

1986, chapter 43

**AN ACT RESPECTING THE TRANSFER OF CERTAIN
EMPLOYEES FROM THE MINISTÈRE DE L'ÉDUCATION
TO THE SOCIÉTÉ DE RADIO-TÉLÉVISION DU QUÉBEC**

Bill 54

Introduced by Mr Claude Ryan, Minister of Education

Introduced 13 May 1986

Passage in principle 16 June 1986

Passage 19 June 1986

Assented to 19 June 1986

Coming into force: 19 June 1986

Act amended: None





CHAPTER 43

An Act respecting the transfer of certain employees from the Ministère de l'Éducation to the Société de radio-télévision du Québec

[Assented to 19 June 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Transfer
agreement

1. The Minister of Education and the Société de radio-télévision du Québec may enter into an agreement permitting the transfer of the public servants with permanent tenure of the Direction de la production et de la distribution du matériel didactique du Ministère de l'Éducation to the Société.

Sick-leave
and vacation

2. The agreement shall preserve accumulated sick-leave and vacation of the public servants and determine the classification and seniority of each.

Salary

3. The agreement shall stipulate that in no case may the salary of a public servant who agrees to be transferred to the Société be reduced by the sole fact of the transfer.

Disagree-
ment

4. The agreement shall provide mechanisms for the settlement of any disagreement arising from its interpretation.

Obligation
of the
Société

5. The Société has an obligation to take as an employee every public servant contemplated in section 1 who agrees to be transferred to the Société.

Permanent
tenure

6. Every public servant who, within the time allotted in the agreement, agrees to be transferred to the Société shall become, on the date fixed in the agreement, an employee with permanent tenure of the Société. He shall then be governed solely by the conditions of employment in force at the Société and shall, if applicable, become a member of the appropriate bargaining unit.

Presumption

Every public servant who, within the time allotted in the agreement, fails to signify his refusal to be transferred to the Société is deemed to have agreed to be transferred to the Société.

Transfer or
promotion

7. Every public servant who becomes an employee of the Société pursuant to the agreement contemplated in section 1 shall have the privilege, as long as he holds that position, to apply for a transfer or enter a competition for promotion to a position in the public service in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

Classifica-
tion

8. An employee contemplated in section 7 may, while he is employed by the Société, require the Office des ressources humaines to advise him on the classification that could be assigned to him in the public service. The opinion must take account of the classification that the employee had in the public service and the years of experience and formal training acquired since he has been in the employ of the Société.

Notice of
classifica-
tion

9. The Office des ressources humaines shall issue to every employee contemplated in section 7 who applies for a transfer or enters a competition for promotion a notice of classification established in accordance with the criteria provided in section 8.

New
assignment

10. Where some or all of the activities of the Société cease, or in the case of a lack of work, the employee contemplated in section 7 is entitled to be assigned by the Office des ressources humaines to a position in the public service that corresponds to a classification established in accordance with the criteria provided in section 8.

Reserve

The employee contemplated in section 7 shall then be placed on reserve in the public service, and he remains employed by the Société until the Office des ressources humaines is able to assign him a position.

Coming into
force

11. This Act comes into force on 19 June 1986.