



Equal
in **every way!**

Gender
equality
in Québec

Québec 

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NOTE

This guide summarizes and simplifies information on a number of different legal issues. Readers requiring more information on any of the topics covered in this guide should refer to the texts of the applicable acts and regulations themselves.

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SOME BACKGROUND

In Québec, as elsewhere in the Western world, the past century has been in some ways defined by the struggle for gender equality.

Although the federal government granted Canadian women the right to vote in federal elections in 1918, in Québec, a married woman was still considered a child in the eyes of the law.

At that time, the suffragette movement was led by two social justice pioneers, Idola Saint-Jean (1880–1945) and Thérèse Casgrain (1896–1981), who organized protest marches and campaigns in order to gain recognition for women as persons in their own right. Although their efforts were met with sarcasm and fierce resistance from society's more conservative elements, they were eventually crowned with success when the Québec government finally granted Québec women the right to vote in June 1940.

It was not until the 1960s and 1970s that the determined efforts of men and women fighting for gender equality would be rewarded by, among other achievements, the passing of the Divorce Act by Parliament in 1968. Prior to that date in Québec, marriage had been practically indissoluble. In 1971, women obtained the right to be jurors.

Another important milestone occurred in 1975, when Québec adopted the Charter of Human Rights and Freedoms, which, for the first time, officially prohibited any form of discrimination, including the kind based on gender. In Canada, the Charter of Rights and Freedoms would become part of the Constitution in 1982. In Québec and in Canada, the two charters take precedence over all other legal texts.

Also at that time, two major Québec government institutions were created: the Conseil du statut de la femme (Council on the status of women or CSF) and the Secrétariat à la condition féminine (Secretariat on the status of women or SCF). The CSF is a government consultation and study council that, since 1973, has devoted itself to promoting and defending the rights and interests of women in Québec. The SCF was created in 1979 to assist and advise the Minister responsible for the status of women.

A CSF recommendation led to the unanimous adoption by the National Assembly of an act modifying Québec's Charter of Human Rights and Freedoms. The Act reiterates the fundamental principle of equality for men and women. In addition to clearly stating its position to all of Québec society, this new piece of legislation reminds the courts of the fundamental importance of the value that is gender equality.

The 1980s were marked by numerous judicial advances, many of which sanctioned and protected the principle of equality between the sexes. Traditional ways of doing things were reassessed, policies and programs were developed and measures were implemented to correct any disparities.

In 1981, men and women became equal partners in marriage when women were granted the right to keep their maiden name and to pass it on to their children. In 1989 changes to the Civil Code introduced the concept of family patrimony, thereby establishing the basis for greater financial equality between partners when the marriage ends.

However, it was the Pay Equity Act's principle of equal pay for similar work, passed in 1996, that had the most impact on women's financial situation.

Thus we can see that, over the years, Québec has changed its legislation to keep pace with societal changes. However, true equality is about more than introducing new measures or inserting new provisions

in legal texts. It is also necessary to ensure that, when new laws, policies and programs are developed, they take into account the different realities of men and women.

The government policy paper entitled *Pour que l'égalité de droit devienne une égalité de fait*, which contains several objectives grouped into six primary guidelines, confirms the Québec government's determination to marshal its forces in order to overcome the obstacles that stand in the way of full equality between men and women.

The first action plan resulting from this policy was implemented from 2007 to 2011 by 15 government departments and agencies.

A second government action plan on gender equality is currently in force for 2011–2015. There are now 26 government departments and agencies responsible for implementing the 102 actions set out to put into practice the seven guidelines of this action plan.

Although Québec's contribution to gender equality, its know-how and its collective values in that regard are recognized around the world, the fight for social justice is not over.

For the most part, Québec's initiatives to promote and reinforce equality were inspired by two ground-breaking documents: the Beijing Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The latter document was adopted by the United Nations General Assembly and constitutes the most far-reaching international convention on equality between men and women.

"The full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields." (Convention on the Elimination of All Forms of Discrimination against Women)

This information document, part of the provincial government's policy on gender equality, is intended for all residents of Québec. It will be of particular interest to those who want to know how the theory of gender equality plays out in various fields and sectors of activity, in particular:

- education;
- couples and families;
- work and business;
- health care;
- safety and integrity of the person; and
- participation in public life.

EQUALITY AND THE CHARTERS

In Québec law, the foundations of the principle of gender equality are enshrined in the Charter of Human Rights and Freedoms. A number of other sectors have also adopted legislation that recognizes and promotes equality between the sexes, such as the Pay Equity Act, the Act respecting equal access to employment in public bodies and the Act respecting the governance of state-owned enterprises.

- Section 10 of the Charter of Human Rights and Freedoms recognizes that every person has a right to full and equal recognition and exercise of his or her human rights and freedoms, without discrimination or distinction based on race, colour, sex, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to overcome this handicap.
- Section 50.1 states that the rights and freedoms set forth in the Charter of Human Rights and Freedoms are guaranteed equally to women and men.

The Canadian Charter of Rights and Freedoms, part of the Constitution of Canada, also contains measures guaranteeing equality in general, and also gender equality.

- Section 15 states that every individual has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

- Section 28 states that, notwithstanding other provisions of the Charter of Rights and Freedoms, the rights and freedoms referred to in it are guaranteed equally to male and female persons.

It is important to note that both of these charters take precedence over other legal texts.

For more information

Charter of Human Rights and Freedoms:

www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/C_12/C12_A.html

Government Policy for Gender Equality, *Turning Equality in Law into Equality in Fact*:

