



UNGAVA TULATTAVIK HEALTH CENTER CENTRE DE SANTÉ TULATTAVIK DE L'UNGAVA



LOCAL MANAGEMENT POLICY

ABOUT THE WORKING CONDITIONS OF MIDDLE MANAGERS, SENIOR MANAGERS AND EXECUTIVES

UNGAVA TULATTAVIK HEALTH CENTER

Cette politique est aussi disponible en Français :

\10.72.36.20\workgroup\$\Policies & Procedures\DRH

NOTICE: In order to lighten the text, all terms referring to persons are taken in a generic sense. They are considered to be both masculine and feminine.

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1. PREAMBLE

The working conditions of management staff are governed by the Regulation respecting certain working conditions applicable to managers of health and social services agencies and establishments (decree 1218-96), adopted by the *Ministère de la Santé et des Services sociaux*.

This Regulation rules on the conditions granted to the managers of the various establishments of the health and social services network and provides, in section 4 and following, the legal obligation for the Employer to adopt management policies relating in particular to the following objects:

1. staffing of managers positions;
2. performance appraisal;
3. development;
4. the manager's file
5. annual vacation;
6. social leave;
7. statutory holidays;
8. leave without pay, leave for professional business and leave for public office;
9. remuneration or compensation for overtime in exceptional circumstances;
10. travel expenses, considering the conditions established by the Minister;
11. the terms and conditions for recovering overpaid wages;
12. an appeal mechanism on the application of these management policies.



2. GOALS / OBJECTIVES

2.1 Goal

The Employer has the goal to build a team of managers where everyone is aware of their importance, their responsibilities, their role and their interdependence.

A sense of responsibility, a desire to contribute to the achievement of the Institution's objectives and the feeling of belonging to a team are the dominant features expected of managers.

2.2 Objectives

- Determine some local management practices applicable to managers.
- Ensure management consistency by applying certain working conditions in a fair and equitable manner for managers.

3. BASE PRINCIPLES / LEGAL BASES

3.1 Legal Bases

James Bay and Northern Quebec Agreement

Act respecting health services and social services, R.S.Q., c. S-4.2.

Regulation respecting certain working conditions applicable to managers of health and social services agencies and institutions (decree 1218-96)

Act respecting labor standards, R.S.Q., c. N-1.1

3.2 Consultation and Participation

The Employer agrees with representatives of an Association on ongoing communication mechanisms. The employer establishes with them methods of consultation and participation in corporate life.

3.3 Recognition and Community Life

The Employer recognizes the representatives of an Association are privileged interlocutors for the purpose in determining and applying the working conditions applicable to managers.

To this end, local representatives, after agreement with the Employer, may benefit of being released during working time so that they assume the responsibilities essential in the exercise of their role.



4. DEFINITIONS

In these local management policies, unless the context justifies a different interpretation, the following terms mean :

4.1 Employer

The Ungava Tulattavik Health Center.

4.2 Association

An association mentioned in section 3 of the Regulations.

4.3 Local Representative

Any designated manager, where applicable, by an Association for the purpose of representing the managers who are members of this Association.

4.4 Regulation

The Regulation respecting certain working conditions applicable to managers of health and social services agencies and institutions (decree 1218-96 and its amendments).

4.5 Manager

Refers to a middle manager, a senior manager or a senior manager employed by the Ungava Tulattavik Health Centre.

4.6 Direct Supervisor

Refers to the person who is invested with a hierarchical role of authority with the manager.

5. ROLES AND RESPONSABILITIES

5.1 Board of directors

The board of directors is responsible for approving the policy on the working conditions for the executives. The Board of Directors is also responsible for appointing senior managers.

5.2 Executive Direction

The Executive Direction is responsible for appointing middle managers. The Executive Direction retains its right to manage the application of the policy: the Executive Director and Deputy Executive Director share with the Director of Human Resources the responsibility for settling debated and exceptional issues. They are the only three (3) people with the authority to authorize exceptions to this policy.

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5.3 Human resources department

The human resources department (DHR) is responsible for applying the policy and ensuring compliance with the practices indicated in this document. The human resources department confirms the working conditions and is responsible for communicating the policy. The Director of Human Resources determines the applicable exceptional measures.

5.4 Immediate supervisor

The immediate superior ensures the application of this policy with the managers under his direct responsibility and is accountable for approving requests in accordance with this policy.

5.5 Managers

Managers must read, refer to and comply with this policy.

6. IMPLEMENTATION PLAN

6.1 Staffing of management positions

6.1.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Sections 93 and 108 of the aforementioned *Regulation* relating to the reassignment of a manager following an administrative reorganization.

6.1.2 Objectives

- ✓ Enable the determination of a transparent, fair and non-discriminatory staffing process.
 - ✓ Promote the appointment of managers who are beneficiaries of the James Bay and Northern Quebec Agreement.
 - ✓ Allow the Employer to be attractive and to hire managers who best match the academic requirements and experience related to the desired competency profile.

