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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 100

**An Act respecting the negotiation and  
determination of conditions of  
employment requiring national  
coordination in particular in the  
public and parapublic sectors**

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**Introduction**

**Introduced by  
Madam Sonia LeBel  
Minister Responsible for Government Administration  
and Chair of the Conseil du trésor**

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## **EXPLANATORY NOTES**

*This bill provides a framework for the negotiation and determination of the conditions of employment requiring national coordination in particular in the public and parapublic sectors. Its purpose is to promote the coherence and efficiency of the process leading to the establishment of such conditions of employment, and to control their impact on public finances.*

*In particular, the bill determines the conditions of employment requiring national coordination as well as the employers who are subject to them.*

*The Chair of the Conseil du trésor is entrusted with the responsibility for developing and implementing a global strategy for establishing the conditions of employment requiring national coordination.*

*A framework is provided for the collective bargaining of the conditions of employment of unionized personnel in the education, the higher education and the health and social services sectors. The Chair of the Conseil du trésor and the sectoral negotiators identified in the bill are entrusted with the responsibility for negotiating with the certified associations on behalf of the employers, according to the matters dealt with by the conditions of employment applicable to the unionized personnel. In particular, the bill allows a sectoral negotiator who is a minister to form a committee and entrust it with the functions and powers conferred on the minister by the bill.*

*Furthermore, the Chair of the Conseil du trésor is entrusted with the responsibility for negotiating certain conditions of employment with certain representative bodies, on behalf of the Minister of Health and Social Services. The Chair of the Conseil du trésor is also entrusted with the responsibility for establishing, on behalf of the childcare centres and the coordinating offices governed by the Educational Childcare Act, certain conditions of employment applicable to their personnel. The same applies with respect to certain conditions of employment applicable to ambulance technicians or to emergency medical dispatchers who are personnel members of ambulance service permit holders or of health communication centres governed by the Act respecting pre-hospital emergency services.*

*A framework is provided for the collective bargaining of the conditions of employment of the unionized personnel of the government bodies identified in the bill and certain provisions governing the collective bargaining of the conditions of employment of unionized personnel in the education, higher education, health and social services sectors are made applicable to the negotiation of the conditions of employment of the public service unionized personnel.*

*The Government is allowed to transfer, between the Chair of the Conseil du trésor and an employer or a person negotiating on the employer's behalf, some of the negotiating responsibilities conferred on them by the bill.*

*The Labour Code is amended, in particular to abolish the maximum term of the collective agreements in the public and parapublic sectors and to allow the exercise of the right to strike or to lock out in respect of all matters, including the determination of salaries and salary scales.*

*The Act respecting bargaining units in the social affairs sector is also amended to again make it possible to constitute no more than four bargaining units per health and social services institution other than those of Santé Québec and provides that, in the case of Santé Québec, that rule applies to each of its administrative units. The bill provides that any employee who transitions from a bargaining unit formed within an employer in the health and social services sector to another such unit retains the seniority accumulated under the collective agreement that applied to the employee before that transition and that seniority is then deemed accumulated under the collective agreement applicable to the employee after that transition.*

*The bill repeals, in particular, the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors.*

*Lastly, the bill contains transitional and final provisions.*

**LEGISLATION AMENDED BY THIS BILL:**

- Public Administration Act (chapter A-6.01);
- Act respecting the Agence du revenu du Québec (chapter A-7.003);
- Charter of the French language (chapter C-11);

- Labour Code (chapter C-27);
- Pay Equity Act (chapter E-12.001);
- Act respecting the governance of the health and social services system (chapter G-1.021);
- Act respecting the Institut de la statistique du Québec (chapter I-13.011);
- Act respecting the laicity of the State (chapter L-0.3);
- Act respecting the Ministère des Finances (chapter M-24.01);
- Police Act (chapter P-13.1);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Teachers Pension Plan (chapter R-11);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);
- Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies (chapter R-26.2.01);
- Act respecting bargaining units in the social affairs sector (chapter U-0.1);
- Act to make the health and social services system more effective (2023, chapter 34).

**LEGISLATION REPEALED BY THIS BILL:**

- Act to ensure that essential services are maintained in the health and social services sector (chapter M-1.1);

- Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2).

**REGULATIONS AMENDED BY THIS BILL:**

- Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6);
- Regulation respecting the use of personnel placement agencies' services and independent labour in the field of health and social services (chapter G-1.021, r. 2);
- Terms and conditions respecting the signing of certain deeds, documents and writings of the ministère du Travail (chapter M-32.2, r. 1);
- Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2);
- Regulation respecting volunteer construction work (chapter R-20, r. 14.2);
- Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1);
- Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2).



# **Bill 100**

## **AN ACT RESPECTING THE NEGOTIATION AND DETERMINATION OF CONDITIONS OF EMPLOYMENT REQUIRING NATIONAL COORDINATION IN PARTICULAR IN THE PUBLIC AND PARAPUBLIC SECTORS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### **CHAPTER I**

#### **GENERAL PROVISIONS**

##### **DIVISION I**

###### **PURPOSE AND INTERPRETATION**

**1.** The purpose of this Act is to promote the coherence and efficiency of the process through which the conditions of employment requiring national coordination are established as well as the control of their effects on public finances.

To that end, the Act provides for the development and implementation by the Chair of the Conseil du trésor of a global strategy for establishing the conditions of employment requiring national coordination.

It provides a framework for collective bargaining following which the conditions of employment that are the subject of collective agreements or other group agreements are agreed.

In addition, it sets out the roles and responsibilities of the employers that are bound by conditions of employment requiring national coordination or of the persons who, on their behalf, establish those conditions of employment, as well as the roles and responsibilities of the certified associations and of the other groups representing the employees who are bound by those conditions of employment.

Lastly, it extends the application of provisions relating to the conditions of employment requiring national coordination to certain agreements other than employment contracts.

**2.** Conditions of employment requiring national coordination are established in accordance with this Act where, being the subject of collective agreements or other group agreements, they are negotiated and agreed by the parties or

where, being the subject of another employment contract, they are determined by the employer after consultation, where applicable, with any organization representing the personnel bound by those conditions.

**3.** For the purposes of this Act, the conditions of employment requiring national coordination are

(1) those of the personnel in the public and parapublic sectors;

(2) those stipulated in the collective agreements applicable

(a) to ambulance technicians who are personnel members of ambulance service permit holders or to emergency medical dispatchers who are personnel members of health communication centres governed by the Act respecting pre-hospital emergency services (chapter S-6.2); and

(b) to any other class of personnel of any other employer determined by the Government;

(3) those of the personnel of childcare centres governed by the Educational Childcare Act (chapter S-4.1.1);

(4) those of the personnel of home educational childcare coordinating offices governed by the Educational Childcare Act that are not childcare centres;

(5) those stipulated in the group agreements applicable to the persons referred to in subparagraphs 1 to 4 of the first paragraph of section 3 of the Hospital Insurance Act (chapter A-28), of section 60 of the Act respecting the governance of the health and social services system (chapter G-1.021) and of section 432 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) or in section 19.1 of the Health Insurance Act (chapter A-29); and

(6) those of the personnel to whom any of the following classes apply where those conditions are not stipulated in a collective agreement or other group agreement:

(a) the personnel referred to in section 57 of the Police Act (chapter P-13.1); and

(b) any other class of personnel determined by the Government.