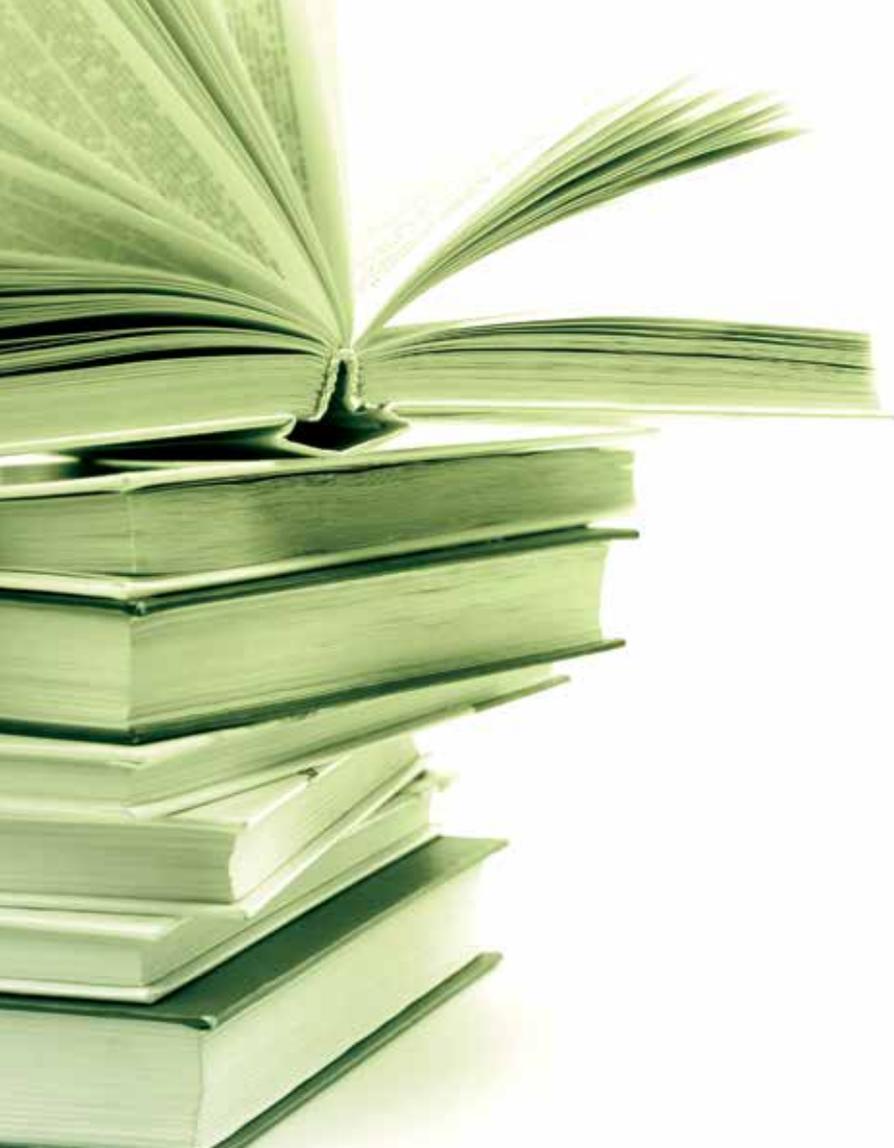
www.scf.gouv.qc.ca/fileadmin/publications/politique_angG.pdf

2011-2015 Government Action Plan on Gender Equality (summary):

www.scf.gouv.qc.ca/fileadmin/publications/politique/enbref_Ang.pdf

Conseil du statut de la femme, *La constante progression des femmes*, 2011 edition (in French only):

www.csf.gouv.qc.ca/modules/fichierspublications/fichier-35-1400.pdf



EQUALITY IN EDUCATION

Schools aim to provide equal opportunities for both sexes; this is one of the fundamental conditions for building an egalitarian society. It cannot be repeated too often: if we want our children to grow up equal, society must place a greater value on studies and increase its efforts to combat the drop-out rate.

One school for all students

Girls and boys attend school together and receive the same treatment, without distinction; they have the same opportunities and they must both abide by the same requirements. School is an ideal setting to dispel gender stereotypes and promote egalitarian relationships. Equal opportunity and gender equality are fundamental to our education system.

Nondenominational public schools

Québec public schools are common, inclusive, democratic and open. They are nondenominational. It is therefore incumbent on the parents of the students attending these establishments to pass on their own religious values to their children.

Education and access to the job market

Education is quite simply the best asset for your child's future, and this is just as true for girls as it is for boys.

Down the line, men and women will have equal access to the many different kinds of programs that will qualify them for the job market, whether in a trade school, CEGEP or university.



The teaching staff: mentors and allies

At school, all staff members, and especially teachers, teach students the importance of showing mutual respect to friends as well as to partners, both in and out of the classroom. They are also well-positioned to help students understand how negotiation can help prevent all forms of violence in relationship conflicts.

In accordance with the values of gender equality, when school staff members communicate with parents, they do so with both the father and the mother of the student.

Non-sexist textbooks that reflect student diversity

The Québec education system contributes to promoting diversity as well as gender equality.

- The education boys and girls receive is neutral, devoid of sexual stereotypes and aimed at promoting egalitarian relationships.
- The textbooks portray Québec as an egalitarian, diverse society; ethnocultural communities are well represented.

“State parties shall take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices [...] which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.” (Article 5(a), Convention on the Elimination of All Forms of Discrimination against Women)

Accessible, non-discriminatory professions!

In the past, it has been difficult for men and women to enter professions traditionally reserved for the other gender. They have had to overcome prejudices, stereotypes, unwelcoming work environments, and other obstacles. However, times are changing. The number of female students studying in traditionally male-dominated fields, such as medicine, dentistry and law, is steadily increasing.

- Government programs are available to help women get work in traditionally male-dominated professions.
- Conversely, many sectors historically reserved for women, such as education, health services, care of individuals, etc. are looking for male candidates. Men who choose these professions significantly improve their hiring potential, financial security and career prospects. At the same time, these men also help provide a wider range of role models for boys and girls.

Schools, families and society are all working toward the same goal: overcoming prejudices and stereotypes to encourage young people to stay in school and reach their potential in the field or profession of their choice.

For more information

Education in general and the school system:

www.mels.gouv.qc.ca/en/home

Professional and technical training:

www.mels.gouv.qc.ca/en/home

College education

www.mesrst.gouv.qc.ca/colleges (in French only)

