

JUNE 2023 MONTH IN REVIEW

Québec

LAWS & ANNOUNCEMENTS

Payroll

May 31: Income tax changes affect source deductions on remuneration paid after June 30. Rates drop from 15% to 14% for income up to \$49,275, and from 20% to 19% for income between \$49,275 and \$98,540. The rate for bonuses or retroactive payments to employees with estimated 2023 remuneration (including the bonus or payment) below \$17,183 decreases from 8% to 7%.

Labour Standards

May 31: Bill 19 is still in Committee. Highlights: i. ban employment of children under age 14 except in extraordinary cases; ii. limit children subject to compulsory school attendance to 10 hours of work from Monday to Friday and 17 hours per week; and iii. double maximum fines to \$1,200 for a first offence and \$12,000 for a repeat offence.

Action Point: Find out about the [minimum age requirements](#) across Canada

Privacy

May 25: The Québec Information Access and Privacy Commission will join its federal, Alberta and BC counterparts in jointly investigating OpenAI, the artificial intelligence company that operates ChatGPT, to ensure that it's secured "valid and meaningful consent" to collect, use and disclose personal information of individuals in Canada via the new app, which has gained over 100 million worldwide users since its release last November.

Action Point: Guard against ChatGPT risks by implementing a legally sound [workplace artificial intelligence use policy](#)

Workplace Harassment

May 5: The government-appointed Expert Committee published its nearly 350-page final [report](#) on preventing violence and harassment in the workplace. The Québec MOL will now read through the recommendations and decide on a strategy.

Action Point: Use the HRI [template](#) to create your own workplace harassment and violence policy

Workers Comp

May 18: Good news for Québec employers: CNESST has reduced the 2024 average contribution rate for the Occupational Health and Safety Fund (FSST) by 2 cents to an all-time low of \$1.48 per \$100 of payroll. The reduction is possible because despite the lousy economy, the Occupational Health and Safety Plan has an effective capitalization rate of 121.6%.

CASES

Termination: Worker Fired for Unauthorized Machine Alteration Gets to Keep His Job

After unsuccessfully trying to plug a floor polisher mean into the wall socket, the team leader at a wind turbine blade manufacturing company decided to alter the equipment to make the plug fit, causing an electrical short circuit that permanently damaged the machine's electrical panel. As a result, he got fired. The union claimed the penalty was too harsh. The Québec arbitrator agreed and reduced it to a one-year suspension. True, the leader committed a serious safety violation and deliberately violated an order to not mess with the machine. But he also accepted full responsibility for his actions without offering any excuses, expressed sincere regret for his mistake and had a clean disciplinary record before the incident. So, the arbitrator said the company was off base in concluding that he could no longer be trusted and incapable of redemption [[Union of LM Wind Power Workers - CSN v Pales d'éolienne LM \(Canada\) Inc. and its foreign version LM Wind Power Blades \(Canada\) Inc.](#), 2023 CanLII 37591 (QC SAT), May 3, 2023].

Health & Safety: City Must Add “Thermal Phenomena” to Firefighting Safety Training

A labour arbitrator upheld the union's grievance against the City of Montréal for failing to add a practical component covering backdraft, flashover and fire gas

ignition to the refresher training it provides to firefighters. The City claimed that the arbitrator overstepped her legal authority while also failing to consider the existing training provided to firefighters. The Court of Québec found the arbitrator's ruling valid and reasonable and dismissed the City's appeal [[*City of Montreal c. Administrative Labor Tribunal \(Occupational Health and Safety Division\)*](#), 2023 QCCS 938 (CanLII), March 27, 2023].