

CONFERENCE OF ASSOCIATE DEANS FOR POSTGRADUATE MEDICAL EDUCATION OF FACULTIES OF MEDICINE OF QUEBEC



March 23, 2020

VIA EMAIL

To all Quebec resident doctors
To all directors of Quebec postgraduate medical education programs

Subject: COVID-19 – Resident doctors' collective agreement and Order in Council 2020-007

Dear Colleagues,

You are no doubt aware of *Order in Council 2020-007* from the Minister of Health and Social Services dated March 21, 2020, which provides in particular for the possibility that “the province-wide and local provisions of the collective agreements in effect in the health and social services network... may be amended, to enable the employer to meet the public’s needs.” In her Order, the Minister of Health and Social Services announces among other things the possibility that “the articles with respect to leave of any kind, paid or unpaid, including vacation, are amended to enable the employer to suspend or cancel leave already authorized, and to deny new leave.”

Following discussions held this morning between, in particular, the MSSS, the universities, and the FMRQ, the purpose of this message is to notify you of the conclusions reached in that regard by the associate deans for postgraduate medical education and the Fédération des médecins résidents du Québec.

Order in Council 2020-007 is a measure in preparation for a potential emergency. If it is activated, no clause in the Order can be implemented without consultation of the union concerned (the FMRQ in the case of resident doctors). Moreover, the clauses provided for in this Order can be put in place solely by order of the Minister. Furthermore, this Order concerns the work conditions of resident doctors as health system employees (and not the university rules governing postgraduate medical education that provide the framework for resident doctors’ training as learners).

Resident doctors’ current collective agreement therefore continues to apply in full. Leave and vacation can, of course, still be accepted or denied within the parameters already set out in the collective agreement. It should, however, be borne in mind that, in the present exceptional circumstances, vacation or leave already granted could be cancelled if certain clauses in the Order in Council were activated. Moreover, any decision to redeploy residents to allow for the health

emergency will have to be made by the program directors in conjunction with the Office of the Associate Dean for Postgraduate Medical Education concerned.

In fact, the potential redeployment of resident doctors' rotations is the universities' responsibility, but work conditions that could be affected by such redeployment (call schedules, vacation, leave, etc.) come under the MSSS-FMRQ collective agreement, and thus fall to the Teaching Offices, for healthcare establishments, and the FMRQ. Similarly, insofar as potential redeployment of resident doctors would be aimed at meeting needs in terms of healthcare services, dialogue with and consultation of the healthcare establishments concerned is imperative. That is why the MSSS-universities-FMRQ alignment work will have to continue in order to ensure that everything is done as optimally as possible in the current context, which is hard for everyone.

We continue to work hard to follow the evolving situation and to minimize its impact on resident doctors' training, while ensuring that we serve Quebecers well during these difficult times. We undertake to communicate with all of you regularly and effectively.

Yours truly,



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