**4.** For the purposes of this Act, the conditions of employment of the public and parapublic sector personnel are those applicable to the following employers and to their employees and other persons employed by them:

(1) the education and higher education sector employers and the health and social services sector employers;

(2) the government bodies listed in Schedule I; and

(3) the government departments and bodies whose personnel is appointed under the Public Service Act (chapter F-3.1.1).

The Government may amend Schedule I.

**5.** For the purposes of this Act, the education and higher education sector employers are

(1) the colleges within the meaning of the General and Vocational Colleges Act (chapter C-29);

(2) the school service centres governed by the Education Act (chapter I-13.3);

(3) the school boards governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14); and

(4) any other body designated by the Government and similar to a college, centre or board referred to in paragraphs 1 to 3.

**6.** For the purposes of this Act, the health and social services sector employers are

(1) Santé Québec;

(2) the public institutions and the regional board governed by the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2);

(3) the bodies designated by the Government that, in accordance with the Act respecting the governance of the health and social services system (chapter G-1.021) or the Act respecting health services and social services for the Inuit and Naskapi, provide services to Santé Québec, to an institution referred to in paragraph 2 or to users;

(4) the regional council and a public institution within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5); and

(5) the private institutions under agreement within the meaning of the Act respecting the governance of the health and social services system, the Act respecting health services and social services for the Inuit and Naskapi, except an institution referred to in the second paragraph of section 551 of that Act, and the Act respecting health services and social services for Cree Native persons.

**7.** For the purposes of this Act, “certified association”, “collective agreement”, “employer” and “employee” have the meaning assigned by section 1 of the Labour Code (chapter C-27).

**8.** The employer or the person who, on the employer’s behalf, establishes conditions of employment requiring national coordination must, to the extent indicated to the employer or person by the Chair of the Conseil du trésor, comply with the global strategy for establishing the conditions of employment requiring national coordination provided for in section 10.

## **DIVISION II**

### **FUNCTIONS AND POWERS OF THE CHAIR OF THE CONSEIL DU TRÉSOR**

**9.** The Chair of the Conseil du trésor presents to the Government the objectives and priorities for the establishment of the conditions of employment requiring national coordination.

**10.** The Chair of the Conseil du trésor develops and implements a global strategy for establishing the conditions of employment requiring national coordination.

The Chair organizes and coordinates the process through which those conditions of employment are established to ensure that it is consistent with the strategy.

The Chair makes known to each employer that is bound by conditions of employment requiring national coordination, or to the person who, on the employer’s behalf, establishes those conditions of employment, the elements of the strategy that the Chair considers necessary to enable that employer or person to comply with them and ensures that they are complied with. To do so, the Chair may, in particular, intervene in the establishment of any condition of employment requiring national coordination, including a condition that deals with matters that the Chair does not have the authority to establish. The Chair must, before making an intervention, consult the minister concerned.

**11.** In addition to the cases provided for by this Act in which the Chair of the Conseil du trésor establishes conditions of employment requiring national coordination, the Chair may establish any condition of employment requiring such coordination, where so mandated by the employer that is bound by the condition, by a minister or by another person who has the authority to establish the condition of employment.

**12.** The Chair of the Conseil du trésor may coordinate any procedure concerning this Act or the labour relations at an employer that is bound by conditions of employment requiring national coordination, subject to the settlement and conduct, by the Attorney General, of the application or of the

defense in any contestation formed by or against the State in relation to such a procedure.

The Chair may also, subject to the same exception, coordinate any procedure that could have an impact on such a condition of employment that the Chair has the authority to establish or on the global strategy for establishing the conditions of employment requiring national coordination.

**13.** A minister or an employer that is bound by conditions of employment requiring national coordination must send to the Chair of the Conseil du trésor, on request and as soon as possible, any information necessary for the exercise of the functions conferred on the Chair by this Act.

Despite the first paragraph, the Régie de l'assurance maladie du Québec may communicate to the Chair information obtained for the carrying out of the Health Insurance Act (chapter A-29) only if the information is also communicated to the minister and to the body referred to in the third paragraph of section 65 of that Act, in the form provided for in that section and only if the information is necessary for the purposes mentioned therein.

**14.** The Chair of the Conseil du trésor may provide negotiator services as well as advisory, support and training services to the employers that are bound by conditions of employment requiring national coordination, in any matter coming under the functions conferred on the Chair by this Act.

**15.** The Government appoints a chief negotiator and fixes the latter's salary.

The chief negotiator exercises any negotiation-related function entrusted by the Chair of the Conseil du trésor under this Act as well as any function assigned to the chief negotiator by the Government, on the Chair's recommendation.

### **DIVISION III**

#### **AGREEMENTS OTHER THAN EMPLOYMENT CONTRACTS**

**16.** The provisions of this chapter relating to the conditions of employment requiring national coordination apply, with the necessary modifications, to the provisions stipulated in an agreement entered into under any of the following provisions:

(1) section 83.21 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14);

(2) the first paragraph of section 3 of the Hospital Insurance Act (chapter A-28), except with respect to the persons referred to in subparagraphs 1 to 4 of that paragraph, and section 19 of the Health Insurance Act (chapter A-29);

(3) section 293 of the Act respecting the governance of the health and social services system (chapter G-1.021) or section 432.1 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2);

(4) subparagraph 2 of the second paragraph of section 540 of the Act respecting the governance of the health and social services system or subparagraph 2 of the third paragraph of section 303 of the Act respecting health services and social services for the Inuit and Naskapi;

(5) section 541 of the Act respecting the governance of the health and social services system or section 303.1 of the Act respecting health services and social services for the Inuit and Naskapi;

(6) section 30 of the Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements (chapter R-24.0.1);

(7) section 32 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2); and

(8) any other provision determined by the Government.

## **CHAPTER II**

### **CONDITIONS OF EMPLOYMENT OF UNIONIZED EDUCATION AND HIGHER EDUCATION SECTOR PERSONNEL AND HEALTH AND SOCIAL SERVICES SECTOR PERSONNEL**

#### **DIVISION I**

##### **GENERAL PROVISIONS**

**17.** The conditions of employment stipulated in a collective agreement that is binding on a certified association and on an education and higher education sector employer or a health and social services sector employer are negotiated and agreed in accordance with this chapter.

**18.** For the purposes of this chapter, a union is, as applicable,

(1) a certified association, if it is not part of a group of certified associations;  
or

(2) a group of certified associations.

A group of certified associations is a union, federation, confederation, legal person, labour body or other organization which a certified association representing persons employed by an employer is part of, as a result of that association joining, belonging to or being affiliated with it. An organization that includes groups of certified associations is itself a group of associations.

## **DIVISION II**

### **NEGOTIATION AND AGREEMENT OF CONDITIONS OF EMPLOYMENT**

#### *§1. — Negotiation*

**19.** The Chair of the Conseil du trésor negotiates on behalf of the employer the conditions of employment dealing with the following matters:

(1) salaries, salary scales and ranking of positions making it possible to determine those salaries and scales;

(2) group insurance;

(3) pension plans; and

(4) parental rights.