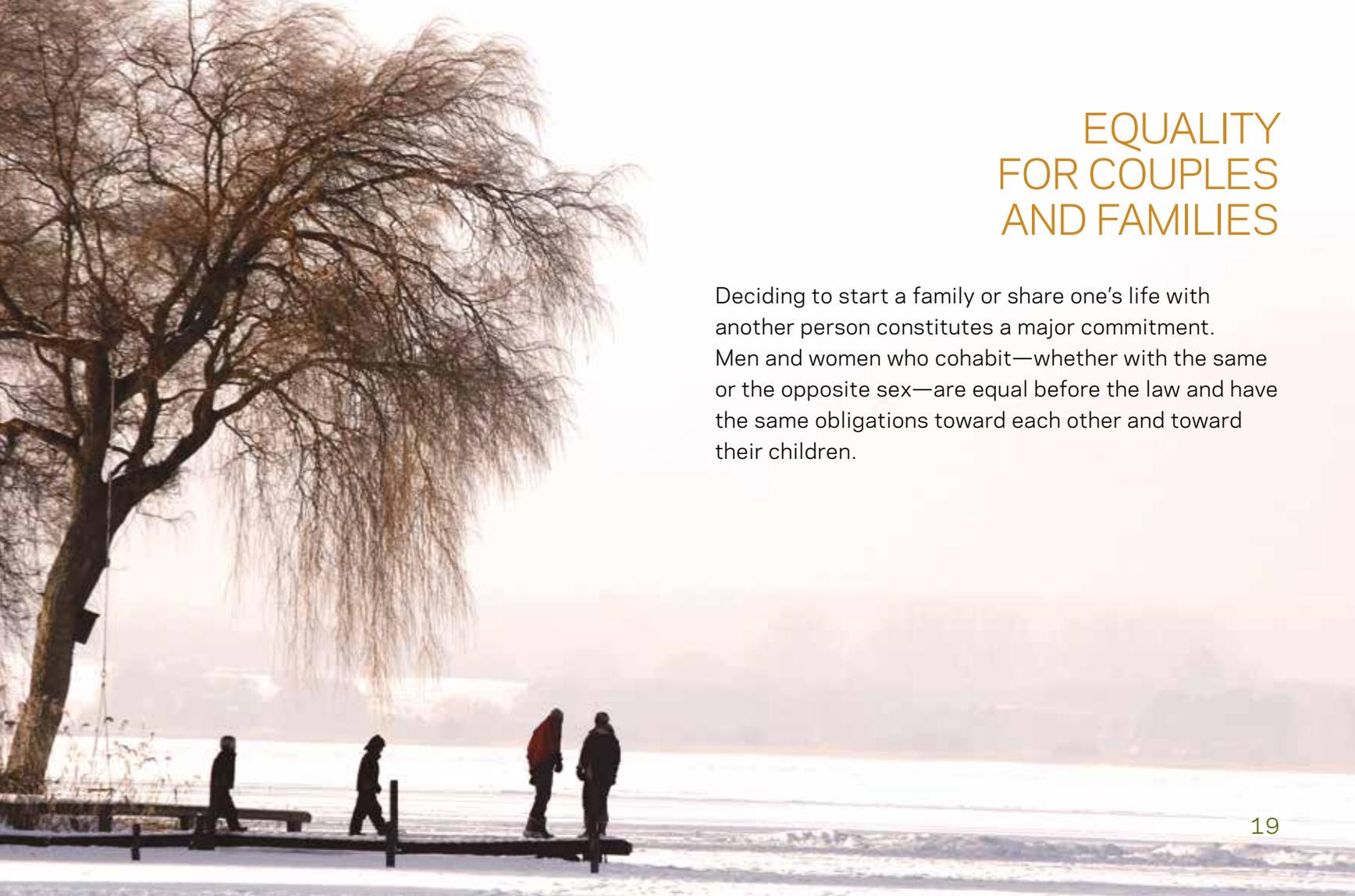
or contact your local CEGEP

University education

www.mesrst.gouv.qc.ca/universites (in French only)

or contact any university





EQUALITY FOR COUPLES AND FAMILIES

Deciding to start a family or share one's life with another person constitutes a major commitment. Men and women who cohabit—whether with the same or the opposite sex—are equal before the law and have the same obligations toward each other and toward their children.

Cohabiting

If you and your partner decide to live together, you can choose from three types of unions: marriage, civil union and common-law relationship.

Marriage

- Marriage is based on the free and informed consent of two individuals 16 years of age or older. Young people under the age of 18 must have the consent of their parents or guardian.
- You can choose to have a religious or civil marriage ceremony. Both kinds of ceremonies have the same legal implications.
- If you were legally married abroad, your union will be recognized but you will be subject to the same laws as other couples who were married in Québec.
- A marriage is not dissolved simply because the partners voluntarily choose to cease cohabiting. Even if the spouses submit a joint application for divorce, a marriage can only be terminated by a court decision.

CLIP: The Civil Code stipulates that the female spouse shall keep her maiden name and use that name when exercising her civil rights. However, in social situations, women are free to use their partner's name or add his name to their own. This practice is currently in decline in Québec.

Civil union

- If you choose a civil union, you and your partner have the same rights and the same obligations as married couples. Civil union is available to individuals 18 years of age or older, whether the couple is homosexual or heterosexual. However, the partners must be free from all previous ties, whether from civil union or marriage.
- As with marriage, you can choose to have a religious or civil ceremony.
- Also, Québec will recognize your union if it abides by the laws of the country where it was solemnized.
- Civil unions can be dissolved by the court or simply by a joint statement witnessed by a notary, provided there is a pre-existing agreement regarding the consequences of the separation and there are no interests of a common child to consider.

CLIP: Civil union has been available to same-sex couples since 2002. Same-sex marriage became legal in 2004.



SAME RIGHTS; SAME OBLIGATIONS

Marriage and civil union have the same effects; in both cases, the partners:

- owe each other mutual respect, fidelity, succour and assistance;
- together take in hand the moral and material direction of the family;
- together exercise parental authority and assume the tasks resulting therefrom, such as feeding, supporting and parenting the children;
- together choose the family residence;
- contribute to the expenses of the family in proportion to their respective means;
- jointly assume any debts contracted for the current needs of the family, unless indicated otherwise; and
- establish, with their property, a family patrimony.

Matrimonial regimes

The Civil Code provides for three different matrimonial regimes under which couples can administer their property: partnership of acquests, separation as to property and community of property. If no marriage contract is signed, the partnership of acquests automatically applies.

Whatever regime you choose, in the event of a severance of the union or a death, the rules governing division of family patrimony always take precedence. The rules of a specific matrimonial regime will take effect thereafter.

FAMILY PATRIMONY

Marriage and civil union entail the establishment of a so-called “family patrimony.” Essentially, this patrimony consists of the following property: the family’s primary residence and secondary residence(s), where applicable, the movable property with which this or these residence(s) are furnished, the motor vehicles used by the family and the benefits accrued during the marriage or union under a retirement plan. In the event of a separation, each partner has the right to half the value of the family patrimony, after certain debts contracted by the couple and the value of the property owned by each partner before the union have been deducted.

The rules governing family patrimony apply to all couples, even to those united abroad. The objective of these rules is to improve the equality and economic security of both partners in the event that the marriage or union is severed.

