

**RIGHTS AND RECOURSES COMMON TO EMPLOYEES REPRESENTED BY NON CERTIFIED ASSOCIATIONS (MAUT & MUNASA)**

RECOURSE	RIGHTS	REMEDIES	PROCEDURE
Complaint under Act respecting Labour Standards. (R.S.Q., c. N-1.1)	"Employee who believes he or she has been victim of psychological harassment may file a complaint". (sec. 123.6)	Any decision appropriate in circumstances: <ul style="list-style-type: none"> <li>• Reinstatement</li> <li>• Reimbursement lost wages</li> <li>• Payment punitive/moral damages</li> <li>• Order to cease harassment</li> <li>• Payment psychological support</li> <li>• Payment indemnity loss of employment. (sec.12.3.15)</li> </ul>	Written complain to Commission des normes du travail within 90 days of last incident of offending behavior. (sec.123.7ff)
Complaint under Quebec Charter of Human Rights and Freedoms. (R.S.Q., c. C-12)	"Any unlawful interference with any right or freedom recognized by this Charter entitles the victim to obtain the cessation of such interference and compensation for the moral or material prejudice resulting therefore." (art. 49)	<ul style="list-style-type: none"> <li>• Cessation of violation compensation any moral or material prejudice caused (sec. 49).</li> <li>• If violation intentional order payment punitive damages (sec. 49).</li> <li>• Protection against reprisals as victim complainant or witness (sec. 82).</li> </ul>	Written complaint to Commission des droits de la personne et des droits de la jeunesse, either, individually or in group. (sec. 74 ff)
Claim for employment injury under the Act respecting Industrial Accidents and Occupational Diseases (R.S.Q., c.A3.001).	"Object of the Act is to provide compensation for employment injuries and consequences they entail for beneficiaries". (sec. 1).	<ul style="list-style-type: none"> <li>• Necessary care consolidation of injury</li> <li>• Physical, social, vocational rehabilitation</li> <li>• Payment of income replacement</li> <li>• Indemnities</li> <li>• Compensation for bodily injury</li> <li>• Return to work. (sec.1)</li> </ul>	Notification to immediate superior. University to provide notification on prescribed form to Commission de Santé et sécurité au travail (s. 265 ff).

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Legal Action under Civil Code of Quebec (S.Q. 1980, c.39.)	"Every person has a duty to abide by the rules of conduct which lie upon him or her, according to ... law so as not to cause injury to another... He or she is responsible for any injury he or she causes to another by such fault and is liable to reparation for injury whether ... bodily, moral or material in nature". (art.1457).	Reparation for bodily, moral or material injury.	Institution of legal action in appropriate court (depending on the amount of claim) within 3 years of damage (art. 2925). If damage appears progressively or tardily within 3 years from the day damages appear for the first time (art. 2926).
Complaint under McGill Policy Harassment, Sexual Harassment and Discrimination prohibited by Law.	Complainant may submit as a complaint an allegation of harassment, sexual harassment or discrimination as defined by Policy.	Redress will depend on circumstances.	Written complaint to an Assessor (sec. 5.2.2) within 1 calendar year prior to date of complaint (sec. 5.2.3).

**SPECIFIC RIGHTS AND RECOURSES APPLICABLE TO EMPLOYEES REPRESENTED BY MUNASA**

RECOURSE	RIGHTS	REMEDIES	PROCEDURE
Dispute under McGill Dispute Resolution Policy	A dispute may be filed by an employee (non-unionized, administrative or support staff) who has completed probationary period regarding the Policy Harassment, Sexual Harassment and Discrimination prohibited by Law.	Redress will depend on circumstances.	Filing of letter of dispute with Human Resources in accordance with sec. 2 ff of Policy and time limit of 55 working days of the date of the occurrence or omission.