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**SSQ Financial Group** is pleased to present the 36rd edition of its *Social Legislation Bulletin*, which is intended to provide our insureds with an overview of the applicable federal and provincial legislation. We would like to thank all those involved from various government agencies for their valuable collaboration in producing this bulletin.

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## 1. Employment Insurance Act (Canada)

The *Employment Insurance Act* is administered by the department of *Human Resources and Skills Development*.

### Eligibility

#### Benefit Requirements

An employee who ceases to work may be entitled to benefits if he has:

- stopped receiving earnings, and
- held insurable employment for the number of hours set out in the qualifying period.

#### Qualifying Period

The 52-week period preceding the benefit period or the period that has elapsed since the beginning of the last established benefit period, whichever period is shorter.

#### Extension of the Qualifying Period

The qualifying period may be extended to a maximum of 104 weeks when an individual has not been able to maintain insurable employment for one or more weeks due to illness, injury, quarantine or pregnancy, preventive withdrawal, imprisonment or if he has been receiving assistance as part of employment benefits or if the individual has been unable to establish interruption of compensation due to the way compensation

received is distributed after the total rupture of the employer - employee link.

#### Number of Hours of Insurable Employment Required

Contributions, for the purposes of the system, are calculated on each hour of insurable employment worked. Insurability no longer requires the accumulation of a minimum salary. Insured earnings are not subject to a weekly maximum. Earnings are insured on an annual basis which cannot exceed \$43,200.

The number of insurable hours of employment required to establish a benefit period varies as to whether the employee is a new arrival on the labour market or a regular claimant.

#### New Arrival on the Labour Market:

The individual who enters or re-enters the labour force, after having already been part of the labour force (as defined in the *Act* and *Regulations*) for at least 490 hours during the 52 weeks prior to his qualifying period, or who has not received any maternity or parental benefits during the 208 weeks preceding the 52 weeks before the qualifying period, must:

- have accumulated 910 hours of insurable employment during the qualifying period, unless he is making a claim for special benefits;

- have accumulated 600 hours of insurable employment during the qualifying period if he is making a claim for special benefits (illness, maternity, parental or compassion).

#### Ordinary Claimant:

The individual who has been part of the labour force (as defined in the *Act* and *Regulations*) for at least 490 hours during the 52-week period prior to his qualifying period, or who has received maternity or parental benefits for one week or more during the 208 weeks preceding the 52 weeks before the qualifying period, must:

- have accumulated between 420 and 700 hours of insurable employment, depending on the current unemployment rate in his economic region;
- have accumulated 600 hours of insurable employment during the qualifying period if he is making a claim for special benefits (illness, maternity, parental or compassion).

However, anyone who has fraudulently claimed or received benefits must accumulate between 525 and 1,400 hours of insurable employment, depending on the gravity of the infraction and the current unemployment rate in his economic region, even if the individual is making a claim for special benefits.

## Regular Benefits

### Period for which Benefits are Payable

Benefits are payable to eligible claimants for each week of their claim, but only after a two-week waiting period calculated as of the beginning of the benefit period.

Moreover, a claimant has the right to receive benefits if he can prove that, for each day that he claims benefits, he is able to work, available to work and that he has been unable to find suitable employment, unless he is claiming special benefits.

### Maximum Benefit Period

Subject to other provisions of the *Act*, a benefit period lasts a maximum of 52 weeks. The number of weekly benefit payments is calculated according to the number of insurable employment hours used to calculate the benefit period and in accordance with the current unemployment rate in the economic region of the claimant; the number of weekly benefit payments can therefore vary between 14 weeks (unemployment rate of 6% or less) and 45 weeks (unemployment rate of more than 12%) for a maximum benefit period of 52 weeks.

The benefit period may be extended up to 104 weeks (without change to the number of weeks for which benefits are payable) only if the insured was deprived of benefits while being held in detention, while receiving an income replacement benefit due to an industrial accident or occupational illness, received compensation paid as the result of the rupture of the employer-employee link or received preventive withdrawal benefits.

### Exclusions

A person who voluntarily quits his job without just cause or is fired for misconduct is disqualified indefinitely from receiving benefits. Furthermore, a claimant may be excluded from receiving benefits for a period of 7 to 12 weeks, after the waiting period, during which he would otherwise be entitled to benefits if, without just cause, he refuses or fails to apply for suitable employment or fails to take advantage of an opportunity to obtain suitable employment. He will be excluded for a period of 1 to 6 weeks if he fails to follow the instructions of an HRSD official to assist him in finding suitable employment, fails to appear for an interview at which he was ordered to appear by HRSD or fails to follow the training or instructional courses he was required to follow.

### Benefit Rates

Most claimants can receive 55% of their weekly average insurable earnings. Claimants who are members of a low income family (less than \$25,921) with children and who receive the Federal Child Tax Benefit (CTB) are entitled to a supplement based on their net family income, the number of children in the family and their ages. The rate of their benefits can be raised to as much as 80% of the average weekly insurable earnings.

In no case may the amount received exceed the maximum weekly benefit (\$457).

## IMPORTANT

- A. An individual cannot accumulate more than 50 weeks of special benefits (illness, maternity, parental) during the same benefit period. This number can be increased to 65 weeks for beneficiaries who did not receive regular benefits but who received illness, maternity or parental benefits during the period of benefits.
- B. A person entitled to benefits under the plan can earn an income equivalent to 25% of the rate of benefits to which he is entitled or \$50 per week, whichever is the greater, with no reduction of his weekly benefits. Earnings in excess of those mentioned are deducted from the benefits of the corresponding week. It must be noted that earnings received during the waiting period are 100% deductible from the first 3 weeks of payment. In addition, all earnings received are deductible at 100% from illness, injury or quarantine and/or maternity benefits.
- C. Claimants who are excluded from benefits because they voluntarily left their job or were fired for misconduct may still be eligible for special benefits.

## Special Benefits

### Illness

Benefits are payable when a person suffers loss of employment and earnings because of illness, injury or quarantine:

- if he held insurable employment for 600 hours during his qualifying period;
- if he accumulated less than 600 hours of insurable employment and the cessation of employment does not result from disability;
- if he had been available for work had he not been ill, injured or quarantined;
- if he supplied medical evidence.

Benefits are payable for the duration of the disability, up to a maximum of 15 weeks.

### Compassionate Care

Compassionate care benefits may be paid to persons who have to be absent from work to provide care or support to a gravely ill family member at risk of dying within 26 weeks, if they:

- have suffered a loss of employment earnings;
- have accumulated 600 hours of insurable earnings during the qualifying period;
- provide medical evidence.

The compassionate care benefits weeks can be shared with other family members.

### Maternity, paternity, parental and adoption benefits

Since January 1, 2006, the province of Quebec is responsible for paying maternity, paternity, parental and adoption benefits for Quebec residents. For more information on Quebec Parental Insurance Plan (QPIP), please call 1 888 610-7727 or go the Web site at: [www.rqap.gouv.qc.ca](http://www.rqap.gouv.qc.ca).

Please note that maternity and parental benefits continue to be available for all other Canadian provinces and territories.

### Pilot Projects – Temporary Measures / Canada's Economic Action Plan

#### Calculating Benefits Based on Best 14 Weeks

The goal of this pilot project is to adjust the benefits payable to claimants residing in regions with high rates of unemployment. EI benefits are calculated

based on income earned during the 14 best weeks in the reference period. For intermittent workers, this means that benefits will more accurately reflect their weeks of full-time employment. The project applies to eligible claimants who, at the time their claim is submitted, reside in areas of high unemployment.

The first pilot project came into effect on October 30, 2005, and ended on October 25, 2008. It was then extended to run from October 26, 2008 to October 23, 2010, in those Employment Insurance (EI) economic regions where the level of unemployment is currently 8% or higher. In Québec, it is the same economic regions that benefit from the project.

### Improved Access to Employment Insurance Benefits

The goal of this pilot project is to change the eligibility standards for individuals entering or returning to the workforce, from the current 910 hours of insurable employment to 840 hours over the reference period. The project applies to all claimants whose benefit payments begin on or after December 11, 2005, and who, at the time the claim is submitted, reside in an economic region with a high rate of unemployment.

The pilot project originally ran from December 11, 2005 to December 6, 2008; it was then extended according to the same parameters for an additional two years, from December 7, 2008 to December 4, 2010, in those EI economic regions where the level of unemployment is currently 8% or higher.

### Increasing the Amount of Allowable Earnings During the Benefit Period

The goal of this pilot project is to increase the amount of allowable earnings that claimants may receive during a benefit period (regular, fishing, parental or compassionate care). Under this project, claimants are authorized to earn up to 40% of their weekly benefits rate, or \$75 per week, whichever amount is higher, with no deductions being made from their EI benefits.

The pilot project in effect from December 11, 2005, to December 6, 2008, in economic regions with a high level of unemployment, ended. A new amended pilot project was re-introduced with the same format from December 7, 2008, to December 4, 2010, but was expanded to apply to all EI economic regions across the country.

