

Labour, Employment and Human Rights in Québec



Legal Framework

Québec's labour and employment laws are essentially the same as those found elsewhere in Canada. These laws include:

- › [Act respecting labour standards, CQLR, c. N-1.1](#)
- › [Act respecting occupational health and safety, CQLR, c. S-2.1](#)
- › [Act respecting industrial accidents and occupational diseases, CQLR, c. A-3,001](#)
- › [Pay Equity Act: CQLR, c. E-12.001](#)
- › [Labour Code: CQLR, c. C-27](#)
- › [Act respecting the protection of personal information in the private sector, CQLR, c. P-39.1](#)
- › [Charter of Human Rights and Freedoms, CQLR, c. C-12](#)
- › [Charter of the French Language, CQLR, c. C-11](#)

Minimum Wage

In accordance with the **Act respecting labour standards** (“ALS” or the “Act”), the general minimum wage rate in Québec is now set at \$16.60 per hour as of May 1, 2026. This rate applies to most employees, subject to certain exceptions stipulated by regulation.

As of this same date, individuals receiving tips are paid a separate minimum rate of \$13.30 per hour. Special rates also apply to workers specifically hired for berry picking, such as raspberries (\$4.93/kg) and strawberries (\$1.32/kg).

The Québec government reviews these rates annually to ensure a fair ratio between the minimum wage and the average worker's income, taking into account changes in average salary and inflation.

Standard Hours of Work and Leave

A standard work week is set at forty (40) hours. Any hour worked beyond this limit is considered an overtime hour and must be paid, in accordance with section 55 of the Act, at the regular hourly rate plus 50%. However, a written agreement between the employer and employee may provide for compensatory time off, as long as the leave is taken within a reasonable timeframe.

Important

Although the legal standard work week is forty (40) hours per week, many companies—especially in the public, tech or unionized sectors—adopt reduced work weeks of 35 to 39 hours, without affecting the legal threshold for overtime.

Weekly and Annual Leave

Under **section 78** of the **ALS**, employers are required to give each employee a weekly rest period of at least thirty-two (32) consecutive hours, except as prescribed by regulation.

Under **sections 66 to 71** of the **ALS**, employees are entitled to annual vacation, which varies based on their seniority. For example:

- › Employees with less than one (1) year of uninterrupted service are entitled to one working day of vacation for each full month of service, up to a maximum of two weeks.
- › Employees with at least one (1) year but less than three (3) years of uninterrupted service are entitled to two consecutive weeks of paid vacation.
- › Employees with three (3) years or more of uninterrupted service are entitled to three consecutive weeks of paid vacation.

The amount of vacation pay is based on the salary earned during the reference year (4% or 6% of gross salary).

Parental Leave

The Québec parental leave plan is provided for under the **ALS** and the **Québec Parental Insurance Plan (“QPIP”)**. It provides for several types of parental leave, which include primarily:

- › **Maternity Leave:** A pregnant employee is entitled to maternity leave of up to eighteen (18) weeks, which may not begin earlier than sixteen (16) weeks before the expected date of delivery. This leave can be followed by parental leave.
- › **Paternity Leave:** Paternity leave of up to five (5) weeks is reserved exclusively for fathers and may be taken within seventy-eight (78) weeks following the birth of the child.
- › **Parental Leave:** Both parents can take up to sixty-five (65) weeks of parental leave, which must be taken within eighty-five (85) weeks following the birth or adoption of the child. This leave can be shared between the parents.

- **Adoption Leave:** In addition to parental leave, up to five (5) weeks of adoption leave is available to parents who are not entitled to maternity leave.

During these leaves, benefits are paid by the QPIP under either the Basic Plan (longer period but lower benefits) or the Special Plan (shorter period but higher benefits). Parents decide which plan will apply, and their decision is irrevocable once benefit payments have begun.

At the end of the leave, the employer must reinstate the employee to their position or to an equivalent position, with the same conditions of employment. Any discriminatory measure taken in relation to the exercise of these rights is prohibited.

Minimum Period for Notice of Termination

Under the *Civil Code of Québec* (“CCQ”), both employees and employers must give reasonable notice when ending an employment that is for an indefinite term. Under the **ALS**, employers must provide minimum notice of termination of employment ranging from one (1) week (for employees credited with 3 to 12 months of uninterrupted service) to eight (8) weeks (for employees credited with 10 years or more of uninterrupted service).

