

Federally regulated employee, EI, bankruptcy: which deadlines?

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

Author: Martin Pelletier, labour lawyer

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Working for a bank, a telecommunications company, an interprovincial transport company or the federal government? Has your employer gone bankrupt? Here are your deadlines to act.

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](#)
3. [Unionized employees](#)
4. [Workplace injury and occupational health and safety](#)
5. **Federal jurisdiction, employment insurance and bankruptcy (you are here)**

You work for a federally regulated business

These remedies fall under the *Canada Labour Code*.

Table: Federally regulated businesses

Your situation	Deadline	Where to file
Unjust dismissal (12 months or more of continuous employment, non-unionized, except managers; does not cover layoffs due to lack of work or discontinuance of a function)	90 calendar days	Labour Program (Employment and Social Development Canada), from the date of the dismissal
Unpaid wages or other amounts	6 months	Labour Program, from the date on which the amount was due
Your complaint for unpaid amounts is found to be unfounded	15 calendar days	Request for review to the Labour Program, then appeal to the CIRB within 15 days, on a question of law or jurisdiction only
Reprisals because you exercised a right (labour standards or occupational health and safety)	90 calendar days	Canada Industrial Relations Board (CIRB), from the moment you became aware of the measure

Your situation	Deadline	Where to file
Your employer treats you as a self-employed worker or a subcontractor when you are actually an employee	6 months	Complaint to the Labour Program
Harassment or violence in the workplace	No fixed deadline if you are still employed. 3 months after your employment ends if you have left	Notice to your employer or to the person designated in its policy
Your employer does not follow the required harassment and violence process (investigation, measures, etc.)	No fixed deadline in the law: act quickly	Complaint to your supervisor, then to the Labour Program if it is not resolved
Federal election (any employee who is eligible to vote, even with a Quebec employer): your employer did not give you 3 consecutive hours to vote or cut your pay	Act quickly	Complaint to the Commissioner of Canada Elections (offence under the <i>Canada Elections Act</i>)
Unionized employee of a federally regulated business: your union breaches its duty of fair representation	90 calendar days	Canada Industrial Relations Board (CIRB), from the moment you became aware of the breach
Discrimination	1 year, with rare exceptions	Canadian Human Rights Commission, from the last event

Good to know: if the harassment is related to a ground of discrimination (sex, origin, disability, etc.), you may also file a complaint with the Canadian Human Rights Commission, within one year, with rare exceptions.

Caution: do not wait for the end of your grievance or another proceeding before filing a complaint with the Canadian Human Rights Commission. In practice, the Commission generally requires that you first exhaust your grievance or internal remedies ((a) of the *Canadian Human Rights Act*), but the one-year deadline keeps running in the meantime: according to the Commission, waiting for another proceeding is not a valid reason for filing a complaint late. So file your complaint within the year to protect your rights. The one-year deadline is calculated from the last event. Exceptionally, the Commission may accept a later complaint if you discovered the discrimination later or if circumstances beyond your control prevented you from acting.

Federal pay equity

If your federally regulated employer has 10 or more employees, it must establish a pay equity plan. If your employer established the plan on its own, without a committee, you have 60 days after it is posted to file a notice of objection, and 60 days after becoming aware of a contravention of the Act to file a complaint with the Pay Equity Commissioner.

Are you a federal public servant?

Employees of the federal public service are subject to a separate regime, with deadlines that are often very short. Because your employer is the Government of Canada, you may also rely on the *Canadian Charter of Rights and*

Freedoms (for example, freedom of expression or the right to equality) in your grievance. The Charter does not set its own deadline: the deadline for your grievance applies.

- **Grievance (disciplinary measure, termination, collective agreement):** the deadline set out in your collective agreement. The federal regulations provide for 35 days from the day you were notified of the measure or became aware of it, whichever is earlier, then 15 days to move to the next level after each decision. The grievance is taken to the final level, then referred to adjudication within 40 days of the final decision before the Federal Public Sector Labour Relations and Employment Board. Your bargaining agent must agree to represent you for a grievance about the collective agreement.
- **Complaint against your union or your employer (unfair labour practice, breach of the duty of representation):** 90 days from the moment you became aware of the facts, before the same Board.
- **Appointment or staffing (abuse of authority in an internal appointment process):** complaint received by the same Board within 15 days after receipt of the notice of appointment, proposed appointment, revocation or lay-off, or after the date of the public notice (and). This is one of the shortest deadlines: act immediately.
- **Reprisals after a disclosure of wrongdoing (whistleblower):** complaint to the Public Sector Integrity Commissioner within 60 days of becoming aware of the reprisals, unless the Commissioner accepts a longer period. Note: filing this complaint prevents you from pursuing another remedy, such as a grievance, for the same reprisals. The Tribunal may, among other things, order reinstatement, lost wages and up to \$10,000 for pain and suffering.

Employment insurance after losing your job

After a dismissal, a resignation or a layoff, your application for employment insurance benefits may be denied, for example if Service Canada concludes that you voluntarily left your employment or that you were dismissed for misconduct. The deadlines to challenge are short:

- **Request for reconsideration:** 30 calendar days from the date the Service Canada decision was communicated to you.
- **Appeal of the reconsideration decision:** 30 days from the communication of the reconsideration decision, before the Employment Insurance Board of Appeal. The Board may grant additional time, but never more than one year after the date the decision was communicated to you. The Board's decision may then be appealed to the Appeal Division of the Social Security Tribunal within 30 days.

A delay may sometimes be accepted if you give a reasonable explanation, but you should not count on this possibility. The employment insurance decision is separate from your remedies against the employer: challenging one does not suspend the deadlines for the other.

Bankruptcy or receivership of your employer

If your employer goes bankrupt or is placed in receivership and owes you wages, vacation pay, termination pay or severance pay, two steps may allow you to recover part of these amounts: the federal government's Wage Earner Protection Program, which applies everywhere in Canada, including to employees of Quebec businesses, and your claim with the trustee or receiver.

Table: Bankruptcy or receivership of the employer

Your situation	Deadline	Where to file
Application to the Wage Earner Protection Program (unpaid wages, vacation pay, termination pay and severance pay, up to \$9,275 in 2026)	56 calendar days	Service Canada, from the latest of these dates: the bankruptcy or receivership, the end of your employment or, in certain cases, the court decision recognizing the employer's situation. Do not wait for confirmation from the trustee
Your application to the Program is denied or the amount is disputed	30 calendar days	Written request for review, from the date you are informed of the decision
Late application to the Program	Exceptional	Accepted only if circumstances beyond your control prevented you from acting in time
Proof of claim with the trustee (bankruptcy)	No fixed deadline, but 30 calendar days if the trustee sends you a notice	Trustee. Once the deadline in the notice has passed, the amounts may be distributed without you; the court may extend this deadline if the delay is justified
Wages for the last 6 months before the bankruptcy or receivership	Claim as soon as possible	Trustee or receiver: these amounts are secured up to \$2,000 on certain assets of the employer, ranking ahead of most other creditors

Contact us if you need help with these steps: the two steps are carried out in parallel and their deadlines run at the same time.

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.