6.1.3 Principles

The Employer recognizes the importance of attracting and retaining competent managers who adhere to the values of the institution, in order to ensure the achievement of its mission.

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The Employer recognizes the importance of adopting a dynamic, fair and consistent staffing process.

The Employer is counting on the appointment of a maximum of beneficiary managers of the *James Bay and Northern Quebec Agreement*. Thus, considering the context, the specific needs of the position and the skill profile sought, the Employer grants, with equal skill the position to the candidate who is a beneficiary of the *James Bay and Northern Quebec Agreement*.

The Employer promotes the professional development of its managers through internal mobility when staffing management positions. Thus, according to the context, the specific needs of the position and the skill profile sought, the Employer grants, with equal skill, the position to the manager already in its employment, subject, however, to the preceding paragraph.

6.1.4 Process

The process of staffing a management position consists of administrative steps leading to the appointment of a person in a management position. These steps in this process are those described below.

6.1.4.1 Job analysis and determination of the position

The department concerned, in collaboration with the Human Resources Department (DHR), is responsible for analyzing the position and determining its components (tasks, roles, responsibilities, function, competency profile, requirements, status, workplace, etc.).

This analysis is consistent with management's organizational and strategic objectives, available financial resources, classification and remuneration standards for management positions, application of stability measures, etc.

6.1.4.2 Position posting

The content of the job posting must include, in particular, a description of the position, the salary class and the specific requirements.

The position is posted internally and externally for a minimum period of seven (7) days. The DHR ensures that the distribution of the posting of the position is accessible to all managers of the organization.

6.1.4.3 Selection

In the case of a middle management position, the direction concerned develops the selection tools and criteria. The direction concerned invites the Executive Director or the Deputy Executive Director to participate in the selection process and identifies the other members of the selection committee, including a manager from the human resources department. The committee proposes to the Executive Director the name of the person they recommend.

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In the case of a senior manager position or a senior executive position, the Executive Direction develops the selection criterias, identifies the members of the selection committee and preselects the candidates. The Executive Direction proposes to the Board of Directors the name of the person they recommend.

The DHR provides support to the management concerned throughout the selection process.

Unless there is an agreement to the contrary between the management concerned and the DHR, the DHR communicates the result to the person chosen, if applicable, as well as to those whose candidacy has not been accepted.

6.1.4.4 Notice of appointment

The person chosen is informed in writing of its appointment and of certain working conditions and remuneration from which he will benefit (eg: probationary period). The notice of appointment is signed by the Executive Direction. The manager then receives written confirmation of its working conditions.

6.1.4.5 Welcome and integration

To facilitate the reception and integration of a person hired and appointed to a management position, the DHR and the direction concerned, in consultation, apply the reception and integration procedures that they have defined. A mechanism for transmitting information is ensured when a new manager is appointed.

6.2 PERFORMANCE ASSESSMENT

6.2.1 Legal framework

- Sections 4, 5, 8, 14 and 129.2, paragraph 2 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).

6.2.2 Objectives

- ✓ Adopt a process that allows the identification and sharing of the degree of achievement of the expectations determined.
- ✓ Allow the clear expression of the role and responsibilities of the manager, the expected skills as well as the annual objectives.
- ✓ Promote the development of a professional relationship of exchange between the immediate superior and the manager.



6.2.3 Principles

The Employer recognizes the importance of establishing a performance appraisal process for all of its managers.

The Employer recognizes that performance appraisal is a privileged way of enhancing communication, defining reciprocal expectations and supporting managers in their professional development.

6.2.4 Process

6.2.4.1 The Employer determines the process and tools used in the performance appraisal process for the manager, who must actively participate in the performance appraisal process and any appraisal requested by the Employer.

6.2.4.2 The DHR, after consultation with the local representatives of an Association, develops a frame of reference allowing the evaluator and the manager being evaluated to maximize their preparation for this meeting.

6.2.4.3 The content of the form must reflect the skills profile of managers and also make it possible to ensure, as part of the process, that the job description reflects the real responsibilities assumed by the manager, considering account of the following dimensions:

- Organization
 - Management
 - Administration
 - Skills development

6.2.4.4 At the beginning of the year or employment, the manager meets with his immediate superior to jointly identify the objectives, mandates and projects for the following year. Each year, the immediate supervisor and the manager meet to complete a performance evaluation form.

6.2.4.5 At the end of the exercise, the immediate superior sends his assessment, comments and recommendations to the manager in writing.

6.2.4.6 The manager sends his comments in writing, if necessary, to the immediate superior.

6.2.4.7 For the purposes of applying section 14 of the Regulation exclusively, a manager who has not been assessed is deemed to have met the requirements of his position.

