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Part

**2**

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**Laws and Regulations**

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**Summary**

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CQLR, c. C-8.1.1, r. 1

Regulation respecting the *Gazette officielle du Québec*, section 4

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## Coming into force of Acts

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Gouvernement du Québec

**O.C. 529-2020, 13 May 2020**

**An Act to amend the Nurses Act and other provisions in order to facilitate access to health services (2020, chapter 6)  
— Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend the Nurses Act and other provisions in order to facilitate access to health services

WHEREAS the Act to amend the Nurses Act and other provisions in order to facilitate access to health services (2020, chapter 6) was assented to on 17 March 2020;

WHEREAS section 97 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 13 May 2020 as the date of coming into force of sections 21, 22, 70 and 89 to 93 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT 13 May 2020 be set as the date of coming into force of sections 21, 22, 70 and 89 to 93 of the Act to amend the Nurses Act and other provisions in order to facilitate access to health services (2020, chapter 6).

YVES OUELLET,  
*Clerk of the Conseil exécutif*

104430



## Regulations and other Acts

Gouvernement du Québec

### **O.C. 522-2020, 13 May 2020**

An Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1)

#### **Postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions**

Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions

WHEREAS the Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1) was assented to on 8 February 2020;

WHEREAS, under section 331 of the Act, the Government may, by regulation, take, before 8 August 2021, any measure useful for carrying out the Act or fully achieving its purpose;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and suspended educational and instructional services;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020 and until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020 and until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions:

— the public health emergency declared by the Government on 13 March 2020 and renewed since then involves physical distancing and a cessation of activities which may make the smooth establishment of the first school service centres' boards of directors difficult within the periods provided for in the Act to amend mainly the Education Act with regard to school organization and governance;

— considering that the designation of certain categories of members of boards of directors must take place, under the Act, not later than 1 June, it is important to postpone that period to allow as many interested and qualified people as possible to make themselves available to hold that office crucial during a period of transition and implementation of measures to improve school governance provided for in the Act;

— the date of coming into force of sections 166, 167, 176 and 177 must be clarified considering their inclusion in two separate paragraphs of coming into force where only one coming into force on 1 July 2020 for all was desired, rather than different dates of coming into force according to the type of school service centre, that is, 15 June 2020 or 5 November 2020;

WHEREAS it is expedient to make the Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions;

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

THAT the Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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### **Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions**

An Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1, s. 331)

- 1.** The Act to amend mainly the Education Act with regard to school organization and governance (2020, chapter 1) is amended in section 317 by adding the following sentence at the end of the first paragraph: "From 15 June 2020 to 15 October 2020, the director general assumes the functions assigned by law to the school service centre's board of directors and its members."
- 2.** Section 318 is amended by replacing "15 June 2020" by "15 October 2020".
- 3.** Section 321 is amended by striking out "of the institutions that come under the jurisdiction of an English-language school board".
- 4.** Section 325 is amended by inserting "of a French-language school service centre's board of directors must be held not later than 23 October 2020 and that" after "sitting".
- 5.** Section 329 is amended by replacing "15 June 2020 in the case of a French-language school board" in the second paragraph by "15 October 2020 in the case of a French-language school board or school service centre".
- 6.** Section 332 is amended by replacing "15 June 2020" in subparagraph 3 of the first paragraph by "15 October 2020".
- 7.** Section 335 is amended by replacing "163 to 181" in paragraph 1 by "163 to 165, 168 to 176, 178 to 181".

- 8.** Schedule I is amended in section 7 by replacing

(1) "1 May 2020" in the first paragraph by "22 September 2020";

(2) "1 June 2020" in the third paragraph by "6 October 2020".

- 9.** Schedule I is amended in section 15 by replacing "1 June 2020" by "6 October 2020".

- 10.** Schedule I is amended in section 17 by replacing "1 May 2020" by "1 September 2020".

- 11.** Schedule I is amended in section 20 by replacing "10 June 2020" by "14 October 2020".

- 12.** Schedule I is amended in section 25 by replacing "which of them will have a two-year term" by "which of them will have a term that will end on 30 June 2022 and which of them will have a term that will end on 30 June 2023".