**20.** The conditions of employment stipulated in a collective agreement dealing with the matters that do not fall within the purview of the Chair of the Conseil du trésor are negotiated with the union by the following sectoral negotiator:

(1) the Minister of Higher Education, Research, Science and Technology, on behalf of an employer referred to in paragraph 1 of section 5;

(2) the Minister of Education, Recreation and Sports, on behalf of an employer referred to in any of paragraphs 2 to 4 of section 5, or an employer negotiating committee, where that employer is

(a) an English-language school service centre;

(b) the Cree School Board; or

(c) the Kativik School Board; or

(3) the Minister of Health and Social Services, on behalf of the health and social services sector employers.

**21.** The Government may determine

(1) that a sectoral negotiator, rather than the Chair of the Conseil du trésor, is to negotiate on behalf of the employer conditions of employment dealing with a matter provided for in paragraphs 2 to 4 of section 19; or

(2) that the Chair of the Conseil du trésor, rather than a sectoral negotiator, is to negotiate on behalf of the employer conditions of employment dealing with a matter other than those referred to in section 19.

The decision provided for in the first paragraph must be made not later than the 180th day before the date of expiry of the collective agreement to be renewed, or of its equivalent, and has effect only for the negotiation of the conditions of employment that are to be renewed.

**22.** The union must send in writing to the Chair of the Conseil du trésor or, as applicable, to the sectoral negotiator, not later than the 150th day before the date of expiry of the collective agreement or its equivalent, its proposals on all the matters that are to be negotiated.

The Chair or the sectoral negotiator must, within 60 days following the receipt of the proposals, send in writing, to the union, its proposals on all those matters.

Despite the first and second paragraphs, the union and the Chair must send in writing to the other party their proposals on salaries and salary scales within 30 days following the date of publication of the report of the Institut de la statistique du Québec provided for in section 4 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011).

**23.** In the course of the negotiations, a negotiating party may make public a reproduction of the written proposals it sent to the other party concerned if at least five days have elapsed since receipt of the proposals by that other party.

**24.** The union and, as applicable, the Chair of the Conseil du trésor or the sectoral negotiator may, with respect to the conditions of employment that they negotiate, determine

(1) terms and conditions for the discussions between the parties to a collective agreement for the purpose of alleviating any difficulty arising during the term of the agreement; and

(2) the extent to which the parties to a collective agreement may enter into a special agreement between themselves in order to add provisions necessary to implement or replace a condition stipulated in the collective agreement.

**25.** When negotiating conditions of employment stipulated in a collective agreement under this chapter, a sectoral negotiator must comply with the terms and conditions determined by the Chair of the Conseil du trésor for the purpose of ensuring compliance with the level of the financial commitments for the establishment of the conditions of employment requiring national coordination.

**26.** An employer on whose behalf a sectoral negotiator is negotiating must send to that negotiator, on request and as soon as possible, any information necessary for the exercise of the functions conferred on the sectoral negotiator by this chapter.

**27.** At any stage of the negotiations, the union or, as applicable, the Chair of the Conseil du trésor or the sectoral negotiator may request that the Minister of Labour designate a conciliator to help them reach an agreement.

A notice of that request must be given the same day to the other party.

On receiving the request, the Minister must designate a conciliator.

**28.** The union and, as applicable, the Chair of the Conseil du trésor or the sectoral negotiator must attend any meeting to which the conciliator calls them.

**29.** The conciliator makes a report to the Minister of Labour if the Minister so requests.

**30.** The union and, as applicable, the Chair of the Conseil du trésor or the sectoral negotiator may agree on a conciliation procedure that differs from the procedure provided for in sections 27 to 29.

#### §2.—*Agreement*

**31.** Once the negotiation of the conditions of employment stipulated in a collective agreement is finished, those conditions are agreed by the union and, as applicable, by the Chair of the Conseil du trésor or the sectoral negotiator having the authority to negotiate and agree the conditions.

The conditions so agreed are binding on any employer on whose behalf the conditions were negotiated where the employees of that employer are represented by a certified association that is bound by the same conditions.

Those conditions are also binding on the certified association that is the union which has agreed those conditions or on the certified association which is part of the group of certified associations that is that union at the time of the agreement. In addition, those conditions are binding on any certified association that becomes part of that group during the term of the conditions.

**32.** Despite the third paragraph of section 31, where an institution obtains the status of private institution under agreement within the meaning of the Act respecting the governance of the health and social services system (chapter G-1.021) or of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2), the conditions of employment agreed by a group of certified associations are binding on every certified association that is part of the group and that represents the employees of that institution as of the date fixed by the Minister of Health and Social Services. That date must not be later than one year after the change of status and, if no date is fixed by the Minister, the last day of that time limit is the date on which the association becomes bound by those conditions.

**33.** The affixing, to a collective agreement, of the signatures referred to in each of the following paragraphs is proof of the signatories' agreement to the conditions of employment stipulated in the collective agreement:

(1) for the conditions dealing with the matters that the Chair of the Conseil du trésor has the authority to negotiate, the Chair's signature and that of the representatives designated by the union; and

(2) for the conditions dealing with a matter other than the matters referred to in paragraph 1, the signature of the sectoral negotiator and, if that negotiator is an employer negotiating committee referred to in section 45, the signature of the minister who appoints committee members and that of the representatives designated by the union.

**34.** The conditions of employment stipulated in a collective agreement continue to apply, despite their expiry, until the coming into force of new negotiated and agreed conditions.

### **DIVISION III**

#### **SPECIAL AGREEMENTS**

**35.** No dispute may arise from the negotiation of a special agreement referred to in paragraph 2 of section 24.

**36.** A clause in a special agreement that alters the scope of a condition of employment stipulated in the collective agreement is without effect if that condition cannot be the subject of such a special agreement.

**37.** A special agreement ceases to have effect 60 days after the conditions of employment stipulated in a collective agreement which replace those of the collective agreement under which the special agreement was entered into are agreed, unless it ceases to have effect earlier, by its replacement or revocation.

**38.** A special agreement must be filed with the Minister of Labour in accordance with the first paragraph of section 72 of the Labour Code (chapter C-27).

## **DIVISION IV**

### **ORGANIZATION OF THE PARTIES TO CERTAIN NEGOTIATIONS**

#### §1. — *The unions*

**39.** For the purposes of negotiating a collective agreement that is binding on a certified association and an education and higher education sector employer, the following classes of personnel form distinct groups:

- (1) teachers;
- (2) non-teaching professional personnel; and
- (3) support personnel.

**40.** A newly created group of associations of employees must, without delay, notify the Chair of the Conseil du trésor and the sectoral negotiator concerned of the group's creation.

The notice must also contain a list of the certified associations that are part of the group and that represent employees of an employer.

Every group of associations of employees must, without delay, notify the Chair and the sectoral negotiator concerned of any changes made to the list.

#### §2. — *The employers*

**41.** A minister may, for the purposes of exercising the functions and powers conferred by this Act on the minister as a sectoral negotiator, give a mandate, in writing and to the extent the minister indicates, to a committee the minister forms or to one of the following persons:

- (1) the Chair of the Conseil du trésor;
- (2) a public servant or the holder of a position; or
- (3) an employer on whose behalf the minister may negotiate.

**42.** The committee or person mandated by the minister under section 41 to exercise the minister's functions and powers must, in particular,

- (1) prepare draft bargaining proposals;
- (2) require bargaining mandates from the minister; and
- (3) organize, direct and coordinate the negotiations with the union within the framework determined by the minister.

