

Pull the Plug: Quebec Proposes Legislation Allowing Workers to Disconnect

Among other recently proposed changes to Quebec's labour laws was a private member's bill which, if passed, would require employers to implement an 'after hours' policy allowing employees to disconnect from work communications.

If passed, Bill 1097 would require employers to establish a policy outlining weekly periods when employees are entitled to disconnect from all work-related communication including email. The policy would also have to outline the parameters for using these communication tools outside of work hours.

Employers with more than 100 employees would need to develop a disconnection policy with a committee of at least 6 people, half of which are employees. Employers with fewer than 100 employees would not be required to have a committee but would have to consult with employees regarding the policy. The Bill states that the disconnection policy would need to be submitted to the Commission des normes, de l'équité, de la santé et de la sécurité de travail (CNESST) for validation and approval and that the employer would be required to make any revisions recommended by the CNESST. It also outlines penalties for employers who fail to develop a policy.

This proposed Bill is a result of a broader global discussion surrounding technology and its impact on work-life balance currently taking place. You may recall an e2r® Alert sent last year outlining similar legislation enacted in France in early 2017; under the French legislation, French employees can "switch off" after leaving the office, meaning no emails should be sent or responded to after-hours. This legislation has led to broader discussions on the part of Canadian employers and legislators surrounding the expectations on employees outside of office hours. If passed, Bill 1097 would make Quebec the first Canadian province to adopt measures limiting after-hours work communications.

It will be interesting to hear the debates on this subject as the Bill makes its way through the legislature. The real-world implications of the Bill will need to be discussed, including the impact on mobile workplaces and other flexible work arrangements where less face-time is required. We will continue monitoring the progress on the Bill and will be sure to communicate with you if it passes. If you have any questions on this subject in the meantime, please do not hesitate to contact us to speak with an e2r® Advisor.