

Coronavirus (COVID-19)

INFORMATION BULLETIN, JUNE 1, 2020

FOR EDUCATIONAL CHILDCARE PROVIDERS

1- CALL TO ALL EDUCATIONAL CHILDCARE PROVIDERS DURING THE NEXT PHASES OF RE-OPENING – CHILDREN OF WORKERS IN THE HEALTHCARE SYSTEM

It has been brought to the attention of the Ministère de la Famille (MFA) that some parents who are healthcare workers are **urgently looking for immediate childcare spaces for their children**. As we mentioned in the May 6, 2020 information bulletin, your collaboration is **essential** to the ongoing delivery of the essential services we so greatly need. We therefore ask again that you give special consideration to the childcare needs of **healthcare workers**, given the current health situation in Québec and the pressing need for these types of workers. By giving them priority when you have spaces temporarily available, you are helping fight COVID-19, a battle that is far from over. Our healthcare workers must have top priority and benefit from the best possible conditions for them to be able to carry out their mission.

2- GUIDE POUR LA GESTION DES CAS ET DES CONTACTS DE COVID-19

On May 26, the INSPQ published a guide on COVID-19 case management in childcare services (in French only). It can be viewed at the following address:
<https://www.inspq.qc.ca/publications/3013-gestion-cas-contacts-service-garde-prescolaire-covid19>

3- ANNUAL GENERAL MEETINGS OF EDUCATIONAL CHILDCARE ESTABLISHMENTS (CPEs)

As non-profit organizations governed by the *Companies Act* (chapter C-38), educational childcare establishments (CPEs) are legally required to hold an annual meeting of their members during the period determined by the constituting act or general by-laws of the company. Given that the holding of general meetings in person during the COVID-19 pandemic would contravene public health directives, the MFA favours the options

announced by the Ministère des Finances for enabling CPEs to fulfill their legal obligations:

1. Since the amendment of the *Companies Act* on November 6, 2019, unless the constituting act or general by-laws of the company contain provisions to the contrary in this regard, the meetings of members and of boards of directors may be held using a means that enables all participants to communicate with each other immediately, notably by phone, videoconference, or some other technological means, whether or not all persons agree.
2. Notwithstanding the prohibition in the constituting act or the general by-laws of the company, Ministerial Order 2020-029 of the Minister of Health and Social Services dated 26 April 2020 (*Gazette officielle du Québec*, 30 April 2020, Vol. 152, No. 18A) provides “that any meeting, sitting or assembly that takes place in person, including that of a deliberative body, may be held using a means that enables all members to communicate with each other immediately” and “that, when a secret ballot is required, it may be held by any means of communication agreed on by all persons who are entitled to vote or, failing that, by any means enabling both that votes be gathered in a way that they may be verified afterwards and the preservation of the secret nature of the vote.”
3. Boards of directors have the necessary powers to establish, through by-laws, the date and means for holding their annual general meeting.
4. Educational childcare establishments (CPEs) have various means available to enable them to comply with their legal obligations under the *Companies Act*. The choice of means is a matter for the CPE’s internal management staff and the judgment of its directors.

For any additional information in this regard, CPEs may consult their own legal counsel.

4- IMPORTANT INFORMATION: MUNICIPALITY OF L'ÉPIPHANIE

For purposes of implementing the different phases in the re-opening of services, please note that the measures and exceptions specific to the territory of the Montreal metropolitan community and that of the regional county municipality of Joliette, also apply, as the case may be, to the territory of the Ville de L'Épiphanie, pursuant to the Ministerial Order of 30 May 2020.

If you do not find the answers to your questions on these websites, we recommend that you call the Centre des services à la clientèle et des plaintes of the MFA at the toll-free number, 1-855-336-8568, between 8:30 a.m. and 4:30 p.m., Monday to Friday.