### An extra five weeks of EI benefits (Bill C-10)

Within the framework of Canada's Economic Action Plan, a measure to extend Employment Insurance (EI) benefits came into force on March 1, 2009, which will continue until September 11, 2010. It provides claimants with five additional weeks of benefits, on top of what they would have had otherwise, and as such, the maximum number of weeks increases from 45 to 50 for all regular benefit claims (except claims from fishers). The duration of benefits is calculated based on the unemployment rate for the region in which a claimant lives. This measure replaces pilot project number 10, which formerly provided for the payment of five weeks of extra benefits for claimants living in specific regions with high unemployment.

### Extension of EI benefits for long-tenured workers (Bill C-50)

Another temporary measure came into force on October 25, 2009, to help long-tenured workers who lose their jobs. Long-tenured workers are typically older workers having contributed to Employment Insurance (EI) for many years, who have paid at least 30% of maximum EI contributions in seven of last 10 calendar years preceding the claim and

made very limited use of the EI system (less than 36 weeks of EI benefits paid during the 5 years preceding the claim). These claimants are eligible for a number of extra weeks, up to a maximum of 20, which varies based on the employment history of the past 15 years. The benefit period is extended to allow for the payment of these extra weeks.

This measure applies retroactively to benefit claims that began on or after January 4, 2009, and will continue to apply on claims submitted up to September 11, 2010. This initiative is in addition to the temporary career Adjustment Assistance

measure designed to help long-tenured workers develop skills while receiving benefits through participation in training programs provided through Emploi-Québec. This most recent initiative came into effect on May 31, 2009, and will end on May 29, 2010.

### Additional information

1-800-206-7218

Web site: [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)

### Premium Contributions

|   | 2009     |                   | 2010     |                   |
|---|----------|-------------------|----------|-------------------|
| <b>Yearly maximum insurable earnings:</b>   | \$42,300 |                   | \$43,200 |                   |
| Employee premium rate per \$100 of gross insurable earnings:  | \$1.73   | \$1.38<br>Québec* | \$1.73   | \$1.36<br>Québec* |
| Employer premium rate per \$100 of gross insurable earnings (1.4 X employee contribution):  | \$2.42   | \$1.93<br>Québec* | \$2.42   | \$1.90<br>Québec* |
| *These premium rates are lower than rates applicable elsewhere in Canada because, effective January 1, 2006, Quebec have its own parental benefits program. |          |                   |          |                   |



## 2. Act Respecting Parental Insurance (Quebec)

The *Act respecting parental insurance* is administered by the ministère de l'Emploi et de la Solidarité sociale. In force since January 1, 2006, the Québec Parental Insurance Plan (QPIP) is an effective means for workers to better reconcile work and family responsibilities. The QPIP is set up to pay benefits to all eligible workers, salaried and/or self-employed taking maternity leave, paternity leave, parental leave or adoption leave. It replaces the maternity, parental or adoption benefits previously provided to Québec parents under the federal employment insurance plan. The QPIP is an income replacement plan: **to be eligible, you must have received work income.**

### Features

- The maximum insurable income is \$62,500;
- Benefits may reach up to 75% of average weekly income;
- Québec parents have a choice of two different options. They differ in the duration of leave and the percentage of income replaced;
- There is no waiting period before benefit payments start;
- The minimum insurable earnings considered when calculating the benefits is \$2,000, regardless of the number of hours worked;
- Both self-employed and salaried workers are eligible;

- The Québec Parental Insurance Plan offers paternity benefits designed exclusively for fathers.

### Eligibility Requirements

Be the parent of a child born or adopted on or after January 1, 2006.

Be required to pay premiums under the Québec Parental Insurance Plan.

#### • If you are a salaried worker, you must also:

- Reside in Québec at the start of the benefit period;
- Have at least \$2,000 in insurable income during the reference period, regardless of the number of hours worked;
- Have stopped working or seen a reduction of at least 40% in your usual employment income.

#### • If you are a self-employed worker, you must also:

- Reside in Québec at the start of the benefit period and have resided in Québec on December 31 of the year preceding the start of the benefit period;
- Have at least \$2,000 in insurable income during the reference period;
- Have ceased your business activities or reduced the time spent on your business activities by at least 40%.

#### • If you are a worker who is both salaried and self-employed, you must also:

- Reside in Québec at the start of the benefit period and have resided in Québec on December 31 of the year preceding the start of the benefit period;
- Have at least \$2,000 in insurable income during the reference period, regardless of the number of hours worked;
- Have ceased your business activities or reduced the time spent on your business activities by at least 40%, and have stopped working or seen a reduction of at least 40% in your usual employment income.

### Types of Benefits

- Maternity benefits, payable exclusively to the mother.
- Paternity benefits, payable exclusively to the father.
- Parental benefits, may be shared between both parents.
- Adoption benefits, may be shared between both parents.

## Increase for low-income families

The QPIP provides an additional amount for low-income families. If your net family income is less than \$25,921, you may be granted an increase in benefits.

## Premium Rates as a Percentage of Income:

Employees: 0.506%

Employers: 0.708%

Self-employed workers: 0.899%

For more information about premiums for the Quebec Parental Insurance Plan, visit the Revenu Québec Web site at: [www.revenu.gouv.qc.ca](http://www.revenu.gouv.qc.ca).

## How to Apply for Benefits

You can apply for benefits online by visiting the Quebec Parental Insurance Plan Web site at: [www.rqap.gouv.qc.ca](http://www.rqap.gouv.qc.ca).

You can also apply by telephone with the help of a Customer Service Office by calling the QPIP customer service centre, the Centre de service à la clientèle, at the following numbers:

Throughout North America, toll-free:

**1-888-610-7727**

Overseas: **416-342-3059\***

\*Note that fees apply.

The following chart summarizes the different possibilities for benefit payments.

| Types of benefits | Basic plan                      |   | Special plan                    |   |
|-------------------|---------------------------------|---|---------------------------------|---|
|                   | Maximum number of benefit weeks | Percentage of gross average weekly income | Maximum number of benefit weeks | Percentage of gross average weekly income |
| Maternity         | 18                              | 70%                                       | 15                              | 75%                                       |
| Paternity         | 5                               | 70%                                       | 3                               | 75%                                       |
| Parental          | 7<br>25<br>(7+25=32)            | 70%<br>55%                                | 25                              | 75%                                       |
| Adoption          | 12<br>25<br>(12+25=37)          | 70%<br>55%                                | 28                              | 75%                                       |

## 3. Family Allowances

### The Canada Child Tax Benefit (CCTB)

The CCTB is administered by the Canada Customs and Revenue Agency. It is paid to families with low or modest income to help them meet the needs of their children under 18 years of age. The CCTB consists of the basic benefit and the National Child Benefit Supplement (NCBS), and may also include the new Child Disability Benefit (CDB).

The following amounts are those in force as of July 2009 (based on the income declared on line 236 of the 2008 federal income tax return less the Universal Child Care Benefit (UCCB), which you declared on line 117 of your income tax return).

#### Basic benefit

- Basic amount per child: \$111.66 per month for each child under 18 years of age
- Supplement for a 3rd child and following children: \$7.75 per month

The income limit beyond which the benefit is reduced is \$40,726. There will be a reduction of 2% of the net family income over \$40,726 for families with a single child and of 4% for families with 2 children or more.

### The National Child Benefit Supplement (NCBS)

- for the first child: \$173.00 per month minus 12.2% of the net family income over \$23,710
- for the second child: \$153.08 per month minus 23% of the net family income over \$23,710
- for each additional child: \$145.58 per month, and the total will be reduced by 33.3% of the net family income over \$23,710

The basic benefit and the NCBS are then added and paid in 12 monthly instalments beginning in July and ending in June of the following year. With the first instalment, a notice of determination is sent to the recipients.

### Child Disability Benefit (CDB)

The CDB is a non-taxable supplement to the Canada Child Tax Benefit of up to \$204.58 per month. Only children with a severe and prolonged mental or physical impairment, as specified in **Form T2201, "Disability Tax Credit Certificate"**, are eligible to receive the CDB. To apply for the CDB for your child, Form T2201 must be completed by a health care professional and submitted to the Canada Customs and Revenue Agency.