**43.** Where the committee or person mandated under section 41 may exercise the minister's power under section 33, to agree conditions of employment by affixing their own signature to the collective agreement, those conditions must be countersigned by the minister.

**44.** The composition of a committee formed under section 41 must ensure adequate representation of the employers on whose behalf the committee negotiates.

The members of a committee are not remunerated, except in the cases, on the conditions and to the extent that may be determined by the Conseil du trésor. However, they are entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Conseil du trésor.

The minister makes the committee's by-laws by which the minister determines, in particular, the committee's framework of operation. Any such by-laws made by the minister must be sent to the Chair of the Conseil du trésor.

The minister makes available to the committee, in accordance with the conditions determined by the Conseil du trésor, any personnel and other resources necessary for the carrying out of the committee's mandate.

**45.** The following committees are established:

- (1) the employer negotiating committee for English-language school service centres;
- (2) the employer negotiating committee for the Cree School Board; and
- (3) the employer negotiating committee for the Kativik School Board.

Each of those committees exercises the functions and powers of a sectoral negotiator conferred on them by the provisions of this chapter.

**46.** The employer negotiating committee for English-language school service centres is composed of persons appointed by the Minister of Education, Recreation and Sports and of persons appointed by an association, federation or other organization comprising a majority of the English-language school service centres and considered to be representative of those centres by the Minister of Education, Recreation and Sports if the association, federation or other organization is not already recognized as such by law.

The committee's composition must be such as to ensure the adequate representation of the employers for whom it is established.

**47.** The employer negotiating committee for the Cree School Board and the employer negotiating committee for the Kativik School Board are composed

of persons appointed by the Minister of Education, Recreation and Sports and by their respective school board.

**48.** The members of each of the employer negotiating committees must designate a chair and a vice-chair, one of whom is chosen from among the members appointed by the Minister and the other from among the members who are not so appointed.

The members are to agree in writing on the framework of operation of the committee and on the determination of the matters in respect of which the representatives of the group or those of the Minister have a casting vote at deliberations of the committee.

Likewise, the members are to agree on the committee's mode of financing, the term of office of the members and, where applicable, their remuneration and that of the agents of the committee.

The signature of the Chair of the Conseil du trésor confirms the Government's commitment with respect to such an agreement.

**49.** The provisions of sections 42 and 43 apply, with the necessary modifications, to an employer negotiating committee.

## **DIVISION V**

### **ANCILLARY POWERS OF THE CHAIR OF THE CONSEIL DU TRÉSOR AND THE SECTORAL NEGOTIATORS**

**50.** The Chair of the Conseil du trésor and the sectoral negotiators may offer assistance and interpretation services to employers in the education and higher education sector and the health and social services sector.

Assistance services may include participation in work related to the monitoring and application of the conditions of employment.

## **CHAPTER III**

### **CONDITIONS OF EMPLOYMENT OF CERTAIN PERSONNEL MEMBERS OF THE HEALTH AND SOCIAL SERVICES SECTOR**

**51.** The Chair of the Conseil du trésor negotiates and agrees, on behalf of the Minister of Health and Social Services, the conditions of employment dealing with the matters referred to in section 19 where they are stipulated in a collective agreement applicable to the persons referred to

(1) in subparagraphs 1 to 4 of the first paragraph of section 3 of the Hospital Insurance Act (chapter A-28), of section 60 of the Act respecting the governance of the health and social services system (chapter G-1.021) and of section 432

of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2); or

(2) in section 19.1 of the Health Insurance Act (chapter A-29).

**52.** The Government may determine

(1) that the Minister of Health and Social Services, rather than the Chair of the Conseil du trésor, is to negotiate and agree the conditions of employment dealing with a matter referred to in paragraphs 2 to 4 of section 19; or

(2) that the Chair of the Conseil du trésor, rather than the Minister of Health and Social Services, is to negotiate and agree the conditions of employment dealing with a matter other than those referred to in section 19.

The decision provided for in the first paragraph must be made not later than the 180th day before the date of expiry of the collective agreement to be renewed and has effect only for the negotiation of the conditions of employment that are to be renewed.

**53.** Section 25 applies, with the necessary modifications, to the Minister of Health and Social Services.

Section 23 applies, with the necessary modifications, to the Chair of the Conseil du trésor or, as applicable, to the Minister of Health and Social Services and to a body representative of persons referred to in paragraph 1 or 2 of section 51.

## **CHAPTER IV**

### **CONDITIONS OF EMPLOYMENT OF THE UNIONIZED PERSONNEL OF GOVERNMENT BODIES**

**54.** The conditions of employment stipulated in a collective agreement that is binding on a certified association and a government body listed in Schedule I are negotiated and agreed in accordance with the provisions of this Chapter.

**55.** Before undertaking the negotiation of the conditions of employment stipulated in a collective agreement with a certified association, a government body must submit to the minister responsible for the body a draft document setting out the general parameters of a policy on remuneration and conditions of employment.

The minister submits the draft, for approval, to the Conseil du trésor which determines, in collaboration with the minister and the body, the terms and conditions according to which the progress of the negotiations is to be monitored.

**56.** The Conseil du trésor may determine policy directions regarding the content of any draft document setting out the general parameters of a policy on remuneration and conditions of employment that must be submitted to it under the second paragraph of section 55.

**57.** The policy on remuneration and conditions of employment approved with or without amendment by the Conseil du trésor and the terms and conditions determined for monitoring the progress of the negotiations are binding on the government body, which must comply with them.

**58.** A government body negotiates, agrees and signs a collective agreement within the framework defined under sections 55 to 57.

**59.** Section 23 applies, with the necessary modifications, to a government body and to a certified association representing its employees.

## **CHAPTER V**

### **CONDITIONS OF EMPLOYMENT OF THE UNIONIZED PERSONNEL OF THE PUBLIC SERVICE**

**60.** Sections 22, 23 and 27 to 30 apply, with the necessary modifications, to the negotiation of the conditions of employment stipulated in a collective agreement that is binding on the Government and an association of employees recognized or certified under sections 64 to 67 of the Public Service Act (chapter F-3.1.1).

## **CHAPTER VI**

### **CONDITIONS OF EMPLOYMENT OF THE UNIONIZED PERSONNEL OF CERTAIN ENTERPRISES**

**61.** The Chair of the Conseil du trésor negotiates and agrees, on behalf of the employer, the conditions of employment dealing with the matters referred to in section 19 where they are stipulated in

(1) a collective agreement applicable to the employees of childcare centres governed by the Educational Childcare Act (chapter S-4.1.1);

(2) a collective agreement applicable to the employees of home educational childcare coordinating offices governed by the Educational Childcare Act that are not childcare centres; or

(3) a collective agreement applicable to ambulance technicians who are personnel members of an ambulance service permit holder or to emergency medical dispatchers who are personnel members of a health communication centre governed by the Act respecting pre-hospital emergency services (chapter S-6.2).

**62.** The Government may determine

(1) that an employer referred to in section 61, rather than the Chair of the Conseil du trésor, is to negotiate and agree the conditions of employment dealing with a matter referred to in paragraphs 2 to 4 of section 19; or

(2) that the Chair of the Conseil du trésor, rather than an employer referred to in section 61, is to negotiate and agree the conditions of employment dealing with a matter other than those referred to in section 19.