Common-law relationship

- If you decide to cohabit without the formal ties of marriage or civil union, you are united in a “common-law relationship.”
- Over one third of Québec couples choose this kind of arrangement.
- Common-law spouses do not benefit from the same protection enjoyed by married or civil union couples, even if they have lived together for an extended period of time. For instance, there is no obligation to divide the family patrimony or pay alimony to one’s former spouse.
- However, there are certain social or fiscal laws that treat common-law relationships the same as marriage or civil union. They establish certain criteria, such as the length of cohabitation and the existence of a common child. These laws cover a number of different areas: taxes, income support, occupational accidents, legal aid, etc.
- To ensure greater financial security for both partners, it is advisable to draw up a cohabitation agreement and ensure all property is jointly owned.



Family life

Both parents exercise joint parental authority and family responsibilities.

- Parental authority places you and your partner on an equal footing with respect to your common child. It is your duty to jointly assume leadership of your family, exercise parental authority and be responsible for it.
- Whatever type of union they are in, Québec society recommends that partners split the tasks of raising their children equally. These days, an increasingly high percentage of men are taking paternity leave after the birth of their child.
- Exercising family responsibilities means sharing household tasks: cleaning, preparing meals, etc. It is important that chores be divided as fairly as possible, particularly since, in many cases, both members of the couple work.

CLIP: In 2012, 78%* of new fathers in Québec took a leave when their child was born.

* Out of the total number of births for which benefit claims were made to the Québec Parental Insurance Plan (76,775). (Source: Conseil de gestion de l'assurance parentale, Statistiques officielles sur les prestataires du Régime québécois d'assurance parentale, December 2012)

“... a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women.”
(Preamble, Convention on the Elimination of All Forms of Discrimination against Women)

CLIP: A child born in Québec is given one or more first names chosen by the father and the mother, as well as a family name, which can be either the mother's or the father's last name. It could also be a combination of both parents' last names. However, a child cannot have more than two surnames.

The family residence

The family residence is the place you have chosen to be your family's home. If you are married or in a civil union, the family residence and furniture are specifically protected. Thus, if the residence is rented, a partner may not sublet it, or transfer or terminate the lease without the other partner's consent, even if the lease is only signed by that partner, as long as a Declaration of Family Residence was given to the landlord. Similarly, if the residence is owned, a partner may not sell, rent or mortgage the residence without the other partner's consent, even if that partner is the sole owner, as long as a Declaration of Family Residence was made at the land registry office.

CLIP: The Charter of Human Rights and Freedoms states unequivocally that it is against the law for landlords to turn down prospective tenants on discriminatory grounds such as race, colour, gender, religion, ethnic origin or social condition.

Break-ups

If you want to get a separation or a divorce, or dissolve your civil union in court, and everything is going smoothly, you can present a draft agreement in court. However, if you and your partner do not agree, you can enlist the services of lawyers who specialize in matrimonial law or family mediation experts.

After the break-up, you retain your parental authority and are obliged to help support and parent your child, whether or not you have custody of the child. Fathers and mothers are responsible for ensuring the custody, parenting, supervision and support of their children.

CLIP: Various organizations, both public and private, offer assistance and advice on the subject of separation and divorce. Many of the people working for these organizations are bound to professional secrecy; therefore, anything you say to them will be strictly confidential.

Family mediation: making informed choices

Family mediation is a method of conflict resolution. The mediator can help you reach a mutually satisfactory agreement. Couples with children have the right to six free mediation sessions.

It should be noted that there are certain situations in which family mediation is generally inappropriate, for example situations of domestic violence.

CLIP: If your income is such that you cannot afford to hire a lawyer, you can apply for legal aid. You may be eligible to receive legal services either for free or in return for a small fee.

BREAK-UP OF UNIONS DURING THE IMMIGRATION PROCESS: WHICH LAWS PREVAIL?

- If a marriage or union was solemnized abroad it is possible to obtain a legal separation, a divorce or the dissolution of the union in Québec when the conditions set out in the Civil Code regarding the partners' country of origin have been fulfilled and if one of the partners lives in Québec. However, some countries will not recognize the decision handed down in Québec.
- If a couple was married in a country where the law forbids divorce, or forbids a woman from requesting one, a woman can still request a divorce in a Québec court. The request will be processed in accordance with the laws of Québec and Canada, where men and women are equal before the law.
- If two individuals were married abroad and lived there for several years before settling in Québec, in the event of a break-up, the issue of custody will be decided by Québec law. However, some countries will not recognize the custody decision handed down in Québec.
- Individuals sponsored by their spouse may lose their right of permanent residence if they separate from their sponsor. Since October 25, 2012, Citizenship and Immigration Canada has imposed a condition on the granting of permanent residence to recently sponsored partners (relationships of two years or less without children in common). Failure to comply with this condition may result in the permanent resident status being revoked if the relationship that enabled the sponsored person to immigrate ceases within two years. For more information on this subject, refer to Citizenship and Immigration Canada.
- A sponsored person is an individual whom a third party promises to support for a given period, which varies according to family relationship and program. This third party's undertaking enables the person to immigrate; however, the new immigrant must comply with the condition related to the granting of permanent residence in order to maintain his or her status.

Child custody

You and your partner can settle custody issues out of court. If you do not agree, the court will decide. Its decision will be based on the best interest of your child, taking into consideration his or her intellectual, emotional and material welfare. If the judge believes that both parents possess similar abilities and that the two have a reasonable level of communication, he or she can also award shared custody, depending on each parent's circumstances.

Without due cause, neither parent may oppose their children's relationship with their grandparents.

Child support

Both parents must provide for the child's material needs. That being so, one parent may have to pay child support to the other parent with whom the child lives. The amount is based on the number of children, the income of both parents and the custody time awarded to each. In most cases, the support amount is indexed each year. Revenu Québec collects the support payments and pays them to the recipients. If both parties request it, it is possible to be exempt from this deduction method.

Spousal support

It could be that one of the partners has to pay support to the other partner. Spousal support is determined on a case-by-case basis and is generally viewed as a temporary measure to enable the lower-income partner to get his or her finances in order. There is no spousal support obligation for common-law partners.



