the territory principally served by Champlain Regional College;

—Hélène Bélanger, Director, Centre local d'emploi Sainte-Foy, proposed by the regional council of labour market partners in the region where Champlain Regional College is located;

(c) members appointed under subparagraph *c* of the first paragraph of section 33 of the General and Vocational Colleges Act:

—James Shufelt, Chair, Duplex Communications;

—Alan Standish, President, Standish Communications inc.

Section 9

The following are the first members of the governing board of Champlain College Lennoxville:

(a) members appointed under subparagraph *a* of the second paragraph of section 48 of the General and Vocational Colleges Act:

—Miles Turnbull, Vice-Principal Academic, Bishop's University, proposed by university-level teaching institutions;

—Kandy Mackey, Director General, Eastern Townships School Board, proposed by the school boards in the territory principally served by Champlain College Lennoxville;

—Josée Fortin, Director General, Sherbrooke Innopole, proposed by the regional council of labour market partners in the region where Champlain College Lennoxville is located;

(b) members appointed under subparagraph *b* of the second paragraph of section 48 of the General and Vocational Colleges Act:

—Alexandra Lebel, Vice-President, Human Resources, SherWeb;

—Alan Kezber, President, Kezber;

—Tim Goddard, President, Services financiers AdviceFirst Inc.

Section 10

The following are the first members of the governing board of Champlain College Saint-Lambert:

(a) members appointed under subparagraph *a* of the second paragraph of section 48 of the General and Vocational Colleges Act:

—Lucie Durand, Research and Development Officer, Université de Sherbrooke, proposed by university-level teaching institutions;

—Dawn Smith, Commissioner, Riverside School Board proposed by the school boards in the territory principally served by Champlain College Saint-Lambert;

—Jaswinder Sehota, Counsellor, Centre local d'emploi de Brossard, proposed by the regional council of labour market partners in the region where Champlain College Saint-Lambert is located;

(b) members appointed under subparagraph *b* of the second paragraph of section 48 of the General and Vocational Colleges Act:

—Jean-Robert Lessard, Vice-President, Corporate Affairs, Groupe Robert;

—Michael Newton, Associate, Fuller Landau LLP;

—Moira Paterson, General Manager, Hôtel Quality Inn.

Section 11

The following are the first members of the governing board of Champlain–St. Lawrence College:

(a) members appointed under subparagraph *a* of the second paragraph of section 48 of the General and Vocational Colleges Act:

—Anessa L. Kimball, Associate Professor, Université Laval, proposed by university-level teaching institutions;

—Warren Thomson, Principal, Central Québec School Board, proposed by the school boards in the territory principally served by Champlain–St. Lawrence College;

—Geneviève Caissy, Director, Services Québec – Bureau de Sainte-Foy, proposed by the regional council of labour market partners in the region where Champlain–St. Lawrence College is located;

(b) members appointed under subparagraph b of the second paragraph of section 48 of the General and Vocational Colleges Act:

—Yanick Santoire, Associate, BDO Canada L.L.P.;

—Martin Brassard, Investment Advisor, Valeurs mobilières Banque Laurentienne;

—Helen Walling, Life Coach and Change Management Consultant, self-employed worker.

Section 12

Champlain Regional College replaces Champlain Regional College of General and Vocational Education established by letters patent dated 5 May 1971, in accordance with Arrêté en conseil 1332 dated 7 April 1971.

Section 13

These letters patent come into force on the fifteenth day following the date of publication of a notice of their issue in the *Gazette officielle du Québec*.

104067

Gouvernement du Québec

O.C. 865-2019, 21 August 2019

An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1)

Preventive withdrawal of certain home childcare providers

Regulation respecting the preventive withdrawal of certain home childcare providers

WHEREAS, under the first and second paragraphs of section 58 of the Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1), the Government may, by regulation,

—establish a protective reassignment plan for home childcare providers, determine its conditions and mechanics and the rights and obligations of the parties involved, as well as the powers and duties of the Commission des normes, de l'équité, de la santé et de la sécurité du travail and the Administrative Labour Tribunal;

—determine how such a plan is to be funded and managed;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the preventive withdrawal of certain home childcare providers was published in Part 2 of the *Gazette officielle du Québec* of 24 April 2019 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the preventive withdrawal of certain home childcare providers, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the preventive withdrawal of certain home childcare providers

An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1, s. 58)

CHAPTER I OBJECT

1. This Regulation establishes a preventive withdrawal plan for pregnant or breast-feeding home childcare providers covered by the Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1).

For the purposes of the administration of the plan, the Commission des normes, de l'équité, de la santé et de la sécurité du travail is vested with all the powers, duties and immunities at its disposal concerning protective reassignment, to the extent that they are consistent with the provisions of this Regulation.

