Changes in the workplace environment in Québec : What you need to know!

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On June 12, the *Act respecting labour standards* was amended to provide employees with more flexibility to favour a greater work-family/personal life balance.

Among the changes that should be noted, requiring more or less significant adjustment by employers:

1. Psychological and sexual harassment
2. Family and annual leave
3. Work hours

1. New requirement: adopting a policy for preventing psychological harassment and handling complaints

While a number of companies already have policies in place, beginning on January 1st , 2019, every employer will have to adopt and implement a policy for prevention of psychological harassment and the handling of such complaints.

In addition, from now on a person who believes they are a victim of harassment has two years (unlike the former 90 days) from the last incident of harassment, to file a complaint with the *Commission des normes, de l'équité, de la santé et de la sécurité du travail* ("CNESST") **or** to file a grievance under a collective agreement.

2. Increase in family and annual leave for employees

As of January 1st , 2019, employees with three years of continuous service (instead of 5 years) will be eligible for three weeks of annual vacation. It should be noted that although this amendment is effective as of January 1, 2019, an employee will have to complete the reference year in which

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he/she will have accumulated three years of continuous service to benefit from a third week of annual vacation.

In addition, as of January 1st, employees with 3 months of continuous service will be eligible for 2 days paid leave per year for family reasons or for illness. In all cases, notwithstanding the accumulated months of service, employees will continue to have 10 days of leave available per year for family reasons or for illness.

3. Work hours: reviewing the organization of work

As of January 1st, 2019, employees will also be able to refuse to work when they have not been informed at least five days in advance of being required to do so, unless it is an extension of at most two hours of their shift or if the nature of their duties require them to be available on call.

In order to allow employers some flexibility, the *Act respecting labour standards* now also allows for an agreement to be made in writing with an employee (non-unionized) for spreading work hours over more than one week, but at most four weeks, for the purposes of calculating overtime, without CNESST's authorization being necessary.

In a context of labour shortages, these changes in the workplace environment present an opportunity to increase the mobilization and retention of employees.

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