

OCTOBER 2024 MONTH IN REVIEW

Québec

LAWS & ANNOUNCEMENTS

Fall Protection

Sep 18: CNESST proposed [changes to OHS regulations](#) that would require employers to ensure that the design, installation, use, and inspection of mobile personnel platforms and mast platforms at construction sites meet CSA standards and that workers receive special safety training before being allowed or required to operate such equipment.

Action Point: Find out how to implement a legally sound [Fall Protection Compliance Game Plan](#) at your site.

Industry Challenges

Oct 2: Newly tabled [Bill 76](#) requires contractors or owner-builders to: i. implement a site monitoring plan providing for inspection of construction work at 3 or more key stages in the construction process; ii. obtain a certificate of the work's compliance with the *Construction Code* or municipality construction standards; and iii. enter into a contract for these purposes before starting construction work.

Workplace Harassment

Sep 16: As part of its most recent workplace harassment awareness campaign, CNESST published new [guidance](#) to help employers and workers identify behaviours that constitute psychological harassment and sexual violence. In the first 6 months of 2024, the agency conducted 598 workshops with 2,801 employers and 7,601 workers.

Action Point: Find out how to implement an effective [Workplace Violence and Harassment Compliance Game Plan](#) at your site.

Privacy

Oct 3: The Assembly tabled new legislation ([Bill 73](#)) establishing mechanisms that individuals can use to prevent the publication of their intimate images without

consent. Specifically, individuals could go to the Court of Québec and obtain an order barring publication. Those who disobey orders not to publish would then be subject to stiff penalties.

Workers' Comp

Oct 2: CNESST published proposed [new workers' comp rates](#) for 2025, including: i. the classification units, the contribution rate for each unit, and the experience ratios used in calculating the employer's personalized rate; ii. rates for joint sectoral associations financing; iii. the flat rate used to establish the contribution of employers of students doing unpaid internship; iv. the annual fixed rate and the rate applicable to the protection of a member of a board of directors; v. the threshold for subjection to the personalized rate and the parameters of the degree of customization; and vi. the insurance premiums required for the retrospective adjustment of the contribution.

CASES

Airborne Contaminants: Employer Not Financially Responsible for Plumber's Asbestos Illness

CNESST allocated 6.32% of the costs of a plumber pipefitter's work-related asbestosis to a construction engineering company for whom the victim worked between 2009 and 2011. The employer insisted that it shouldn't have to pay any of the costs associated with the illness. The Québec Administrative Labour Tribunal citing evidence showing that: i. the plumber worked at the company for only 2 years; ii. the company took measures to guard its workers against asbestos and the plumber had zero to minimal exposure to asbestos during his brief tenure with the firm; and iii. the medical literature shows that people don't get asbestosis until 20 to 40 years after exposure [[Gastier MP inc.](#), 2024 QCTAT 3126 (CanLII), August 28, 2024].

Action Point: Find out how to implement a legally sound [Airborne Contaminant Exposure Control Plan](#) at your workplace.