

Bill 70

**An Act to allow a better match between
training and jobs and to facilitate
labour market entry**

Section 7

AMENDMENT:

Add the following paragraph at the end of proposed section 26:

The allocation of the assets in the Fund to initiatives for the future workforce must take access to training by the currently employed workforce into consideration.

Apple

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Section 9

AMENDMENT:

Replace “as well as the means by which they are to be achieved” in the first paragraph of proposed section 3.1 by “the means by which they are to be achieved, and the parameters for the allocation of the public employment services budgets”.

Adopter

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Section 10

AMENDMENT:

1. Replace paragraph 1 by:

(1) by replacing the first sentence by the following sentence: "The function of the Commission is to take part in the development of government policies, strategic directions and measures in the areas of workforce and employment, in particular policies, strategic directions and measures aimed at facilitating a balance between workforce supply and demand in the labour market, and to participate in decisions relating to the measures and programs under the Minister's authority in those areas.";

2. Replace paragraph 4 by:

(4) by replacing "determine criteria, in accordance with section 19," in subparagraph 4 by "collaborate with the Minister in defining criteria";

3. Replace "advise the Minister with respect to" in paragraph 5 by "collaborate with the Minister in identifying".

A d'après

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Section 13

AMENDMENT:

Replace by:

13. Section 21 of the Act is amended

(1) by replacing “and one member from the college education sector” in subparagraph 5 of the first paragraph by “, one member from the college education sector and one member from the university education sector”;

(2) by adding the following subparagraph after subparagraph 5 of the third paragraph:

“(6) the chairman of the Commission de la construction du Québec or a person the chairman designates.”

Adopté

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Section 14

AMENDMENT:

In the first paragraph of proposed section 22, replace “The Minister shall appoint the secretary general of the Commission” by “After consulting with the Commission, the Minister shall appoint its secretary general”.

Adopted

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Section 11

AMENDMENT:

Add the following paragraph at the end of proposed section 17.0.1:

The Commission's annual management report must set out the recommendations and, as applicable, the action report or the reasons referred to in the first paragraph.

Sam1

Adopted

SAM 1
AM 6
s. 11 (17.0.1)

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Section 11 as amended

AMENDMENT:

Insert “, the follow-up given to them by the department” after “recommendations”
in the amendment to proposed section 17.0.1.

Adopted

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Section 9 as amended

AMENDMENT:

Add the following sentence at the end of the second paragraph of proposed section 3.1:

The Minister shall make a decision as soon as possible.

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Section 17

AMENDMENT:

Strike out paragraph 1.

Advised

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Section 17 as amended

AMENDMENT:

Replace “region’s economic reality” by “reality of the region’s local development” in paragraph 3.

Adopted

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Section 17 as amended

AMENDMENT:

Insert the following paragraph after the first paragraph of section 40 as amended:

The appointments must tend toward gender parity.

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Section 13 as amended

AMENDMENT:

Insert the following paragraph after paragraph 1:

(1.1) by inserting the following paragraph after the first paragraph:

“The appointments must tend toward gender parity.”;

Adopted

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Section 8.1

AMENDMENT:

Insert the following section before section 9:

8.1. Section 2 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by adding "in local centres" at the end of the second paragraph.

Adopted

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Section 17.1

AMENDMENT:

Insert the following section after section 17:

17.1. The Act is amended by inserting the following section after section 45:

“**45.1.** The Minister shall ask representatives from the regional councils of labour market partners to sit on panels to select persons to fill regional or local director positions within the department.”

Adopted

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Section 9.1

AMENDMENT:

Insert the following section after section 9:

9.1. Section 15 of the Act is amended by adding the following sentence at the end: "The report must contain a section on the actions taken by the Minister in the areas of workforce and employment which must include an account of the results of the annual plan of action referred to in section 3.1."

Adoptée

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Section 28

AMENDMENT:

Replace the second paragraph of proposed section 83.1 by:

This chapter applies to adults who, in the cases and under the conditions prescribed by regulation, are required to participate in the program. It also applies to families that include at least one such participant.

