

Non-unionized or municipal employee in Quebec: what is the deadline to file a complaint?

Labour law complaint deadlines in Quebec: the complete guide, or almost... Part 2 of 5

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Not unionized and working for a Quebec business or a municipality? This article brings together your deadlines to act: dismissal, psychological harassment, reprisals, unpaid wages, municipal employee remedies, discrimination and civil action.

Before counting your days, read our main article: [Dismissal, harassment, unpaid wages, workplace injury: which deadline for which recourse?](#)

This article is part of a 5-article series:

1. [The essentials: understanding and calculating your deadlines](#)
2. **Non-unionized or municipal employees in Quebec** (you are here)
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You are a non-unionized employee under provincial jurisdiction (Quebec)

Most of these remedies fall under the *Act respecting labour standards* and are filed with the CNESST (Commission des normes, de l'équité, de la santé et de la sécurité du travail). A few fall under other statutes (decrees, French language, pay equity, elections); the table shows each time where to file.

Table: Labour standards (Quebec)

Your situation	Deadline	Where to file
Dismissal without good and sufficient cause (2 years or more of uninterrupted service)	45 calendar days	CNESST, from the effective date of the dismissal
Constructive dismissal: the employer substantially changes your working conditions without your consent (duties, pay, schedule, place of work, etc.) and thereby pushes you out the door	45 calendar days	CNESST, from the last significant event

Your situation	Deadline	Where to file
Dismissal, suspension, transfer, discriminatory measures or reprisals for a prohibited reason: for example after sick leave, because you claimed your wages, filed a complaint or are pregnant (see the detailed list below the table)	45 calendar days	CNESST, from the measure
Position abolished, dismissal or layoff during or upon return from maternity, paternity or parental leave	45 calendar days	CNESST, from the effective date of the dismissal or measure
Forced retirement, dismissal or suspension because you have reached retirement age or a certain number of years of service	90 calendar days	CNESST, from the measure
Psychological or sexual harassment	2 years	CNESST, from the last act of harassment
Money owed: wages, overtime, bonus, vacation, statutory holidays, or an indemnity because the employer did not give you notice of termination of employment or gave you notice that was too short (1 to 8 weeks depending on your years of service; see our article "What is the distinction between notice and termination period?")	1 year	CNESST, from each date on which the amount was due
Disparity in treatment: a less favourable pension plan or employee benefits because of your hiring date (e.g., pension fund abolished for new employees). Prohibited for distinctions created since June 12, 2018	12 months	CNESST, from the moment you learn of the distinction
Pay equity: you disagree with the pay equity exercise or the pay equity audit posted by your employer	60 calendar days	CNESST, within 60 days after the end of the period given to the employer to make the new posting. Before that, you may request information or submit comments within 60 days of the first posting. If the exercise or audit was never done, a complaint may be filed without this deadline
French language: dismissal, penalty, reprisals or refusal to hire because you speak only French, do not have sufficient knowledge of another language or demanded respect for your language rights	45 calendar days	CNESST, from the measure (also open to job applicants). A complaint made by mistake to the Office québécois de la langue française is forwarded to the CNESST
French language: harassment or discrimination because you do not have a good command of a language other than French or asserted your language rights	2 years	CNESST, from the last act