CHAPTER II
PREGNANT OR BREAST-FEEDING HOME
CHILDCARE PROVIDER'S ELIGIBILITY FOR
PREVENTIVE WITHDRAWAL

2. A home childcare provider is eligible for preventive withdrawal if

- (1) she is pregnant or breast-feeding;
- (2) she is medically fit to provide childcare; and

(3) her physician, after consultation with the public health director or the person designated by the director, and under the conditions provided for in sections 3 and 4, issued a preventive withdrawal certificate for her attesting that her working conditions may be physically dangerous to her unborn child, to the child she is breast-feeding, or to herself by reason of her pregnancy.

3. Before issuing a preventive withdrawal certificate, a physician must

(1) ensure that the eligibility conditions set out in paragraphs 1 and 2 of section 2 are met;

(2) send to the public health director or the person designated by the director of the region in which the residence where childcare is provided, for recommendations, his or her observations on the physical dangers to the unborn child, the child being breast-fed or the home childcare provider herself by reason of her pregnancy; and

(3) send to the public health director or the person designated by the director the information concerning the home childcare provider's pregnancy and the expected date of delivery.

In this Regulation, "public health director" means a public health director within the meaning of the Act respecting health services and social services (chapter S-4.2) or of the Act respecting health services and social services for Cree Native persons (chapter S-5).

4. For the purpose of determining whether there is physical danger to the home childcare provider, her unborn child or the child she is breast-feeding, the public health director or the person designated by the director may require from the home childcare provider or the home childcare coordinating office that granted its recognition any information relating to the childcare services.

In this Regulation, "coordinating office" means the home childcare coordinating office to which a home childcare provider reports.

5. The public health director or the person designated by the director assesses the physical dangers and sends his or her written recommendations to the physician, who decides whether or not to issue the preventive withdrawal certificate.

6. The preventive withdrawal certificate must comply with Schedule I to the Regulation respecting the certificate issued for the preventive withdrawal and re-assignment of a pregnant or breast-feeding worker (chapter S-2.1, r. 3). The copies it includes must be signed by the home childcare provider and dated and signed by the physician.

The physician keeps his or her copy and sends the public health director and the Commission the copies intended for them.

The physician gives the home childcare provider the copy intended for her, as well as the copy to be sent to the coordinating office. The coordinating office sends a copy to the Minister.

7. A pregnant or breast-feeding home childcare provider who seeks preventive withdrawal must send the copy of the preventive withdrawal certificate to the intended coordinating office.

8. A home childcare provider notifies the parents of the children to whom childcare is provided and the coordinating office of the closing of her home childcare service and stops providing childcare as of the date of sending of the preventive withdrawal certificate to the coordinating office.

9. A home childcare provider who exercises her rights under section 2 retains all the benefits relating to her recognition.

Subject to section 15, preventive withdrawal does not confer on the home childcare provider rights or advantages she would not have had if she had continued to provide childcare.

10. On receipt of the preventive withdrawal certificate, the coordinating office must, without delay, begin the process to have the recognition suspended, in accordance with section 79 of the Educational Childcare Regulation (chapter S-4.1.1, r. 2). In addition, the coordinating office must send the Minister a copy of the certificate.

11. A pregnant or breast-feeding home childcare provider who wishes to avail herself of the right to an income replacement indemnity must complete and sign the section reserved for that purpose on the calculation chart for establishing the income replacement indemnity to which a home childcare provider on preventive withdrawal is entitled. She must then send it to the coordinating office,

along with the supporting documents, so that the coordinating office can determine the net average annual eligible income in accordance with sections 15, 16 and 17.

The Minister publishes the calculation chart for establishing the income replacement indemnity to which a home childcare provider on preventive withdrawal is entitled on the Internet.

12. On receipt of the calculation chart and supporting documents, the coordinating office completes it, signs it and sends it without delay to the Commission so that the Commission can establish the income replacement indemnity to which the home childcare provider is entitled. The coordinating office also sends copies to the Minister and the home childcare provider with a statement that the home childcare provider may apply to the Minister for a review of the decision within 30 days of receipt, in accordance with section 19.

13. The Commission renders a decision on the home childcare provider's eligibility for preventive withdrawal and rules on the date on which preventive withdrawal begins.

The decision of the Commission is rendered in writing and must give reasons. It is notified to the home childcare provider and the Minister, with a statement that they may apply to the Commission for a review of the decision within 10 days of notification. A copy of the decision is also sent to the coordinating office.

The decision takes effect immediately.

If the home childcare provider is eligible for preventive withdrawal, the Commission establishes the income replacement indemnity according to the calculation chart received.

CHAPTER III INCOME REPLACEMENT INDEMNITY

DIVISION I COMPUTATION OF THE INDEMNITY

14. When on preventive withdrawal, for the first 19 days after the closing of her childcare service, the home childcare provider continues to receive the same subsidies she would receive, according to the service agreements in force, the day before her preventive withdrawal certificate was issued.

If the Commission subsequently decides that the home childcare provider is not eligible and, consequently, is not entitled to the subsidies in the first paragraph, the Minister claims the overpayment and may take compensation from any other subsidy he or she may have to pay to the home childcare provider.

