

FEBRUARY 2024 MONTH IN REVIEW

Québec

LAWS & ANNOUNCEMENTS

Employment Benefits

Jan 1: New [rules](#) for calculating the QPP disability pensions of persons ages 60 to 65 officially went into effect. All beneficiaries will now receive the same monthly amount in disability pensions, \$583.29 in 2024, as well as a QPP retirement pension based on their employment earnings since turning 18-years-old.

Employment Benefits

Feb 10: Comments closed on [draft regulations](#) amending supplemental pension plan rules affecting persons ages 55 and over. Key changes: i. Elimination of upper limit for withdrawals of Life Income Funds (effective July 1, 2024); and ii. New calculation rules for temporary and life income related to LIFs (effective January 1, 2025).

Health & Safety

Dec 13: CNESST issued [draft regulations](#) imposing new OHS safety requirements for personal lifting devices and mobile personnel platforms used at construction projects and mines, including with regard to the training required to operate these particular kinds of equipment.

Action Point: Find out [how to create a vibrant safety culture](#) at your organization

Workers Comp

Mar 15: That's the deadline for Québec employers to submit their workers comp data

payroll reports to CNESST listing actual 2023 payroll expenses and estimated expenses for 2024, to avoid the risk of potential late fees, interest and penalties.

Action Point: Look up the [2024 workers comp rates](#) in each part of Canada

CASES

Progressive Discipline: 3-Months' Suspension Without Pay Is Fair Penalty for Threatening Violence

An overhead crane operator with a lengthy disciplinary for lateness and unexcused absences learns that his partner has left the house leaving his 12-year-old son alone. He explains the situation to the HR director and asks permission to leave work. Given his previous attendance issues and the fact that this is the operator's final day before a 2-week vacation, HR denies the request. The conversation turns heated and the operator, red in the face, threatens to bash his bosses in the head with a baseball bat. As a result, he's suspended without pay for 3 months. While acknowledging that discipline is in order, the union contends that the penalty is too harsh given the operator's nearly 25 years of service at the plant, genuine remorse and the unpremeditated nature of his behaviour. But the Québec arbitrator is un-swayed and upholds the penalty, reasoning that the operator's threats were serious and warrant severe discipline [[Union of workers in manufacturing industries – CSN, CANAM buildings and structures section c CANAM Bâtiments et structures inc.](#), 2024 CanLII 4268 (QC SAT), January 18, 2024].

Action Point: Find out how to implement a legally sound [progressive discipline policy](#) at your workplace

Termination: Failing to Properly Notify Supervisor Costs Worker His OHS Work Refusal Claim

A pharmacy checkout worker in charge of opening the store arrives to find the power out. While the pharmacist and others continue to work by flashlight awaiting word on the situation, the checkout worker concludes that working in the cold and dark is too dangerous and leaves after 20 minutes. In combination with previous incidents, the pharmacy decides to fire him. The worker claims he suffered retaliation for exercising his OHS work refusal rights. CNESST rejects the claim after finding that the worker was the only one who left and that he never gave his supervisor notice that he was engaging in a work refusal as required by OHS laws [[Bergeron c. Panacée Parma inc.](#), 2023 QCCNESST 440 (CanLII), December 4, 2023].

Action Point: Go to the HR Insider [Work Refusals Compliance Centre](#) for help dealing with refusals at your workplace