

It is OK to Speak Up:



## Know Your Rights in Workplace

### Act respecting Labours Standards



In Quebec, the Act respecting Labours Standards stipulates what is legally acceptable with regards to salaries, the length of the work-week, holidays, termination, etc. Employers can go beyond the protections given under the Act and offer better working conditions, but they can never offer less. Employers must respect the standards set out in the Act. If they do not, they can be fined or sued. The Act respecting Labours Standards is a law of "public order", which means that statements in work contracts that give an employee less than what is in the Act are not valid.

### Workplace Harassment



Workplace harassment can be described as the act of submitting a person to repeated attacks – verbal, behavioral or otherwise – with the intent to weaken or intimidate that person.

### To be considered harassment, a person's conduct must be:



- Vexatious behavior (humiliating or offensive and repeated (or very serious).
- Hostile (aggressive or menacing) or unwanted conduct.
- The conduct must attack a person's physical or psychological integrity, or their dignity.
- The conduct must create a harmful workplace environment.



#### Available resources for the victim of workplace harassment

- Talk to your employer.
- Get in touch with a member of the organization who is responsible for handling harassment claims.
- Contact the union representative.
- Speak with the person who is harassing you.
- Speak with a lawyer or legal counselor.
- File a complaint against your employer or the person you are accusing of harassment with the police to bring them to the court.



#### How to file a workplace harassment complaint?

Under Québec law, a harassment complaint must be filed within 90 days of when the most recent alleged harassment occurred and must be filed with the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST).

CNESST will proceed with Mediation and Investigation and will decide whether or not they will represent the complainant before the "Tribunal administratif du travail".

Disclaimer: This infographic is for informational purpose only and should not be construed as legal advice. For more information, please contact [intheknow@bcrcmontreal.com](mailto:intheknow@bcrcmontreal.com)



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