6.2.4.8 The establishment of regular statutory meetings between the immediate superior and the manager in order to monitor the evolution of annual expectations and provide continuous feedback is strongly encouraged by the Employer.



6.3 DEVELOPMENT OF HUMAN RESOURCES

6.3.1 Legal framework

- Sections 4, 5, 7 and 76.109 to 76.112 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Sections 172, 231, 232, 272 and 376 of the *Act respecting health services and social services*, R.S.Q., c. S-4.2.
 - The *National Skills Development Policy for Supervisory Staff – 2012-2015*, Network and Ministerial Personnel Department, Ministry of Health and Social Services.

6.3.2 Objectives

- ✓ Adopt a local development management policy that promotes continuous learning and skills development, in order to achieve the professional and personal objectives of the manager with regard to quality, accessibility and continuity of services offered to the population.

6.3.3 Principles

The Employer recognizes the importance of supporting the development and maintenance of the skills of its managers.

The Employer recognizes the importance of promoting the development of managers who are beneficiaries of the *James Bay and Northern Quebec Agreement*.

The manager recognizes his primary responsibility in the process of his professional development.

The Employer recognizes that the development and maintenance of the skills of its managers must be updated through an ongoing process.

The Employer recognizes the importance of promoting the consolidation of acquired knowledge in the work of managers

6.3.4 Process

6.3.4.1 The Employer determines the basic competency profile expected of managers.

6.3.4.2 Following the appreciation of contribution meeting held each year, the immediate superior may, if he deems it appropriate, proceed with the development of an individual development plan (IDP) in collaboration with the manager.



6.3.4.3 The IDP includes the following steps:

- Identification of the skills to be developed;
 - The objectives pursued;
 - Development strategies;
 - The expectations of the immediate supervisor;
 - Schedule of meetings.

6.3.4.4 The assessment, analysis and acceptance of the IDP is to be carried out according to the internal procedure concerning the collection and analysis of human resources development needs.

6.3.4.5 At the request of an Association, the Employer sets up a local management personnel development committee (LMPDC) to contribute to the analysis and identification of the training needs of the managers represented by this Association.

6.3.4.6 The IDP is determined based on organizational objectives and considering the expectations of the manager with regard to his career path.

6.3.4.7 The IDP is updated according to the financial availability from the Ministry of Health and Social Services and the financial resources of the Institution.

6.3.4.8 The manager and his immediate supervisor agree on the IDP and the associated costs.

6.3.4.9 The immediate superior and the manager ensure periodic monitoring of the implementation of the IDP during statutory meetings.

6.4 ADMINISTRATIVE FILE

6.4.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Sections 64, 65 and 83 to 102.1 of the *Act respecting access to documents held by public bodies and the protection of personal information*, R.S.Q., c. A-2.1.
 - Archives Act, R.S.Q., c. A-21.1.

6.4.2 Objectives

- ✓ Determine the rules relating to the creation, management, storage and control of access to the manager's file so as to preserve the confidentiality of the information it contains and to respect the manager's right to privacy.



6.4.3 Principles

The Employer compiles and keeps a single administrative file for each manager, with the exception of the medical file, which is maintained by the work attendance management department, whose access and confidentiality is assured.

6.4.4 Processus

6.4.4.1 Administrative file

For each manager, the Employer compiles an administrative file, which may be computerized or in paper format and must contain, where applicable, the following documents:

- Documents relating to a Service Loan;
- Documents relating to the hiring process;
- Service offer and/or curriculum vitae;
- Diplomas and certificates of studies;
- License to practice or certificate from a professional order;
- Work visa;
- Certificates of previous experience;
- Letter of employment or employment contract;
- Authorization of source deductions;
- Any document relating to group insurance plans;
- Any document relating to the pension plan for management personnel (RRPE);
- Joining or refusing to join an Association;
- Performance evaluation during probation period;
- On-the-job performance evaluation;
- Correspondence confirming any promotion, transfer, demotion, etc.;
- Correspondence and documents relating to the application of job stability measures;
- Correspondence and documents relating to compensation;
- Requests and authorizations for various leaves;
- Wage withholding;
- Disciplinary or administrative notice;
- Authorization of the manager allowing his Association to consult his file.

Any notice of a disciplinary or administrative nature must be communicated to the manager in writing within a maximum of ten (10) days following the announcement of the measure.

The manager's administrative file is strictly confidential and under the responsibility of the Executive Direction. The director of human resources assumes the management and control of the manager's file.

The manager has the right to consult his administrative file and to obtain a copy of it. In order to access it, he makes an appointment by contacting the Director of human resources.



The representative of an Association may consult, on site, the administrative file of a manager with the latter's written consent. This authorization must be kept in the administrator's administrative file.