15. At the end of the 19-day period provided for in section 14, the home childcare provider is entitled to an income replacement indemnity equal to 90% of the weighted net income computed in accordance with sections 16 and 17 and section 63 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

For the purposes of the table of income replacement indemnities referred to in section 63 of the Act respecting industrial accidents and occupational diseases, the gross annual income for the purposes of indemnification is obtained on the basis of the net average annual eligible income, computed as determined in section 16.

Despite the foregoing, the net average annual eligible income cannot be less than \$26,420.

The amount is adjusted according to the increase, as a percentage, of the minimum wage on 1 May of each year.

16. The net average annual eligible income is computed on the basis of the calculation chart provided for in section 11. It is equal to the gross average annual eligible income as determined in section 17, from which the result of the computation of business expenses related to subsidized childcare operations is deducted.

The total amount of business expenses eligible for the purposes of the first paragraph is obtained by multiplying the gross average annual eligible income by the percentage obtained by applying the following formula:

$$(A-B) / A \times 100$$

For the purposes of the formula in the second paragraph,

(1) A is the gross income related to subsidized childcare operations declared on line 12 of Schedule L or line 130 of form TP-80 of the Québec fiscal return referred to in section 1000 of the Taxation Act (chapter I-3) or on line 130 of form TP-80-V;

(2) B is the net income related to subsidized childcare operations declared on line 22 of Schedule L or line 264 of form TP-80 of the Québec fiscal return or on line 264 of form TP-80-V;

Home childcare providers who can refer to their Québec fiscal return for the last taxation year preceding the current year must provide the coordinating office with Schedule L or form TP-80-V of the fiscal return to determine their income and business expenses related to subsidized childcare operations. Home childcare providers who cannot refer to it because it has yet to be filed must refer to their Québec fiscal return corresponding to the second year preceding the current year.

In either case, if a home childcare provider has never filed a Québec fiscal return related to subsidized childcare operations, it must provide the coordinating office with Schedule L to the Québec fiscal return established in accordance with form TP-80-V to determine income and expenses. Form TP-80-V must present an estimate of the home childcare provider's business expenses related to subsidized childcare operations corresponding to the provider's next fiscal return to be filed.

17. The average gross annual income related to subsidized childcare operations is obtained by adding together all the subsidies paid to the home childcare provider under the Educational Childcare Act (chapter S-4.1.1) for the 26 periods of childcare preceding the date of issue of the preventive withdrawal certificate and the total basic contributions paid by the parents, in accordance with the Reduced Contribution Regulation (chapter S-4.1.1, r. 1) for the same periods.

If the home childcare provider has received subsidies for less than 26 periods of childcare preceding the date of issue of the preventive withdrawal certificate, the average gross annual income provided for in the first paragraph is obtained by projecting the amount of the subsidies and the corresponding basic parental contributions over 26 periods.

A "period of childcare" means the 2-week period for which a coordinating office must pay, according to the Minister's instructions, the subsidies to home childcare providers.

18. Despite any other provision of this Regulation, the net average annual eligible income cannot exceed the Maximum Yearly Insurable Earnings established under section 66 of the Act respecting industrial accidents and occupational diseases.

DIVISION II REVIEW OF THE COMPUTATION OF THE NET AVERAGE ANNUAL ELIGIBLE INCOME

19. A home childcare provider may apply to the Minister to review the net average annual eligible income established by the coordinating office, in accordance with section 11.

The application for a review must be made in writing within 30 days of the date of receipt of the copy of the calculation chart, and it must set out the reasons why the amount withheld is incorrect. The application is processed without delay.

The Minister sends his or her written decision, with reasons, to the home childcare provider, the coordinating office and the Commission.

That decision cannot be appealed.

20. If the net average annual eligible income is reviewed, the Commission recomputes the indemnity accordingly and adjusts it retroactively. The Commission so informs the home childcare provider and the Minister. The new income is not subject to review by the Commission.

DIVISION III PAYMENT OF THE INDEMNITY

21. The income replacement indemnity is paid as benefits every other week. It is unassignable and non-taxable. Up to 50% of the indemnity is seizable for alimentary debts. It is subject to the deductions in section 144 of the Act respecting industrial accidents and occupational diseases.

22. The income replacement indemnity of the pregnant or breast-feeding home childcare provider cannot be concomitant with the payment of any other indemnity granted to compensate the loss of income related to childcare or any other protective reassignment plan from which she may benefit.

DIVISION IV CESSATION OF THE INDEMNITY

23. If the pregnant home childcare provider is eligible for benefits under the Act respecting parental insurance (chapter A-29.011), her income replacement indemnity ceases as of the fourth week preceding the week of the expected date of delivery as stated in the preventive withdrawal certificate. The home childcare provider is presumed to be eligible for those benefits from that fourth week.

Subject to the first paragraph, the indemnity ceases on the date of delivery.

"Delivery" means the natural or the lawfully, medically induced end of a pregnancy by childbirth, whether or not the child is viable.

24. A pregnant or breast-feeding home childcare provider who wishes to again prevail herself of preventive withdrawal before resuming childcare activities, must apply for it not later than 15 weeks after the cessation of the benefits paid under the Act respecting parental insurance. If the home childcare provider is again eligible, she is indemnified based on the net average annual eligible income determined during the previous preventive withdrawal.

