

Quebec Leave Laws

This material is for general informational purposes only and does not constitute legal advice. For current and accurate guidance, please consult legal counsel in your jurisdiction.

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Paid Time Off (PTO) in Quebec

Vacation Leave Quota

2 or 3 weeks of vacation (check the table below for details).

The length of the vacation depends on the number of years of uninterrupted service. Employees serving more than a year will have 2 or 3 weeks of vacation (check the table below).

Quebec leave laws define that vacations are earned over 12 consecutive months, over which an employee gradually earns vacation during one year and can take it during the following year.

This period runs from first May to 30th April and is known as the “*reference year*” or the “*vacation entitlement year*.” (The period may be different if the employer, a collective agreement, or a collective agreement decree sets other dates.). If the employer chooses to have a different reference period, it should be communicated through a policy.

The total length of the vacation will depend on employee seniority, that is, it depends on the employee's period of uninterrupted service. “Uninterrupted service” means the continuous period during which the employee is bound to the employer by a contract of employment, even if the performance of the work is interrupted, provided the contract is not canceled. This service is counted as uninterrupted even if certain events have interrupted the work, such as sick leave or a temporary layoff.

Vacation pay (vacation indemnity) is determined by the wages earned by the employee during the vacation entitlement year in the company.

Number of years of uninterrupted service (at the end of the reference year)	Length of vacation	Vacation pay (indemnity) **
Less than 1 year	1 day per full month of uninterrupted service, but not more than 2 weeks	4% of gross wages
1 year to less than 3 years	2 consecutive weeks *	4% of gross wages
3 years or more	3 consecutive weeks	6% of gross wages

** An employee who is entitled to 2 weeks of vacation has the right to take the third week without pay. An employer can't deny such a request. The employer can, however, refuse to allow this third week to be taken after the first two.*

*** An example of how vacation pay is calculated:*

Peter is credited with 4 years of uninterrupted service at the end of the reference year.

So, he is entitled to 3 weeks of vacation and vacation pay of 6%.

He earned \$30,400 during the reference year.

Calculation: $\$30,400 \times 6\% = \$1,824$.

Peter will receive vacation pay of \$1,824, for his 2 weeks of vacation.

For more information, please visit vacationtracker.io

Vacation pay is accumulated on all earnings during the reference year including overtime pay, commissions, bonuses, and tips. An employer is required to give an employee his entire vacation pay in one payment before he leaves on vacation.

Additional facts:

Ultimately, it is up to employers to determine an employee's vacation dates. While most employers allow employees the courtesy of choosing their preferred vacation dates, the law provides that employers can choose the dates of the employee's vacation with four weeks' notice.

Employees can take their vacation time in consecutive weeks. Any internal policy stating that employees cannot take more than one or two weeks in a row is not valid under the law. Employees are also generally allowed to take their vacation in two separate periods.

Part-time employees are entitled to vacations of the same length as full-time staff. For example, an employee who works 2 days a week and is entitled to 2 weeks of vacation has the right to be absent from work for 2 continuous weeks and not just 4 vacation days.

Accruals

PTO accruals are not mandatory in Quebec, but they are widely used by companies.

Employers are generally free to design their own vacation accrual system, such as hourly, daily, weekly, bi-weekly, semi-monthly, or monthly increments. The accrual system is usually based on the pay period (payroll cycle). The most common payroll cycles in Quebec are hourly, bi-monthly, and monthly.

Roll Over (Carry Over, Brought Forward)

For more information, please visit vacationtracker.io

The “use it or lose it” policy is illegal in Quebec and Canada.

In Quebec, it is illegal to have a “use it or lose it” policy, which prevents employees from carrying over their unused vacation time from one year to the next.

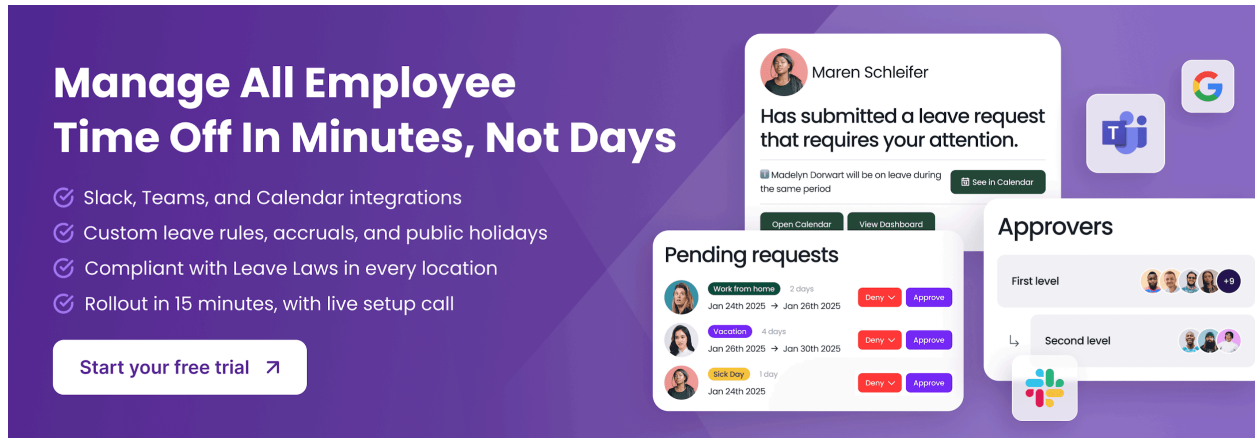
Payment of Accrued, Unused Vacation on Termination

