



Law for the protection of interns in the workplace

The *Law to protect interns in the workplace* (hereinafter the Law) will come into effect on August 24th, 2022. It aims to better protect interns that are completing an internship in the workplace, be it:

- to obtain a work permit from a professional order;
- within a secondary, professional, collegial, or university-level course of study or training, offered by an educational institution and leading to a diploma, a certificate, or an attestation of studies.

This Law grants them **rights** equivalent to those provided under the *Act Respecting Labour Standards* **in regards to short-term leave, as well as psychological or sexual harassment**.

Currently, unpaid interns are not covered under the *Act Respecting Labour Standards*. Some of them, even though compensated, are only partially covered. As of August 24th, 2022, the Law will grant all interns, without exception, and irrespective of compensation:

- The **right to be absent** for:
 - [legal holidays](#)
 - [illness](#) or [parental or family obligations](#), i.e. obligations relating to a child's care, health, or education, or to the health status of a family member (for a maximum of 10 days per year and per internship)
 - [death](#) or [funeral](#),
 - [wedding](#) or [civil union](#)
 - [adoption](#) or [birth](#)
- The **right** to an **internship environment free of psychological or sexual harassment**. Like all Quebec employers, the educational institution, and as the case may be the professional order, will have the [obligation to prevent harassment](#) and take the reasonable means to end such harassment whenever brought to their attention.
- **Protection against reprisal** by an employer, educational institution, professional order, or one of their representatives, for exercising a right provided for by the Law.

The intern's employer, and as the case may be the educational institution or the professional order, will also have the obligation to **take the reasonable means at their disposal** to:

- Accommodate the trainee in the event of a long-term absence for:
 - a reason linked to an **illness or an accident** unrelated to work, namely:
 - up to 26 weeks without compensation over a 12-month period in case of illness or accident not related to work, and which renders the trainee unable to work;
 - parental or family obligations, such as:
 - up to 16 weeks over a 12-month period when the trainee's presence is required by a loved one, victim of a serious accident or illness;
 - up to 27 weeks over a 12-month period if the seriously ill person suffers from a potentially lethal condition;
 - up to 36 weeks over a 12-month period if the seriously ill person or accident victim is a minor child;
 - up to 5 consecutive weeks for paternity leave following the birth of a child;
 - up to 18 consecutive weeks for maternity leave;
 - up to 65 consecutive weeks for parental leave following the birth of a child.
- Ensure that the success of studies or training of the intern or obtaining a permit to practice a profession is not compromised by exercising a right provided for by the Law.

The trainee victim of psychological or sexual harassment* within his or her internship environment shall be able to lodge a **complaint** with the *Commission des normes, de l'équité, de la santé et de la sécurité du travail* (CNSST).

The trainee who, after exercising a right provided for by the Law becomes victim of reprisal or discriminatory measures from his or her employer, or as the case may be, the educational institution or professional order, shall be able to lodge a complaint for **unlawful practice**.

A non-profit student right advocacy organization, or a student association or a group of students, may also lodge a complaint on behalf of an intern.

Where appropriate, the Administrative Labour Court may allow **recourses adapted to the specific reality of interns**.

* Student interns of institutes of higher education may also refer to their respective institutional policy, as provided for by the **Act to prevent and fight sexual violence in higher education institutions**, particularly in regards to support, reporting an incident, or filing a complaint.