For more information

General rules of law in Québec:

Contact the Ministère de la Justice: 418-643-5140
or toll free 1-866-536-5140

E-mail: informations@justice.gouv.qc.ca

Éducaloi: www.educaloi.qc.ca

Family mediation:

www.justice.gouv.qc.ca/english/publications/generale/mediation-a.htm

Break-ups:

Read the on-line guide *When a couple separates*

www.separation-divorce.info.gouv.qc.ca/en/index.asp

Get legal services

You can contact a lawyer or a notary directly at:

Québec Bar: 1-800-361-8495

Chambre des notaires: 1-800-263-1793

Legal aid:

- Commission des services juridiques: 514-873-3562
- Community Legal Centre of Montréal: 514-864-2111
- Community Legal Centre of Québec: 418-627-4019
- To locate your local legal centre, click the Contact Us/Offices tab of the Commission's Web site (www.csj.qc.ca), or consult the Québec government section (blue pages) of your telephone directory

The Commission des droits de la personne et des droits de la jeunesse: 514-873-5146 or toll free 1-800-361-6477



EQUALITY AT WORK AND IN BUSINESS

Québec has established strict rules to guarantee that male and female employees receive fair and equitable treatment. The province has also adopted various measures—the most generous in North America—designed to help mothers and fathers balance their professional responsibilities with family life.

CLIP: Women represent close to half of Québec's workforce (47.3% in 2012). Their participation rate has significantly increased over the past few decades. In 2012, it stood at 82.4% in Québec mothers with children under 16 years, compared with only 35.3% in 1976. In terms of participation rate, this segment has not only caught up to but surpassed its counterparts in Ontario and Canada as a whole (78.1% and 78.3% respectively in 2012). (Source: Statistics Canada, CANSIM database, Table 282-0211, Compilation by the Secrétariat à la condition féminine, 2013)

CLIP: More than two thirds of Québec couples (in which the woman is aged between 25 and 54) with children under six years old earn two employment incomes, a proportion that is higher than those of Ontario and Canada as a whole. In 2012, this percentage was 71.1% in Québec, versus 66.2% in Ontario and 66% in Canada. (Source: Statistics Canada, Labour Force Survey, special compilation for the Institut de la statistique du Québec, 2013).

Pay equity: ensuring fair and equitable treatment

When setting wages for their staff, employers are bound by two important principles:

- *Equal pay for equal work.* Men and women with the same qualifications and similar professional experience should be paid the same salary, based on the same conditions, for performing the same work. This principle is written in the Charter of Human Rights and Freedoms.
- *Equal pay for similar work.* Until recently, various aspects of women's work had never been properly assessed to determine a fair wage. In order to correct this situation, Québec introduced the principle of pay equity. Henceforth, employers must give equal pay not just for equal work but also for similar work. In order to do so, they must use certain set criteria to compare female-dominated job categories to male-dominated ones. If the comparison reveals a gap in wages, they must take steps to correct the situation. The Pay Equity Act applies to any company with 10 employees or more.

Working conditions: minimum requirements

Québec has passed several pieces of legislation aimed at protecting all the province's employees. The Act respecting Labour Standards sets current minimum requirements, whether your position is permanent, temporary or part-time.

These standards also apply to individuals from other countries, regardless of their immigration status: temporary workers, refugees, those awaiting status or those who are sponsored.

The working conditions of unionized employees are governed by collective agreements. However, the content of these agreements may not deviate from the provisions of the Act respecting Labour Standards.

Work environment: dignity and respect

Male and female employees have the right to an appropriate workplace that is free from all forms of harassment.

CLIP: Employees can address their complaints to the Labour Standards Commission. Complaints may be filed for a number of reasons: deducted or withheld wages, reprisals, unjustified suspension or dismissal, etc. Complaints can also be filed with the Commission des droits de la personne et des droits de la jeunesse when the complainant feels the employer has contravened one or more provisions of the Charter of Human Rights and Freedoms.



AFFIRMATIVE ACTION PROGRAMS IN THE WORKPLACE

It's one thing to state a right; it's quite another to ensure it becomes entrenched in the practices, organizational methods and operations of companies and institutions. In Québec, all employers whose company situation requires it must adopt an affirmative action program. As laid out in the Charter of Human Rights and Freedoms, the object of these programs is "to remedy the situation of persons belonging to groups discriminated against in employment or in the sector of education or of health services and other services generally available to the public." (chapter C-12, sec. 86)

Work-life balance: "special status" for parents

Do you think you are being discriminated against at work because you are a parent? You should know that parental responsibilities cannot be used by your employer as grounds to restrict your professional eligibility, training or opportunities for promotion. Recourse against prohibited practices relating to family responsibilities is set out in the Act Respecting Labour Standards. Workplaces are asked to provide conditions that facilitate a work-life balance.

Day care services

In order to support parents, Québec has set up a network of children's educational day care services. Subsidized services are provided by early childhood centres (CPEs), home day cares and day care centres. Certain home day cares and day care centres are not subsidized, however.

Childcare services are intended for young children, from birth to preschool. Inquire about a spot as soon as possible if you plan on using day care services because they are in high demand: the sooner you apply, the better.

- The cost of reduced-contribution (subsidized) day care services is currently \$7.00/day for each child.
- If your child attends a public preschool or elementary school, you can also use the school day care services offered by that institution.
- If you cannot find any \$7-a-day spots, you are eligible for a tax credit that will significantly reduce your childcare expenses. In order to receive it you must submit the official childcare tax schedule or have the receipts from the person who provided the services on file.

Leave of absence

For pregnant women

You are entitled to take time off work, without pay, for an appointment with a doctor or a midwife that is related to your pregnancy. However, you must give your employer as much advance notice as possible.

If your workplace presents a risk to your health or to that of your unborn child, you have the right to be assigned to other duties. If that is not possible, you are entitled to take a paid leave of absence.

CLIP: Under no circumstances may an employer dismiss a woman for the sole reason that she is pregnant.

For mothers and fathers

The Québec Parental Insurance Plan provides benefits in the following situations: maternity leave, paternity leave and parental leave shared by both parents. They can receive benefits for up to 55 weeks, divided along the following lines: 18 weeks of maternity leave, 5 weeks of paternity leave and 32 weeks of parental leave. The total number of weeks of parental benefits can be taken by either parent or shared by both, based on an agreement between the two.

CLIP: The father is entitled to his own leave. As the name implies, paternity leave (three or five weeks, depending on the type of plan) is for the father only. If he decides not to use his paternity leave, it cannot be transferred to the mother.



Québec needs women entrepreneurs!

Female entrepreneurship is a major lever of growth. The contribution of female entrepreneurs is vital in developing a strong and diverse economy.

In order to encourage women to start their own business, the government has put in place a network of organizations that support women entrepreneurs. These organizations, called Femmessor, cover all of Québec. Their mandate is to support women in their business activities and provide training and funding as well as networking and mentoring opportunities.

