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Because of the labour shortage, which has only worsened in recent years, it became increasingly common for employers to hire minors. In fact, in Quebec, there is currently no rule limiting the working age, provided that people aged 14 and under have parental consent. It has been expected for some time now that a bill will be presented to the National Assembly to limit the working age of minors.

Thus, the Minister of Labour, Jean Boulet, introduced Bill 19 aimed at regulating child labour (the “**Bill**”). If the Bill passes, the *Act respecting the Regulation of Work by Children* (the “**Act**”) will come into force and this will certainly raise some concerns for many employers. The following lines address the main changes that are at issue if Bill 19 passes.

### Minimum age of employment

The Act will amend the *Act respecting Labour Standards* to prohibit the employment of children under the age of 14. In doing so, Quebec follows in the tracks of other Canadian provinces that already set a minimum age of employment.

This prohibition is subject to some exceptions. For example, the following employees are not covered, provided their work is supervised by an adult:

- A babysitter
- A child working as a creator or performer in a field of artistic endeavour
- A newspaper deliverer
- A child who provides homework assistance or tutoring
- A child working in a family enterprise
- A child working as a camp instructor

The work of these individuals remains subject to the written consent of the holder of parental authority or tutor.

Children under the age of 14 who are currently working and do not fall under one of the exceptions will be given a notice of termination of employment, which must be sent no later than 30 days after the Act is assented to. This notice shall be of one week if the child is credited with three months to less than one year of uninterrupted service, two weeks if the child is credited with one year to two years of uninterrupted service and three weeks if the child is credited with two years or more of uninterrupted service.

During the period of notice, employers may, at their discretion, either require children to work or pay them a compensatory indemnity equal to the wages they would have earned by working.

### Weekly work limit

As of September 1<sup>st</sup>, 2023, if the Bill passes, it will no longer be possible for 14- to 16-year-olds to work more than 17 hours per week. In addition, they will be limited to working a maximum of 10 hours from Monday to Friday.

However, this weekly limit does not apply when no educational services are provided for more than seven consecutive days, as is the case, for example, during the summer holidays.

Failure to comply with these new standards is punishable by a fine of up to \$6,000 for a first offence and \$12,000 for a subsequent offence.

### Occupational Health and Safety

Amendments are also made to the *Act respecting Occupational Health and Safety*. The purpose of these amendments is to reduce as much as possible the risks that may affect workers aged 16 and under.

Employers will have to consider these risks when developing and implementing their prevention program.

### Conclusion

If Bill 19 is adopted, it goes without saying that the changes to labour laws will affect employers, but also their employees. All will have to adapt, and creativity will be required to overcome the ongoing and even worsening labour shortage.

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