25. The expected date of delivery may be changed if the Commission and the coordinating office are informed by the home childcare provider of a new expected date of delivery, as confirmed by the home childcare provider's physician, not later than 4 weeks before the date stated in the preventive withdrawal certificate.

The Commission then renders a written decision, with reasons. It is notified to the home childcare provider and the Minister with a statement that they have a right to apply to the Commission for a review of the decision within 30 days of notification.

The decision takes effect immediately.

26. The income replacement indemnity of the breast-feeding home childcare provider ceases when the breast-feeding period ends.

27. The income replacement indemnity of the pregnant or breast-feeding home childcare provider also ceases, subject to section 29, on the date of resumption of her childcare operations.

28. The home childcare provider must notify the Commission and the coordinating office in writing, without delay, of any change affecting her situation and which may affect her entitlement to an indemnity or the amount of the benefits she receives.

The Commission may cease the indemnity or adjust the amount of the benefits, as applicable.

29. The coordinating office must notify the Commission and the Minister in writing, without delay, of any change affecting the recognition of the home childcare provider during her preventive withdrawal.

30. The income replacement indemnity ceases if the home childcare provider's recognition is suspended for a reason other than her preventive withdrawal or is revoked, or if she becomes unfit to exercise or resume her childcare operations.

In all cases, the indemnity ceases as of the date of suspension or revocation of the recognition, or when the home childcare provider becomes unfit.

31. A home childcare provider who has received, under this Regulation, an indemnity to which she was not entitled or that was in excess of the amount to which she was entitled must repay the overpayment to the Commission.

32. Subject to the second paragraph of section 14, sections 430 to 436 of the Act respecting industrial accidents and occupational diseases relating to the recovery of benefits paid without entitlement or the amount of which exceeds that to which a person is entitled, apply to the recovery of the debt, with the necessary modifications.

With the agreement of the Minister and in accordance with section 437 of the Act respecting industrial accidents and occupational diseases, the Commission may remit the debt.

CHAPTER IV RESUMPTION OF CHILDCARE OPERATIONS

33. The home childcare provider must notify the coordinating office in writing of the date of her return or of her intention to avail herself of another condition provided for in section 79 of the Educational Childcare Regulation. On receipt of the notice, the coordinating office undertakes the measures provided for in section 80 of the Regulation.

CHAPTER V PROCEEDINGS BEFORE THE COMMISSION AND THE ADMINISTRATIVE LABOUR TRIBUNAL

DIVISION I REVIEW AND RECONSIDERATION OF THE DECISION BY THE COMMISSION

34. The Minister or the home childcare provider who believes she has been wronged by a decision rendered by the Commission under this Regulation may apply to the Commission to review its decision, except in the case of a refusal to reconsider a decision provided for in section 36.

The application for a review must briefly set forth the grounds on which it is based and be made in writing within 30 days of notification of the contested decision, unless it is a decision pertaining to the home childcare provider's eligibility for preventive withdrawal, in which case the time limit is 10 days.

After giving the parties an opportunity to present observations, the Commission makes a decision on the basis of the record; it may confirm, quash or amend the decision and, if appropriate, make the decision that should, in its opinion, have been made initially.

A decision of the Commission must be in writing, give the reasons on which it is based, be notified to the parties, and state their right to contest the decision before the Administrative Labour Tribunal and the time limit for doing so.

35. The Commission may extend the time limit prescribed by section 34 or relieve a person of the consequences of a failure to act within the allotted time, if it is established that the application for review could not reasonably have been made within that time.

36. In order to correct any error, the Commission may, within 90 days, reconsider a decision it has rendered if the decision has not been the subject of a decision rendered pursuant to section 34.

If a decision of the Commission was rendered before an essential fact became known, it may, of its own initiative or at the request of a party, reconsider the decision within 90 days of the fact becoming known.

Similarly, in order to correct any error it may have made in establishing a computation necessary for the purposes of this Regulation, the Commission may, of its own initiative or at the request of a party, redo the computation within 90 days of the error becoming known.

Before reconsidering a decision or a computation, under this section, the Commission so informs the home childcare provider and the Minister.

DIVISION II

CONTESTATION OF THE COMMISSION'S DECISION BEFORE THE ADMINISTRATIVE LABOUR TRIBUNAL

37. A party who believes he or she has been wronged by a decision rendered by the Commission under section 34 may, within 45 days of notification, contest the decision before the Administrative Labour Tribunal, unless it is a decision pertaining to the home childcare provider's eligibility for preventive withdrawal, in which case the time limit is 10 days from notification.

Such cases are heard and decided by the occupational health and safety division, in accordance with the Act to establish the Administrative Labour Tribunal (chapter T-15.1).

CHAPTER VI

FINAL AND TRANSITIONAL

38. The Minister of Families repays to the Commission des normes, de l'équité, de la santé et de la sécurité du travail the amount of indemnities paid under this Regulation. The Commission repays to the Minister any amount recovered under this Regulation. To that end, the Commission provides, according to terms defined by agreement, the information required for the reconciliation of the amounts paid or recovered as indemnities.