In many regions of the province, the Québec Community Credit Network (RQCC) offers support and microloans to low-income entrepreneurs.

“Many false prophets, with an utter lack of both knowledge and understanding, have proclaimed that women aspire to the same status as men. Nothing could be further from the truth: the status they want to achieve is their own.” Idola Saint-Jean, 1937 in Micheline Dumont and Louise Toupin, *La pensée féministe au Québec*, Éditions du remue-ménage, 2003.

There are many competent businesswomen in Québec. They are active in all segments of society and stand out for their drive and creativity. If you are considering going into business, contact your local Femmessor or one of the other partners listed at the end of this section.

For more information

Job offers are available at:

<http://placement.emploiquebec.net/mbe/login/portail/portcherc.asp?CL=english>

Employment services:

<http://emploiquebec.gouv.qc.ca/en/citizens/finding-a-job/employment-assistance-services>

Emploi-Québec provides services to anyone who is looking for work. These services are intended to help people enter the job market or stay employed. It provides information on job openings, training and economic sectors.

The information is available at local employment centres across Québec.

To locate your local employment centre, call 418-643-4721 or, toll free, 1-888-643-4721

www.mess.gouv.qc.ca/services-en-ligne/centres-locaux-emploi/localisateur/Index_en.asp



Workers' rights:

- Commission des droits de la personne et des droits de la jeunesse: 514-873-5146 or toll free 1-800-361-6477
www.cdpdj.qc.ca/en
- Commission des normes du travail: 514-873-7061 or toll free 1-800-265-1414
www.cnt.gouv.qc.ca/en
- Commission de l'équité salariale
Across Québec (toll free): 1-888-528-8765
Québec City area: 418-528-8765
www.ces.gouv.qc.ca/english

For more information

Entrepreneurship:

Association des centres locaux de développement
du Québec (CLD)
www.acldq.qc.ca

CLDs support entrepreneurs, both men and women, at each step in the life of their business, from startup to retirement and through all the stages of development.

Services Québec – Entreprises
www2.gouv.qc.ca/entreprises/portail/quebec

This portal allows you to simplify the process of dealing with the Québec government when creating and managing your business and provides information about financial assistance programs that apply to your situation.

Ministère des Finances et de l'Économie
www.economie.gouv.qc.ca/objectifs/informer/entrepreneuriat

Femmessor
www.femmessor.com/eng

Réseau québécois du crédit communautaire
www.rqcc.qc.ca

Information and training on dealing with the Québec government and major private corporations:

Secrétariat du Conseil du trésor
www.tresor.gouv.qc.ca/faire-affaire-avec-letat/formation/entreprises

Réseau des Femmes d'affaires du Québec
www.rfaq.ca/def

You can find a list of day care services in your area at:
www.mfa.gouv.qc.ca/fr/services-de-garde/parents/localisateur/Pages/index_en.aspx

Information on the tax credit for childcare expenses is available on the Revenu Québec Web site:
www.revenuquebec.ca/en/citoyen/credits/credit_enfant/default.aspx

You can also call the regional headquarters of the Ministère de la Famille:

- Direction régionale de la Capitale-Nationale et de l'Est du Québec: 418-644-6955 or toll free 1-866-640-9919
- Direction régionale du Centre et du Sud du Québec: 450-928-7676 or toll free 1-866-640-9917
- Direction régionale de l'Ouest et du Nord du Québec: 450-680-6525 or toll free 1-866-640-9918
- Direction régionale de Montréal: 514-873-7200



EQUALITY IN HEALTH-CARE SERVICES

Whether it's for yourself, a relative or someone you know, whether it's with regard to a check-up, a health problem or an accident, access to health services is universal. As soon as people have established their Québec resident status (according to currently applicable legal criteria), they have a right to receive health care.

These services make up a sensitive sector because many of its members are in vulnerable situations. The primary concern of health services personnel is to treat all of its clients with the same degree of dignity and respect.

Which fundamental rights are recognized?

One of the rights recognized is the right to choose the professional or the institution that will provide the service. Whenever possible, and to the extent that it does not endanger the patient's health, the health and social services network does its utmost to grant such requests.

However, the practical application of this right must take into account a number of administrative constraints, such as scheduling, internal organization and efficiency as well as human, material and financial resources, etc. In practice, this means patients may ask to be examined, treated or cared for by a person of their choice or a professional of the same gender, but they cannot insist that such requests be granted.

BECAUSE YOU ARE SO MUCH MORE THAN JUST A PATIENT

All residents of Québec are entitled to:

- be informed of the existence of the health and social services and resources available in their community and of the conditions governing access to such services and resources;
- receive, with continuity and in a personalized and safe manner, health services and social services that are scientifically, humanely and socially appropriate;
- choose the professional or the institution (see above);
- receive the care required by their condition when their life or bodily integrity is endangered;
- be informed, before consenting to care, of their state and, as much as possible, be acquainted with the various options available to them and with the risks and consequences generally associated with each option;
- participate in any decision affecting their state of health or well-being; and

- be accompanied and assisted by the person of their choice when they wish to obtain information or take steps in relation to a service.

All persons are also entitled to confidential treatment of their file and to professional secrecy.

Finally, except in exceptional circumstances, no person may be made to undergo any type of care—examination, specimen collection, treatment or any other kind of intervention—without his or her consent.

CLIP: WAITING PERIOD

There is a maximum three-month “waiting period” during which new immigrants are not covered by Québec’s health insurance plan. New immigrants must register with the Régie de l’assurance maladie du Québec as soon as they arrive to avoid delaying the processing of their eligibility. The Régie de l’assurance maladie du Québec will notify you if a waiting period exemption applies to you or to a member of your family.



CLIP: YOUR TOP SECRET MEDICAL RECORD

Persons 14 years or older are entitled to consult their medical record and to have it remain confidential. Generally speaking, such persons may give consent to their own care. However, if their state requires that they stay in a health or social services establishment for more than 12 hours, the person having parental authority or the guardian must be informed.

The shift to home care

In recent years, the shift to home care has meant that family members play a greater role in caring for their loved ones. It also means that institutional care is now viewed as a temporary solution or final resort. This shift translates into more humane care for the individuals in question. However, it often results in extra work, usually for women.

Family planning and abortion decisions

The emphasis in family planning as well as perinatal services is on respect for personal choices, from contraception to deciding to have a child. Whether you choose a birthing centre or a hospital, a midwife or a doctor, mother and father will experience all the intensity of bringing a child into the world together. You will also make all decisions pertaining to every stage of this event together.