- 13.** Schedule II is amended in section 3 by replacing "1 June 2020" by "1 November 2020".

- 14.** The designation of a person made in accordance with a Schedule to the Act to amend mainly the Education Act with regard to school organization and governance before 14 May 2020 remains valid.

Despite the foregoing, the taking office of that person as a member of a school service centre's board of directors complies with the rules prescribed by the Act as it reads as of that date.

- 15.** This Regulation comes into force on 14 May 2020.

104428



## Orders-in-Council

Gouvernement du Québec

### **O.C. 509-2020, 13 May 2020**

Renewal of the public health emergency in accordance with section 119 of the Public Health Act

WHEREAS the World Health Organization declared a COVID-19 pandemic on 11 March 2020;

WHEREAS, under section 118 of the Public Health Act (chapter S-2.2), 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;

WHEREAS the pandemic constitutes a real and grave threat to the health of the population that requires the immediate application of certain measures provided for in section 123 of the Act;

WHEREAS, under the first paragraph of section 119 of the Act, the public health emergency declared by the Government is in effect for a maximum period of 10 days, on the expiry of which it may be renewed for additional maximum periods of 10 days or, with the assent of the National Assembly, for maximum periods of 30 days;

WHEREAS, under section 121 of the Act, the declaration of a public health emergency and all renewals come into force as soon as they are expressed;

WHEREAS during the public health emergency, despite any provisions to the contrary, the Government or the Minister of Health and Social Services, if she has been so empowered, may, without delay and without further formality, take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Act to protect the health of the population;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the population;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April

2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

WHEREAS, by Orders in Council 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 500-2020 dated 1 May 2020 and 505-2020 dated 6 May 2020, the Government took certain measures to protect the population;

WHEREAS, by Ministerial Orders 2020-003 dated 14 March 2020, 2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May and 2020-035 dated 10 May 2020, the Minister also took certain measures to protect the population;

WHEREAS it is expedient to renew the public health emergency for a period of 8 days;

IT IS ORDERED therefore, on the recommendation of the Minister of Health and Social Services:

THAT the public health emergency be renewed to 20 May 2020;

THAT the measures provided for by Orders in Council 177-2020 dated 13 March 2020, 222-2020 dated 20 March 2020, 223-2020 dated 24 March 2020, 460-2020 dated 15 April 2020, 496-2020 dated 29 April 2020, 500-2020 dated 1 May 2020 and 505-2020 dated 6 May 2020, and by Ministerial Orders 2020-003 dated 14 March 2020,

2020-004 dated 15 March 2020, 2020-005 dated 17 March 2020, 2020-006 dated 19 March 2020, 2020-007 dated 21 March 2020, 2020-008 dated 22 March 2020, 2020-009 dated 23 March 2020, 2020-010 dated 27 March 2020, 2020-011 dated 28 March 2020, 2020-012 dated 30 March 2020, 2020-013 dated 1 April 2020, 2020-014 dated 2 April 2020, 2020-015 dated 4 April 2020, 2020-016 dated 7 April 2020, 2020-017 dated 8 April 2020, 2020-018 dated 9 April 2020, 2020-019 and 2020-020 dated 10 April 2020, 2020-021 dated 14 April 2020, 2020-022 dated 15 April 2020, 2020-023 dated 17 April 2020, 2020-025 dated 19 April 2020, 2020-026 dated 20 April 2020, 2020-027 dated 22 April 2020, 2020-028 dated 25 April 2020, 2020-029 dated 26 April 2020, 2020-030 dated 29 April 2020, 2020-031 dated 3 May 2020, 2020-032 dated 5 May 2020, 2020-033 dated 7 May 2020, 2020-034 dated 9 May 2020 and 2020-035 dated 10 May 2020, except to the extent that they were amended by those Orders in Council or Orders, continue to apply to 20 May 2020 or until the Government or the Minister of Health and Social Services modifies or terminates them;

THAT the Minister of Health and Social Services be empowered to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