Adaptive

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Section 28 as amended

AMENDMENT:

Insert “, through training in particular, in order” after “participants” in the first paragraph of proposed section 83.1.

Adopted

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labour market entry**

Section 28 as amended

AMENDMENT:

Replace the first paragraph of proposed section 83.1 by:

The purpose of the Aim for Employment Program is to offer individualized support to enter the labour market, through training in particular, to persons who would be entitled to receive benefits under Chapter I for the first time.

Adpted

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Section 36.1

AMENDMENT:

Insert before section 37:

36.1. The Minister must, not later than the 120th day following the second anniversary of the coming into force of section 83.1 of the Individual and Family Assistance Act (chapter A-13.1.1), enacted by section 28 of this Act, and subsequently every five years, report to the Government on the implementation of the Aim for Employment Program.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly examines the report.

Adopté

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Section 28 as amended

AMENDMENT:

Replace proposed sections 83.2 to 83.4 by:

*Adopté
amendé
ou* “83.2. A labour market entry plan is established for every participant. The plan takes into account an assessment of the participant’s skills, the profile of the job the participant is seeking and the characteristics of the labour market. To help prepare the plan, the participant must appear for any interview requested by the Minister and provide any information required on his or her circumstances.

Sam 1

Sam 2

The plan includes measures aimed at providing the participant with support corresponding to his or her prospects of entering the labour market. The measures may, in particular, focus on training, an intensive job search or the acquisition of skills and the development of social skills.

The plan also sets out the commitments the participant must honour, in particular as regards the activities to be carried out within the scope of the measures it includes. A participant is however temporarily exempted, in the cases and under the conditions prescribed by regulation, from the obligation to fulfil the commitments set out in the plan:

A plan becomes effective on the day determined by regulation.

The Minister may modify any element of a plan, after consulting with the participant concerned, to take into account any change in the participant’s circumstances that could affect his or her ability to honour the commitments set out in the plan or his or her prospects of entering the labour market.

*Adopté
ou* “83.3. Among the commitments it sets out, a labour market entry plan may provide that the participant must accept a job that is offered to him or her if the job falls within the scope of the measures and commitments contained in his or her plan. A participant may however refuse a job in the cases and under the conditions prescribed by regulation.

A plan may also provide that a participant who already holds a job at the time the plan becomes effective or who accepts a job while participating in the program must maintain the employment relationship for as long as he or she participates in the program. However, leaving or losing a job does not, in the cases and under the conditions prescribed by regulation, constitute failure to fulfil the obligation to maintain an employment relationship.

Adopted

“83.4. Participation in the Aim for Employment Program is for a total duration of 12 months. The Minister may however, at any time and with the participant’s consent, extend the duration of participation by a maximum of 12 months to facilitate the carrying out of a labour market entry plan. That duration does not take into account the month of application.

In addition, participation is interrupted or extended or ends in the cases and under the conditions prescribed by regulation.

The labour market entry plan states the date on which participation begins, the date on which it is to end and, if applicable, any date set under this section.

Adopted

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Section 28 as amended

AMENDMENT:

Replace “et le” in the second paragraph of proposed section 83.2 in the French text by “, ainsi que le”.

Adopted

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Section 28 as amended

AMENDMENT:

Insert “or at that participant’s request” after “the participant concerned” in the fifth paragraph of proposed section 83.2.

Accepted

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Section 28 as amended

AMENDMENT:

Replace the first two paragraphs of proposed section 83.5 by:

Financial assistance within the framework of the program takes the form, in particular, of an Aim for Employment benefit, to which a participation allowance under section 83.6 and the reimbursement of expenses under section 83.8 may be added.

The Aim for Employment benefit granted to an independent adult or a family is established monthly and calculated in the manner prescribed by regulation.

Adopted

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Section 28 as amended

AMENDMENT:

Insert after proposed section 83.8:

“83.8.1. The Minister may grant exceptional financial assistance to a participant or a participant’s family if the Minister considers that, without such assistance,

(1) the carrying out of the participant’s labour market entry plan would be compromised; or

(2) the participant or the members of the participant’s family would be in circumstances that could endanger their health or safety or lead to complete destitution.