The decision provided for in the first paragraph must be made not later than the 180th day before the date of expiry of the collective agreement to be renewed, or of an arbitration award in lieu thereof, and has effect only for the negotiation of the conditions of employment that are to be renewed.

**63.** Section 23 applies, with the necessary modifications, to the parties negotiating the conditions of employment stipulated in a collective agreement referred to in section 61.

**64.** The conditions of employment established by the Chair of the Conseil du trésor under this chapter are binding on every employer on whose behalf they were established.

## **CHAPTER VII**

### **PROVISIONS IN CERTAIN AGREEMENTS OTHER THAN CONTRACTS OF EMPLOYMENT**

**65.** The Chair of the Conseil du trésor establishes, on behalf of the minister concerned,

(1) the provisions of an agreement referred to in the first paragraph of section 3 of the Hospital Insurance Act (chapter A-28), except with regard to the persons referred to in subparagraphs 1 to 4 of that paragraph, and in section 19 of the Health Insurance Act (chapter A-29)

(a) where they impact the level of the global budget envelopes determined for the bodies representative of physicians; and

(b) where they deal with the remuneration of insured services, within the meaning of the Health Insurance Act, rendered by dentists, optometrists or pharmacists;

(2) the provisions of an agreement referred to in section 293 of the Act respecting the governance of the health and social services system (chapter G-1.021) or in section 432.1 of the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) where they deal with remuneration and the matters referred to in paragraphs 2 to 4 of section 19 of this Act;

(3) the provisions of an agreement referred to in section 541 of the Act respecting the governance of the health and social services system or in section 303.1 of the Act respecting health services and social services for the Inuit and Naskapi where they deal with the matters referred to in subparagraph 2 of the first paragraph of those sections;

(4) the provisions of an agreement referred to in section 30 of the Act respecting the representation of certain home educational childcare providers and the negotiation process for their group agreements (chapter R-24.0.1) where they deal with the portion of the subsidy referred to in paragraph 1 of section 31 of that Act intended to finance the provision of educational childcare services and provide access to social benefit plans; and

(5) the provisions of an agreement referred to in section 32 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2) where they deal with the matters referred to in paragraph 1 of section 33 of that Act and to the amounts referred to in paragraph 2 of that section intended to provide access to social benefit plans.

**66.** The Government may determine

(1) that the minister concerned, referred to in section 65, rather than the Chair of the Conseil du trésor, is to establish provisions of an agreement that is referred to in that section; or

(2) that the Chair of the Conseil du trésor, rather than the minister concerned, is to establish any other provision that the Gouvernement determines and that such an agreement may deal with.

The decision provided for in the first paragraph must be made not later than the 180th day before the date of expiry of an agreement to be renewed and has effect only for the negotiation of the provisions that are to be renewed.

**67.** Section 25 applies, with the necessary modifications, to the minister concerned, referred to in section 65.

Section 23 applies, with the necessary modifications, to the parties responsible for entering into an agreement referred to in section 65.

## **CHAPTER VIII**

### **AMENDING PROVISIONS**

#### **PUBLIC ADMINISTRATION ACT**

**68.** Section 77 of the Public Administration Act (chapter A-6.01) is amended by striking out “coordinate and monitor negotiations relating to the determination

of the conditions of employment in the public and parapublic sectors, and” in paragraph 5.

## ACT RESPECTING THE AGENCE DU REVENU DU QUÉBEC

**69.** Section 42 of the Act respecting the Agence du revenu du Québec (chapter A-7.003) is amended by replacing “an association of employees” and “Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the third paragraph by “a certified association” and “Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## CHARTER OF THE FRENCH LANGUAGE

**70.** Schedule I to the Charter of the French language (chapter C-11) is amended by replacing “agencies listed in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph *d* of paragraph 2 of Part A by “bodies listed in Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## LABOUR CODE

**71.** Section 1 of the Labour Code (chapter C-27) is amended, in paragraph *l*,

(1) by replacing “a member of the staff of the executive council” in subparagraph 3 by “a public servant of the Ministère du Conseil exécutif”;

(2) by inserting “Secrétariat du” before “Conseil du trésor” in subparagraph 3.2.

**72.** Section 111.1 of the Code is amended by striking out “and the possibility of agreeing on a term of more than three years for a collective agreement”.

**73.** Section 111.2 of the Code is amended

(1) by replacing “colleges, school service centres, school boards and institutions contemplated in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the definition of “public and parapublic sectors” in paragraph 1 by “employers in the education and higher education sector and the health and social services sector to whom the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies”;

(2) by replacing “an institution contemplated in section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the definition of “institution” in paragraph 2 by “a health and social services sector employer referred to in section 6 of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors”.

**74.** Section 111.3 of the Code is amended by replacing “paragraph *d*” in the first paragraph by “paragraphs *d* and *e*”.

**75.** Section 111.6 of the Code is amended

(1) by replacing “a college, a school service centre, a school board or an institution contemplated in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the first paragraph by “an employer in the education and higher education sector and the health and social services sector to whom the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies”;

(2) by striking out the second and third paragraphs.

**76.** Section 111.8 of the Code is repealed.

**77.** Section 111.11 of the Code is amended by replacing the first and second paragraphs by the following paragraph:

“No party to a collective agreement may declare a strike or a lock-out unless it has given a written prior notice of at least seven clear working days to the Minister, to the other party and, if applicable, to the Tribunal in the case of an institution or employee group referred to in the second paragraph of section 69 of the Public Service Act (chapter F-3.1.1), indicating the time when it intends to resort to a strike or a lock-out.”

**78.** Section 111.14 of the Code is amended by replacing “a matter defined as pertaining to clauses negotiated and agreed at the local or regional level or subject to local arrangements pursuant to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) as well as in respect of the determination of the salaries and salary scales provided for in the second paragraph of section 52 and in sections 53 to 55 of the said Act” by “a special agreement entered into under Division III of Chapter II of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## PAY EQUITY ACT

**79.** Section 3 of the Pay Equity Act (chapter E-12.001) is amended by replacing “colleges, school service centres, school boards and institutions to which the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) applies” in subparagraph 3 of the second paragraph by “the employers in the education and higher education sector and in the health and social services sector to whom the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies”.

**80.** Section 11 of the Act is amended by replacing “to colleges, school service centres and school boards, and the other, to institutions” in the third paragraph by “to employers in the education and higher education sector, and the other, to employers in the health and social services sector”.

**81.** Section 21.1 of the Act is amended by replacing “in an institution to which the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) applies” in subparagraph 4 of the second paragraph by “in respect of an employer in the health and social services sector to whom the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies”.

**82.** Section 76.9 of the Act is amended by striking out “, bargaining agent appointed under the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)”.

## ACT RESPECTING THE GOVERNANCE OF THE HEALTH AND SOCIAL SERVICES SYSTEM

**83.** Section 1475 of the Act respecting the governance of the health and social services system (chapter G-1.021) is amended

(1) by replacing the first paragraph by the following paragraphs:

“The employees transferred to Santé Québec under section 1474 of this Act continue to be represented by the certified associations that represented them before their transfer until the process provided for in sections 72 and following of the Act respecting bargaining units in the social affairs sector (chapter U-0.1), applicable under section 1610 of this Act, has been completed.