104429

## Ministerial Orders

### M.O., 2020

#### Order number 2020-033 of the Minister of Health and Social Services dated 7 May 2020

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 the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

CONSIDERING that Order in Council 501-2020 dated 6 May 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that the current situation of the COVID-19 pandemic allows for the easing of certain measures set in place to protect the health of the population, while maintaining some of the measures necessary to continue that protection;

#### ORDERS AS FOLLOWS:

THAT every procedure, other than a referendum procedure, that is part of the decision-making process of a municipal body and that involves the movement or gathering of citizens be suspended, unless the council decides otherwise or the procedure involves the division of territory into electoral districts; in the two latter cases, the procedure must be replaced by a 15-day written consultation announced beforehand through a public notice;

THAT every referendum procedure be suspended, unless the council decides otherwise, in which case it must take place with any modification necessary to prevent the movement and gathering of citizens, including the following:

(1) the procedure for registering qualified voters is of a duration of 15 days and the sending of written applications to the municipality replaces the register;

(2) a referendum must be held in accordance with the terms and conditions set out in the Regulation respecting voting by mail (chapter E-2.2, r. 3), for all qualified voters and without prior formalities; and

(3) the polling day is set for the sole purpose of applying the timeframes for the holding of the referendum and the postal voting period ends at 4:30 p.m. on the seventh day after polling day;

THAT the sixth paragraph of the operative part of Ministerial Order 2020-008 dated 22 March 2020 be revoked;

THAT, while a written consultation is in progress to replace a procedure other than a referendum procedure pursuant to that paragraph, any action taken following the consultation be subject to approval by the qualified voters, where such a requirement is provided for by law;

THAT, while a written consultation is in progress to replace a referendum procedure pursuant to that paragraph, that consultation cease to be required and the referendum procedure be held in accordance with this Ministerial Order or be suspended, if the council so decides;

THAT the seventh paragraph of the operative part of that Ministerial Order be amended by replacing “of the freeze effect under section 114 or 117 of” by “of a freeze effect arising from a notice of motion under”;

THAT for medical purposes, the director of a correctional facility authorize, on the conditions the director determines, the temporary absence of an inmate serving a prison term of less than two years, in order to protect the inmate’s health and that of the other inmates and members of the personnel, if the following conditions are met:

- (1) the inmate is in any of the following situations:
  - (a) the inmate is 65 years of age or older;
  - (b) the inmate is pregnant;
  - (c) a physician confirms the inmate has factors making him or her vulnerable to COVID-19; or
  - (d) 30 or fewer days remain to be served before the inmate is to be released;
- (2) the inmate has adequate living quarters to go to;
- (3) the inmate is not a member of a criminal group;
- (4) the inmate is not detained for another reason, including a remand warrant or transfer pursuant to an intergovernmental agreement;
- (5) the inmate is not the subject of an order made under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) or a long-term supervision order made under the Criminal Code (R.S.C. 1985, c. 46);
- (6) the inmate is not serving a sentence for an offence involving violence against a person or an offence of a sexual nature, including child pornography;
- (7) in the last year, the inmate has not been convicted of an offence under section 117.01, subsections 1 to 3 of section 145 or section 733.1 of the Criminal Code or has not had a conditional sentence, release on parole or unescorted temporary absence revoked;
- (8) the inmate has not committed, while being imprisoned, any disciplinary offence involving the use of physical violence, abusive or threatening language or behaviour towards another inmate, members of the personnel or any other person; and
- (9) the inmate has been isolated for not fewer than 14 days or has received a negative COVID-19 test result before the facility director authorizes the temporary

absence for medical purposes, in a case where an inmate or a member of the personnel has received a COVID-19 diagnosis and there is a risk the person is still contagious.