Adopted

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Section 28 as amended

AMENDMENT:

Replace proposed section 83.10 by:

“**83.10.** When there is failure to fulfil any of the obligations imposed by sections 30 and 36, the Minister may, as the case may be, refuse or cease to pay financial assistance or reduce it. The Minister may do the same when there is failure to fulfil the obligation under the first paragraph of section 63, which applies to the program subject to the third paragraph of that section.

“**83.11.** If failure to fulfil any of the obligations set out in the first paragraph of section 83.2 hinders the establishment of a labour market entry plan, the Minister may refuse or cease to pay the benefit to the independent adult or the family. The benefit is however paid if the participant remedies the failure within the time limit or on the date determined by the Minister.

“**83.12.** When there is failure to fulfil any of the commitments set out in a labour market entry plan, the Minister may, from the month following the month in which the Minister notes the failure and to the extent provided for by regulation, reduce the amount of the benefit paid to the independent adult or the family. The amount of the benefit may however not be reduced below an amount established according to the calculation method prescribed by regulation.

Sam 1

Sam 3

If a participant applied for a reconsideration of the decision establishing his or her labour market entry plan before the day of the first activity determined in the plan, no reduction may be made until the decision on that application has been made.

“**83.13.** A decision made by the Minister under sections 83.10 to 83.12 must include reasons and be communicated to the person concerned in writing.”

Sam 2

Adopted

SAM 1
AM 22
s. 28 (83.12)

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Section 28 as amended

AMENDMENT:

Insert “, without a valid reason” after “labour market entry plan” in the first paragraph of proposed section 83.12.

Adopted

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Section 28 as amended

AMENDMENT:

Insert “without delay” after “in writing” in proposed section 83.13.

Adopted

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Section 28 as amended

AMENDMENT:

Replace the second paragraph of proposed section 83.12 by:

However, no reduction is made before the expiry of the time prescribed in the second paragraph of section 108 for applying for a reconsideration of the initial decision establishing a labour market entry plan and, as applicable, before the decision on that application is made.

Adopted

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Section 34

AMENDMENT:

In proposed section 133.1,

1. Replace paragraphs 1 to 5 by:

(1) prescribing, for the purposes of the second paragraph of section 83.1, the cases in which and the conditions under which a person is required to participate in the Aim for Employment Program;

(2) prescribing, for the purposes of the third paragraph of section 83.2, the cases in which and the conditions under which a participant in the program is temporarily exempted from the obligation to fulfil the commitments set out in the labour market entry plan;

(3) determining, for the purposes of the fourth paragraph of section 83.2, the day on which a labour market entry plan becomes effective;

(4) prescribing, for the purposes of section 83.3, the cases in which and the conditions under which a participant may refuse a job that is offered to him or her and the cases in which and the conditions under which leaving or losing a job does not constitute failure to fulfil the obligation to maintain an employment relationship;

(5) prescribing, for the purposes of section 83.4, the cases in which and the conditions under which participation is interrupted or extended or ends;

2. Replace paragraph 10 by:

(10) prescribing, for the purposes of section 83.12, to what extent the Minister may reduce the amount of the benefit paid to an independent adult or a family and prescribing a method for calculating the amount below which the benefit may not be reduced.”

Adopted

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Section 23

AMENDMENT:

Remove.

Adopted

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Section 29.1

AMENDMENT:

Insert after section 29:

29.1. The Act is amended by inserting the following section after section 106:

“106.1. The Minister may establish a program intended for persons who wish to regularize their situation after having made a misrepresentation.

Within the framework of the program, the Minister may, in the cases and according to the conditions and the procedure the Minister determines, recognize such a person as a voluntary declarant. Such a recognition allows the person to benefit from more flexible rules with regard to the consequences arising from the misrepresentation, as determined by regulation.

The Minister may, in the cases and according to the conditions and the procedure the Minister determines, revoke the decision to recognize a person as a voluntary declarant.”