The costs relating to the administration of the home childcare provider's preventive withdrawal plan, including the costs relating to the recovery of indemnities and the adaptation of the Commission's technological infrastructures used exclusively for the execution of this Regulation, are determined by agreement between the Minister and the Commission and are repaid by the Minister.

39. In order to avail herself of preventive withdrawal, a home childcare provider whose home childcare service was closed before 19 September 2019 is subject to sections 40 to 48 of the Act respecting occupational health and safety until the end of her preventive withdrawal.

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

104068

Gouvernement du Québec

O.C. 867-2019, 21 August 2019

An Act respecting the Québec Pension Plan
(chapter R-9)

Benefits

—Amendment

Regulation to amend the Regulation respecting benefits

WHEREAS, under paragraphs *a*, *g* and *t* of section 219 of the Act respecting the Québec Pension Plan (chapter R-9), Retraite Québec may make regulations:

—prescribing anything that is to be prescribed otherwise than under Title III and Division I of Title V of the Act;

—prescribing the time, manner and form of applications for benefits, applications for the partition of a retirement pension and applications for the partition of earnings, the information and evidence to be furnished in connection therewith;

—determining the manner of rounding off a fraction that is less than one resulting from the calculations made in the application of Title IV of the Act;

WHEREAS, on 21 September 2018, Retraite Québec made the Regulation to amend the Regulation respecting benefits;

WHEREAS under section 220 of the Act respecting the Québec Pension Plan, the regulations made by Retraite Québec do not come into force until approved by the Government and published in the *Gazette officielle du Québec*;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting benefits was published in Part 2 of the *Gazette officielle du Québec* of 10 April 2019 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting benefits be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting benefits

An Act respecting the Québec Pension Plan
(chapter R-9, s. 219, pars. *a*, *g* and *t*)

1. The Regulation respecting benefits (chapter R-9, r. 5) is amended by inserting the following after section 6:

“6.1. Unless Retraite Québec requires the original, a reproduction of a document referred to in section 2 and in sections 15 and 21 may be provided in support of an application.”

2. Section 14.1 is amended by replacing “of subparagraph *a* or *b* of the first paragraph of section 101” by “of subparagraph *a* or *b* of the second paragraph of section 101”.

3. Section 17 is amended by replacing “the maximum disability pension payable” by “the maximum disability pension which, established without applying subparagraphs 2 and 3 of paragraph *b* of section 123 of the Act, would be payable”.

4. Section 19.1 is amended by replacing “the maximum disability pension payable” by “the maximum disability pension which, established without applying subparagraphs 2 and 3 of paragraph *b* of section 123 of the Act, would be payable”.

5. Section 23 is amended:

(1) by replacing “section 98” with “sections 98 and 98.1”;

(2) by replacing “clause 2 of subparagraph *b* of the first paragraph of that section” by “subparagraph 2 of subparagraph *b* of the first paragraph of each of those sections as well as subparagraph 2 of paragraph *b* of section 98.2 of the Act”;

6. The first paragraph of section 24 is amended:

(1) by replacing “the following sections” in the part preceding subparagraph 1 with “the following provisions”;

(2) by replacing “98” in subparagraph 1 with “98 to 98.2”;

(3) by replacing subparagraph 2 with the following:

“(2) under sections 99 and 116.1 to 116.1.2, sections 116.2, 116.2.1 and 116.2.2, except insofar as elements “G”, “G” and “G” in each of those sections are concerned respectively, sections 116.5, 116.6 and 119, the first and second paragraphs of section 120, the second paragraph of section 120.3, section 120.4, paragraph *b* of section 123, section 124, the first paragraph of section 133, section 134, the first paragraph of section 135, subparagraphs *a* and *b* of the first paragraph of section 136 and sections 137 to 138 and 179, only the first two digits after the decimal point are retained and, where the third digit is greater than 4, the second digit shall be rounded up;”;

(4) by replacing “for the purpose of calculating factor “G” as defined in section 116.2 and after making the calculations referred to in sections 116.3 and 116.4,” in subparagraph 3 of the first paragraph by “for the purpose of calculating elements “G”, “G” and “G” referred to in sections 116.2, 116.2.1 and 116.2.2 respectively, and after making the calculations referred to in sections 116.3 and 116.4 with regard to element “G”;

7. This Regulation comes into force on 19 September 2019.

104069

Gouvernement du Québec

O.C. 868-2019, 21 August 2019

An Act respecting the Québec Pension Plan
(chapter R-9)

Pensionable employment — Amendment

Regulation to amend the Regulation respecting pensionable employment

WHEREAS, under paragraph *f* of section 4 of the Act respecting the Québec Pension Plan (chapter R-9), Retraite Québec may make regulations for including in pensionable employment any excepted employment;