### Universal Child Care Benefit (UCCB)

The UCCB is a \$100 a month supplement paid for each child under 6 years of age, regardless of the family's net income. The payment is taxable and is paid separately from the NCBS.

| Canada Child Tax Benefit<br>Reference table in force from<br>July 2009 to June 2010* |                      |                         |                           |
|--|----------------------|-------------------------|---------------------------|
| Net Family Income (\$)   | One Child (\$/month) | Two Children (\$/month) | Three Children (\$/month) |
| 23,710 and less  | 284.66               | 549.41                  | 814.47                    |
| 25,000   | 271.55               | 524.69                  | 778.61                    |
| 30,000   | 220.71               | 428.85                  | 639.86                    |
| 40,000   | 111.66               | 237.19                  | 362.36                    |
| 50,000   | 96.21                | 192.42                  | 311.83                    |
| 60,000   | 79.54                | 159.08                  | 278.50                    |
| 70,000   | 62.87                | 125.75                  | 245.17                    |
| 80,000   | 46.21                | 92.42                   | 211.83                    |
| 90,000   | 29.54                | 59.08                   | 178.50                    |
| 100,000  | 12.87                | 25.75                   | 145.17                    |

- These amounts are given only for reference purposes and do not include the UCCB or the CDB.

The portal "My Account" offers the possibility to apply on line for the the Canada Child Tax Benefit (CCTB), including similar credits and provincial/territorial benefits, the Universal Child Care Benefit (UCCB) and to register children for the harmonized goods and services tax credit (GST/HST).

### Additional Information

**In Canada, toll-free: 1-800-387-1194**

**Service for the deaf and hearing impaired (TDD, teleprinter): 1-800-665-0354**

**Web site: [www.cra-arc.gc.ca/bnfts/menu-eng.html](http://www.cra-arc.gc.ca/bnfts/menu-eng.html)**

**Benefits calculator: [www.cra-arc.gc.ca/bnfts/clictr/menu-eng.html](http://www.cra-arc.gc.ca/bnfts/clictr/menu-eng.html)**

**My Account: [www.cra-arc.gc.ca/esrvc-srvce/tx/ndvdl/myccnt/menu-eng.html](http://www.cra-arc.gc.ca/esrvc-srvce/tx/ndvdl/myccnt/menu-eng.html)**

### The Quebec Child Assistance measure

This measure, introduced by the Quebec Government to financially assist families and administered by the Régie des rentes du Québec, is available to all families with dependent children under age 18 living with them.

The Child Assistance measure includes the child assistance payment and the supplement for children with disabilities.

### Eligibility for Child Assistance

To be eligible for child assistance payments, all the following conditions must be met:

- You (either you or your spouse) are responsible for the care and education of at least one dependent child under age 18.
- That child lives with you.
- You live in Quebec.
- You or your spouse must be one of the following:
  - a Canadian citizen
  - a protected person\*
  - a permanent resident\*
  - a temporary resident who has lived in Canada for at least 18 months\*.

### Application for Child Assistance

The parent of a child born in Quebec is not required to fill out an application to receive child assistance payments from the Régie. When a parent declares a child's birth to the Quebec Registrar's office, that parent will be automatically registered for child assistance payments.

However, in the case of adoption, obtaining child custody or shared custody, or a new resident arriving in Quebec, an application must be submitted to the Régie. You may apply on line or simply download the Canada Child Tax Benefit form from the Régie's Web site at [www.rrq.gouv.qc.ca/en/enfants](http://www.rrq.gouv.qc.ca/en/enfants). This form is also available at all our customer service centres.

### Payment Calculation

The amount of the child assistance payment is calculated by the Régie based on the following four criteria:

- number of dependent children under age 18 who live with the beneficiary
- number of dependent children in shared custody
- family income
- family situation (with or without a spouse)

Please note that the Calcul@ide tool that you'll find on the Régie's Web site and on the Ministère de la Famille et des Aînés' Web site allows you to find out the amount you could receive based on your family situation. That amount is indexed every year in January.

To continue receiving the child assistance payments, both spouses, if applicable, must file a Quebec income tax return every year, even if one of them has no income to declare. Revenu Québec will forward information relating to family income and situation as at December 31 of the reference year to the Régie.

### Child Assistance payments

Child Assistance amounts are paid four times a year. Payments are made on the first business day of the four quarters of the year: January, April, July and October. You may, however, receive your payments on a monthly basis by making this request to the Régie either with the on-line service or by telephoning their offices.

### Shared custody

For families with shared custody, please note that:

- The Child Assistance payment is made to **both parents at the same time**, according to the frequency chosen by each parent (quarterly or monthly).
- A parent who does not receive Child Assistance payments must apply to the Régie to become a beneficiary.
- Shared custody for each parent must be at least 40% of the time on a monthly basis.
- The Child Assistance amount is equal to one-half of the amount that would have been paid to the parent if the child had not been in a situation of shared custody.

Under the *Taxation Act*, **the Régie cannot take into account any financial agreement concluded between the two parents with regard to the Child Assistance payment** (e.g. an agreement confirmed or not by a Court judgment, mediation report, and so on).

### Supplement for children with disabilities

The supplement for children with disabilities is payable to the parents of children with a physical or mental handicap severely limiting their daily activities for a foreseeable period of at least one year.

In 2010, the amount payable is \$172 for all, regardless of the child's disability or the family's income. It is indexed each year and is not taxable.

For information on eligibility or on how to apply, parents can go to the section entitled "Children" on the Régie's Web site.

### Additional Information

**Quebec City: 418-643-3381**

**Montreal: 514-864-3873**

**Elsewhere in Quebec (toll-free): 1-800-667-9625**

**Teletype (TTY):**

**Service for the deaf and hearing impaired**

**Toll-free: 1-800-603-3540**

**Web site: [www.rrq.gouv.qc.ca/en/](http://www.rrq.gouv.qc.ca/en/)**

\* Pursuant to the *Immigration and Refugee Protection Act* (S.C. 2001, c.27)



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## 4. Act Respecting Industrial Accidents and Occupational Diseases (Quebec)

The *Act Respecting Industrial Accidents and Occupational Diseases* (ARIAOD) is administered by the *Commission de la santé et de la Sécurité du travail du Québec* (CSST).

### Coverage of Worker's Income

The income replacement indemnity is paid to a worker who suffers an occupational injury if he becomes incapable of carrying out his occupation as a result of this injury.

For the day of the accident, the employer must pay the worker the full wage to which he would normally have been entitled. During the following 14 days, the worker is entitled to indemnities corresponding to 90% of his net salary for each day or part thereof that he normally would have worked, if it had not been for his disability. The indemnities are paid by his employer, who is subsequently reimbursed by the CSST. After the 15th day of disability, the worker receives the indemnity directly from the CSST which corresponds to 90% of his recognized net income.

The worker's gross wage and gross income are taken into account, up to a maximum annual insurable wage of \$62,500 in 2010 (\$62,000 in 2009) and is adjusted once a year.

### Net Wage

Net wage corresponds to the gross wage the worker would normally have earned if the injury had not occurred, from which federal and provincial income taxes are deducted, as well as Quebec Pension Plan and employment insurance contributions.

### Recognized Net Income

Recognized net income corresponds to the gross income stipulated in the employment contract from which the same deductions are made as in the net wage calculations but taking the family situation into account for tax purposes. However, the worker may demonstrate to the CSST that he earned a higher gross annual income during the 12 months preceding his disability. Bonuses,

premiums, tips, commissions, overtime payments and employment insurance benefits are taken into consideration.

### Lump Sum Benefit for Bodily Injury

The purpose of the lump sum benefit is to compensate workers who have sustained permanent physical or mental impairment. The amount of the lump sum benefit for bodily injury is equal to the product of the percentage, not exceeding 100%, of the permanent physical or mental impairment multiplied by the amount indicated in the Table of Indemnities for bodily injuries (Appendix II - ARIAOD) at the time of occurrence of the occupational injury depending on the worker's age at the time. However, the legislation provides for a minimum lump sum benefit of \$949 in 2010 (\$945 in 2009). The amounts used to compute the benefit are indexed annually.

### Death Benefit

The spouse of a worker who becomes deceased as a result of an occupational injury receives a monthly pension equivalent to 55% of the income replacement benefit the worker was entitled to at the time of his death, for a period that varies from 1 to 3 years, depending on the age of the spouse. The spouse is also entitled to a minimum lump sum benefit of \$94,947 in 2010 (\$94,569 in 2009), which can amount to a sum equal to 3 times the worker's gross wage at the time of his death, up to the maximum annual insurable wage. This amount has no effect on the benefits the beneficiary may be entitled to under the Quebec Pension Plan.

In addition, children of the deceased worker who are minors each receive a pension of \$476 per month in 2010 (\$474 per month in 2009) until the age of majority. The pension is indexed annually. At age 18, they receive a lump sum amount of \$17,094 in 2010 (\$17,026 in 2009) if they are still full-time students. If, at the time of the worker's death, the child is aged between 18 and 25 and is still a full-time student, he immediately receives this lump sum amount.

The CSST reimburses, to the individual who incurs the funeral expenses, up to \$4,617 in 2010 (\$2,836 before June, 18th 2009 and \$4,599 as of June 18th 2009), and the expenses related to returning the remains. In addition, the surviving spouse or, if none, the dependents, receive \$1,899 in 2010 (\$1,891 in 2009) for all other expenses related to the death.