Voluntary termination of pregnancy (VTOP) is legal in Québec, as it is elsewhere in Canada. As confirmed by the Supreme Court of Canada in its now-famous ruling on the Chantal Daigle case, the final decision to carry a pregnancy to term or not lies with the woman. With VTOP cases, as with all health services, the right to respect for bodily integrity and the rule of consent to care apply.

“When women thrive, all of society benefits, and succeeding generations are given a better start in life.”
Kofi Annan

For more information

General information on public health and how services are organized: www.msss.gouv.qc.ca/en

For a consultation, check-up or an emergency:

- Info-Santé, dial 811
- your nearest Health and Social Services Centre (CSSS)
- doctor or medical clinic
- hospital emergency department, if warranted (by dialing 911)

EQUALITY WITH REGARD TO SAFETY AND THE INTEGRITY OF THE PERSON

For many years now, public institutions have worked with a number of social groups to successfully combat all forms of violence. Special initiatives have been launched to combat violence against women, specifically domestic violence, sexual assault and sexual exploitation.

The right to respect for one's physical integrity is entrenched in the Charter of Human Rights and Freedoms. However, in order to rigorously apply this right in all areas and in every circumstance—and for it to be applied to every citizen, with no distinction whatsoever—it is vital that every person get involved. Only by working together as one can the men and women of Québec succeed in building a non-violent society.



“It is not enough to denounce the many kinds of violence that are perpetrated against women; we must take action against the social interactions that are behind the violence.” Conseil du statut de la femme, *Pour les Québécoises, Égalité et indépendance*, 1978, pages 126-127.

Domestic violence

Domestic violence is unacceptable and often criminal. It takes place in current or former couple relationships. It can occur both in adult couples and relationships between young people.

Domestic violence is not the same as a simple disagreement or even an argument between partners. It builds up gradually, and is sometimes very subtle. It reveals itself through repeated and escalating types of behaviour: threats, scornful remarks, denigration, intimidation and insults. It can include such behaviour as attempts to socially isolate the partner and control this person's movements and inappropriate supervision but also the use of physical force: hitting, throwing things and forcing unwanted sexual relations.

Individuals who commit acts of domestic violence are not out of control; rather, they are attempting to gain control. Domestic violence is a means of dominating one's partner.

There are many services available to help victims of domestic violence. If you witness an instance of domestic violence, you must report it to the police by dialing 911. Police officers are trained to respond to these kinds of situations, protect the victims and direct them toward resources and shelters.

CLIP: Police records show there were 19,731 crimes against persons committed by a spouse in 2012. Eight out of 10 victims were women. (Source: Ministère de la Sécurité publique, *Criminalité dans un contexte conjugal au Québec : faits saillants 2012*)

If you are a victim of domestic violence and decide to leave your partner, you do not lose your rights. There are measures specifically designed to protect you. These include financial assistance, where necessary, and the opportunity to terminate your residential lease and leave your apartment with no penalty if your own safety or the safety of your child is endangered.

ASSISTANCE FOR VICTIMS OF DOMESTIC VIOLENCE

- A range of services are offered across Québec, specifically psychosocial services, legal support and, in certain cases, the services of an interpreter.
- There is an extensive network of transition houses to accommodate women who are victims of domestic violence and their children.
- Health and Social Services Centres also offer a wide range of services for victims of domestic violence as well as the children who are exposed to it.
- Crime Victims Assistance Centres offer free and confidential services, including legal assistance throughout the entire process as well as information on the rights and remedies of crime victims, the crime victims compensation program, INFOVAC-Plus and any financial assistance measures to which victims may be entitled.
- Services are also available for individuals who display violent behaviours, since they also require help.
- SOS violence conjugale is a free, confidential and anonymous hotline specialized in domestic violence that is offered to victims, their loved ones and witnesses at 1-800-363 9010. SOS violence conjugale also offers shelter, assessment, information, awareness, support and referral services.

- There is also recourse for sponsored individuals who are victims of domestic violence. Immigration officials can provide them with all the information they need.
- Six brochures aimed at individuals who are vulnerable to domestic violence are available in the Publications section of the Secrétariat à la condition féminine Web site. They are intended for:
 - elderly women;
 - women with a disability;
 - immigrant women with precarious status;
 - women from cultural communities;
 - lesbian, gay, bisexual, transsexual, transgender individuals; and
 - male victims of domestic violence.

The brochures are available in several languages, in various adaptations for women with disabilities and in multiple formats.

Sexual assault

Sexual assault is defined as an act of a sexual nature, with or without physical contact, committed by an individual without the consent of the targeted person or, in some cases, through emotional manipulation or bribery. It is an act by which an individual forces another person to do his or her will through the abuse of power, the use of force or coercion, or through implicit or explicit threats.

It can include rape, sexual abuse, sexual contact, incest, and child prostitution and pornography. They are generally criminal acts. In Québec, as in the rest of the world, women and children are the primary victims.

CLIP: Québec police records show that 5,273 sexual offences were committed in 2012, 3,856 of which were sexual assaults. However, this statistic does not account for all sex-related offences, since it excludes offences involving child pornography as well as those related to prostitution (e.g., bawdy houses and pimping). (Source: Ministère de la Sécurité publique, *Infractions sexuelles au Québec : faits saillants 2012*)

The population is increasingly aware that sexual assault is unacceptable and is, in fact, a crime. It is also better informed about this kind of behaviour because police officers are able to intervene effectively in such situations.

Sexual assault is detrimental to the health, development and well-being of the victim. If you are or have been a victim of sexual assault, even if you feel affection or trust for your assailant or if that person is in a position of authority, you must report the crime immediately. Dial 911 to reach the police.

ASSISTANCE FOR VICTIMS OF SEXUAL ASSAULT

A number of services are offered across Québec to adults and children who are victims of sexual assault. Your local Health and Social Services Centre offers a range of services and, where necessary, can direct the victim to the appropriate resources.

A free, confidential, bilingual telephone service for referring victims of sexual assault, their loved ones and community workers to the appropriate services is also available at all times throughout Québec at 1-888-933-9007.

CAVAC (Crime Victims Assistance Centres) and CALACS (Sexual Assault Centres) can also provide assistance and information for victims of sexual assault.

Contact your local CAVAC for more information on how the laws and legal system apply to sexual assault.