Subject to section 1476 of this Act, the conditions of employment those employees had before the transfer continue to apply, as they may be amended after the transfer, with the necessary modifications, until they are replaced

(1) by conditions of employment negotiated and agreed in accordance with the provisions of Chapter II of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) where, once the process referred to in the first paragraph has been completed, those employees are part of a bargaining unit for which an association of employees has been certified in accordance with the provisions of the Act respecting bargaining units in the social affairs sector and the Labour Code (chapter C-27); or

(2) by conditions of employment determined by Santé Québec in accordance with a regulation of the Minister made under section 59 of this Act where, once the process referred to in the first paragraph has been completed, those employees are not part of such a bargaining unit.”;

(2) by replacing “modified by” in the second paragraph by “replaced by conditions of employment determined by Santé Québec in accordance with”;

(3) by replacing “amended by” in the third paragraph by “replaced by conditions of employment determined by Santé Québec in accordance with”.

**84.** Section 1476 of the Act is amended by replacing “second” in the first and third paragraphs by “third”.

**85.** Section 1477 of the Act is amended

(1) by replacing “the day of the merger” in the first paragraph by “25 June 2027”;

(2) by striking out the second paragraph.

**86.** Section 1483 of the Act is amended by replacing “third” in the first paragraph by “fourth”.

**87.** The heading of subdivision 5 of Division III of Chapter VIII of Title I of Part XII of the Act is replaced by the following heading:

“§5.—*Transitional measures concerning collective labour relations in the social affairs sector*”.

**88.** Section 1610 of the Act is amended by replacing “92” and “the day of the merger” by “90” and “25 June 2027, in respect of the part of Santé Québec that is not included in an administrative unit referred to in section 42 of this Act”, respectively.

**89.** Section 1611 of the Act is repealed.

**90.** Section 1612 of the Act is amended by replacing “the day of the merger” in the introductory clause by “(*insert the date of assent to this Act*)”.

**91.** Section 1613 of the Act is repealed.

**92.** Section 1632 of the Act is amended by replacing “the date that is 18 months after the day of amalgamation or that is six months after the day of the merger, whichever is later” in the first paragraph by “30 September 2027”.

#### ACT RESPECTING THE INSTITUT DE LA STATISTIQUE DU QUÉBEC

**93.** Section 4 of the Act respecting the Institut de la statistique du Québec (chapter I-13.011) is amended

(1) by replacing “of the school service centres, school boards, colleges and institutions, and” in the first paragraph by “of the employers in the education and higher education sector and the health and social services sector to whom the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies, and of”;

(2) by striking out the third paragraph.

#### ACT RESPECTING THE LAICITY OF THE STATE

**94.** Schedule I to the Act respecting the laicity of the State (chapter L-0.3) is amended by replacing “agencies listed in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in paragraph 4 by “bodies listed in Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

#### ACT TO ENSURE THAT ESSENTIAL SERVICES ARE MAINTAINED IN THE HEALTH AND SOCIAL SERVICES SECTOR

**95.** The Act to ensure that essential services are maintained in the health and social services sector (chapter M-1.1) is repealed.

#### ACT RESPECTING THE MINISTÈRE DES FINANCES

**96.** Section 4 of the Act respecting the Ministère des Finances (chapter M-24.01) is amended by replacing “involved in the renewal of collective agreements” in paragraph 7 by “for the establishment of the conditions of employment requiring national coordination under the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## POLICE ACT

**97.** Section 57 of the Police Act (chapter P-13.1) is amended by inserting “, on the recommendation of the Chair of the Conseil du trésor,” after “determined”.

## ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

**98.** The Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is repealed.

## ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**99.** Section 115.11 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph *b* of paragraph 2 of the second paragraph by “Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

**100.** Section 164 of the Act is amended by replacing “associations of employees to which the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph *h* of paragraph 1 of the first paragraph by “certified associations of employees to which the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies”.

**101.** Schedule I to the Act is amended by striking out “Comité patronal de négociation des collègues”, “Comité patronal de négociation pour les centres de services scolaires francophones” and “Comité patronal de négociation du secteur de la santé et des services sociaux” in paragraph 1.

## ACT RESPECTING THE TEACHERS PENSION PLAN

**102.** Section 28.0.1 of the Act respecting the Teachers Pension Plan (chapter R-11) is amended by replacing “Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph *b* of paragraph 2 of the second paragraph by “Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

**103.** Section 66.3 of the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by replacing “Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph *b* of paragraph 2 of the second paragraph by “Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

**104.** Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by striking out “Comité patronal de négociation des collègues”, “Comité patronal de négociation du secteur de la santé et des services sociaux” and “Comité patronal de négociation pour les centres de services scolaires francophones” in paragraph 1.

## ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

**105.** Section 19 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing “school service centres, the school boards and colleges contemplated in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph 8 of the first paragraph by “the employers in the education and higher education sector contemplated in the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## ACT TO FOSTER ADHERENCE TO STATE RELIGIOUS NEUTRALITY AND, IN PARTICULAR, TO PROVIDE A FRAMEWORK FOR REQUESTS FOR ACCOMMODATIONS ON RELIGIOUS GROUNDS IN CERTAIN BODIES

**106.** Section 2 of the Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies (chapter R-26.2.01) is amended by replacing “agencies listed in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in subparagraph 4 of the first paragraph by “bodies listed in Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## ACT RESPECTING BARGAINING UNITS IN THE SOCIAL AFFAIRS SECTOR

**107.** Section 1 of the Act respecting bargaining units in the social affairs sector (chapter U-0.1), amended by section 1433 of chapter 34 of the statutes of 2023, is again amended

(1) by replacing “Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the first paragraph by “Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”;

(2) by replacing “Finally” and “the new association of employees, must negotiate the matters defined as being the subject of clauses negotiated and agreed at the local or regional level” in the second paragraph by “In addition” and “that association, must undertake the negotiation of the conditions of employment stipulated in a collective agreement”, respectively;

(3) by adding the following paragraph at the end:

“Finally, this Act provides the special terms and conditions governing the application of that union representation system to Santé Québec and the associations of employees formed within Santé Québec.”

**108.** The Act is amended by inserting the following section after section 1:

“**1.1.** For the purposes of this Act, institutions in the social affairs sector correspond to employers in the health and social services sector referred to in section 6 of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*).”

**109.** The Act is amended by inserting the following division after section 3:

### “DIVISION 1.1

#### “SENIORITY

“**3.1.** Despite any provision to the contrary, an employee who transitions from a bargaining unit formed within an institution in the social affairs sector to another such unit retains the seniority accumulated under the collective agreement that applied to the employee before that transition, and that seniority is then deemed accumulated under the collective agreement applicable to the employee after that transition.”

**II0.** Section 9 of the Act, amended by section 1435 of chapter 34 of the statutes of 2023, is again amended by replacing “in an institution, a regional board, a health and social services council or a private institution under agreement referred to in subparagraph 2, 4 or 5 of the fourth paragraph of section 1 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the first paragraph by “within an employer in the health and social services sector referred to in paragraph 1, 2, 4 or 5 of section 6 of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

**III.** The Act is amended by inserting the following sections after section 9:

**“9.1.** Despite section 9, a bargaining unit within Santé Québec is composed of the employees belonging to a same class of personnel provided for in section 4, and exercising their functions within a same administrative unit.

