

APRIL 2023 MONTH IN REVIEW

Québec

LAWS & ANNOUNCEMENTS

Workers Comp

Apr 1: New laws take effect that give injured workers the right to appeal unfavourable CNESST decisions to the Québec Administrative Labour Tribunal within 60 days of the decision.

Workers Comp

Mar 15: That's the deadline by which Québec employers must submit their actual 2022 workers comp data payroll reports to CNESST without risk of potential late fees, interest and penalties.

Environmental

Mar 7: Québec plans to quadruple annual fees paid by large companies to offset environmental harms. The base rate would go from \$2.20 to \$9.03 per tonne; the weighting factor for arsenic and cadmium emissions would increase from 200 to 500; annual caps on fees for discharges into water, atmospheric emissions and mine tailings would double to \$2 million.

CASES

Return to Work: Requiring Employee to Follow Treatment Plan Isn't Psychological Harassment

An employer with a self-insured health plan learned that an employee on medical leave due to depression and anxiety wasn't taking the antipsychotic drug prescribed by her physician. Unless and until you send us proof of your intent to take the

medications, we're treating your leave as an unauthorized absence, the employer told her. The employee refused and the union claimed psychological harassment. The Québec arbitrator dismissed the grievance. While the wording and timing of the demand was a bit clunky, the employer's insistence that the employee follow her treatment plan wasn't psychological harassment but a legitimate exercise of management authority [*Union of Public and Parapublic Employees of Quebec v Quebec Revenue Agency*, 2023 CanLII 10885 (QC SAT), February 10, 2023].

Action Point: Implement a [workplace violence and harassment compliance game plan](#) at your site