

Québec

LAWS & ANNOUNCEMENTS

WHMIS

Apr 9: The Québec Assembly passed [Bill 85](#), a broad piece of legislation designed to cut government red tape that, among other things, expands the authority of CNESST under the *OHS Act* to determine which contaminants and dangerous substances an employer must keep a register for and under what conditions.

Action Point: Find out how to implement a [WHMIS Training Compliance Game Plan](#) at your workplace.

Electrical Safety

Apr 2: A landscape worker suffered electric shock when the hedge trimmer equipped with an extension cord that he was carrying up a ladder touched a live 14.4 kV power line. He died in the hospital a week later. CNESST investigators [concluded](#) that the employer didn't do enough to ensure workers maintained the required minimum approach distance to live power lines and ordered it to suspend its work trimming decorative hedges near medium-voltage power lines. It also instructed the employer to develop safe work procedures and train workers on overhead power lines risks.

Action Point: Find out how to implement a legally sound [Electrical Safety Compliance Game Plan](#) that can help you prevent such tragedies from happening to your own workers.

New Laws

Apr 8: [Bill 84](#) proposing to establish a model for integrating immigrants and cultural minorities into Québec society and French language culture continues to work has been reported out of Committee. The Bill also outlines what's expected of the Québec province and Québécois, especially immigrants.

Industry Challenges

Mar 20: The Government of Canada announced that it will provide Québec over \$13.3 million for 28 projects designed to help the province boost the competitiveness and resiliency of its forestry sector, nearly \$10.8 million for 6 projects to facilitate

adoption and commercialization of new technologies to create low-carbon products and over \$2.5 million for 22 projects to advance economic development opportunities in the sector for Indigenous communities.

New Laws

Mar 21: Under its newly signed bilateral agreement with Ottawa, Québec will receive more than \$305 million to improve residents' access to new and existing drugs treating, early diagnosis of and screening for rare diseases.

Environmental

Mar 31: Québec announced that it plans to deploy an additional 394 fast-charge public electric vehicle charging stations in 66 cities. The goal is to deploy 6,700 public fast-charging stations across the province by 2030.

CASES

Machine Guarding: Employer Didn't Use Due Diligence to Prevent Circular Saw Injury

A construction company convicted of failing to properly guard a circular saw resulting in a hand injury to an apprentice carpenter-joiner appealed, contending that it wasn't the victim's employer and that it exercised due diligence to prevent the violation. The Québec court rejected both arguments and upheld the conviction. Because it controlled the work, the defendant company could still be the "employer" even though the lower court found that the victim was under the temporary employment of another firm at the time of the accident. In nixing the due diligence defence, the court noted that even though the company had a prevention program, it didn't take steps to ensure that workers actually read and understand it. It was also foreseeable that a carpenter-joiner would suffer injuries as a result of using an unguarded circular saw [*Constructions Stéphane Fortin Inc. v. CNESST*, 2025 QCCS 1084 (CanLII), April 4, 2025].

Action Point: Find out how to implement a legally sound [Machine Guarding Compliance Game Plan at](#) your workplace.

OHS Enforcement: Disregard for Safety Leads to Above Minimum Fine for First OHS Offence

Three masons suffered serious injuries when the 3-storey residential building they were working on suddenly collapsed. The project manager pleaded guilty to failing to provide a safe building for masonry work. The prosecution asked for a \$49,023 fine plus legal costs; the project manager argued for a fine of less than half that amount. The Québec court decided on a fine of \$42,018, well below the maximum \$70,027 fine for a first offence but also above the minimum fine of \$17,505. The company had no criminal record, pled guilty and posed little risk of committing a repeat offence. However, the company also showed little regard for safety, planned the project

poorly and knew that the building's wooden structure was fragile increasing the risk of collapse [[CNESST v. Mirabel Urbain Projet immobilier inc.](#), 2025 QCCQ 1060 (CanLII), March 25, 2025].

Heat Stress: Keeping Schools Open in Heat Wave Is Not Abuse of Management Rights

The union sued a school services center for keeping its 20 un-air-conditioned facilities open during a 4-day June heat wave during which temperatures fluctuated around 40° C. The Québec arbitrator agreed that in so doing the center violated its OHS and collective agreement duty to ensure the roughly 1,200 workers at each school a safe workplace even though there was no intervention by CNESST or any actual complaints from workers. However, it refused to award any damages for abuse of management rights, finding that the center's decision was "reasonable and diligent" given that the heat wave occurred during final exams that couldn't be postponed. "There was an urgency to act within the imperative deadlines imposed by the Ministry," the arbitrator reasoned [[Outaouais Professional Staff Union v. Cœur-des-Vallées School Services Center](#), 2025 CanLII 27867 (QC SAT), April 3, 2025].

Action Point: Find out how to implement an effective [Heat Stress Compliance Game Plan](#) at your workplace.

Workplace Harassment: Employer's Failure to Preserve Browser Records Doesn't Nullify Porn Suspension

Hydro-Québec suspended an IT systems engineer for 3 months for allegedly using his work computer to access illegal online porn content while working from home during the pandemic. The union denied the accusation and asked the arbitrator to wipe out the disciplinary action due to HQ's failure to make a mirror copy of the engineer's computer browsing history, which the union claimed was an act of bad faith that undermined the evidence's reliability and the ability to challenge it in the proceeding. But the arbitrator was unimpressed and tossed the grievance. There's a big difference between deliberately destroying evidence and simply not taking steps to preserve it. Besides, the engineer also could have kept records of his own browsing history if it would have exonerated him [[Professional Union of Hydro-Québec Engineers v. Hydro-Québec](#), 2025 CanLII 19703 (QC SAT), March 5, 2025]. **Action Point:** Find out how to implement an effective [Workplace Harassment Compliance Game Plan](#) at your site.