Québec, 7 May 2020

DANIELLE McCANN,  
*Minister of Health and Social Services*

104424

## **M.O., 2020**

### **Order number 2020-034 of the Minister of Health and Social Services dated 9 May 2020**

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 the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

CONSIDERING that Order in Council 501-2020 dated 6 May 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that Order in Council 505-2020 dated 8 May 2020 empowers the Minister of Health and Social Services to order any modification or clarification of the measures provided for in that Order in Council;

CONSIDERING that the current situation of the COVID-19 pandemic allows for the easing of certain measures set in place to protect the health of the population, while maintaining some of the measures necessary to continue that protection;

ORDERS AS FOLLOWS:

THAT, for users lodged in a facility in an institution where a residential and long-term care centre is operated, for users taken in charge by an intermediate resource or by a family-type resource under the Support for Elderly Autonomy Program or for residents of a private seniors' residence, only the following visits be authorized:

(1) visits necessary for humanitarian purposes or to obtain care or services required by their state of health; and

(2) visits by a family caregiver who provides significant aid to the user or resident, if the caregiver understands the risks inherent in the visits and undertakes to respect the guidelines recommended by the public health authorities and those imposed by the persons responsible for the living environment;

THAT, for users lodged in a facility in an institution where a residential and long-term care centre is operated or for users taken in charge by an intermediate resource or by a family-type resource under the Support for Elderly Autonomy Program, only the following outings be authorized:

(1) outings necessary for humanitarian purposes or to obtain care or services required by their state of health; and

(2) supervised outings;

THAT, in a private seniors' residence, only maintenance and emergency repair work and work required for safety purposes may be performed;

THAT the operator of a private seniors' residence be required to implement a mechanism allowing delivery of products or goods to the residents, irrespective of the origin of the products or goods, and without the residents receiving the products or goods directly;

THAT the first four paragraphs of the operative part of Ministerial Order 2020-009 dated 23 March 2020 and the first paragraph of the operative part of Ministerial Order 2020-022 dated 15 April 2020 be revoked;

THAT the fourth subparagraph of the second paragraph of the operative part of Ministerial Order 2020-022 dated 15 April 2020 be replaced by the following:

“(4) the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec;”;

THAT the operative part of that Ministerial Order be amended by inserting the following after the third paragraph:

“THAT the president, the executive director or the secretary of a professional order may, when issuing a special public health emergency student authorization, restrict the professional activities that may be performed by the person to whom the special authorization is granted and determine the conditions on which the person may perform the activities;”;

THAT the following professionals practising within a health and social services institution be authorized to take the samples necessary for the COVID-19 screening test, on the condition the professional has undergone the training for the purpose provided under the authority of the director of nursing care of the institution:

- (1) audiologists;
- (2) dentists;
- (3) dietitian-nutritionists;
- (4) dental hygienists;
- (5) speech therapists;
- (6) physiotherapists;

THAT, for the purposes of the measures provided for by Order in Council 505-2020 dated 6 May 2020, the exceptions made for the territory of the Communauté métropolitaine de Montréal also apply for the territory of the regional county municipality of Joliette;

THAT the measures set out in Ministerial Order 2020-013 dated 1 April 2020 concerning the restriction on access to the territory of the urban agglomeration of La Tuque for the Mauricie et Centre-du-Québec health region and to the Saguenay – Lac-Saint-Jean, Abitibi-Témiscamingue and Outaouais health regions no longer be applicable;

THAT the measure set out in Ministerial Order 2020-015 dated 4 April 2020 concerning the restriction on access by the residents of Ville de Gatineau and of the regional county municipality of Les Collines-de-L'Outaouais to the other Outaouais regional county municipalities be revoked;

THAT the Schedule to Order in Council 505-2020 dated 6 May 2020 be amended

(1) by inserting the following after section 1:

“1.1. The number of qualified childcare staff members a childcare centre or day care centre permit holder must ensure are present each day with the children while childcare is being provided is at least one staff member out of three.”;

(2) by inserting the following after section 2:

“2.1. A person recognized as a home childcare provider who wishes to interrupt activities may apply to the home childcare coordinating office that granted the recognition to have the recognition suspended if the person or a person residing in the residence where the childcare services are being provided is in either of the following situations:

(1) the person is 70 years of age or older; or

(2) a physician or a specialized nurse practitioner confirms the person has factors making him or her vulnerable to COVID-19;

The application for suspension of recognition must be made by the recognized person as soon as possible. The person must also, within that same time, inform the parents of the children normally cared for. The coordinating office is to suspend the recognition as of the date specified in the application.”;

THAT this Order have effect as of 11 May 2020.