WHEREAS, under paragraph *b* of section 5 of this act, Retraite Québec may make regulations excepting any employment by an employer resident outside Québec unless arrangements satisfactory to Retraite Québec have been made for the payment of contributions in respect of such employment;

WHEREAS, on 21 September 2018, Retraite Québec made the Regulation to amend the Regulation respecting pensionable employment;

WHEREAS, under section 220 of this act, the regulations made by Retraite Québec do not come into force until approved by the Government and published in the *Gazette officielle du Québec*;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting pensionable employment was published in Part 2 of the *Gazette officielle du Québec* of 10 April 2019 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting pensionable employment be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting pensionable employment

An Act respecting the Québec Pension Plan (chapter R-9, s. 4, par. *f*, and s. 5, par. *b*)

1. The Regulation respecting pensionable employment (chapter R-9, r. 6) is amended by replacing section 7 by the following:

“7. For the purposes of sections 56 to 56.5 of the Act with regard to an individual’s employment considered employment covered under the second paragraph of section 5, amounts not deducted at source by an employer on account of the base contribution, the first additional contribution or the second additional contribution, as the employer should have done under the Act or a similar plan, cannot be taken into account.”

2. Section 21 is amended by replacing “of section 55” by “of sections 55 to 55.2”.

3. This Regulation comes into force on 19 September 2019.

104070

Gouvernement du Québec

O.C. 886-2019, 21 August 2019

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Construction industry

— Vocational training of the workforce

— Amendment

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

WHEREAS, under subparagraph 1 of the first paragraph of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may, by regulation, determine the qualifications required for the practice of each trade;

WHEREAS, under subparagraph 2 of the first paragraph of section 123.1 of the Act, the Commission de la construction du Québec may, by regulation, determine the activities included in a trade;

WHEREAS the Commission de la construction du Québec, after consulting the Committee on vocational training in the construction industry, in accordance with the first paragraph of section 123.3 of the Act, made the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry;

WHEREAS, under the first and second paragraphs of section 123.2 of the Act, every regulation of the Commission de la construction du Québec made under section 123.1 is recommended for approval to the Government which may amend it;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 30 January 2019 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the vocational training of the workforce in the construction industry

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpar. 1 and 2)

1. The Regulation respecting the vocational training of the workforce in the construction industry (chapter R-20, r. 8) is amended in Schedule A

(1) by replacing “wood carpentry” in the portion preceding subparagraph *a* of the first paragraph of section 1 by “wood or cold-formed steel framing”;

(2) by moving the second paragraph of subparagraph *a* of the first paragraph of section 13 after the first paragraph of that section;

(3) by adding the following after subparagraph *c* of the first paragraph of section 13:

“(d) prepares and conditions the inside surfaces of any structure and covers same with one or more coats of film-forming compound that includes an additive ensuring a textured finish.”;

(4) by adding the following after subparagraph *b* of the first paragraph of section 14:

“(c) synthetic lawn material.”;

(5) by replacing the second paragraph of section 23 by the following:

“The installation of a mechanical conveying system also involves the electrical connection of apparatus and accessories from the main line disconnect switch and the operation of an unfinished permanent mechanical conveying system and a site elevator equipped with a rack and pinion.

A permanent mechanical conveying system is unfinished until it is the subject of a report of work sent to the Régie du bâtiment du Québec in accordance with the Construction Code (chapter B-1.1, r. 2).”

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

104071

Gouvernement du Québec

O.C. 887-2019, 21 August 2019

An Act respecting collective agreement decrees (chapter D-2)

Building service employees – Montréal — Amendment

Decree to amend the Decree respecting building service employees in the Montréal region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting building service employees in the Montréal region (chapter D-2, r. 15);

WHEREAS, under the first paragraph of section 4 of the Act respecting collective agreement decrees, the contracting parties addressed to the Minister of Labour, Employment and Social Solidarity an application to amend the Decree;

WHEREAS, under the first paragraph of section 6.1 of the Act, section 4 applies to an application for amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting building service employees in the Montréal region was published in Part 2 of the *Gazette officielle du Québec* of 20 March 2019 and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees and despite the provisions of section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting building service employees in the Montréal region, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting building service employees in the Montréal region

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

1. The Decree respecting building service employees in the Montréal region (chapter D-2, r. 15) is amended by replacing section 6.01 by the following:

“An employee receives at least the following hourly wage:

- (1) as of 4 September 2019:
 - (a) Class A: \$18.52;
 - (b) Class B: \$18.11;
 - (c) Class C: \$19.10;
- (2) as of 4 September 2020:
 - (a) Class A: \$18.97;
 - (b) Class B: \$18.62;
 - (c) Class C: \$19.55;
- (3) as of 4 September 2021:
 - (a) Class A: \$19.47;
 - (b) Class B: \$19.18;
 - (c) Class C: \$20.05;
- (4) as of 4 September 2022:
 - (a) Class A: \$19.97;
 - (b) Class B: \$19.74;
 - (c) Class C: \$20.55;
- (5) as of 4 September 2023:
 - (a) Class A: \$20.47;

- (b) Class B: \$20.30;
 - (c) Class C: \$21.05;
- (6) as of 4 September 2024:
 - (a) Class A: \$21.02;
 - (b) Class B: \$20.91;
 - (c) Class C: \$21.60;
 - (7) as of 1 November 2024:
 - (a) Class A: \$21.57;
 - (b) Class B: \$21.52;
 - (c) Class C: \$22.15.”

