

Employees and Employers

# WHAT YOU NEED TO KNOW ABOUT EMPLOYMENT

Labour standards

Pay equity

Occupational health and safety



## **The Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST)**

promotes employment rights and obligations and ensures compliance among Québec employers and employees.

Our vision is to be an innovative organization recognized for our commitment to providing clients with a single information gateway and quality services on labour standards, pay equity and occupational health and safety.



### **THE CNESST ENSURES COMPLIANCE WITH APPROXIMATELY TEN LAWS AND RELATED REGULATIONS**

#### **LABOUR STANDARDS**

- *The Act respecting labour standards*
- *The National Holiday Act*

#### **PAY EQUITY**

- *The Pay Equity Act*

#### **OCCUPATIONAL HEALTH AND SAFETY**

- *The Act respecting occupational health and safety*
- *The Act respecting industrial accidents and occupational diseases*
- *The Workers' Compensation Act*
- *The Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries*
- *The Crime Victims Compensation Act*
- *The Act to promote good citizenship*
- *The Government Employees Compensation Act*

## WHAT YOU NEED TO KNOW ABOUT:



### Employee responsibilities

- Respect the conditions agreed on with the employer by providing the expected work performance
- Record your hours worked and keep your pay stubs

### Main employer obligations

- Pay all hours worked and other monetary benefits (e.g., overtime, vacation pay and holidays), even during trial periods or training
- Keep a payroll record and pay slip for each employee so wages and deductions can be verified
- Prevent workplace harassment (psychological or sexual) and put an end to any harassment situation that is brought to light. For that purpose, establish a prevention and complaint-processing policy and distribute it to staff
- Within the prescribed deadlines, provide written notice to an employee who is dismissed, fired or laid off for six months or more

### Labour standards: minimum compliance requirements

The labour standards set the minimal conditions that Québec employers must provide for their employees. Employers can offer better working conditions than the minimum standards set out in the *Act respecting labour standards*, but they can never offer less. The standards deal with salaries, pay slips, work schedules, holidays (statutory holidays, vacation, etc.), absences (sick days, family days, etc.) and employment termination.



### Employee responsibilities

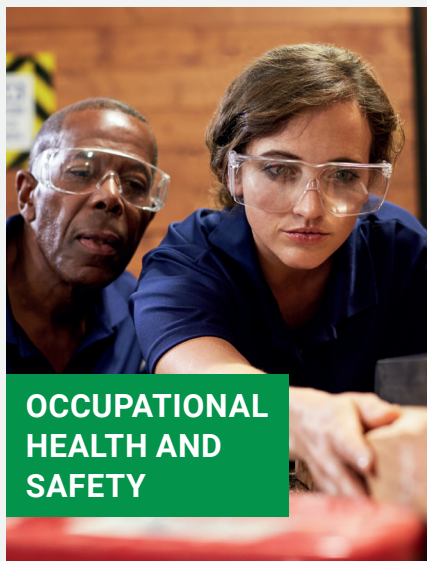
- Ensure that the characteristics of traditionally female jobs are evaluated at their fair value
- Be aware of posted results and, if appropriate, provide feedback

### Main obligations of an employer whose enterprise has ten or more employees

- Conduct a pay equity exercise
- Maintain pay equity by conducting an audit every five years
- Fill the *Employer Report on Pay Equity*
- For smaller enterprises: calculate the number of employees in the enterprise every year. As soon as the enterprise reaches an average of ten employees, comply with the main obligations in the left column

### Pay equity: recognizing female jobs at their fair value

Some characteristics of jobs predominantly or traditionally held by women are often underestimated or ignored, resulting in remuneration that does not reflect the fair value of these jobs. The *Pay Equity Act* requires that employers provide remuneration for traditionally female occupations that is equitable to that given for traditionally male occupations, even when the jobs are different.



### Main worker obligations

- Participate in identifying and eliminating risks that could affect health and safety in the workplace
- Take the necessary measures to protect your health, safety and physical well-being (e.g., by wearing the protective gear provided by your employer)
- Ensure that the health, safety and physical well-being of others in the workplace or nearby are not in danger

### Main employer obligations

- Take the necessary measures to protect workers' health and ensure their safety and physical well-being. Employers must:
  - adequately inform workers of the risks related to their specific jobs and ensure that they have the appropriate supervision, skills and training to safely carry out their tasks
  - ensure the safety of the equipment and facilities under their responsibility
  - ensure the safety of work organization, methods and techniques
  - apply methods and techniques that are aimed at identifying, controlling and eliminating risks
- provide all the means and the personal protective equipment needed free-of-charge and ensure that workers use them
- Register with the CNESST for workplace health and safety
- Pay Revenu Québec the insurance premiums in periodic installments
- Issue a *Statement of wages* once a year and submit it by March 15

### Occupational health and safety: promoting greater responsibility in the workplace

The objective of the occupational health and safety system is to prevent workplace accidents and occupational diseases by eliminating dangers at the source. The responsibility is shared by employers and workers. Under the system, workers who sustain a work-related injury or an occupational disease are entitled to income replacement benefits, other benefits, medical support (e.g., care and treatment) and rehabilitation services required by the occupational injury. The system also provides employment protection. As the administrator of this system, the CNESST ensures its financing through premiums collected from employers. The CNESST therefore fulfills a public insurer's role.