### Other Indemnities

Upon presentation of supporting evidence, the CSST will reimburse, up to the amounts stipulated by regulation, if applicable, various expenses concerning medical assistance and physical, social or occupational rehabilitation. Medical assistance expenses include hospital care, medication and other pharmaceutical products, as well as prostheses and orthoses, and the medical assistance determined by regulation. Expenses relating to a social or occupational rehabilitation program include the cost of adapting the home or principal vehicle, child care and housekeeping expenses, as well as fees for training or refresher courses.

*N.B. These indemnities are non-taxable and may not be assigned or seized. They are adjusted annually.*

The CSST also administers the following statutes:

- *Act Respecting Occupational Health and Safety;*
- *Act Respecting Indemnities for victims of asbestosis or silicosis in mines and quarries;*
- *Crime Victims Compensation Act;*
- *Act to promote good citizenship;*
- *Workmen's Compensation Act;*
- *Government Employees Compensation Act.*

### Additional Information

Quebec City: 418-266-4000

Montreal: 514-906-3000

Web site: [www.csst.qc.ca/portail/en/](http://www.csst.qc.ca/portail/en/)



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## 5. Quebec Pension Plan

### Contributions

The Quebec Pension Plan is administered by the Régie des rentes du Québec and is compulsory for workers age 18 or over who earn an annual employment income of over \$3,500 and who do not receive a disability pension. However, personnel of the Royal Canadian Mounted Police and the Canadian Armed Forces working in Quebec fall under the Canada Pension Plan. Entitlement to the various pensions is subject to conditions specific to each one of them, and the individual must have paid contributions for a minimum period, which varies according to the type of pension.

### Pensions and benefits

A reduced retirement pension may be paid at age 60 subject to certain conditions. A disability pension may be payable to a disabled person under age 65 who has contributed sufficiently to the Quebec Pension Plan and whose disability is permanent and prevents the person from engaging in any kind of paid employment. However, if a person is between 60 and 65 years old, the only condition he must satisfy to be eligible for the disability pension is that he be incapable of pursuing his usual gainful occupation and has been forced to quit because of disability. Survivors' benefits are payable upon a contributor's death, provided the contributor has contributed sufficiently to the Quebec Pension Plan.

To find out more about eligibility requirements for the various benefits under the Quebec Pension Plan, visit the Régie des rentes du Québec Web site or call one of the numbers provided below.

The Régie des rentes du Québec also administers the Supplemental Pension Plans Act and the Refundable Tax Credit for the Child Assistance Program.

|   | 2009                        | 2010                        |
|---|-----------------------------|-----------------------------|
| Maximum pensionable earnings  | \$46,300                    | \$47,200                    |
| Basic exemption   | \$3,500                     | \$3,500                     |
| Maximum employee's contributions: 4.95% of maximum contributory earnings                  | \$2,118.60                  | \$2,163.15                  |
| Maximum employer's contributions: 4.95% of maximum contributory earnings                  | \$2,118.60                  | \$2,163.15                  |
| Maximum contributions for self-employed workers   | \$4,237.20                  | \$4,326.30                  |
| Maximum monthly retirement pension at age 65  | \$908.75                    | \$934.17                    |
| Monthly pension to surviving spouse under age 45 not disabled, without dependent children | from \$108.69 to \$449.47   | from \$109.12 to \$459.43   |
| not disabled, with dependent children   | from \$394.04 to \$734.82   | from \$395.62 to \$745.93   |
| disabled with or without dependent child  | from \$424.40 to \$765.18   | from \$426.10 to \$776.41   |
| Monthly pension to surviving spouse between age 45 and 54                                 | from \$424.40 to \$765.18   | from \$426.10 to \$776.41   |
| Maximum monthly pension to surviving spouse age 65 or over                                | \$545.25                    | \$560.50                    |
| Death benefit   | \$2,500                     | \$2,500                     |
| Monthly disability pension  | from \$424.40 to \$1,105.96 | from \$426.10 to \$1,126.73 |
| Monthly pension for orphan or child of a disabled parent, per child                       | \$67.95                     | \$68.22                     |
| Indexation rate of pension  | 2.5%                        | 0.4%                        |

N.B. These benefits are taxable.

### Additional Information

**Quebec City: 418-643-5185**

**Montreal: 514-873-2433**

**Elsewhere in Quebec (toll free):  
1-800-463-5185**

**Service for the deaf and hearing impaired  
(TDD, teleprinter): 1-800-603-3540**

**Web site: [www.rrq.gouv.qc.ca/en/](http://www.rrq.gouv.qc.ca/en/)**



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## 6. Old Age Security Act (Canada)

The *Old Age Security Act* is now administered by *Service Canada*, for Human Resources and Skills Development Canada (HRSDC). That Act provides for the payment of four (4) different benefits, namely the basic Old Age Security pension (OAS), the Guaranteed Income Supplement (GIS), the Allowance (ALW) and the Allowance for the Survivor (ALWS).

### Old Age Security (OAS)

As of January 1, 2010, the amount of the OAS pension is \$516.96 per month.

*The OAS pension is the only taxable benefit. Under the Old Age Security Act, individuals whose net income before adjustments (as declared on line 234 of the income tax return) is greater than \$66,335 (in 2009) may have to repay part or all of their OAS payment. Your repayment is calculated according to the difference between your income and the maximum amount set for the year. First of all, you must determine by how much your income exceeds that amount; you will then be required to repay 15% of such amount. Your deductions will be spread out over your 12 monthly pension payments and in that way you will not be required to pay a lump-sum amount when filing your income tax return.*

### Guaranteed Income Supplement (GIS)

This is an additional sum of money paid to individuals who receive the basic OAS and who have little or no income.

In addition to the basic monthly pension of \$516.96, the maximum amount that a single person or a person whose legal or common-law (*de facto*) spouse is under age 60 can receive is \$652.51.

If the legal or common-law spouse also receives the basic monthly OAS pension of \$516.96, the maximum monthly amount of the GIS is \$430.90.

Since the GIS is based on income and marital status, the higher the income (excluding benefits paid by the OAS Program), the greater the reduction in the GIS. The benefit is reduced by \$1 for every \$24 of additional annual income for a single person, and by \$2 for every \$48 of combined annual income for a couple.

### Allowance (ALW)

The legal or common-law spouse of an OAS recipient aged between 60 and 64 may be entitled to a maximum monthly Allowance of \$947.86.

Since this Allowance is based on the couple's combined income and marital status, the greater the combined income (excluding benefits paid by the OAS Program), the greater the reduction in the Allowance. In fact, the Allowance is reduced by \$3 for every \$48 of combined additional annual income.

### Allowance for the Survivor (ALWS)

A survivor who is between age 60 and 64, who has not become the legal or common-law spouse of another person, may be entitled to a maximum ASWS of \$1,050.68.

Since the ALWS is meant to help survivors who find themselves in a difficult situation, it is based on the income of the surviving person. Therefore, the higher the income (excluding benefits paid by the OAS Program), the greater the reduction in the ALWS. In fact, it is reduced by \$3 for every \$48 of additional annual income.

*Increases in the benefit rates of Old Age Security (OAS) are calculated four times a year based on the Consumer Price Index (CPI). They are determined by the Old Age Security Act in order to have benefits indexed to the cost of living. Changes come into effect in January, April, July and in October. However, the benefit rates stay the same when there is a decline in the cost of living.*

### Renewal

Most recipients of GIS/ALW/ALWS can automatically renew their benefits by filing an income tax return **BEFORE APRIL 30, 2010**, with the Canada Revenue Agency, without having to send another form. **HOWEVER**, if you receive a renewal form, you must complete and return it to us as soon as possible.

### Amendment to the Act

Effective as of May 3, 2007, the amendment states that once we receive the client's application for the GIS and ALC/ALCS, the client is no longer required to resubmit for subsequent years. This amendment applies to all clients who file an income tax return.

On July 1, 2008, an amendment to the *Old Age Security Act* came into effect, resulting in changes to the Guaranteed Income Supplement (GIS) that will allow for low-income seniors who work to earn more without having their GIS benefits reduced. Previously, the employment-related deduction amount represented 20% of gross earnings up to maximum of \$500. However, since July 2008, this amount has been increased to \$3,500 of initial net employment earnings. If net employment earnings are less than the allowable deduction, the amount of income will be considered nil.