6.4.4.2 Medical record

The medical file (recruitment medical examination, CNESST file, disability file, expert reports, etc.), which is separate from the administrative file, is under the responsibility of the work attendance management department of the DHR, with access restricted to authorized personnel.

The manager has access to the expert reports contained in his file and kept at the work attendance management department. The Employer may restrict access to the "diagnosis" part of the expert's reports when he has reasonable grounds to believe that it could be detrimental to the manager's recovery process if the latter consults all of the expert reports. In such a case, the expert's reports are sent to the manager's physician if the Employer deems it relevant.

6.5 ANNUAL VACATIONS

6.5.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
- Section 5.1 of the aforementioned *Regulation* which defines certain parameters relating to annual holidays.
- Sections 66 and 77 of the *Act respecting labor standards, R.S.Q., c. N-1.1*.
- Local policy on regional disparities.

6.5.2 Objectives

- ✓ Determine the applicable rules as well as the terms and conditions for vacations for managers with a view to fairness, in accordance with the needs of the Establishment.

6.5.3 Principles

The Employer recognizes the importance of ensuring equitable vacation management for all managers while considering the needs of the Institution.

6.5.4 Process

The local management policy regarding annual vacation provided for in section 5 of the *Regulations* respects the following parameters which are set out in section 5.1 of the said *Regulations*:



Section 5.1

The management policies concerning vacation, statutory holidays or unpaid leave, referred to in section 5, comply with the following parameters:

1. For the purposes of calculating annual vacation, continuous service means that specified in section 3 of these *Regulations*;
2. For the purposes of annual vacation, the part-time manager receives a compensatory indemnity which is added to the salary paid to him with each pay. This indemnity, expressed as a percentage, corresponds to the quanta provided for full-time managers.

The period allowing paid annual vacation runs from May 1 of one year to April 30 of the following year.

The manager is entitled, during the twelve (12) months following April 30 of each year, to paid annual vacation, the duration of which is based on the years of « continuous service »:

Accumulation of vacation for full-time managers (1-FT and 2-TFT)

Continuous service as of April 30	Accumulation from May 1 to April 30
Less than a year	2.5 working days per month of service
More than one year	30 working days

For calculation purposes, a manager hired between the 1st and 15th day of the month inclusively is considered to have a full month of service.

The immediate superior authorizes the managers' vacation periods considering the real and reasonable constraints previously identified as well as the years of continuous service with the Employer. The immediate supervisor must also take into consideration the length of stays in the northern territory when approving managers' annual outings, in accordance with the *Local Policy on Regional Disparities* (DHR-02).

A manager on absence without pay accumulates "continuous service" for annual vacation purposes but does not accumulate vacation days during the period of absence without pay. The full-time manager receives during his annual vacation compensation equivalent to that which he would receive if he were at work.

The manager may divide part of his annual vacation into split days after agreement with his immediate superior. A manager working on the territory of Nunavik may use in advance the annual vacation he accumulates during the reference period.

A manager who is unable to take his annual vacation at the established period, due to a disability occurring before the start of his annual vacation period or for any other reason agreed between the manager and his immediate superior, may postpone his annual vacation to a later date, provided that he notifies his immediate superior before the date set for the beginning of his annual



vacation. The annual vacation thus postponed is taken at a time agreed between the manager and his immediate superior.

In the event of a scheduling conflict in the vacation choice of two (2) or more managers, the Employer grants priority to the manager with the greatest number of years of continuous service with the Employer provided that this decision does not have the effect of harming the delivery and continuity of care and services. Furthermore, that this decision does not have a major impact on the coordination of the annual outings of other managers. When the Employer refuses to authorize the initial choice of vacation, he tries with the manager to define the terms and conditions to alleviate the potential impacts for the manager.

The manager who, following a decision by the Employer due to an exceptional situation, cannot take his annual vacation as approved by his immediate superior, sees his vacation postponed to a later date to be agreed with his immediate superior. If the cancellation of said vacation entails costs, the Employer will reimburse the manager for the costs incurred upon presentation of supporting documents.

The manager who is called upon to act as a jury during his annual vacation period may postpone the planned vacation days to another date determined with his immediate superior.

6.6 SOCIAL LEAVES

6.6.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Section 76.61 of the aforementioned *Regulation* relating to leave for parental responsibilities.
 - *Juries Act*, R.S.Q., c. D-2.
 - Sections 79.6.1 to 81 of the *Act respecting labor standards*, R.S.Q., c. N-1.1.

6.6.2 Objectives

- ✓ Define the concept of social leave and define the conditions of access to social leave and the terms of application.

6.6.3 Principles

The Employer recognizes that managers must be absent from their work under certain circumstances.

The Employer intends to grant managers certain conditions of practice equivalent to those appreciated by the other interveners within the organization.