2. Section 8.04 is amended by striking out the second paragraph.

3. The following is added after section 8.04:

“**8.04.1.** The employee who, at the end of a qualifying period, has 23 years of uninterrupted service shall be entitled to a vacation leave of 5 weeks. The vacation pay shall be equal to 10% of the employee’s total wages earned during the qualifying period.

8.04.2. The employee who, at the end of a qualifying period, has 33 years of uninterrupted service shall be entitled to a vacation leave of 6 weeks. The vacation pay shall be equal to 12% of the employee’s total wages earned during the qualifying period.

8.04.3. If an employee is absent owing to sickness, an organ or tissue donation for transplant, an accident, if the employee is the victim of domestic violence, sexual violence or of a criminal act or is on maternity or paternity leave during the reference year, and should that absence result in the reduction of that employee’s annual leave indemnity, the employee is then entitled to an indemnity equal, as the case may be, to 3, 4, 5 or 6 times the weekly average of the wages earned during the period worked, according to the number of weeks to which the employee is entitled. An employee referred to in section 8.02 is entitled to that amount in proportion to the days of leave credited to the employee’s account.”

4. Section 14.01 is amended by replacing “30 October 2017”, “month of April of the year 2017” and “April” by “1 November 2024”, “month of February of the year 2024” and “February”, respectively.

5. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

O.C. 890-2019, 21 August 2019

An Act respecting collective agreement decrees
(chapter D-2)

**Non-structural metalwork industry – Montréal
— Amendment**

Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the non-structural metalwork industry in the Montréal region (chapter D-2, r. 14);

WHEREAS, under the first paragraph of section 4 of the Act respecting collective agreement decrees, the contracting parties have submitted to the Minister of Labour, Employment and Social Solidarity an application for amendment to the Decree;

WHEREAS, under the first paragraph of section 6.1 of the Act, section 4 applies to every application for amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region was published in Part 2 of the *Gazette officielle du Québec* of 20 March 2019 and in a French language newspaper and in an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees and despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, it is expedient to make the Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

**Decree to amend the Decree respecting
the non-structural metalwork industry
in the Montréal region**

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

1. The Decree respecting the non-structural metalwork industry in the Montréal region (chapter D-2, r. 14) is amended in section 14.01 by replacing “\$0.76” by “\$0.96”.

2. Section 14.02 is amended by replacing “\$0.76” by “\$0.96”.

3. Section 14.06 is amended

(1) by replacing “\$1.05” in the first paragraph by “\$1.15”;

(2) by striking out the second paragraph.

4. Section 17.01 is amended by replacing “2016” wherever it appears by “2022”.

5. This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

104073

Gouvernement du Québec

O.C. 891-2019, 21 August 2019

Individual and Family Assistance Act
(chapter A-13.1.1)

**Individual and Family Assistance
— Amendment**

Regulation to amend the Individual and Family Assistance Regulation

WHEREAS, under paragraph 7 of section 131 of the Individual and Family Assistance Act (chapter A-13.1.1), for the purposes of Title I of the Act, the Government may make regulations prescribing, for the purposes of section 20 of the Act, the amount that may not be seized for non-payment of support;

WHEREAS, under paragraphs 8 and 10 of section 132 of the Act, for the purposes of the Social Assistance Program, the Government may make regulations

—prescribing special benefit amounts to provide for certain particular needs, and determining the cases in which and the conditions under which they are to be granted;

—excluding, for the purpose of calculating a benefit, any or all of the income, earnings, benefits, liquid assets and property of a person eligible under the program;

WHEREAS, under paragraph 6 of section 133.1 of the Act, for the purposes of the Aim for Employment Program, the Government may make regulations prescribing, for the purposes of section 83.5 of the Act, a method for calculating the Aim for Employment benefit;

WHEREAS, in accordance with the Individual and Family Assistance Act, the Government made the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Individual and Family Assistance Regulation was published in Part 2 of the *Gazette officielle du Québec* of 22 May 2019 with a notice that it may be made by the Government on the expiry of 45 days following that publication and the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Individual and Family Assistance Regulation, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 131, par. 7, s.132, pars. 8 and 10,
and s. 133.1, par. 6)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 11 by replacing “\$45” and “\$75” by “\$51” and “\$81”, respectively.

2. Section 89 is amended by replacing “\$0.43” in the third paragraph by “\$0.465”.

3. Section 99 is amended by striking out paragraph 1.

4. Section 100 is amended by striking out paragraph 5.

5. Section 111 is amended by replacing “\$100” in paragraph 21 by “\$350”.

6. Section 177.29 is amended by replacing “\$100” in paragraph 19 by “\$350”.

7. Schedule III is amended

(1) by striking out “for temporary urostomy, ileostomy or colostomy or special benefits” in the first paragraph of section 1.3;

(2) by striking out the second paragraph of section 1.3;

(3) by striking out section 2.8.11.