### Additional information

**1-800-277-9914 (English)**

**1-800-277-9915 (French)**

**(TDD/Teletypewriter): 1-800-255-4786**

**Web site: [www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)**



## 7. Hospital Insurance Act (Quebec)

The *Hospital Insurance Act* is administered by the Quebec Ministry of Health and Social Services. It provides Quebec residents with access to public wards free of charge in the event of hospitalization. It also sets the supplement applicable for various types of semi-private and private rooms per day.

|  | 2008-01-01 | 2009-01-01 | 2010-01-01 |
|--|------------|------------|------------|
| <b>1. PUBLIC WARD</b>  | Free       | Free       | Free       |
| <b>2. SEMI-PRIVATE ROOM</b>  | \$53.74    | \$55.08    | \$55.30    |
| a) with telephone, washbasin or toilet, either private or shared (at least 2 elements)         | \$59.27    | \$60.75    | \$60.99    |
| b) with telephone, washbasin and toilet, either private or shared                              | \$64.78    | \$66.40    | \$66.67    |
| c) with telephone and full bathroom  | \$75.81    | \$77.71    | \$78.02    |
| <b>3. PRIVATE ROOM</b>   | \$86.83    | \$89.00    | \$89.36    |
| a) 9.75 to 11.50 square metres with telephone, washbasin or toilet, either private or shared   | \$107.51   | \$110.20   | \$110.64   |
| b) at least 11.50 square metres with telephone, washbasin and toilet, either private or shared | \$128.18   | \$131.38   | \$131.91   |
| c) at least 11.50 square metres with telephone and shared bathroom                             | \$150.23   | \$153.99   | \$154.61   |
| d) at least 11.50 square metres with telephone and private bathroom                            | \$172.29   | \$176.60   | \$177.31   |
| e) with telephone, private bathroom and adjoining sitting room                                 | \$215.00   | \$220.38   | \$221.26   |

*N.B. In an extended-care treatment centre or in an extended-care unit of a hospital centre, a maximum daily charge of \$33.91 is payable for a room with more than two beds. The maximum daily charge for a semi-private room is \$45.62 and \$54.58 for a private room. It must be noted that the charge is based on the patient's ability to pay.*





## 8. Health Insurance Act (Quebec)

The *Health Insurance Act* is administered by the *Régie de l'assurance maladie du Québec* (RAMQ) and protects residents of Quebec.

### SERVICES COVERED IN QUEBEC

**Medical Services** - The Medical Services Program is a universal program, which means that anyone covered by the Health Insurance Plan is eligible. The medical services covered by the Health Insurance Plan are those that are medically necessary and rendered by a general practitioner or a medical specialist. These services include: examinations; consultations, diagnostic services, therapeutic procedures, psychiatric treatments, surgery, radiology, anesthesia.

**Dental Services** - In hospitals, every insured person is entitled to certain oral surgery services in the event of trauma or an illness. These services are provided free of charge. Related examinations, local or general anesthesia and X-rays are also covered. Others services are covered for children under age 10 and persons who have been recipients of last-resort financial assistance for at least 12 consecutive months, and their dependants.

Persons entitled to covered dental services must present their valid Health Insurance Card to receive the services free of charge. Recipients of last-resort financial assistance and their dependants must also present their personal or family claim slip. In certain cases, for services provided by a dentist, authorization from a local employment centre is also needed.

**Optometric Services** - The Optometric Services Program is intended for: persons under the age of 18, persons aged 65 and over, persons aged 18 to 64 who have been recipients of last-resort financial assistance for at least 12 consecutive months, persons aged 60 to 64 who have received a spouse's allowance under the *Old Age Security Act* for at least 12 consecutive months and who, without this allowance, would be entitled to last-resort financial assistance benefits and visually impaired persons.

**Devices that Compensate for Physical Deficiencies** - This program is intended for persons insured under the Québec Health Insurance Plan who have a physical deficiency and meet the program's eligibility requirements. Persons who qualify for the plan and meet the conditions are entitled to:

- the purchase, adjustment, replacement, repair and, in certain cases, adaptation of walking aids, standing aids, locomotor assists and posture assists as well as their components, supplements and accessories;
- the purchase, adjustment, replacement and repair of orthotics and prosthetics.

**Hearing Devices** - Persons who qualify for the plan and meet the conditions are entitled to the purchase and replacement of a hearing aid and assistive listening devices.

**Ostomy Appliances** - The Ostomy Appliances Program is intended for persons insured under the Québec Health Insurance Plan who have undergone a permanent colostomy, ileostomy or urostomy of which the permanent nature is attested to by a medical certificate. If you are eligible for the Health Insurance Plan and meet all the requirements, you are entitled to an amount of \$700, for each ostomy undergone, to cover most of the cost of the ostomy appliances you need. Every year thereafter, on the anniversary date of the operation, you will receive an amount of \$700, for each ostomy, to cover the cost of replacing the ostomy appliances.

If you are a recipient of last-resort financial assistance, you will be reimbursed in full upon presentation of detailed invoices. It is therefore important to keep all proof of purchase. Persons accommodated in subsidized facilities are not entitled to the \$700 amounts, since bags and other ostomy-related products are supplied by the facility free of charge.

**External Breastforms** - The External Breastforms Program is intended for all women insured under the Québec Health Insurance Plan who have undergone a total or radical mastectomy, and for women age 14 and over who have a total absence of breast formation, medically diagnosed as aplasia.

If you are eligible for the program and meet all the requirements, you are entitled, for each breast, to the amount of \$200 to cover all or part of the costs related to the purchase of an external breastform. Every two years thereafter, on the anniversary date of the mastectomy or of the medical report, eligible women are entitled to an amount of \$200 to cover the cost of replacing the breastform. If you are a recipient of last-resort financial assistance, you are entitled, upon presentation of proof of purchase, to a supplement (maximum \$100, if the cost of the breastform exceeds \$200) that will enable you to cover part or all of the actual purchase or replacement cost of the breastform.

**Visual Devices** - Persons eligible for the program are those whose visual acuity in each eye is less than 6/21, or whose visual field in each eye is less than 60° in the 180° and 90° meridians after correction by appropriate ophthalmic lenses (eyeglasses or contact lenses, but not special optical systems or additions of more than four dioptries). Persons eligible for the program are entitled to obtain a visual device on loan, i.e. a reading, writing and/or mobility aid. Persons benefiting from the program are granted \$210 for the cost of acquiring a guide dog, and \$1,028 per year thereafter for the cost of looking after the dog.

**Ocular Prostheses** - If you are eligible for the program and meet the eligibility requirements, you are entitled, for each eye, to a reimbursement for the cost of purchasing or replacing an ocular prosthesis once per five-year period, and to a yearly allowance for the repair and maintenance of the prosthesis.

### Financial Contribution and Assistance

#### Financial Contribution – Accommodated Adults

The financial contribution is the amount the government charges to adults who are accommodated in Québec healthcare facilities. To ascertain the amount of contribution, the room category and ability to pay are taken into account.

#### Financial Contribution – Intermediate Resources

Accommodation resources known as “intermediate resources” have been created in order to offer people who require supervision a residential environment as close as possible to a home environment and in which they receive the support and assistance they require. There are currently four main types of residences operated by intermediate resources: supervised apartments, rooming houses, reception homes and group homes. The contribution is payable as of the first day of accommodation and is calculated pro rata to the number of days of accommodation. The day of arrival is included but not the day of departure.

#### Financial Assistance for Domestic Help Services

Anyone aged 18 or older who are residents or temporary residents of Québec within the meaning of the *Health Insurance Act* are eligible for the program. However, people receiving compensation for domestic help services under a public plan (e.g. CSST, SAAQ, Veterans Affairs) or under a private insurance plan are not eligible for the program. The program's objectives are to help build a strong network of businesses providing domestic help services and to encourage people to use the services offered by these businesses.

The services covered are: light housekeeping work (such as laundering, vacuuming, dusting, cleaning), heavy housekeeping work (such a major cleaning jobs and clearing snow from the main access to the residence), cleaning clothes, preparing non-diet meals, shopping for groceries and running other errands. Some businesses do not offer all the above services.

#### Financial Assistance for Persons Infected with the Hepatitis C Virus

In May 1999 to offer financial assistance to all persons who were infected with the hepatitis C virus as a result of a blood transfusion or blood products received in Québec before January 1, 1986 or between July 2, 1990 and September 28, 1998.

### SERVICES COVERED OUTSIDE QUEBEC

**When travelling or when outside Québec temporarily**, persons holding a valid Health Insurance Card can receive healthcare services covered by the Québec Health Insurance Plan. However, in most cases, the Régie de l'assurance maladie reimburses only part of the cost.

In order for these services to be covered, persons spending time outside Québec must fulfill certain conditions regarding the duration of their trip or temporary stay.

### Private insurance: to avoid unfortunate consequences

Please bear in mind that the Régie usually cannot reimburse you in full and that the cost of healthcare services outside Québec is usually higher than in Québec. It is therefore essential to take out private travel insurance covering all or part of the costs not paid by the Régie. Obtaining insurance before leaving could spare you unfortunate financial consequences. If you receive healthcare outside Québec but don't have private insurance, you are responsible for the portion of the cost not reimbursed by the Régie.

### When a Service is not Available in Québec:

The Health Insurance Plan covers a wide range of essential medical services. However, in exceptional cases, some services may not be available in Québec. In such cases, and as a last resort, it is possible to request the Régie's authorization to receive healthcare outside Québec.

