



LAPOINTE ROSENSTEIN  
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# Newsletter

## Labour and Employment Law

December 2015



M<sup>re</sup> Sophie Roy-Lafleur

### Major deadlines for pay equity: yours could be December 31, 2015!

The *Commission de l'équité salariale*, which will be restructured on January 1, 2016 under the *Commission des normes, de l'équité, de la santé et de la sécurité du travail*<sup>1</sup>, recently reminded employers that many of them have certain obligations to meet by December 31, 2015. In addition, tens of thousands of employers also have pay equity obligations to fulfill by December 31, 2015.

In order to confirm whether you may have any such obligations and the deadlines to remember, we invite you to verify if your company falls into one of the following categories:

1. Your company had an average of 10 employees or more during the 2011 calendar year:
  - You must complete a pay equity exercise by **December 31, 2015**.

2. Your company was required to complete a pay equity exercise by December 31, 2010:

- You must conduct a first pay equity audit **five years after the date of the new posting** of the results of the initial pay equity exercise<sup>2</sup>.

**Exception:** For employers who completed the pay equity exercise and the new posting late (after the March 31, 2011 deadline), the deadline ("anniversary date") for conducting the pay equity audit is set as March 31, 2016, that is five years after the initial deadline.

3. Your company was required to conduct a pay equity audit by December 31, 2010:

- You must conduct a second pay equity audit **on the same date, 5 years later**.

**Exceptions:** For employers who conducted their pay equity audit late (after December 31, 2010), the deadline for the second pay equity audit is set as December 31, 2015, that is five years after the initial deadline. The same principle applies to employers who were required to conduct a pay equity audit by December 31, 2011.

Moreover, it is important to note that the results of the pay equity audit must be posted on the company's "anniversary date" for the audit, failing which the posting will have no legal value.

If you would like to know more about your obligations relating to pay equity, please feel free to contact any one of the following members of our labour and employment team.

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1. See our September newsletter for more information on this subject.
  2. A new posting of the results must be done between the 60<sup>th</sup> and 90<sup>th</sup> day following the initial posting of the results of the pay equity exercise. Therefore, the new posting should have been done by March 31, 2011.

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**The content of this newsletter is intended to provide general commentary only and should not be relied upon as legal advice.**

**For more information, contact one of the team members:**

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