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Section 34.1

AMENDMENT:

Insert after section 34:

34.1. Section 134 of the Act is amended by adding the following paragraph at the end:

“(10) determining, for the purposes of section 106.1, the more flexible rules applicable to a voluntary declarant.”

Adopted

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Section 30

AMENDMENT:

Replace by:

30. Section 108 of the Act is replaced by the following section:

“**108.** A decision under

- (1) Chapter IV of Title II,
- (2) Chapter V of Title II, except section 83.5 or sections 83.10 to 83.12, or
- (3) the program provided for in section 106.1,

is not subject to review.

A person to whom a decision referred to in the first paragraph applies may apply in writing, within 30 days, for a reconsideration of the decision by a competent authority within the department, unless the decision is made under section 83.8.1.”

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Section 35

AMENDMENT:

Remove.

Adopted

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Section 36

AMENDMENT:

Replace “d’objectif emploi” in the French text by “de prestation d’objectif emploi”.

Adoptée

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Section 24

AMENDMENT:

Remove.

Adopted

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**An Act to allow a better match between
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Section 20.1

AMENDMENT:

Insert after section 20:

20.1. Section 33 of the Act is amended by replacing “the national child benefit supplement granted” in paragraph 2 by “the child tax benefits granted”.

Adopted

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Section 37.2

AMENDMENT:

Insert after section 37.1:

37.2. For the sole purposes of paragraph 1.1 of section 72 of the Individual and Family Assistance Act, enacted by section 26 of this Act, the first regulation made under paragraph 2 of section 133 of the Individual and Family Assistance Act, as replaced by section 33 of this Act, may have retroactive effect to the date it specifies.

Adopted

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Section 37.3

AMENDMENT:

Insert after section 37.2:

37.3. In any regulation, “Emploi-Québec” is replaced, wherever it appears and with the necessary modifications, by “the Minister of Employment and Social Solidarity”. Similarly, in any other document, a reference to Emploi-Québec is a reference to that Minister, unless the context indicates otherwise.

Adopté

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Section 17 as amended

AMENDMENT:

Replace paragraph 4 by:

(4) by replacing the second and third paragraphs by the following paragraphs:

“A regional representative of the department, designated by the Deputy Minister from among the management personnel, shall also be a member of the regional council and shall act as secretary.

The following persons shall also be members of the regional council, but without the right to vote:

(1) a representative of the Ministère de l'Éducation, du Loisir et du Sport and of the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie designated jointly by the Deputy Minister of each of those departments;

(2) the regional director of the Ministère du Développement économique, de l'Innovation et de l'Exportation or a regional representative of that department designated by the Deputy Minister of that department; and

(3) the regional director of the Commission de la construction du Québec or a representative designated by the regional director.

Adopté

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Section 17.0.1

AMENDMENT:

Insert after section 17:

17.0.1. Section 45 of the Act is amended by adding the following sentence at the end of the first paragraph: "It may invite any person to assist it in its deliberations."

Adopted

Bill 70

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labour market entry**

Section 37.1

AMENDMENT:

Insert after section 37:

37.1. In any agreement entered into by the Minister under section 84 of the Individual and Family Assistance Act (chapter A-13.1.1) before the date of coming into force of section 83.1 of that Act, enacted by section 28 of this Act, a provision relating to the Social Assistance Program or a last resort financial assistance program also applies to the Aim for Employment Program from that date unless, in the year following that date, one of the parties notifies the other party in writing of its intention not to include that program, in whole or in part, in the agreement.

The first paragraph ceases to apply to an agreement on the day the first amendment made to the agreement by the parties after the date of coming into force of section 83.1 of that Act, enacted by section 28 of this Act, becomes effective.

The first paragraph applies despite section 70 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

Adopté

Bill 70

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Section 38

AMENDMENT:

Replace by:

38. Part I and section 37.3 of this Act come into force on *(insert the date of assent to this Act)*. Part II and sections 36.1 to 37.2 of this Act come into force on the date or dates to be set by the Government.

Adopted