8. This Regulation comes into force on 1 October 2019.

104074

Gouvernement du Québec

O.C. 892-2019, 21 August 2019

An Act respecting parental insurance
(chapter A-29.011)

Parental insurance plan

—Premium rates

—Amendment

Regulation to amend the Regulation respecting premium rates under the parental insurance plan

WHEREAS the first paragraph of section 6 of the Act respecting parental insurance (chapter A-29.011) provides that the Conseil de gestion de l'assurance parentale sets, by regulation, the premium rates under the parental insurance plan applicable to an employee or a person referred to in section 51 of the Act, to an employer, to a self-employed worker, a family-type resource or an intermediate resource;

WHEREAS the second paragraph of section 88 of the Act provides that the regulations of the Conseil de gestion require the approval of the Government; the Government may approve them with or without amendment;

WHEREAS the Conseil de gestion made the Regulation to amend the Regulation respecting premium rates under the parental insurance plan on 25 April 2019;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting premium rates under the parental insurance plan was published in Part 2 of the *Gazette officielle du Québec* of 12 June 2019, with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting premium rates under the parental insurance plan, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting premium rates under the parental insurance plan

An Act respecting parental insurance
(chapter A-29.011, s. 6)

1. The Regulation respecting premium rates under the parental insurance plan (chapter A-29.011, r. 5) is amended by replacing section 1 by the following:

“**1.** The premium rate applicable to an employee and to a person referred to in section 51 of the Act is 0.494%.

The premium rate applicable to a self-employed worker and a family-type resource or intermediate resource is 0.878%.

The premium rate applicable to an employer is 0.692%.”.

2. This Regulation comes into force on 1 January 2020.

Draft Regulations

Draft Regulation

Criminal Code
(R.S.C. 1985, c. C-46)

Tariff in criminal matters — Amendment

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

The draft Regulation makes consequential amendments to the Tariff in criminal matters (chapter CCR, r. 2) relating to the Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts, assented to on 21 June 2019. The draft Regulation also makes a consequential amendment relating to the Financial Administration Act (chapter A-6.001).

Study of the matter has shown no impact on the public and on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Patrick Naud-Cavion, Direction générale des services de justice, Ministère de la Justice, 1200, route de l'Église, 1^{er} étage, Québec (Québec) G1V 4M1; telephone: 418 644-7700, extension 21873; fax: 418 644-9968.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

SONIA LEBEL,
Minister of Justice

Regulation to amend the Tariff in criminal matters

Criminal Code
(R.S.C. 1985, c. C-46, subsection 840(2)).

1. The Tariff in criminal matters (chapter CCR, r. 2) is amended in section 1

(1) by replacing subparagraph *a* of paragraph 1 by the following:

“(a) for the issue of a summons or a warrant for arrest in first instance or to confirm an appearance notice or an undertaking: \$36.50;”;

(2) by replacing subparagraph *b* of paragraph 1 by the following:

“(b) for a release order: \$36.50;”.

2. Section 2 of the Tariff is revoked.

3. This Regulation comes into force on 18 December 2019.

104077

Draft Regulation

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Register, monthly report, notices from employers and designation of a representative — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative (chapter R-20, r.11), made by the Commission de la construction du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

In accordance with subparagraph *a.1* of the first paragraph of section 82 of the Act respecting labour relations, vocational training and workforce management in the construction industry, the draft Regulation adds the obligation for employers to keep their register, and any document in support of the information it contains, for 6 years after the last year to which it refers. The documents covered by the draft Regulation are namely the payroll, time cards, contracts, invoices, order forms and any other document related to construction work carried out by the employer.

The draft Regulation has no impact on enterprises that are not in the construction industry or on the public.

As for enterprises in the construction industry, the draft Regulation imposes a retention period that complies with that required to that effect by the Agence du revenu du Québec.

Further information on the draft Regulation may be obtained by contacting Diane Lemieux, Chair and Chief Executive Officer, Commission de la construction du Québec, 8485, avenue Christophe-Colomb, Montréal (Québec) H2M 0A7; telephone: 514 341-7740, extension 6751.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Diane Lemieux, Chair and Chief Executive Officer, Commission de la construction du Québec, 8485, avenue Christophe-Colomb, Montréal (Québec) H2M 0A7; telephone: 514 341-7740, extension 6751.

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

Regulation to amend the Regulation respecting the register, monthly report, notices from employers and the designation of a representative

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 82, 1st par., subpar. a.1)

1. The Regulation respecting the register, monthly report, notices from employers and the designation of a representative (chapter R-20, r. 11) is amended by adding the following after section 9:

“**9.1.** Every employer must keep the register, as well as any document in support of the information it contains, such as the payroll, time cards, contracts, invoices, order forms and any other document related to construction work carried out by the employer, for six years after the last year to which it refers.”

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

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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