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6.6.4 Process

6.6.4.1 Social leave

Days of absence, paid or unpaid, on the occasion of the wedding of the manager, the death of a member of his family or the family of his spouse or when the manager is called upon to act as a jury or witness in a case in which he is not an interested party.

6.6.4.2 Spouse

Spouses means persons :

- Who are married and cohabiting;
 - Who are united civilly and cohabit;
 - Of different sex or of the same sex who live together and who are the father and mother of the same child;
 - Of different sex or of the same sex who have lived together for at least one year.

The manager called upon to be absent for a social leave as defined in this policy must send a prior request to his immediate superior as soon as possible.

6.6.4.3 Marriage

The manager is entitled, on the occasion of his marriage, to five (5) days of paid leave. If he so wishes, the manager may make a request to his immediate superior in order to benefit from unpaid leave of a maximum duration of five (5) days for the same circumstance.

6.6.4.4 Death

The manager is entitled, on the occasion of the death of a member of his family or the family of his spouse, to the number of days of paid absence appearing in the table below:

Days of absence paid according to the relationship of the deceased

Relationship	Paid days of absence
Spouse, child, dependent child	5
Father, mother, brother, sister, father-in-law, mother-in-law, daughter-in-law, son-in-law	3
Spouse's children (excluding dependent children)	2
Grandparents, brother-in-law, sister-in-law, own or spouse's grandchildren	1

If the funeral location is 240 kilometers or more from the manager's place of residence, he is granted, for transportation purposes, one (1) additional day of paid absence. If the manager is assigned to a Nunavik community, the actual time required for travel will be paid.



No additional remuneration is paid if one of these leaves coincides with any other paid leave or with a day in the week when the manager was not required to work.

One of the days off can be used to attend the burial or cremation when one of these events takes place later.

6.6.4.5 Legal Affairs

A manager called upon to act as a jury or witness in a case in which he is not an interested party receives, during the period when he is called upon to act as a jury or witness, the difference between his salary and the indemnity paid in this capacity by the Court.

The manager must then submit the supporting documents attesting of his absence and inform the Employer of the amount paid to him by the Court as compensation.

6.6.4.6 Other leave

In the case of illness of the spouse, child, father or mother of a manager, when no one at home can provide for the needs of this person, the manager may use, for this purpose, a maximum of three (3) paid days, after agreement with his immediate superior.

6.7 STATUTORY HOLIDAYS

6.7.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Sections 59.1 to 65 of the *Act respecting labor standards*, R.S.Q., c. N-1.1.
 - *National Day Act*, R.S.Q., c. F-1.1.

6.7.2 Objectives

- ✓ Determine the number of statutory holidays and identify them.
 - ✓ Provide provisions on taking statutory holidays for managers.

6.7.3 Principles

The Employer recognizes the right of managers to benefit from thirteen (13) statutory holidays.

6.7.4 Terms of application

6.7.4.1 A statutory holiday is a non-working day, paid, determined by the Employer in accordance with various laws and regulations. The Employer recognizes and observes during the year (July 1 to June 30), thirteen (13) statutory holidays including those instituted by law or government

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decree. The EMPLOYER determines the list and dates of statutory holidays. He may consult the local representatives of an Association for this purpose.

6.7.4.2 These thirteen (13) statutory holidays are:

- | | | | |
|----|----------------|-----|--------------------------|
| 1- | Canada Day | 8- | Day after New Year's Day |
| 2- | Labor Day | 9- | Good Friday |
| 3- | Thanksgiving | 10- | Easter Monday |
| 4- | Remembrance | 11- | Queen's Day |
| 5- | Christmas | 12- | National Aboriginal Day |
| 6- | Boxing Day | 13- | National Day |
| 7- | New Year's Day | | |

6.7.4.3 For the purposes of statutory holidays, the part-time manager receives a compensatory indemnity which is added to the salary paid to him with each pay. This indemnity, expressed as a percentage, corresponds to the quanta provided for full-time managers.

6.7.4.4 A full-time manager who, at the request or with the agreement of his immediate superior, works during a statutory holiday mentioned in this section, other than the National Holiday, may accumulate this leave which is then taken at a time agreed with his immediate superior.

6.7.4.5 During the first year of disability, a manager benefiting from short-term salary insurance benefits receives, for statutory holidays scheduled during this period, the difference between the salary he would have received if he had been at work and the salary insurance benefit paid to him. For the period exceeding twelve (12) months of salary insurance, statutory holidays are no longer available.

6.7.4.6 When one of these statutory holidays coincides with a weekly rest day, a Saturday or a Sunday, the manager does not lose this statutory holiday. The Employer then determines the date on which the statutory holiday can be taken, i.e. the preceding or following working day. Notwithstanding the foregoing, the manager working on the territory of Nunavik may bank the statutory holiday.

