

# Mediation

A free service  
to help you rapidly  
settle a dispute



**LABOUR STANDARDS**

**For a better  
understanding**

The Act respecting labour standards governs the conditions of employment of a large number of employees. Whether you are an employer or employee, you may one day be involved in recourse for a practice prohibited under the Act, a dismissal not made for good and sufficient cause or psychological harassment.

If this were to happen to you, you would undoubtedly want to find a solution to the conflict without necessarily initiating legal proceedings, which can often be a long and costly process. The Commission des normes du travail offers you an alternative by way of its mediation service. You are free to take advantage of this service or not.

### A fast service

As soon as a complaint for a prohibited practice, a dismissal not made for good and sufficient cause or psychological harassment is filed before the Commission des normes du travail, a qualified person will call you to offer his services as a mediator. Upon obtaining your consent and the consent of the other party, this person will arrange a mediation meeting.

### A service geared toward communication

The mediator will help you initiate dialogue with the other party in a climate conducive to discussion. Your willingness to hear the other party's proposals will help favour positive interactions. Mediation will enable you to express your viewpoints in one another's presence, consider potential solutions and negotiate the terms of an agreement to which you will have freely given your consent.

For optimal results, begin considering the different solutions that may be proposed during the meeting. How would you like to see this matter resolved? What is important to you? This preliminary exercise will help clarify your expectations.

### A valuable service

Mediation allows you to:

- actively seek a satisfactory solution to the conflict;
- retain control over the decisions to be made;
- save yourself time, money and aggravation;
- reach a mutually acceptable agreement.

If no agreement is reached, the Commission des normes du travail will transmit the complaint to the Commission des relations du travail without delay. The Commission des normes du travail also offers the employee the opportunity to be represented by one of its lawyers, at no charge.

## In summary

Mediation is a free service offered to help employees and employers find a satisfactory solution to the dispute opposing them. The service is provided by qualified, impartial individuals who are respectful of your needs. Moreover, using the mediation service is completely voluntary.

Your only commitment: to be willing to find **a fair solution**.

### A proven service

The Commission des normes du travail has offered its mediation service since 1992, with the aim of assisting employers and employees involved in recourse for a practice prohibited under the Act respecting labour standards or a dismissal not made for good and sufficient cause. The service has also been used in recourse for psychological harassment since 2005.

The responses to various surveys demonstrate the quality of the mediation service, its usefulness and high level of user satisfaction.

### A professional service

The Commission des normes du travail's mediators must abide by certain ethical rules. A document that is available upon request describes their role, duties and responsibilities, in particular with respect to impartiality, fairness and confidentiality.

The mediator is neutral and does not take sides, be it for the employer or for the employee. His role is to:

- explain the mediation rules to you;
- inform you of your rights and obligations under the Act;
- support you throughout the process without, however, taking your place;
- create a climate that is conducive to dialogue;
- help you to express the facts related to the conflict;
- help you find avenues that will lead to a settlement;
- help you clearly evaluate the situation and the proposed solutions;
- make sure that you are satisfied with the proposed agreement.

To ensure that he remains objective, the mediator cannot have acted in another capacity in the matter that concerns you. Moreover, the information you confide in him during his mediation mandate is confidential, and no person may compel him to divulge such information. These guarantees are given under section 123.3 of the Act respecting labour standards.





## Service des renseignements

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*Original text in French.*

In this document the masculine form designates both women and men.  
No discrimination is intended.

**Commission  
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du travail**

**Québec** 

