

NATIONAL ASSEMBLY

FIRST SESSION

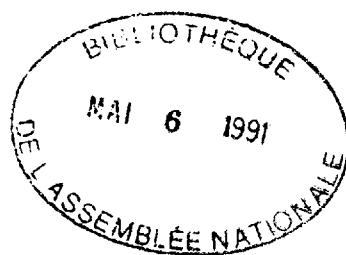
THIRTY-FOURTH LEGISLATURE

Bill 194

An Act to amend the Public Service Act

Introduction

**Introduced by
Mr Michel Bourdon
Member for Pointe-aux-Trembles**



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EXPLANATORY NOTES

The object of this bill is to amend the Public Service Act to provide for the holding of competitions reserved exclusively for casual employees having more than three years of service with the same department or agency, in the same position or group of positions.

In addition, an amendment is introduced to permit that permanent status be granted to every person whose qualifications have been certified following a reserved competition and who holds a position involving duties which are part of the regular activities of his department or agency.

Finally, the bill provides that a casual employee holding a position involving duties which are part of the regular activities of his department or agency on the date of assent to this Act shall be deemed to have been recruited under the Public Service Act, if his qualifications were certified during the 12 month period preceding the date of assent.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 14 of the Public Service Act (R.S.Q., chapter F-3.1.1) is amended by inserting, after the second paragraph, the following paragraph:

“However, a person appointed following a competition held under section 43.1 shall acquire permanent tenure upon appointment. Every other person whose qualifications have been certified following such a competition and who holds a position the activities of which form part of the regular activities of his department or agency shall be appointed to the position and shall acquire permanent tenure.”

2. The said Act is amended by inserting, after section 43, the following section:

“**43.1** The Office des ressources humaines may hold a competition reserved exclusively for casual employees having accumulated more than three years of service with the same department or agency, in the same position or group of positions.

In computing the duration of service, service accumulated following the most recent appointment shall be added to that accumulated prior to that appointment if an interruption of service of less than 60 days occurs between the two engagements.”

3. Section 83 of the said Act is amended by inserting, after the first paragraph, the following paragraph:

“However, no casual position may be exempted under the first paragraph unless the duration thereof is less than one year, with the

exception of a seasonal or cyclical position and a position held by a person who replaces an employee who is temporarily absent.”

4. Section 99 of the said Act is amended by inserting, after paragraph 1, the following paragraph:

“(1.1) hold, at least once a year, a competition for the recruitment of candidates who are casual employees having accumulated more than three years of service with the same department or agency, in the same position or group of positions;”.

5. A casual employee holding a position the activities of which form part of the regular activities of his department or agency on *(insert here the date of assent to this Act)* shall be deemed to have been recruited in accordance with section 42 of the Public Service Act (R.S.Q., chapter F-3.1.1) if his qualifications have been certified by the Office des ressources humaines on or after *(insert here the date preceding the date of assent to this Act by twelve months)*.

6. This Act comes into force on *(insert here the date of assent to this Act)*.