

Québec Announces New Regulation On Preventing Sexual Violence At Work



The Québec government recently¹ approved a new Regulation respecting the measures to prevent or put a stop to sexual violence under *the Act respecting occupational health and safety*.

The Regulation raises the bar for Québec employers, expanding their responsibilities to proactively prevent and manage sexual violence across all aspects of the workplace. It reflects a broader shift in occupational health and safety law, where attention is increasingly given to psychological safety and workplace behavior, not just physical risks.

Most of the Regulation will come into force on May 27, 2027, with certain training-related provisions following a year later in 2028. The Regulation builds on prior obligations, including the expiry of a grace period on October 6, 2026, for employers to integrate psychosocial risks into their prevention programs.

What Constitutes a “Workplace”?

The Regulation’s stated purpose is to establish certain measures that must be taken by every employer to prevent or stop sexual violence. The Regulation takes a wide view of where workplace-related issues can arise. It recognizes that sexual violence may occur not only at a physical worksite, but also in other situations connected to work, and requires employers to take this into account in the measures adopted.

For example, the Regulation expressly refers to:

- work-related social activities;
- communications through technology; and
- interactions involving clients, supervisors, or others connected to the workplace.

This reflects the reality of modern workplaces, where work often extends beyond a traditional office or job site and includes virtual and informal interactions.

Workplace Information and Training

The Regulation includes specific requirements around the information that must be provided to workers. It states that employers must have sent written information to all workers addressing a defined set of topics.

This information must cover:

- the risks of sexual violence that have been identified or analyzed in the workplace;
- the types of social interactions that could result in sexual violence;
- the measures set out in the employer's prevention program or action plan to eliminate, or where that is not possible, control those risks; and
- the procedure for filing a complaint or reporting sexual violence.

The Regulation also specifies that this information is to be prepared with regard to the specific characteristics of the workplace, including its organizational, sector-based, and environmental context.

The Regulation also sets out clear and mandatory parameters for training. It provides that employers must have provided training on the prevention of sexual violence to all workers, and that this training must be repeated every three years.

It further specifies that the training must be of sufficient duration to properly address a series of required topics. These include:

- the definition of sexual violence;
- the types of sexual violence that may occur in the workplace;
- the effects of sexual violence on individuals and in the workplace;
- the respective obligations of employers and workers, and the rights of workers;
- the resources and recourses available; and
- appropriate practices when a person witnesses or becomes aware of sexual violence.

In addition, the Regulation provides that the person delivering the training must be able, through their knowledge, training, or experience, to identify and analyze workplace risks related to sexual violence.

Complaint and Reporting Processes

The Regulation sets out clear, prescriptive requirements regarding how complaints and reports of sexual violence must be handled in the workplace.

It requires that a formal procedure be in place that explains both how a worker can file a complaint or make a report, and how that complaint or report will be managed. This procedure must also be made available in the workplace, ensuring that it is accessible to workers.

The Regulation further provides that a worker who files a complaint or makes a report must be permitted to be accompanied by a person of their choosing throughout the process.

In addition, the employer must designate a specific individual to receive and manage complaints or reports of sexual violence. That person must carry out their role impartially and must have the necessary knowledge and skills to do so.

The Regulation also addresses how complaints are to be handled once received. It states that every complaint or report must be managed with diligence, and that measures must be taken to prevent additional harm, including the risk of secondary victimization during the process.

Finally, where risks are identified in the course of handling a complaint or report, the Regulation requires that steps be taken to control those risks.

Taken together, these provisions establish a structured framework for receiving, managing, and responding to complaints of sexual violence, with an emphasis on accessibility, impartial handling, and minimizing harm during the process.

Timing of Implementation

The Regulation includes a staggered coming-into-force structure, with different obligations taking effect on different dates.

Most of the Regulation will come into force on **May 27, 2027**. This includes the core requirements relating to workplace information, the implementation of complaint and reporting procedures, the designation of a person to manage complaints, and the general framework for handling complaints and reports.

The provisions relating specifically to training will come into force one year later, on **May 27, 2028**.

Key Takeaways

Overall, the Regulation adds a clear framework around how issues relating to sexual violence are addressed in Québec workplaces. It reflects a broader approach to health and safety that considers a wider range of workplace interactions and experiences.

For many organizations, the concepts in the Regulation will overlap with measures that are already familiar, such as workplace harassment policies and complaint procedures. At the same time, the level of detail and the broader scope may lead to a closer look at how these issues are currently addressed in practice. Québec employers may wish to start to review their existing workplace policies and training programs now to determine what amendments may need to be made to come into compliance with these new requirements.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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