For non-unionized employees with several years of service, higher pay, or managerial responsibilities, employers must ensure compliance not only with the minimum indemnity under the **ALS**, but also with the reasonable notice of termination provided for in the *Civil Code*. This reasonable notice of termination is determined on a case-by-case basis according to various criteria, including the nature of the position, age, seniority, salary, whether the employee was recruited from a stable, well-paying position, etc.

Managerial-level employees often negotiate more generous compensation before signing an employment contract.

Important

Reintegration Into the Workplace

Unlike in other Canadian provinces, employees in Québec have access to certain recourses whereby they can demand to be reinstated after dismissal in certain circumstances, such as when an employee credited with two (2) years of uninterrupted service at the same company is dismissed without just and sufficient cause or when an employee has exercised a right provided for in the **ALS**.

Contributions and Payroll Taxes

In Québec, any employer with ten (10) or more employees that does not already offer a group retirement plan is legally required to establish a **Voluntary Retirement Savings Plan** (“**VRSP**”) or an equivalent plan. This obligation exists only in Québec and has no equivalent in other Canadian provinces. Employers are not required to contribute financially to the plan; however, they must ensure that it is available to their employees.

In addition, two mandatory public plans provide pension benefits, namely the **Canada Pension Plan** (“**CPP**”) and its Québec counterpart, **Retraite Québec**. These plans are financed by mandatory contributions shared between employers and employees.

With regard to employment insurance, the federal system serves as the standard across Canada. It is funded by mandatory contributions and provides benefits in the event of job loss, unless the employer has established an approved supplemental private plan.

Employers are also subject to other mandatory social contributions, including:

- > Health Services Fund (Fonds des services de santé)
- > CNESST contributions (labour standards + occupational health and safety fund)
- > QPIP contributions
- > Québec Pension Plan

Contributions required from employees are generally withheld at source by the employer and remitted to the appropriate authorities.

Unionization

Freedom of association is protected in Québec, as it is elsewhere in Canada, by the Canadian and Québec charters of rights. Employers are governed by either the *Québec Labour Code* or the *Canada Labour Code*, depending on whether they are subject to Québec or federal law.

These laws set out the requirements for forming a union and the right to negotiate a collective labour agreement, as well as the employer's obligation to negotiate with the employees' designated representatives.

Disagreements over the interpretation and application of collective agreements fall outside the jurisdiction of the courts, and must instead be settled by a grievance arbitrator.

Occupational Health and Safety

One of the fundamental principles of occupational health and safety legislation across Canada is that employers are ultimately responsible for health and safety in the workplace, but both workers and employers must make every effort to identify hazards and develop strategies to protect workers. Occupational safety is monitored in particular through inspections carried out by provincial government departments and agencies. In Québec, this body is called the **Commission des normes, de l'équité, de la santé et de la sécurité du travail** ("CNESST").

Every province has adopted workers' compensation legislation establishing a no-fault compensation system for work-related injuries and illnesses. These regimes cover loss of income and the cost of medical care, and generally prevent employees from taking legal action against their employer before any civil court.

The system is financed by employer contributions, which are primarily calculated and determined based on the employer's industry classification, risk level and its accident and claims history.

An Act to prevent and fight psychological harassment and sexual violence in the workplace (**Bill 42**)



Managing Psychological Harassment and Sexual Violence

Since 2024, the **Act to prevent and fight psychological harassment and sexual violence in the workplace (Bill 42)** has strengthened the legal framework in Québec already established under the **ALS** and the **Act respecting occupational health and safety in the workplace** for the prevention of psychological harassment and sexual violence in the workplace. It is part of a commitment to promoting respectful, safe and inclusive professional environments.

Businesses operating in Québec must ensure that they have clear and effective measures in place to prevent and address situations of harassment or violence. This includes:

- Adopting a prevention policy that complies with the requirements of Bill 42, as part of their prevention program or occupational health and safety action plan
- Preventing and stopping all forms of harassment, including harassment by third parties (customers, suppliers, visitors)
- Protecting employees from reprisals, especially when reporting harassment or cooperating in an internal investigation
- Recognizing psychosocial risks as occupational health and safety issues, in the same manner as physical risks
- Collaborating with the CNESST, the organization responsible for enforcing these obligations and offering adapted tools, training and policy models.

The law also provides for civil and administrative penalties for violations, including allowing the Administrative Labour Tribunal to order punitive damages where employers are personally liable for intentional and unlawful harassment.

Canadian businesses looking to establish themselves in Québec must therefore ensure that their internal policies align with Québec's framework, which is stricter than those in other provinces.

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