### THE PUBLIC PLAN

The Public Prescription Drug Insurance Plan is a government insurance plan offering basic prescription drug coverage. It was set up in 1997 to cover all Quebecers who have no access to private plan. The Public Prescription Drug Insurance Plan is intended for:

- persons aged 65 and over;
- recipients of last-resort financial assistance and other holders of a claim slip (carnet de réclamation);
- persons who do not have access to a private plan;
- children of persons covered by the public plan.

Persons under age 65 who have access to a private plan are not eligible for coverage under the public plan. They must take out coverage under the private plan to which they have access. Persons who turn 65 are automatically registered for the public plan, administered by the Régie. They therefore have no steps to take.

Many private insurers continue to offer prescription drug coverage to persons aged 65 and over who were already covered by such a plan. Two types of

coverage may be available to them: basic coverage (at least equal to the coverage provided by the Régie) and supplemental coverage (in addition to the coverage provided by the Régie).

When persons who turn 65 remain eligible for a private plan offering basic prescription drug coverage, they have a choice to make. They may decide to be insured:

- only by the public plan, administered by the Régie;
- by the public plan (first payer) and by a private plan offering supplemental coverage (second payer); or
- only by a private plan offering at least the basic coverage.

Before deciding, they must ask their private insurer about the various options available and their cost.

Generally speaking, persons covered by the public plan must pay a premium, whether or not they purchase prescription drugs. The premium is collected every year by the *Ministère du Revenu du Québec* when income tax returns are filed. The amount of the annual premium varies from \$0 to \$585 per adult, depending on net family income. This amount is effective from July 1, 2009 to June 30, 2010.

Certain persons insured under the public plan don't pay a premium. These include:

- holders of a claim slip (carnet de réclamation) issued by the Ministère de l'Emploi et de la Solidarité sociale;
- persons age 65 or over receiving 94% to 100% of GIS;
- children of insured persons, If they are under age 18 or If they are 18 to 25, full-time students, without a spouse and live with their parents.

Insured persons pay only a portion of the cost of the drugs they purchase. This is called their contribution. The other portion is paid by the Régie. At the time of purchase, insured persons must inform the pharmacist that they are covered by the public plan and present their valid Health Insurance Card.

There is a maximum annual amount that insured persons may be required to pay for their drug purchases. This maximum amount, which has been set at \$954 for all insured persons in Québec, includes the deductible and the co-insurance. Please note that this amount is lower for certain clienteles of the public plan.

### Deductible

The deductible is a fixed amount that constitutes the first portion of the costs that insured persons must pay when obtaining insured drugs. For persons covered by the public plan, the deductible is a monthly amount that the person generally pays in full when making his or her first drug purchase during the month. For persons covered by a private plan, the deductible is generally a yearly amount. Certain private plans do not require the person to pay a deductible.

### Co-Insurance

The co-insurance is the percentage (or portion) of the drug costs that insured persons must pay once they have paid the deductible. In other words, when a person's drug costs exceed the deductible, the person pays only a portion of the remainder.

### Adjustment of Limits

The amounts for the premium, the deductible, the co-insurance and the maximum contribution are adjusted by the Régie de l'assurance maladie du Québec (RAMQ) on July 1 of each year. For private plans, the co-insurance amount must not be above 32%, and the annual maximum contribution must not exceed \$954 for the period from July 1, 2009, to June 30, 2010.

To learn more about the Public Plan, visit the Group Insurance section of the SSQ Web site ([www.ssq.ca](http://www.ssq.ca)). There, you can find answers to your questions about the plan by clicking on Basic Prescription Drug Insurance Plan: Answers to your Questions.

### Additional information

**Quebec City: 418-646-4636**

**Montreal: 514-864-3411**

**Elsewhere in Quebec (toll-free): 1-800-561-9749**

**For the deaf and hearing-impaired (TDD, telecommunications devices for the deaf):**

**Quebec City: 418-682-3939**

**Elsewhere in Quebec (toll-free): 1-800-361-3939**

**Web Site: [www.ramq.gouv.qc.ca/index\\_en.shtml](http://www.ramq.gouv.qc.ca/index_en.shtml)**

The table below shows the contributions in force from July 1, 2009, to June 30, 2010 for persons insured under the public plan.

|   | Monthly deductible | Co-insurance | Maximum monthly contribution | Maximum yearly contribution |
|---|--------------------|--------------|------------------------------|-----------------------------|
| Adults aged 18 to 64 not eligible for a private plan and Persons aged 65 and over not receiving a GIS | \$14.95            | 32%          | \$79.53                      | \$954                       |
| Persons aged 65 and over receiving a partial GIS (from 1% to 93%)                                     | \$14.95            | 32%          | \$49.97                      | \$600                       |



## 9. Individual and Family Assistance Act (Quebec)

Under the *Individual and Family Assistance Act*, as of January 1, 2007, two last-resort financial assistance programs were introduced: the **Social Assistance Program** and the **Social Solidarity Program**.

To be entitled to last-resort financial assistance under the Social Assistance Program or the Social Solidarity Program, you must meet the eligibility conditions prescribed in the Individual and Family Assistance Act and the Regulation respecting individual and family assistance, namely:

- Prove that your resources (cash, property, earnings, benefits and income) are equal to or less than the amounts prescribed by regulation

- Be a Québec resident
- Be aged 18 or over; if you are under 18, you must be married, have been married or be the parent of a dependent child.

The purpose of the **Social Assistance Program** is to grant last-resort financial assistance to people with no severely limited capacity for employment.

### Adult Benefits as of January 1, 2010

| Social Assistance Program <sup>(1)</sup>  |                              |  |                        |              |                      |
|---|------------------------------|--|------------------------|--------------|----------------------|
| Category  | Basic Benefit <sup>(3)</sup> | Temporarily Limited Capacity Allowance | QST Amount             | Total Amount | Excluded Work Income |
| <b>1 Adult<sup>(2)</sup></b>  |                              |  |                        |              |                      |
| No limitations  | \$567                        | \$0                                    | \$25.08 <sup>(4)</sup> | \$592.08     | \$200                |
| Temporary limitations   | \$567                        | \$121                                  | \$25.08 <sup>(4)</sup> | \$713.08     | \$200                |
| <b>1 Spouse of a student</b>  |                              |  |                        |              |                      |
| No limitations  | \$157                        | \$0                                    | \$14.92                | \$171.92     | \$200                |
| Temporary limitations   | \$157                        | \$121                                  | \$14.92                | \$292.92     | \$200                |
| 1 independent adult admitted to a shelter or required to live an establishment for social reintegration purposes or 1 minor adult sheltered with his or her dependent child | \$184                        | \$0                                    | \$0                    | \$184        | \$200                |
| <b>2 Adults<sup>(2)</sup></b>   |                              |  |                        |              |                      |
| No limitations  | \$878                        | \$0                                    | \$29.83                | \$907.83     | \$300                |
| Temporary limitations   | \$878                        | \$207                                  | \$29.83                | \$1,114.83   | \$300                |
| <b>2 Adults in different situations</b>   |                              |  |                        |              |                      |
| 1 adult with no limitations and 1 adult with temporary limitations  | \$878                        | \$121                                  | \$29.83                | \$1,028.83   | \$300                |
| 2 adults with temporary limitations, of which 1 adult is not entitled to the temporarily limited capacity allowance <sup>(2)</sup>  | \$878                        | \$121                                  | \$29.83                | \$1,028.83   | \$300                |

The purpose of the **Social Solidarity Program** is to grant last-resort financial assistance to people with severely limited capacity for employment. In the case of a family composed of two adults, only one adult must prove his or her severely limited capacity for employment in order for the family to be eligible for the program.

To obtain a social solidarity allowance, a medical report must be produced attesting to the fact that your physical or psychological condition is significantly impaired and will be permanently or for an indeterminate time and, therefore, in combination with your socio-occupational profile (little schooling, no work experience), you or your spouse have severely limited capacity for employment.

| Social Solidarity Program <sup>(1)</sup>   |                             |                        |              |                      |
|--|-----------------------------|------------------------|--------------|----------------------|
| Category   | Social Solidarity Allowance | QST Amount             | Total Amount | Excluded Work Income |
| <b>1 Adult</b>   | \$862                       | \$25.08 <sup>(4)</sup> | \$887.08     | \$100                |
| <b>1 Spouse of a student</b>   | \$436                       | \$14.92                | \$450.92     | \$100                |
| <b>1 independent adult admitted to a shelter or required to live an establishment for social reintegration purposes or 1 minor adult sheltered with his or her dependent child</b> | \$184                       | \$0                    | \$184        | \$100                |
| <b>2 Adults</b>  | \$1,289                     | \$29.83                | \$1,318.83   | \$100                |

<sup>(1)</sup> These amounts cover the adults' basic needs. Other amounts may be added as adjustments for dependent children of minor or major age, or as special benefits.