6.7.4.7 When one of these statutory holidays coincides with the manager's vacation period, he does not lose this statutory holiday. Upon agreement with his immediate superior, the manager's vacation period may be extended with the addition of statutory holidays not taken, failing which the statutory holidays will be banked and resumed at a time determined by agreement between the manager and his immediate superior.

6.7.4.8 On statutory holidays, full-time managers receive compensation equivalent to that which they would receive if they were at work.



6.8 LEAVE WITHOUT PAY, PROFESSIONAL AFFAIRS AND PUBLIC DUTIES

6.8.1 Legal framework

- Sections 4, 5 and 33 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Sections 76.60 and 76.61 of the aforementioned *Regulation* relating to leave for parental responsibilities.
 - *Act respecting the pension plan of management personnel*, R.S.Q., c. R-12.1.
 - Sections 79.3 and 79.8 to 79.17 of the *Act respecting labor standards*, R.S.Q., c. N-1.1.

6.8.2 Objectives

- ✓ Specify the quantum as well as the process relating to the taking of unpaid leave, leave for professional affairs and leave for public duties by managers.

6.8.3 Principles

Managers can benefit from an absence to carry out certain activities for personal or professional reasons.

Each request of leave without pay and leave for professional business must be received and analyzed considering the needs of the Establishment and the fact that each manager position is unique in the Establishment.

Leave for public duties must comply with the provisions of electoral laws.

6.8.4 Process

6.8.4.1 Unpaid leave of four (4) weeks or less

Unpaid absence for personal business can be obtained once a year. The manager must make his request in writing, to his immediate superior, thirty (30) days before the start of the requested leave.

The manager, after agreement with the Employer, who cannot refuse without valid reason, a leave without pay of four (4) weeks or less.

6.8.4.2 Unpaid leave of more than four (4) weeks

Unpaid absence for purposes other than those provided for in the Regulations, authorized by the concerned direction, for a duration agreed between the manager and the Employer, but not exceeding fifty-two (52) weeks.

The Employer may, among other things, grant such leave without pay for personal business, for teaching, for studies.

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The manager obtains, after agreement with the Employer, unpaid leave of up to fifty-two (52) weeks. A manager who wishes to take unpaid leave sends his request to his immediate superior sixty (60) days in advance. He must specify the reason for his absence, the duration and the dates of departure and return to work. In addition, the manager may obtain partial unpaid leave if there is an agreement to that effect.

The terms of the leave are agreed in writing between the manager and his immediate superior.

The manager can only have access to one leave without pay per period of five (5) years, excluding those provided for professional business or public duties.

6.8.4.3 Personal business leave

Absence with or without pay of the manager to exercise elective or non-elective functions within an Association recognized in section 3 of the Regulation and of which he is a member in good standing, to sit on a committee or group working group formed by a regional or national body.

The regional or national authority wishing to retain the services of a manager sends a request to the DHR at least sixty (60) days in advance. The request must specify the duration, the reason and the start and end dates of the leave.

The manager that is aimed cannot receive double remuneration.

If it is a non-elective position, the unpaid leave, if granted, is for a maximum of two (2) years. In the case of an elective function, the unpaid leave, if granted, is of a duration equivalent to that of the mandate.

The manager occupying a function or an office within the local, regional or provincial authorities of his Association and who is called upon to be a member of a committee formed, on the one hand, of representatives designated by the government and/or the Employer and, on the other hand, representatives designated by the Association or a manager convened by the committee, may have access, after agreement with the Employer, to leave with pay to participate in activities, meetings or to carry out work required by this committee.

For the purposes of applying this section, the manager released with pay receives the salary to which he would have been entitled if he had been at work.

The terms are agreed in writing between the manager, his immediate superior, the regional or national frame concerned and the DHR.

After agreement with the Employer, leave for loan of service may also be granted to a manager to work with the Ministry of Health and Social Services or another employer in the health and social services network. The terms and conditions relating to a loan of service must be the subject of a written agreement between the manager, the receiving organization and the Employer.



6.8.4.4 Leave for public office

Absence without pay to release from work, the manager who is a candidate or is elected to a civic office.

6.8.4.5 Pre-election leave

The manager who wants to stand as a candidate or is a candidate for a civic office and the one who acts as the official agent of a candidate or a political party is entitled to unpaid or part-time leave without pay, the duration and conditions of which are set by applicable law.

If the manager is not elected, he must return to work at the end of his leave.

6.8.4.6 Electoral leave

A manager elected as a member of a council of a municipality or a member of the council of commissioners of a school board is entitled to a leave without pay or part-time leave without pay, the duration and conditions of which are determined by applicable law.

Managers elected as Members of Parliament benefit from unpaid leave, the duration of which may not exceed, depending on the longest period, eight (8) years or two (2) terms.

In all cases, the manager must inform the Employer of his intention to return to work within thirty (30) days of the end of his leave.