Your situation	Deadline	Where to file
Reprisals because you exercised a right under the <i>Pay Equity Act</i>	30 calendar days	CNESST, from the reprisal measure. If the CNESST does not refer the matter to the TAT, you have 90 days from its decision to do so yourself
Non-unionized employee covered by a collective agreement decree (security guards, maintenance of public buildings, automotive services, etc.): dismissal, suspension or transfer because you provided information to the parity committee, filed a complaint, made a report or testified	45 calendar days	Complaint to the Administrative Labour Tribunal or to the parity committee (not to the CNESST), from the measure. If you are unionized: grievance under your collective agreement (decree wages unpaid: complaint to the parity committee and grievance). See the list of decrees below
Provincial election: your employer did not give you 4 consecutive hours to vote, cut your pay or penalized you for going to vote	45 calendar days	CNESST, from the measure
National Holiday (June 24): you had to work that day without receiving, in addition to your wages, the National Holiday indemnity or a compensatory day off (taken the day before or the day after), or the indemnity was not paid to you	1 year	CNESST, from the date on which the indemnity was due (the <i>National Holiday Act</i> refers to the labour standards remedies)
Other breach of labour standards with no money at stake: no pay statement (pay stub) or an incomplete pay statement, work schedule, employment certificate, etc. If money is at stake (for example, the indemnity in lieu of notice of termination of employment that was not given, or a paid break), the "Money owed" row applies, with its one-year deadline	No fixed deadline in the law: act quickly	Complaint to the CNESST. The CNESST may also prosecute the employer for a penal offence within one year after learning of the offence, and no later than 5 years after it was committed. If you are unionized or covered by a decree, you must first exhaust the remedies under your collective agreement or the decree
The CNESST refuses to act on your complaint or dismisses it	30 calendar days	Application to the CNESST for review of the decision, from the receipt of the decision
Psychological harassment or disparity in treatment: the CNESST refuses to act on your complaint	30 calendar days	Written request to the CNESST to refer your complaint to the TAT, from the decision or the decision on review

Prohibited grounds for reprisals

Your employer cannot dismiss, suspend, transfer or punish you because:

- you were absent due to illness, an accident, organ donation, or domestic or sexual violence, up to 26 weeks over 12 months, or up to 104 weeks if you suffered serious bodily injury as a result of a criminal offence. In practice, this is the most common ground for reprisals. Note: if your absence is due to a workplace accident or an occupational disease, the deadline is instead 30 days ([see our article "Workplace injury and occupational health and safety"](#)). The same applies if the measure follows the exercise of an occupational health and safety right, such as the right to refuse work or protective reassignment

- you took a leave provided for by law: family obligations, death, marriage, birth, maternity, paternity or parental leave, caregiver leave, etc.
- you claimed a right provided for by law: wages, overtime, vacation, statutory holidays, breaks, notice of termination of employment, etc.
- you filed a complaint with the CNESST, provided it with information or testified in a proceeding, or the CNESST conducted an investigation at your employer's workplace
- you reported psychological harassment of another person or cooperated in the handling of a harassment complaint
- you are pregnant
- you refused to work overtime to care for your child or a sick relative, after taking reasonable steps to make other arrangements
- your wages are subject to garnishment or you owe support payments
- you were called for jury duty or summoned as a witness before a court
- you reported wrongdoing or a breach (corruption, financial sector, professional order, elder abuse, etc.)
- your employer is trying to avoid the application of the law

In all these cases, the deadline is 45 calendar days from the measure. If you show that you exercised one of these rights and that the measure was taken at that time, it is up to the employer to prove that it had another good and sufficient cause (applicable under).

Good to know: for money owed, the one-year deadline runs separately for each pay. The longer you wait, the more weeks of your claim you lose. File your complaint well before the end of the year: it is the notice of investigation that the CNESST sends to your employer, not your complaint, that suspends the deadline for 6 months. For amounts provided in your employment contract above the legal minimum (for example, a bonus or wages higher than the minimum), a civil lawsuit can go back up to 3 years, or 2 additional years, under the *Civil Code of Québec*. For amounts that arise solely from the *Act respecting labour standards*, the limit remains one year, even before the courts.

Complaint followed by dismissal or reprisals: if you are dismissed, suspended or punished because you reported psychological harassment, claimed unpaid wages or filed a complaint, the deadline for that measure is no longer 2 years. You must file a separate complaint for dismissal or reprisals within 45 calendar days of the measure, in addition to your initial complaint (harassment, wages, etc.).

Maternity, paternity or parental leave: if your position is abolished or you are dismissed during your leave or upon your return, do not delay. It is the employer who will have to show that its decision has nothing to do with your leave. The 45-calendar-day deadline starts on the effective date of the dismissal or abolition of the position, even if you are still on leave.

Do you work in a sector governed by a decree?