<sup>(2)</sup> If you are involved in an employment assistance measure or social assistance and support program administered by Emploi-Québec, in addition to your benefit, you could receive an employment assistance allowance or support allowance. If you are entitled to one of these allowances, however, you may not receive the temporarily limited capacity allowance at the same time.

<sup>(3)</sup> The basic benefit under the Social Assistance Program, which is granted to an independent adult, family or spouse of a student who lives with his parents, is reduced by \$100 per month or, in the case of the spouse of a student, by \$50 per month, except in the situations specified in the Regulation respecting individual and family assistance.

<sup>(4)</sup> If you share your dwelling with a person other than a dependent child, the QST amount is \$14.92 instead of \$25.08.

### Additional information

**Information and complaints office of the Ministère de l'Emploi et de la Solidarité sociale:**

**Quebec City: 418-643-4721**

**Elsewhere in Quebec (toll free): 1-888-643-4721**

**Web site: [www.mess.gouv.qc.ca/Index\\_en.asp](http://www.mess.gouv.qc.ca/Index_en.asp)**



## 10. Act Respecting Labour Standards (Quebec)

The *Commission des normes du travail (CNT)* is the organization responsible for the application of the *Act Respecting Labour Standards* as well as the *National Holiday Act*. The *Act Respecting Labour Standards* establishes the minimum conditions of employment for Quebec employees, providing the framework for universal labour standards.

### This Act Covers:

- wages (wage rates, payment, pay slips);
- calculation of indemnities for workers receiving tips;
- the duration of work and the right of an employee to refuse to work in excess of a certain number of hours;
- rest periods;
- statutory, non-working and paid holidays;
- paid annual leave;
- special clothing;
- work done by children;
- maternity, paternity, parental and adoption leave;
- absence due to illness, accident or criminal act;
- notice of lay-off;
- notice of dismissal;
- notice of termination of employment and notice of collective dismissal;

- recourses available for employees who believe that they:

- are owed money by their employer;
- have been victims of prohibited practices;
- have been dismissed without just and sufficient cause;
- have been victims of psychological harassment.

### Minimum Wage Rates

Since May 1, 2010, minimum wage rates are as follows:

General minimum wage: \$9.50 per hour

Employees receiving tips: \$8.25 per hour

Employees in the clothing industry: \$9.50 per hour

### Regular Work Week

The duration of a regular work week is 40 hours. The regular work week is used to determine when an employee must be paid a wage with a 50% premium (time and a half). However, applicable legislation makes provision for certain exceptions.

### The National Holiday

June 24 is Quebec's "National Holiday" - which is a non-working, paid statutory holiday. If June 24 falls on a Sunday, the statutory holiday is on the Monday, June 25 only for those employees who do not ordinarily work on Sunday. All employees are entitled to a holiday on this day.

### Contributions

The *Commission des normes du travail* finances its activities through a contribution collected from employers. The collection of this contribution, as stipulated in the *Act respecting Labour Standards*, is carried out by *Revenu Québec*. The contribution rate currently in effect is 0.08% of the remuneration subject to the contribution paid to an employee, up to an annual maximum of \$62,500.

### The CNT on the Internet

The *Commission des normes du travail* Web site offers a wealth of information on the *Act Respecting Labour Standards*. Questions submitted to the Web site will be answered within 24 hours. The CNT Web site also offers calculation tools for the indemnities provided for under the *Act respecting Labour Standards*, a sample of a pay slip and interactive tools (guides, videos, etc.) to help prevent psychological harassment in the workplace.

### Additional Information

**Montreal: 514-873-7061**

**Elsewhere in Quebec (toll free):  
1-800-265-1414**

**Web site: [www.cnt.gouv.qc.ca/en/home/index.html](http://www.cnt.gouv.qc.ca/en/home/index.html)**

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# 11. Automobile Insurance Act (Quebec)

The *Automobile Insurance Act* is administered by the *Société de l'assurance automobile du Québec* (SAAQ). It provides compensation for all Quebec drivers, passengers, pedestrians and other road users who suffer bodily injury caused by a traffic accident, regardless of whether they are responsible for the accident or not. The owner of an automobile operated in Quebec must have a liability insurance policy for an amount of at least \$50,000 to cover material damage caused by the automobile. The policy must be purchased from a private insurance company.

## Table of Benefits for Accidents and Deaths that Occur Between January 1 and December 31, 2010

| A. Income Replacement Benefit and Other Specific Benefits  |   |
|--|---|
| <p><b>The income replacement benefit amounts to 90% of net income calculated on the basis of gross annual income which cannot exceed \$62,500. Net income is calculated by subtracting from the gross income an amount equivalent to the federal and provincial income taxes, employment insurance contributions, Quebec Parental Insurance Plan contributions and Quebec Pension Plan contributions. Since January 1, 1996, the recipient of an income replacement benefit from the Société de l'assurance automobile du Québec is no longer entitled to a disability pension from the Quebec Pension Plan. However, if the latter pension is greater, the additional portion is paid to the recipient.</b></p> <p><b>The income replacement benefit is paid every two weeks to the accident victim or to his authorized representative for the duration of the disability, EXCEPT FOR THE FIRST SEVEN DAYS AFTER THE ACCIDENT.</b></p>   |   |
| Categories of Victims and Particulars of the Income Replacement Benefit  | Other Special Benefits Subject to Certain Conditions Specified in the Act   |
| <p><b>1. Victim Employed Full-time</b></p> <p>a) If the victim is employed as a wage earner, compensation is calculated on the gross income earned from his employment.</p> <p>b) If the victim is a self-employed worker, compensation is calculated on the gross income set by the SAAQ by regulation for a job in the same category, or on the gross income earned from his employment, if it is higher.</p> <p>c) If the victim has more than one job, compensation is calculated on the gross income earned from the job which he is no longer able to exercise, or, if applicable, from the jobs which he is no longer able to exercise.</p> <p>If, as a result of this accident, the victim is also deprived of regular benefits or employment benefits with the object of helping the victim acquire, through a training program, job-related skills provided for in the Canada Employment Insurance Act (Laws of Canada, 1996, Chapter 23) to which he was entitled at the time of the accident, he is entitled to additional compensation based on the benefits or compensation that would have been paid to him.</p>  | <p>Reimbursement of child care expenses (with supporting evidence);</p> <p>Weekly Maximum:</p> <ul style="list-style-type: none"> <li>• \$117 for 1 person</li> <li>• \$154 for 2 persons</li> <li>• \$195 for 3 persons</li> <li>• \$232 for 4 persons or more.</li> </ul>   |
| <p><b>2. Victim with Part-time or Temporary Employment</b></p> <p>During the first 180 days:</p> <p>a) If the victim is employed as a wage earner, compensation is calculated on the gross income earned from his employment.</p> <p>b) If the victim is a self-employed worker, compensation is calculated on the gross income set by the SAAQ by regulation for a job in the same category, or on the gross income earned from his employment, if it is higher.</p> <p>c) If the victim has more than one job, compensation is calculated on the gross income earned from the job which he is no longer able to exercise, or, if applicable, from the jobs which he is no longer able to exercise.</p> <p>For accidents, as of January 1, 1992:</p> <p>If, as a result of this accident, the victim is also deprived of regular benefits or employment benefits with the object of helping the victim acquire, through a training program, job-related skills provided for in the Canada Employment Insurance Act (Laws of Canada, 1996, Chapter 23) to which he was entitled at the time of the accident, he is entitled to additional compensation based on the benefits or compensation that would have been paid to him.</p> <p><b>As of the 181st day after the accident:</b></p> <p>Compensation is based on the assumed gross income from a job determined by the SAAQ.</p> | <p><b>For a victim with temporary employment:</b></p> <p>Reimbursement of child care expenses (with supporting evidence);</p> <p>Weekly Maximum:</p> <ul style="list-style-type: none"> <li>• \$117 for 1 person</li> <li>• \$154 for 2 persons</li> <li>• \$195 for 3 persons</li> <li>• \$232 for 4 persons or more.</li> </ul> <p><b>For a victim with part-time employment (less than 28 hours per week):</b></p> <p>Reimbursement of child care expenses (without supporting evidence);</p> <p>Weekly Amount:</p> <ul style="list-style-type: none"> <li>• \$385 for 1 person</li> <li>• \$433 for 2 persons</li> <li>• \$477 for 3 persons</li> <li>• \$525 for 4 persons or more.</li> </ul> |