6.8.4.7 Employment relationship

The manager maintains, during his unpaid leave, his employment relationship with the Employer. He retains his status and his position, as much as it still exists in the administrative structure of the Establishment, if the absence is for a period of fifty-two (52) weeks or less.

When the absence is more than fifty-two (52) weeks, the manager retains his employment relationship and his status and may return to his position insofar as it has not been filled. If the manager's original position has been filled, the manager must accept any manager position offered to him or her by the Employer that matches his or her education and experience. The refusal to occupy the position offered is equivalent to a resignation applicable on the date of departure on unpaid leave. If there is no available position, the provisions of the Regulation respecting employment stability measures apply, as the case may be.

6.8.4.8 Annual vacation

When taking leave without pay of more than four (4) weeks, the manager may, after agreement with the Employer, have the vacation days accumulated up to the date of his departure on leave without pay spread out.



6.8.4.9 Insurance and pension plans

During a leave without pay, the manager's participation in the insurance plans is determined according to the provisions of section 33 of the Regulation.

Participation in the pension plan is determined by the rules provided for in the pension plan for management personnel (RRPE) and the pension plan for senior administration (RRAS) according to the plan applicable to the manager.

6.8.4.10 End of leave before the scheduled deadline

The manager may end his leave without pay or part-time leave without pay before the scheduled date after agreement with the Employer.

6.9 PAY OR COMPENSATION OF OVERTIME HOURS

6.9.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).
 - Sections 10 and 27 of the aforementioned *Regulations* which concern remuneration and bonuses.
 - Sections 52 and 54 of the *Act respecting labor standards*, R.S.Q., c. N-1.1.
 - *Policy on regional disparities* (DRH-02)

6.9.2 Objectives

- ✓ Provide for special procedures in exceptional situations.
 - ✓ Plan the procedures for accumulating banked hours for managers assigned to Nunavik.

6.9.3 Principles

The Employer considers that the manager does not have a standing work schedule, given the variable workload. Thus, when an exceptional and/or uncontrollable situation arises in the establishment, this may impose a work overload on managers and thus require additional hours of work to those normally worked.

6.9.3.1 Regular work schedule

The regular work schedule consists of the days actually worked including vacation, statutory holidays and leave on the occasion of a marriage or death.

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6.9.3.2 Exceptional situation

Unusual, extraordinary event similar to a crisis situation, affecting the regular services of the establishment as well as the performance of work and requiring the presence of the manager, at the request of his immediate superior, outside the schedule regular work in his own functions or in any other function (eg: work stoppage of employees, natural disaster, major accident, pandemic, etc.).

6.9.4 Process

In an exceptional situation, the applicable terms and conditions are as follows :

6.9.4.1 Availability outside working hours

During an exceptional situation, when the Employer requires that a manager be available outside his regular hours, they are paid in the form of a lump sum, an indemnity corresponding to one (1) hour of salary at straight time per shift availability of eight (8) hours or, if applicable, pro rata of this indemnity per part of the availability shift.

6.9.4.2 Overtime work

Considering the context of remoteness and isolation specific to the Nunavik region and the policy on regional disparities issued by the Employer, a manager may bank overtime when assigned to Nunavik territory. In such a case, any overtime authorized by the immediate superior will be accumulated at the simple rate and resumed during an annual leave period. In normal situation, accumulated hours cannot be paid.

A manager whose home base is an establishment that is not located in Nunavik or a manager working from home can bank only the overtime hours worked on the territory of Nunavik when he remains on the territory of Nunavik.

The total bank of accumulated time (current vacations, statutory holidays, illness, etc.) cannot exceed a total of five hundred (500) hours. If the limit of five hundred (500) hours is exceeded, excess hours are withdrawn from the manager's bank without remuneration and the manager is then notified of the withdrawal of hours by the Employer. However, due to the May 1 vacation changeover, excess hours will not be removed between May 1 and September 15 of each year.

6.9.4.3 Exceptional situation

When an exceptional situation is decreed by the MSSS or by the Executive Direction of UTHC, certain overtime payment terms apply.

In such a case, the Employer favors the payment of overtime worked in order to associate the costs of overtime with the management of the exceptional situation. However, an officer assigned to Nunavik who has not reached the limit of five hundred (500) hours in the bank may accumulate them in his time bank upon approval by the immediate superior. Once the decision has been made to bank the overtime hours, they cannot, under any circumstances, be remunerated.



In an exceptional situation decreed by the MSSS or the Executive Direction, the manager is remunerated at the simple rate for the overtime hours worked, unless the Board of Directors of the Establishment, a decree or a government directive authorizes a higher rate.

6.9.4.4 Evening, night and weekend premiums

Managers called upon to work overtime in the evenings, nights and weekends benefit from the premiums provided for this purpose, according to the terms and conditions of the collective agreements.