**“9.2.** For the purpose of this Act, the administrative units of Santé Québec are

(1) those referred to in section 42 of the Act respecting the governance of the health and social services system (chapter G-1.021); and

(2) the part of Santé Québec not included in such an administrative unit.

**“9.3.** Despite section 9, the bargaining unit composed of employees exercising their functions within the administrative unit of Santé Québec referred to in paragraph 2 of section 9.2 may include employees whose home base is in the territory of more than one health region.”

**II2.** Section 31 of the Act is amended by replacing “when an association of employees as defined in section 29 is the only association certified or having applied for certification, it becomes the new association” and “when the association is the one, among two or more associations of employees as defined in section 29,” in the first paragraph by “when there is only one association of employees as defined in section 29, it becomes the association” and “, when there are two or more associations of employees as defined in section 29, to the association”, respectively.

**II3.** Section 33 of the Act is amended by replacing “of certification of the new association of employees” in the third paragraph by “on which the association of employees was certified under section 31”.

**II4.** The heading of Division III of the Act is amended by replacing “CLAUSES NEGOTIATED AND AGREED AT THE LOCAL OR REGIONAL LEVEL” by “CONDITIONS OF EMPLOYMENT”.

**115.** Sections 35 and 36 of the Act are replaced by the following sections:

**“35.** The association of employees newly certified under section 20 and the employer undertake the negotiation of the conditions of employment stipulated in a collective agreement in accordance with the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*).

The conditions of employment of the employees in the bargaining unit represented by that association that are in force on the day before the date of certification continue to apply to them until replaced by the conditions so negotiated and agreed.

**“36.** Section 35 does not apply where the association of employees newly certified under section 20 is bound, under the third paragraph of section 31 of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*), by the conditions of employment negotiated and agreed by the group of associations of employees of which the association is part.

Those conditions of employment apply to the employees in the bargaining unit that the newly certified association of employees represents from either of the following dates, whichever is later:

- (1) the date that is 30 days after its certification; or
- (2) the date that is 30 days after the date on which it becomes part of the group.

Until those conditions of employment apply, the conditions of employment of those employees that are in force on the day before the date of certification continue to apply to them.”

**116.** Section 37 of the Act is amended

(1) by replacing “clauses negotiated and agreed at the local or regional level” in the first paragraph by “conditions of employment applicable to the employee under section 35 or 36”;

(2) by replacing “clauses negotiated and agreed at the local or regional level” and “the collective agreement determined for the newly certified association of employees under section 36” in the third paragraph by “conditions of employment referred to in section 35 or 36” and “those conditions of employment”, respectively;

(3) in the fourth paragraph,

(a) by replacing “the institution” by “the employer”;

(b) by striking out “for matters negotiated and agreed at the local or regional level that are the subject of an agreement”.

**117.** Sections 38 to 51 of the Act are repealed.

**118.** Section 71 of the Act is amended by replacing “92” in the first paragraph by “90”.

**119.** Subdivision 3 of Division V of the Act is amended by replacing the portion preceding section 90 by the following:

“§3.—*Determination of the conditions of employment of a first collective agreement*

“**88.** The association of employees newly certified under section 79 and the employer undertake the negotiation of the conditions of employment stipulated in a collective agreement in accordance with the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*).

The conditions of employment of the employees in the bargaining unit represented by that association that are in force on the day before the date of certification continue to apply to them until replaced by the conditions so negotiated and agreed.

“**89.** Section 88 does not apply where the association of employees newly certified under section 79 is bound, under the third paragraph of section 31 of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*), by the conditions of employment negotiated and agreed by the group of associations of employees of which the association is part.

Those conditions of employment apply to the employees in the bargaining unit represented by the association from either of the following dates, whichever is later:

(1) the date that is 30 days after its certification; or

(2) the date that is 30 days after the date on which it becomes part of the group.

Until those conditions of employment apply, the conditions of employment of those employees that are in force on the day before the date of certification continue to apply to them.”

**120.** Section 90 of the Act is amended

(1) by replacing “clauses negotiated and agreed at the local or regional level” in the first paragraph by “conditions of employment applicable to the employee under section 88 or 89”;

(2) by replacing “clauses negotiated and agreed at the local or regional level” and “the collective agreement determined for the newly certified association of employees under section 89” in the third paragraph by “conditions of employment referred to in section 88 or 89” and “those conditions of employment”, respectively;

(3) in the fourth paragraph,

(a) by replacing “the institution” by “the employer”;

(b) by striking out “for matters negotiated and agreed at the local or regional level that are the subject of an agreement”.

**121.** Sections 91 to 93 are repealed.

ACT TO MAKE THE HEALTH AND SOCIAL SERVICES SYSTEM  
MORE EFFECTIVE

**122.** Section 1218 of the Act to make the health and social services system more effective (2023, chapter 34) is repealed.

**123.** Section 1220 of the Act is amended by striking out paragraph 2.

**124.** Sections 1434, 1436 and 1447 of the Act are repealed.

**125.** Section 1636 of the Act is amended by striking out subparagraph 13 of the first paragraph.

REGULATION RESPECTING THE REMUNERATION OF  
ARBITRATORS

**126.** Section 1 of the Regulation respecting the remuneration of arbitrators (chapter C-27, r. 6) is amended by replacing “a college, school service centre or school board” and “Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in the second paragraph by “an employer in the education and higher education sector” and “Act to respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”, respectively.

REGULATION RESPECTING THE USE OF PERSONNEL  
PLACEMENT AGENCIES' SERVICES AND INDEPENDENT  
LABOUR IN THE FIELD OF HEALTH AND SOCIAL SERVICES

**127.** Section 9 of the Regulation respecting the use of personnel placement agencies' services and independent labour in the field of health and social services (chapter G-1.021, r. 2) is amended by replacing "agency referred to in Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)" in paragraph 2 by "body referred to in Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)".

TERMS AND CONDITIONS RESPECTING THE SIGNING OF  
CERTAIN DEEDS, DOCUMENTS AND WRITINGS OF THE  
MINISTÈRE DU TRAVAIL

**128.** Section 9 of the Terms and conditions respecting the signing of certain deeds, documents and writings of the ministère du Travail (chapter M-32.2, r. 1) is amended by striking out paragraph 15.

**129.** Section 11 of the Terms and conditions is amended by striking out paragraph 5.

REGULATION UNDER THE ACT RESPECTING THE  
GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

**130.** Sections 8.4 and 8.6 of the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) are amended by replacing "Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)" in the last paragraph by "Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)".

**131.** Section 51 of the Regulation is amended by replacing subparagraphs *b* and *c* of subparagraph 1 of the first paragraph by the following subparagraphs:

"(b) Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*);

"(c) paragraph 3 or 5 of section 6 of the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors;"

## REGULATION RESPECTING VOLUNTEER CONSTRUCTION WORK

**132.** Section 4 of the Regulation respecting volunteer construction work (chapter R-20, r. 14.2) is amended by replacing “a school service centre, a school board or a college referred to in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)” in paragraph 4 by “an employer in the education and higher education sector to whom the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*) applies”.

## REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT APPLICABLE TO OFFICERS OF AGENCIES AND HEALTH AND SOCIAL SERVICES INSTITUTIONS

**133.** Section 76.18 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) is amended by replacing “agency 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)” in subparagraph 3 of the first paragraph by “body listed in Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT APPLICABLE TO SENIOR ADMINISTRATORS OF AGENCIES AND OF PUBLIC HEALTH AND SOCIAL SERVICES INSTITUTIONS

**134.** Section 87.18 of the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2) is amended by replacing “agency 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)” in subparagraph 3 of the first paragraph by “body listed in Schedule I to the Act respecting the negotiation and determination of conditions of employment requiring national coordination in particular in the public and parapublic sectors (*insert the year and chapter number of this Act*)”.

## CHAPTER IX

### TRANSITIONAL AND FINAL PROVISIONS

**135.** A group of certified associations, within the meaning of section 18 of this Act, existing on (*insert the date of assent to this Act*), must send to the Chair of the Conseil du trésor and to the sectoral negotiator concerned the list

referred to in the second paragraph of section 40 of this Act not later than the 150th day before the date of expiry of the collective agreements referred to in section 17 of this Act.

**136.** Where, under the third paragraph of section 31 or under section 32 of this Act, a certified association becomes bound by the conditions of employment stipulated under a collective agreement that includes clauses negotiated and agreed at the national level by a group of associations of employees in accordance with the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2), the certified association is bound by those clauses only.

In addition, the provisions of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors, as they read on (*insert the date preceding the date of assent to this Act*), apply to the process for negotiating and agreeing the conditions of employment applicable to the employees represented by that association where the conditions deal with a matter defined as requiring clauses negotiated and agreed at the local or regional level by the provisions of that Act. However, those conditions of employment are negotiated and agreed by the parties that have the authority to do so under this Act.

**137.** Until the Minister of Education, Recreation and Sports entrusts a first mandate under section 41 of this Act or, failing that, until 31 March 2027, the functions and powers entrusted to the Minister by this Act as a sectoral negotiator on behalf of the French-language school service centres are exercised by the management negotiating committee established under paragraph 1 of section 30 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) before (*insert the date of assent to this Act*). The provisions of paragraph 1 of section 30 and those of sections 31, 32 and 34 of that Act, as they read on (*insert the date preceding the date of assent to this Act*), continue to apply to that committee.

**138.** Until the Minister of Higher Education, Research, Science and Technology entrusts a first mandate under section 41 of this Act or, failing that, until 31 March 2027, the functions and powers entrusted to the Minister by this Act as a sectoral negotiator on behalf of the colleges are exercised by the management negotiating committee established under paragraph 3 of section 30 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) before (*insert the date of assent to this Act*). The provisions of paragraph 3 of section 30 and those of sections 31, 32 and 34 of that Act, as they read on (*insert the date preceding the date of assent to this Act*), continue to apply to that committee.

**139.** Until the Minister of Health and Social Services entrusts a first mandate under section 41 of this Act or, failing that, until 31 March 2027, the functions and powers entrusted to the Minister by this Act as a sectoral negotiator on behalf of the employers in the health and social services sector are exercised by the management negotiating committee established under section 36 of the

Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) before (*insert the date of assent to this Act*). The provisions of sections 36 to 38 and 41 of that Act, as they read on (*insert the date preceding the date of assent to this Act*), continue to apply to that committee.

**140.** A minister referred to in any of sections 137 to 139 of this Act who, before 31 March 2027, entrusts a first mandate under section 41 of this Act must make the date of the mandate public by publishing a notice in the *Gazette officielle du Québec*.

**141.** The management negotiating committees referred to in sections 137 to 139 of this Act that, on 31 March 2027, exercise functions and powers conferred on them by the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) are dissolved on 1 April 2027 and those functions and powers continue to be exercised by the sectoral negotiator concerned.

**142.** The management negotiating committee established by paragraph 2 of section 30 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) becomes, on (*insert the date of assent to this Act*), the employer negotiating committee established by subparagraph 1 of the first paragraph of section 45 of this Act.

Likewise, the management negotiating committees established by the first paragraph of section 35 of the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors for the Cree School Board and the Kativik School Board become, respectively, the employer negotiating committee established by subparagraph 2 of the first paragraph of section 45 of this Act and the employer negotiating committee established by subparagraph 3 of that paragraph.

**143.** The negotiation of conditions of employment in progress on (*insert the date of assent to this Act*) which, under this Act, require national coordination are continued in accordance with the provisions applicable to such a negotiation before that date.

**144.** The clauses of the collective agreements and the local arrangements referred to in the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) that are not expired on (*insert the date of assent to this Act*) may, after that date, be amended by the parties who, under this Act, have the authority to negotiate and agree the conditions of employment dealing with the same matters.

The same applies to any other condition of employment requiring national coordination that has not expired.

**145.** The clauses of a collective agreement negotiated and agreed before (*insert the date of assent to this Act*) may no longer be annulled for the sole reason that they were negotiated and agreed by a person who did not have the authority to do so under the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2).

**146.** The Chair of the Conseil du trésor is responsible for the administration of this Act.

**147.** The provisions of this Act come into force on (*insert the date of assent to this Act*), except those of sections 101 and 104, which come into force, in respect of the management negotiating committees referred to in sections 137 to 139, on 31 March 2027 or on any later date indicated in a notice published in the *Gazette officielle du Québec* under section 140.

SCHEDULE I  
(Section 4)

LIST OF GOVERNMENT BODIES

- Agence du revenu du Québec
- Autorité des marchés financiers
- Autorité des marchés publics
- Bibliothèque et Archives nationales du Québec
- Bureau des enquêtes indépendantes
- Centre de la francophonie des Amériques
- the regional legal aid centres
- the Anti-Corruption Commission
- Commission de la capitale nationale du Québec
- Commission de la construction du Québec
- Commission des droits de la personne et des droits de la jeunesse
- Commission des services juridiques
- Conseil des arts et des lettres du Québec
- Conservatoire de musique et d'art dramatique du Québec
- École nationale de police du Québec
- École nationale des pompiers du Québec
- Fondation de la faune du Québec
- Fonds de recherche du Québec
- Héma-Québec
- Hydro-Québec
- Institut de technologie agroalimentaire du Québec
- Institut de tourisme et d'hôtellerie du Québec

- Institut national d'excellence en éducation
- Institut national d'excellence en santé et en services sociaux
- Institut national de santé publique du Québec
- Institut national des mines
- Mobilité Infra Québec
- Musée d'art contemporain de Montréal
- Musée de la civilisation
- Musée national des beaux-arts du Québec
- Musée national de l'histoire du Québec
- Office de la sécurité économique des chasseurs cris
- Office Québec-Monde pour la jeunesse
- the Public Protector
- Régie de l'énergie
- Société de développement de la Baie James
- Société de développement des entreprises culturelles
- Société de développement et de mise en valeur du Parc olympique
- Société de financement des infrastructures locales du Québec
- Société de la Place des Arts de Montréal
- Société de télédiffusion du Québec
- Société des alcools du Québec
- Société des établissements de plein air du Québec
- Société des loteries du Québec
- Société des Traversiers du Québec
- Société du Centre des congrès de Québec

- Société du Grand théâtre de Québec
- Société du Palais des congrès de Montréal
- Société du parc industriel et portuaire de Bécancour
- Société du Plan Nord
- Société portuaire du Bas-Saint-Laurent et de la Gaspésie inc.
- Société québécoise d'information juridique
- Société québécoise de récupération et de recyclage
- Société québécoise des infrastructures
- Société québécoise du cannabis
- Sûreté du Québec
- Urgences-santé

