

# Québec

## LAWS & ANNOUNCEMENTS

### Training

Jul 8: Under [new regulations](#) taking effect in December there will be 2 ways to obtain a Class 1 driver's license in Québec: i. complete a driving course - Class 1 (new) from a training provider recognized by the Société de l'assurance automobile du Québec (SAAQ); or ii. obtain a vocational studies diploma in Truck Transport.

### Employment Benefits

Jul 1: Effective today, eligible bereaved parents in Québec will receive Family Allowance and the supplements for handicapped children, if applicable, for an additional 12 months after the month of the child's death or, if the child died at age 17, until the child would have reached age 18.

### Health & Safety

Jul 16: CNESST proposed [changes](#) to OHS safety regulations for forestry work: i. Carrying out forest inventory, clearing vegetation under electric power lines and forest hammering added to definition of "forest management work" covered by the Reg.; ii. Revised versions of CSA standards that chainsaw chains and safety shoes must meet; iii. Modifying brush cutting equipment OK if the manufacturer allows it; and iv. Addition of paramedics to the list of people who can be contacted when there are fewer than 9 workers.

## CASES

### Discipline: OK to Suspend Warehouse Worker for Wearing Personal Earpiece

A warehouse suspended a worker one day after a foreman saw him wearing a personal earphone in violation of its safety policy banning the use of potentially distracting electronic devices at work. The worker vehemently denied the charge, setting up a classic he said/he said dispute in which the employer had the burden of proving the allegation by "a preponderance of evidence." While acknowledging that the foreman was more credible, the union insisted that he must have been mistaken because the worker didn't own the kind of earpiece the foreman described and ii. even if he did, he wouldn't have been so stupid as to wear it in the foreman's presence. But the Québec arbitrator refused to bite. The foreman's story and demeanor were credible and he had no motive to lie. The possibly that he was mistaken couldn't be 100% ruled out; but the employer didn't have to do this to meet its burden of proof, especially since this was just a suspension and not a termination [[United Food and Commercial Workers, Local 501 v. Metro Richelieu Inc. \(Grocery Division - Centre Mérite 1\)](#), 2025 CanLII 69711 (QC SAT), July 18, 2025].

**Action Point:** Find out how to implement a legally sound [progressive discipline policy](#) at your workplace that you can use to enforce safety and other HR rules and

policies.

### **Termination: Unqualified Forklift Driver Can't Blame Company for His Firing**

The teamsters union claimed that a warehouse company set up a worker to fail by transferring him to a more demanding forklift operator position in the steel department and then firing him because he lacked the necessary skills to do the job effectively. The company argued that it had to get the worker out of the department where he was recently involved in a nasty incident with a co-worker and that there weren't many positions with equivalent job responsibilities and pay available. We didn't realize he couldn't do the job until after the transfer. The Québec arbitrator upheld the termination and dismissed the grievance. Although the worker could operate the forklift, he dropped pallets, spilled products, backed into equipment and damaged merchandise, all of which caused hours of lost time. The company pointed out his problems, gave him ample time and opportunity to correct them and warned that termination would be in the cards if he didn't, the arbitrator added [Teamsters Québec, local 106 c Immeubles RB Ltée (Distribution Center), 2025 CanLII 68147 (QC SAT), July 11, 2025].