6.9.4.5 Rest period

At his request, a manager may benefit from at least one (1) full day of rest, i.e. twenty-four (24) hours, per week, despite an exceptional situation.

6.9.4.6 Meals

In exceptional circumstances, the Employer assumes the cost of meals. To this end, it may, at its convenience, either offer them free of charge in its facilities or assume the costs, according to the rates established by the *Ministère de la Santé et des Services sociaux*.

6.9.4.7 Accessibility to premises

The employer agrees to take all necessary measures to ensure that the manager has safe access to the establishment's facilities.

6.10 TRAVEL EXPENSES

Reimbursed travel expenses are provided for by the regulations of the *Ministère de la Santé et des Services sociaux* as well as the policy on travel and living expenses of the establishment.

6.11 RECOVERY OF OVERPAID AMOUNTS

6.11.1 Legal framework

- Sections 4 and 5 of the Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments (decree 1218-96).



6.11.2 Objectives

- ✓ Determine, by means of a policy, the terms and conditions for recovering overpaid salary to a manager in the event of an administrative error.

6.11.3 Principles

The Employer and managers recognize that administrative errors in the processing of compensation may occur, despite all the efforts made by the employer to avoid such errors. When such situations occur, the employer agrees to show flexibility in the recovery, in order to minimize the financial impact for the manager.

6.11.4 Process

6.11.4.1 The employer informs the manager, as soon as possible, of the administrative error and provides the latter with a table explaining the amounts overpaid.

6.11.4.2 The employer makes an agreement with the manager to determine the terms and conditions for recovering amounts overpaid.

6.11.4.3 In all cases, the employer can only recover sums overpaid during the twelve (12) months preceding notification of the error.

6.11.4.4 Subject to this policy, the employer deducts from each pay an amount equivalent to 10% of the manager's gross salary in order to reimburse amounts overpaid, for a maximum period of twelve (12) months.

6.11.4.5 Should a residual amount to be reimbursed exceed the twelve (12) month period, the manager must then agree, at least thirty (30) days before the twelve (12) month term, with the employer's terms of repayment of the residual amount. Failing to an agreement, the employer determines the terms of recovery of the residual amount in accordance with existing laws.

6.11.4.6 At any time, the manager may ask the employer that an amount greater than the equivalent of 10% of his gross salary be deducted from each pay in order to settle the sums due more quickly.

6.12 LOCAL MECHANISM OF APPEAL

6.12.1 Legal framework

- Sections 4 and 5 of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services establishments* (decree 1218-96).



6.12.2 Objectives

- ✓ Provide a transparent and fair choice mechanism, aimed at settling any disagreement concerning the interpretation and application of local management policies.
- ✓ If no agreement is reached between the parties, provide a mechanism that leads to a settlement decided by a neutral and impartial person.

6.12.3 Principles

The employer and the Association favor collaborative work and the amicable search for solutions to deal quickly and effectively with the difficulties encountered.

6.12.4 Process

When there is a disagreement between a manager and the employer on the interpretation and application of the working conditions provided for in this management policy, the manager submits it in writing to the Director of human resources within thirty (30) days of knowledge of the fact, but within a period not exceeding six (6) months of the occurrence of the fact giving rise to the disagreement.

Within thirty (30) days following receipt of the written request in the preceding paragraph, the Director of human resources and the manager must meet to discuss this disagreement and, if possible, reach an agreement.

During this meeting, the manager may be accompanied by a representative of his Association if he wishes.

If the disagreement still persists after this step, the manager has a maximum of twenty (20) days to indicate his disagreement. The complaint is then submitted to a mediator, appointed jointly by the Association and the employer, whose role is to make a recommendation as to the settlement of this complaint.

6.13 THIRD PARTY LIABILITY

6.13.1 Objectives

Provide protection to the manager who, in the exercise of his function, would be the subject of a civil liability lawsuit for damages caused to third parties.

6.13.2 Principles

The employer accepts to take the cause of the manager whose civil liability is engaged by the fact or on the occasion of the exercise of its functions and agrees not to bring any claim against him in this regard.



6.13.3 Process

In the event of a civil liability lawsuit in the performance of its duties, the manager immediately notifies the Executive Direction and the Director of Human Resources in order to establish the strategy and determine UTHC's involvement in the case.

7 IMPLEMENTATION PLAN

This policy stems from the application of the *Regulation respecting certain working conditions applicable to managers of agencies and health and social services institutions* (decree 1218-96). Its provisions apply to managers from the date of their adoption by the board of directors and remain in force until they are amended in accordance with section 7 of the Regulation.

8 ENFORCEMENT RESPONSABILITY

The Direction of human resources is responsible for the application of this policy.

9 COMING INTO FORCE

The policy enters into effect on September 25, 2022.