Certain sectors are governed by a decree that sets minimum working conditions, enforced by a parity committee. If you are a non-unionized employee covered by one of these decrees and you are dismissed, suspended or transferred because you provided information to the parity committee, filed a complaint, made a report or testified, you may file a complaint with the Administrative Labour Tribunal or the parity committee within 45 calendar days of the measure. For a dismissal unrelated to the parity committee, the usual labour standards remedies apply instead, for example the 45-calendar-day complaint for dismissal without good and sufficient cause (2 years of continuous service). If you are unionized, a dismissal, suspension or transfer is challenged by

grievance under the procedure set out in your collective agreement. If your employer does not pay you the wages set by the decree, you may file a complaint with the parity committee and also file a grievance. The decrees currently published by the Government of Québec are the following:

- Automotive services: the Estrie regions (Arthabaska, Granby, Sherbrooke, Thetford Mines), Lanaudière-Laurentides, Drummond and Mauricie, Montréal, Québec and Lévis, as well as Chapais, Chibougamau, Lac-Saint-Jean and Saguenay
- Installation of petroleum equipment
- Maintenance staff of public buildings, Montréal and Québec regions
- Security guards
- Solid waste removal, Montréal region
- Trucking, Québec region
- Road signalling

Do you work in the construction industry?

Construction workers are covered by a specific statute and by the industry's sector-based collective agreements. Several remedies (unpaid wages, dismissal, discrimination or reprisals, etc.) then fall under the Commission de la construction du Québec (CCQ), with their own deadlines. Consult the "Offences and remedies" section of the CCQ website (www.ccq.org) or contact us quickly to find out the deadline that applies to your situation.

Are you a Government of Québec public servant?

Since October 1, 2026, the Commission de la fonction publique has been abolished and your remedies are filed directly with the public service division of the Administrative Labour Tribunal (TAT), not with the CNESST (Act mainly to reduce bureaucracy, increase government efficiency and strengthen the accountability of senior public servants (Bill 7), S.Q. 2026, c. 5). To challenge a dismissal, a demotion, a disciplinary measure, a temporary relief from your duties or your classification, you have 30 days from receipt of the decision. For certain working conditions provided for by regulation, the remedy must be exercised before the TAT within 30 days of the event. For psychological or sexual harassment, the remedy is exercised before the TAT within the same 2-year deadline as for other employees. Note: during your probationary period, now at least 18 months, you cannot challenge a dismissal or a disciplinary measure, except your classification. If you are unionized, follow the grievance procedure in your collective agreement instead.

Are you a manager in the health care network?

The working conditions of managers in public health and social services institutions are set by a regulation adopted by government order. This regulation provides its own appeal procedure, particularly in cases of dismissal, non-renewal of engagement or disciplinary measures, with short deadlines. Your managers' association, such as the AGESS, can file the appeal on your behalf. Contact your association quickly or consult us to find out the applicable deadline.

Are you a senior manager?

A senior manager is excluded from most remedies under the *Act respecting labour standards*, including the complaint for dismissal without good and sufficient cause. However, a senior manager may file a complaint for psychological or sexual harassment with the CNESST, within the same 2-year deadline. A senior manager also keeps the 45-day complaint if the measure is related to leave for family or parental reasons, an absence following

a criminal offence, harassment, a report of wrongdoing or having served as a juror or witness, and the 90-day complaint for forced retirement or a measure related to age. For other dismissals or constructive dismissals, a senior manager must bring a civil action under the *Civil Code of Québec* (3-year deadline, see above). It is important to get information quickly: case law is very strict about what makes you a "senior manager". A title of director or manager is not always enough, and a middle manager may keep the 45-calendar-day remedy.

You work for a municipality or a public transit authority

Not all municipalities are governed by the same statute. Cities and towns are governed by the *Cities and Towns Act*. Smaller municipalities (municipalities, villages, parishes, townships) are instead governed by the *Municipal Code of Québec* (arts. 267.0.1 and 267.0.2). However, both statutes provide the same remedy, with the same 30-day deadline. Note: the complaint is filed directly with the Administrative Labour Tribunal (TAT), not with the CNESST.

This remedy mainly protects managers and other municipal employees who are not "employees" within the meaning of the *Labour Code* and who have held their position for at least 6 months. A non-unionized employee who is not a manager is generally covered instead by the 45-day labour standards complaint (the table above). The remedy also covers employees of certain municipal bodies, such as public transit authorities, metropolitan communities, and the clerk or assistant clerk of a municipal court. The municipality's decision is made by a resolution of the council, which must be served on you: the deadline starts on that date.