Québec, 9 May 2020

DANIELLE MCCANN,  
*Minister of Health and Social Services*

104426

## M.O., 2020

### Order number 2020-035 of the Minister of Health and Social Services dated 10 May 2020

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 other measure needed to ensure that the health and social services network has the necessary human resources;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020 and until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020;

CONSIDERING that Order in Council 501-2020 dated 6 May 2020 empowers the Minister of Health and Social Services to take any measure provided for in subparagraphs 1 to 8 of the first paragraph of section 123 of the Public Health Act;

CONSIDERING that it is expedient to order certain measures to protect the health of the population;

ORDERS AS FOLLOWS:

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 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, according to the terms and conditions provided for in this Order:

(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 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 general and specialized hospital centre, for the facilities or locations designated by the Minister of Health and Social Services, a salaried person receives the same amounts as those provided for in paragraphs 1 and 2, according to the same terms and conditions, where the person has one of the job titles or one of the job titles of one of the following groups of job titles:

(a) group of job titles of nurse;

(b) group of job titles of nurse clinician and nurse practitioner;

(c) group of job titles of nursing assistant;

(d) group of job titles of respiratory therapist;

(e) nursing extern;

(f) respiratory therapy extern;

(g) group of job titles of beneficiary attendant;

(h) health and social services aide;

(i) service aide;

(j) housekeeping attendant (light duty);

(k) housekeeping attendant (heavy duty);

(4) in one of the environments referred to in paragraphs 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 paragraph;

(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 the following terms and conditions apply with respect to the lump sums provided for in this Order:

(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;

(2) the lump sums are calculated and paid proportionately to the regular hours actually worked in the environments referred to in this Order, excluding vacation and public holidays;

(3) a salaried person who refuses a transfer or an assignment (intra or inter institution) requested by the employer loses the benefit of the lump sums provided for in this Order as of the date of refusal for the period in progress and following periods;

(4) 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 in this Order, 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 Nomenclature des titres d'emploi, des libellés, des taux et des échelles de salaire du réseau de la santé et des services sociaux;

(5) the lump sums are not paid to the salaried person who is teleworking;

(6) the lump sums are not contributory earnings for the purposes of the pension plan;

THAT, for the purpose of applying lump sums, the eligibility period begin on Sunday;

THAT the measures provided for in this Order not apply to a salaried person who performs duties in the administrative services of the institution;

THAT the preceding paragraphs apply, with the necessary modifications, to the staff of school boards, colleges established under the General and Vocational Colleges Act (chapter C-29), the public service and government agencies listed in Schedule C of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) redeployed in the health and social services network under Ministerial Orders 2020-008 dated 22 March 2020, 2020-019 dated 10 April 2020 and 2020-028 dated 25 April 2020, unless the staff benefits from equivalent measures in the education sector, the public service or within a government agency;

THAT the salaried person, after authorization from the employer, may convert into cash vacation days at the rate of time and one-half of the person's salary, in place of taking vacation days that exceed those provided for in the Act respecting labour standards (chapter N-1.1);

THAT the tenth paragraph of the operative part of Ministerial Order 2020-034 dated 9 May 2020 be replaced by the following:

“THAT the measures set out in Ministerial Order 2020-013 dated 1 April 2020 concerning the restriction on access to the territory of the urban agglomeration of La Tuque for the Mauricie et Centre-du-Québec health region and to the Saguenay – Lac-Saint-Jean, Abitibi-Témiscamingue and Outaouais health regions, except, for the latter health region, concerning the portion of the territory of Ville de Gatineau and the Municipalité régionale de comté de Les Collines-de-L'Outaouais contiguous with Ontario, no longer be applicable;”.

Québec, 10 May 2020

DANIELLE McCANN,  
*Minister of Health and Social Services*

104427



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

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