| Categories of Victims and Particulars of the Income Replacement Benefit  | Other Special Benefits Subject to Certain Conditions Specified in the Act  |
|--|--|
| <p><b>3. Victim Unemployed and Able to Work</b></p> <p><b>During the first 180 days:</b></p> <p>The higher of the following two (2) compensations:</p> <ol style="list-style-type: none"> <li>Compensation based on the gross income earned from a job that the victim would have held had there been no accident.</li> <li>Compensation based on regular benefits or employment benefits with the object of helping the victim acquire, through a training program, job-related skills provided for in the <i>Canada Employment Insurance Act</i> (Laws of Canada, 1996, Chapter 23) that would be paid had there been no accident.</li> </ol> <p><b>As of the 181st day after the accident:</b></p> <p>Compensation is based on the assumed gross income from a job determined by the SAAQ.</p>  | <p>Reimbursement of child care expenses (without supporting evidence);</p> <p>Weekly Amount:</p> <ul style="list-style-type: none"> <li>\$385 for 1 person</li> <li>\$433 for 2 persons</li> <li>\$477 for 3 persons</li> <li>\$525 for 4 persons or more.</li> </ul>  |
| <p><b>4. Victim Age 16 or Over Attending a Secondary or Post Secondary Educational Institution Full Time</b></p> <ol style="list-style-type: none"> <li>If the victim is employed as a wage earner, compensation is calculated on the gross income earned from his employment.</li> <li>If the victim is a self-employed worker, compensation is calculated on the gross income set by the SAAQ by regulation for a job in the same category, or on the gross income earned from his employment, if it is higher.</li> <li>If the victim holds more than one job, compensation is calculated on gross income earned from the job which he is no longer able to exercise, or, where applicable, from the jobs, which he is no longer able to exercise.</li> </ol> <p>If, as a result of this accident, the victim is also deprived of regular benefits or employment benefits with the object of helping the victim acquire, through a training program, job-related skills provided for in the <i>Canada Employment Insurance Act</i> (Laws of Canada, 1996, Chapter 23) to which he was entitled at the time of the accident, he is entitled to additional compensation based on the benefits or compensation that would have been paid to him.</p> <p><b>If he is still unable to work after the scheduled date for the end of his current studies:</b></p> <p>Compensation is based on the average salary earned by Quebec workers (\$38,000 per year).</p> | <p>If the victim is unable to carry out or continue his current studies and if his studies are delayed, he is entitled to a lump benefit of:</p> <ul style="list-style-type: none"> <li>\$8,471 for every school year missed at the high school level;</li> <li>\$8,471 for every session missed at the post secondary level, up to a total of \$16,941 per year.</li> </ul> <p>Reimbursement of child care expenses (with supporting evidence);</p> <p>Weekly maximum:</p> <ul style="list-style-type: none"> <li>\$117 for 1 person</li> <li>\$154 for 2 persons</li> <li>\$195 for 3 persons</li> <li>\$232 for 4 persons or more.</li> </ul> |
| <p><b>5. Victim Under Age 16</b></p> <ol style="list-style-type: none"> <li>If the victim is employed as a wage earner, compensation is calculated on the gross income earned from his employment.</li> <li>If the victim is a self-employed worker, compensation is calculated on the gross income set by the SAAQ by regulation for a job in the same category, or on the gross income earned from his employment, if it is higher.</li> <li>If the victim holds more than one job, compensation is calculated on gross income earned from the job which he is no longer able to exercise, or, where applicable, from the jobs, which he is no longer able to exercise.</li> </ol> <p>If, as a result of this accident, the victim is also deprived of regular benefits or employment benefits with the object of helping the victim acquire, through a training program, job-related skills provided for in the <i>Canada Employment Insurance Act</i> (Laws of Canada, 1996, Chapter 23) to which he was entitled at the time of the accident, he is entitled to additional compensation based on the benefits or compensation that would have been paid to him.</p> <p><b>If he is still unable to work after the school year during which he reaches the age of 16:</b></p> <p>Compensation is based on the average salary earned by Quebec workers (\$38,000 per year).</p>   | <p>If the victim is unable to carry out or continue his current studies and if his studies are delayed, he is entitled to a lump benefit of:</p> <ul style="list-style-type: none"> <li>\$4,617 per year missed of primary school;</li> <li>\$8,471 per year missed of secondary school.</li> </ul>  |
| <p><b>6. Victim Regularly Unable To Perform Any Kind Of Work</b></p> <p>No income replacement benefit is paid, since the victim has not suffered any loss of income.</p>   | <p>Such a victim, like victims of other categories, is entitled to the benefits indicated in the following table.</p>  |
| <p><i>Note: Since January 1, 1992, benefits to compensate for the loss of employment insurance benefits can be paid for all categories of victims, as well as benefits to compensate for the loss of benefits with the object of helping the victim acquire job-related skills through a training program.</i></p>   |  |

| <b>B. Benefits for all other Categories of Victims</b>   |  |
|--|--|
| <b>1. Lump Sum Benefit for Inconveniences such as Loss of Amenities of Life, Psychological Suffering and Pain</b>  | Amount of the lump sum: maximum of \$215,999.  |
| <b>2. Other Benefits</b>   |  |
| Compensation for reimbursement of certain incidental expenses incurred as the result of the accident (if not covered under any other form of social security plan) | Reimbursement of expenses approved by the SAAQ (with appropriate supporting evidence).   |
| Compensation for reimbursement of personal home care assistance  | This compensation can go as high as \$771 per week if the physical or mental state of the victim requires the continual presence of an assistant.  |
| Compensation for reimbursement of manpower replacement costs in a family business  | Maximum reimbursement of \$770 per week (with supporting evidence) during the first 180 days after the accident, for expenses that a victim who works without pay in a family business must incur to hire a replacement to carry out his duties. |
| Compensation for rehabilitation  | Payment for goods and services to promote the victim's return to a normal life and reintegration into society or the job market, as part of a rehabilitation plan approved by the SAAQ.  |
| <b>C. Death Benefits</b>   |  |
| <b>1. Victim with Dependents</b>   |  |
| Surviving spouse   | The benefit paid to the surviving spouse varies from \$61,599 to \$312,500, depending on the victim's age and income.  |
| Disabled surviving spouse  | The benefit paid to the disabled surviving spouse of a deceased individual depends on the age and income of the victim.  |
| Dependents   | The benefit paid to the dependents of the deceased victim varies between \$29,258 and \$53,901, depending on the dependents' age.  |
| Dependent who is disabled at the time of the victim's death  | Additional benefit of \$25,409.  |
| Children and other dependents of the head of a single-parent family who dies   | In addition to their own benefits, they are entitled to the benefits that would have been paid to the surviving spouse, divided equally.   |
| <b>2. Person without Spouse or Dependents</b>  | \$49,372 divided equally between the victim's father and mother.   |
| <b>3. Funeral expenses</b>   | \$4,617 to the victim's estate.  |
| <i>Note: The benefit paid to the surviving spouse or dependents can, if requested by the beneficiary, be paid over a maximum period of 20 years.</i>               |  |

### **Additional Information**

**Montreal: 514-873-7620**

**Quebec City: 418-643-7620**

**Elsewhere in Quebec (toll free): 1-800-361-7620**

**Service for hearing impaired (TDD, teleprinter):  
514-565-7763 1-800-954-7763**

**Web site: [www.saaq.gouv.qc.ca/en/index.php](http://www.saaq.gouv.qc.ca/en/index.php)**



## 12. Tax Impact on Group Insurance

This table shows the tax impact on group insurance plans.

| Benefits  | Canada                            |  |                               | Quebec                            |  |                               |
|---|-----------------------------------|--|-------------------------------|-----------------------------------|--|-------------------------------|
|   | Expenses* deductible for employer | Employer's contribution taxable for employee | Benefits taxable for employee | Expenses* deductible for employer | Employer's contribution taxable for employee | Benefits taxable for employee |
| Life  | Yes                               | Yes  | No                            | Yes                               | Yes  | No                            |
| Accidental Death and Dismemberment, Dismemberment due to Illness and Critical Illnesses | Yes                               | No   | No                            | Yes                               | Yes  | No                            |
| Dependent's Life  | Yes                               | Yes  | No                            | Yes                               | Yes  | No                            |
| Short Term Disability   | Yes                               | No   | Yes**                         | Yes                               | No   | Yes**                         |
| Long Term Disability  | Yes                               | No   | Yes**                         | Yes                               | No   | Yes**                         |
| Health  | Yes                               | No   | No                            | Yes                               | Yes  | No                            |
| Dental Care   | Yes                               | No   | No                            | Yes                               | Yes  | No                            |

\* Expenses correspond to the portion of the premiums paid by the employer for this benefit.

\*\* If the employer pays any part of the premium.

Please note that the 9% provincial tax must be included in the calculation of the taxable benefit. It must also be noted that for the provincial government, any taxable benefit is an integral part of the insurable earnings used to calculate the employee and employer contributions to the Quebec Pension Plan. Furthermore, employers must include such taxable benefits in their total payroll when calculating Health Services Fund, CSST and CNT contributions. Taxable benefits must be calculated for every pay period so that payments to the government may be correctly determined.

To comment on this Bulletin, please send your e-mail to: [bulletin@ssq.ca](mailto:bulletin@ssq.ca).

The text contained in this document remains under the responsibility of the respective government agencies providing the text. In the event of discrepancy, the original text of the laws and regulations mentioned take precedence over the text contained in this bulletin.



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