Table: Municipal employees

Your situation	Deadline	Where to file
Removal from office (dismissal) of a manager or other municipal employee who is not an employee within the meaning of the <i>Labour Code</i>	30 calendar days	TAT, from the employer's decision, that is, the service of the council resolution (or Code)
Suspension without pay for more than 20 business days (or any suspension within 12 months following such a suspension)	30 calendar days	TAT, from the employer's decision (service of the council resolution) (or Code)
Reduction in salary (pay cut)	30 calendar days	TAT, from the employer's decision (service of the council resolution)
Manager or employee of a public transit authority who is not an employee within the meaning of the <i>Labour Code</i> (6 months in the position): removal from office, suspension without pay or reduction in salary	30 calendar days	TAT, from the service of the board of directors' resolution
Unionized municipal employee	As set out in your collective agreement	Grievance through your union (see see our article "Unionized employees")

Good to know: the 30-day deadline is shorter than the 45-day deadline that applies to other employees, and the complaint goes directly to the TAT: a complaint filed by mistake with the CNESST will not necessarily protect your deadline. The other labour standards remedies, such as psychological harassment or unpaid wages (the table above), also apply to municipal employees.

Discrimination in Quebec

If you are a victim of discrimination (age, sex, pregnancy, disability, origin, sexual orientation, etc.), you may file a complaint with the Commission des droits de la personne et des droits de la jeunesse. File your complaint within 2 years of the last event: after that, the Commission may refuse to act. Your complaint suspends the 3-year deadline for a possible civil lawsuit while it is being processed. If the Commission, after investigating, exercises its discretion not to bring the case before the Human Rights Tribunal itself, you have 90 days from receipt of its notice to bring the case yourself, at your own expense. If it refuses or ceases to act, for example due to insufficient evidence, the Human Rights Tribunal is not available to you: the deadline for a civil lawsuit starts running again as soon as you receive that notice, and you must then go to the ordinary courts.

Civil lawsuit before the courts

- **No reasonable notice or insufficient reasonable notice, or abusive termination of employment:** 3 years from the end of employment (arts. 2091, 2092 and 2925 of the *Civil Code of Québec*). This "reasonable notice" takes into account, among other things, the nature of your employment, the special circumstances and the length of your service, and, according to case law, your age; it is often much longer than the minimum notice of 1 to 8 weeks under the *Act respecting labour standards*. The two remedies are separate: the minimum notice is claimed from the CNESST within one year, and reasonable notice is claimed before the courts within 3 years. To tell the two apart, read our article ["What is the distinction between notice and termination period?"](#).
- **Senior manager who is dismissed or the victim of constructive dismissal:** civil action under the *Civil Code of Québec*, 3 years from the end of employment, since a senior manager is excluded from the complaint for dismissal without good and sufficient cause. Watch out for the exceptions described in above (family leave, harassment, age), which have deadlines of 45 or 90 days.
- **Damage to your reputation (defamatory statements):** 1 year from the moment you become aware of it.
- **Breach of a non-competition clause or other contractual obligation:** 3 years.

Caution: a civil lawsuit does not always replace a complaint to the CNESST. The 45-calendar-day remedy may allow you to be reinstated or to obtain more favourable compensation.

Our tips to avoid losing your rights

- Deadlines are generally counted in calendar days, weekends and statutory holidays included, and a deadline that ends on a Saturday is not always extended: aim for the Friday.
- Write down the exact date of each event: dismissal, last act of harassment, receipt of a decision.
- Do not wait for negotiations with the employer to end: file your complaint, as it does not prevent a settlement.
- If in doubt about the deadline, go with the shortest one.

Conclusion

Deadlines in labour law are short and vary depending on your employer, your status and the type of problem. A mistake of a few days can cost you a remedy. Please remember that this is not legal advice and that every case must be assessed individually.

Important notice: this article is provided for general information purposes only and does not constitute legal advice. Laws change and every situation is different: it is important to consult a lawyer before making a decision or

letting a deadline pass. Online tools and artificial intelligence can also be wrong; do not rely solely on an answer obtained on the Internet or from a chatbot.

We strongly encourage you to contact us without delay, so that the applicable deadlines are met and your claims are not dismissed.