



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 796

**An Act to amend the Act respecting
labour standards to facilitate informal
caregiving**

Introduction

**Introduced by
Mr. Marc Picard
Member for Chutes-de-la-Chaudière**

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EXPLANATORY NOTES

The purpose of this bill is to allow an employee to be absent from work to provide care or support to a close relation, whether a relative or not (informal caregiving).

The Act respecting labour standards is amended to allow an employee to be absent from work, without pay, 10 days a year, to provide such care or support as is currently permitted to fulfil his or her parental obligations or due to the state of a family member's health.

The 10 days an employee may be absent for family or parental matters or to provide care or support to a close relation may be divided into hours or otherwise, with the employer's consent.

Furthermore, the number of weeks an employee may be absent from work over a 12-month period is increased from 12 to 17 if the employee must stay with his or her child, spouse, spouse's child, father, mother, father's or mother's spouse, brother, sister or grandparent due to an illness or a serious injury. In the same circumstances, the employee may be absent for the same length of time when required to stay with a close relation, whether a relative or not.

Lastly, an employee may be absent from work no more than 28 weeks over a 12-month period if the illness or injury involves a significant risk of death. However, if the employee's minor child needs care or support due to an illness or injury involving a significant risk of death, attested by a medical certificate, the employee remains entitled to an extension of the absence. The absence ends at the latest 104 weeks after beginning.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting labour standards (chapter N-1.1).

Bill 796

AN ACT TO AMEND THE ACT RESPECTING LABOUR STANDARDS TO FACILITATE INFORMAL CAREGIVING

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The heading of Division V.1 of Chapter IV of the Act respecting labour standards (chapter N-1.1) is replaced by the following heading:

“FAMILY, PARENTAL OR INFORMAL CAREGIVING LEAVE AND ABSENCES”.

2. Section 79.7 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“An employee may be absent from work, without pay, for 10 days per year to fulfil obligations relating to the care, health or education of the employee’s child or the child of the employee’s spouse, or because of the state of health of the employee’s spouse, father, mother, father’s or mother’s spouse, brother, sister or one of the employee’s grandparents, or to provide care or support to a close relation, whether a relative or not (informal caregiving).”;

(2) by inserting “into hours or otherwise” after “day may also be divided” in the second paragraph.

3. Section 79.8 of the Act is replaced by the following section:

“79.8. An employee may be absent from work for a period of not more than 17 weeks over a period of 12 months if the employee must stay with the employee’s child or spouse or the child of the employee’s spouse or the employee’s father, mother, father’s or mother’s spouse, brother, sister, one of the employee’s grandparents or a close relation, whether a relative or not, due to an illness or a serious injury.

However, if the illness or injury involves a significant risk of death, the employee may be absent from work for a period of not more than 28 weeks over a period of 12 months, provided the employee produces a medical certificate attesting that the person requires care or support from one or more close relations.

Where the employee’s minor child needs care or support due to an illness or injury involving a significant risk of death, attested by a medical certificate,

the employee is entitled to an extension of the absence. The absence shall end at the latest 104 weeks after beginning.”

4. This Act comes into force on (*insert the date of assent to this Act*).