## OCCUPATIONAL HEALTH AND SAFETY

### GOOD TO KNOW

The ***Act respecting occupational health and safety*** provides that all workers are entitled to working conditions that respect their health, safety and physical well-being. It is intended to eliminate dangers at the source. Employees are entitled to services such as training, information and counseling regarding occupational health and safety, as well as to appropriate supervision and training. An employee may refuse to perform a task if there are reasonable grounds to believe that it represents a danger to himself or herself or to others.

Employees who sustain a work-related accident or an occupational disease must notify their employer or representative as soon as possible. In such situations, employers have the duty to provide first aid and emergency care in a timely manner. The injured employee can then submit a claim to the CNESST. The ***Act respecting occupational health and safety*** states:

- Employees who must take time off work due to a work-related injury or occupational disease must be paid by the employer for the day of the accident and compensated for the next 14 days of disability.
- Employees are allowed to choose their physician and the healthcare facility where they will receive treatment.
- The CNESST will reimburse the employer the compensation paid to the employee for the first 14 days of disability.

Once a claim is accepted:

- Starting on the 15th day, the CNESST will begin paying the employee income replacement benefits.

- Employees retain their right to return to work and can be reinstated in their job or an equivalent job as soon as they are found fit to return to work. However, this right is subject to a time limit.
- Employees who are not able to go back to work may be offered physical, professional and social rehabilitation services.

To learn more, read our pamphlet: *If you have a work-related accident or contract an occupational disease ... here's what you need to know!*

Promoting greater responsibility for health and safety in the workplace has many proven benefits, including fewer work-related accidents and occupational diseases and lower costs in compensation payments to injured workers.

## TOOLS YOU CAN USE

All the information employers and employees need to meet their occupational health and safety obligations can be found at [cnesst.gouv.qc.ca/sst](https://cnesst.gouv.qc.ca/sst).



## KNOW YOUR RIGHTS AND MEET YOUR OBLIGATIONS AT WORK

- Fair and balanced labour relations
- Female jobs paid at their fair value
- A safe and healthy working environment

## LABOUR STANDARDS

### GOOD TO KNOW

Non-unionized employees have access to remedies under the ***Act respecting labour standards***. Employees are urged to discuss the situation with their employer if, for instance, they are not paid the sums they are owed or they feel they have been subjected to a practice that is prohibited by law. The same applies to potential cases of psychological harassment. If the situation cannot be resolved in this manner, employees covered by the *Act respecting labour standards* can file a complaint with the CNESST. When filing a complaint, it is important to comply with the deadlines established by law.

### TOOLS YOU CAN USE

Employers and employees can find practical information, various tools and videos on our website at

**[cnesst.gouv.qc.ca/norms](https://cnesst.gouv.qc.ca/norms)**, including:

- the **maPaye** app, which is specially designed to facilitate the registration of the hours worked for one or more employers and receive alerts concerning overtime hours, paid holidays, etc.;
- the **monCalcul** tool, which is specially designed to help employers and employees estimate the amounts payable for a given pay period, days off and paid holidays.

Additional information is also available regarding the particular conditions that apply to agricultural workers, domestics and temporary foreign workers, as well as personnel placement.

# PAY EQUITY

## GOOD TO KNOW

Employees and certified associations have access to remedies under the **Pay Equity Act**. If it is believed that an employer has failed to duly fulfil its obligations (e.g., the exercise was not properly conducted or the results were not posted), a complaint can be filed with the CNESST. Deadlines for making complaints must however be respected.

## TOOLS YOU CAN USE

Pay-equity tools and training for workers and employers are available at **[cnesst.gouv.qc.ca/equite](https://cnesst.gouv.qc.ca/equite)**. These include:

- the “Objective: Pay Equity” **online training program**, which stipulates employers’ obligations and the steps involved in developing a pay-equity plan;
- **Webinars** designed to update or enhance your knowledge of pay-equity rights and obligations; and
- **pay-equity implementation and maintenance software** to help employers determine if pay equity has been achieved and maintained.



To contact us  
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