Three pamphlets on sexual assault aimed at the general public, people with disabilities and the elderly are available in the Publications section of the Secrétariat à la condition féminine Web site.

CLIP: In Canada, genital mutilation, such as excision and infibulation, is prohibited by the Criminal Code and is not justifiable on any grounds whatsoever. Health and Social Services Centres offer services to people who may require help.

For more information

In an emergency or to request services, contact:

- the police, by calling 911
- À cœur d'homme, assistance service for partners who display violent behaviour: 418-660-7799
- Association québécoise Plaidoyer-Victimes: 514-526-9037
- Fédération de ressources d'hébergement pour femmes violentées et en difficulté du Québec: 514-878-9757
- your local Director of Youth Protection (DYP). Their contact information is available at www.acjq.qc.ca/?49342FCD-412C-4510-A649-2CB8A3E345CF
- your local Crime Victims Assistance Centre (CAVAC): 1-866-532-2822
- your local Health and Social Services Centre
- The support, information and referral hotline for victims of sexual assault: 1-888-933-9007 (toll free)
- Regroupement des maisons pour femmes victimes de violence conjugale: 514-878-9134
- RQCALACS-Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel (Sexual Assault Centres): 514-529-5252
- SOS Violence conjugale confidential hotline: 1-800-363-9010

PARTICIPATION IN PUBLIC LIFE

Québec society invites all its members to become involved in their community. There are many ways to do so: holding political office at the local, regional or provincial level, joining a community organization or support group, or becoming involved in public debate. Those men and women who wish to express their opinions have equal access to Québec's many public places and forums.

Voting: the basis of democracy

Québec's electoral system is based on universal suffrage. Voting is an inalienable right. If you are 18 years of age or older and a Canadian citizen, you are entitled to cast your vote in free and confidential elections. It is vital that you make your voice heard!

"... I claim the right to vote and run for office for women in order to provide them with new opportunities to serve their province, and to expand the horizons of all Québec citizens." Adélard Godbout, Premier of Québec, Québec Legislature, April 4, 1940.

CLIP: The Charter of Human Rights and Freedoms recognizes the right of every person who is legally capable and qualified to be a candidate and to vote in an election. Furthermore, the Canadian Charter of Rights and Freedoms states that any person who is a Canadian citizen has the right to vote in federal or provincial legislative elections.

Involvement

More and more women hold positions of responsibility in all sectors of Québec public life, including law, politics and finance. Our goal is to achieve equal representation of men and women at local, regional and provincial decision-making levels.

Québec society is also working to implement gender parity in all bodies where decisions are made that affect the well-being of the community, such as school boards or hospital boards of directors. Whatever form it takes, your involvement is crucial!

Community participation

You could join a community organization. Some of them work to defend people's rights: women's rights, human rights, the rights of society's more vulnerable groups. Others offer various kinds of support services. Community organizations definitely play a vital role in assisting immigrants and refugees.

Freedom of expression

Québec has many different media outlets that frequently invite members of the general public to make their viewpoints known. Québec encourages diversity of opinion as a means of promoting debate and advancing the cause of democracy. Speak up: citizens need to be heard and your opinion is important!

For more information

Elections:

The Chief Electoral Officer of Québec

Québec City region: 418-528-0422

Everywhere in Québec: 1-888-ÉLECTION (1-888-353-2846)

www.electionsquebec.qc.ca/english/index.php

Elections in the education sector:

- The Ministère de l'Éducation, du Loisir et du Sport
www.mels.gouv.qc.ca/en
- The school board in your area

Elections in the health and social services sector:

- The Ministère de la Santé et des Services sociaux
www.msss.gouv.qc.ca/en
- The health and social services agency in your area

Municipal elections: contact your municipality.

Community organizations:

- The Secrétariat à l'action communautaire autonome et aux initiatives sociales (secretariat on independent community action and social initiatives)
www.mess.gouv.qc.ca/sacais/Index_en.asp
- Your local Centraide organization

If you are unable to find the government organization you are looking for or if you want to know more about the provincial government laws, programs or services, call Services Québec:

Québec City region: 418-644-4545

Montréal region: 514-644-4545

Elsewhere in Québec: 1-877-644-4545 (toll free)

Deaf or speech-impaired (TTY): 1-800-361-9596 (toll free)



STAYING THE COURSE ON EQUALITY

Although often cited as an example of equal opportunity for both sexes on the world stage, is Québec really the Mecca of gender equality others believe it to be?

The men and women of Québec have every reason to be proud of how far they have come since the first suffragette demonstrations. In education, for example, more young women than young men graduate from secondary school, college and university.

The number of female university students enrolled in traditionally male-dominated disciplines, such as medicine, dentistry and law, is steadily increasing. Also, young parents benefit from the most generous programs on the continent to help them balance family and professional responsibilities.

Young people provide an excellent indicator of our progress to date and, above all, help us to determine what remains to be accomplished. Indeed, we must remember that in the current context of globalization and major demographic shifts, the struggle to achieve full equality is more relevant than ever.

Attaining this lofty goal is a common responsibility, and it is therefore important that all inhabitants of this province work together to that end. Everyone within his or her circle, and every institution within its particular sector of activity, can take action to advance gender equality.

We must not waver, but rather hold our course so that everyone, whether male or female, may benefit from the same conditions in which to fully exercise their rights and develop their potential. Men and women must have the same rights and the same duties, the same responsibilities and the same privileges. Québec society needs the energy, intelligence and drive of all its members, without exception or distinction.

Equality in government institutions

Québec is conscious of the leadership role it plays in the area of gender equality. To reinforce this role, it has created institutions that embody its determination to banish sexism in all its forms, both at home and abroad.

The Secrétariat à la condition féminine (Secretariat on the status of women or SCF) was created in 1979 to assist and advise the Minister responsible for the status of women. Its duties consist in co-ordinating and overseeing government initiatives on gender equality, advising the government on how to make Québec's influence felt in Canadian intergovernmental affairs and on the world stage, and joining forces with numerous focus and university research groups to ensure that Québec continues to be progressive in this area. For more information on this topic, go to www.scf.gouv.qc.ca.

The Conseil du statut de la femme (Council on the Status of Women or CSF) is a government consultation and study council that also falls under the jurisdiction of the Minister responsible for the status of women. Since 1973, the CSF has devoted itself to promoting and defending the rights and interests of women in Québec. It advises the minister on all subjects concerning the status of women and provides relevant information to women and the general public. For more information, go to www.csf.gouv.qc.ca.

**Secrétariat
à la condition
féminine**

Québec 