The employee’s earnings must be paid upon termination of employment.

An employer must pay employees for any accumulated vacation they haven’t taken, calculated according to the rules we provided above. Employees are entitled to be paid for the vacation they didn’t take in the reference year that ended on April 30th, and accumulated vacation for the current reference year.

Payout

An employer pays for all the accrued, but unused vacation on termination.



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Employee Request: Maren Schleifer has submitted a leave request that requires your attention. Madelyn Dorwart will be on leave during the same period. [Open Calendar](#) [View Dashboard](#)

Pending requests:

Request Type	Duration	Period	Deny	Approve
Work from home	2 days	Jan 24th 2025 → Jan 26th 2025	Deny	Approve
Vacation	4 days	Jan 26th 2025 → Jan 30th 2025	Deny	Approve
Sick Day	1 day	Jan 24th 2025	Deny	Approve

Approvers:

- First level: [User 1] [User 2] [User 3] [+9]
- Second level: [User 4] [User 5]

Sick Leave in Quebec

For more information, please visit vacationtracker.io

Quebec leave laws include several types of paid and unpaid sick leave, depending on the type of illness or injury and whether an employee or an employee's family member is involved. All types of sick leave are presented below.

Days of Absence with Pay

Employees are entitled to up to 2 days of paid leave per year.

An employee is eligible for this paid leave after 3 months of continuous service.

For the following reasons, eligible employees are entitled to up to 2 days of paid leave per year:

- In the case of sickness or an accident
- To take care of a relative or person with whom an employee acts as an informal caregiver
- To fulfill family obligations relating to the care, health, or education of their child or their spouse's child
- For organ or tissue donation
- As a result of domestic or sexual violence or a crime

The law provides for a total of 2 days of paid leave per calendar year (January 1 to December 31). These days may be divided into hours if authorized by the employer. These days may not be carried over from one year to the next or cashed out.

Payout

Pay for these days of leave is calculated in the same way as public holiday pay:

- 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the leave, excluding overtime

For more information, please visit vacationtracker.io

- 1/60 of the wages earned during the 12 complete weeks of pay preceding the week of the leave in the case of an employee paid in whole or in part on a commission basis

Unpaid Leave for Sickness or Accident

Up to 26 weeks of unpaid leave for a variety of medical reasons.

Eligible employees who have worked for the same employer for at least 3 consecutive months are entitled to up to 26 weeks of unpaid leave per year due to the:

- sickness
- accident
- organ or tissue donation
- domestic violence or sexual violence of which an employee was a victim.

Written notice is required.

Family or Parental Obligations

An employee may be absent from work for 10 days a year to fulfill family or parental obligations.

An employee may take job-protected leave from work for 10 days a year to fulfill family or parental obligations relating to:

- care, health, or education of the employee's child or the child of the employee's spouse

- the health of a family member or a person for whom the employee acts as a caregiver

The first 2 days shall be paid according to the formula (check out Section *Days of Absence with Pay* above), after 3 months of uninterrupted service for the employer.

The days don't have to be consecutive. If authorized by the employer, these days of absence may be divided into half-days or hours. For example, an employee is absent from work when their child is sick and must see a doctor. If the employee only needs half a day off, he or she can take just half a day off, if the employer agrees.

Unpaid Long-Term Leaves

Long-term leaves include absences without a pay that extend beyond the above-mentioned and typically involve serious illness or injury of either the employee or a close family member.

These unpaid leaves include:

- Compassionate care leave
- Leave for victims of crime

Compassionate Care Leave (Family or Natural Caregiver Leave)

Employees are entitled to the following unpaid job-protected leave:

- Up to 16 weeks within a year when their presence is required due to an accident or serious illness involving a relative of the employee or a person for whom he acts as a natural caregiver; up to 36 weeks within a year if the family member or person is a minor child. A medical certificate is required.

- Up to 27 weeks if the relative or person requiring the employee's presence is critically ill, or has a significant risk of death, and up to 104 weeks if this person is the employee's minor child. A medical certificate is required.

The employee must have worked for the company for at least three months. The employer can't punish the employee for being absent for these reasons.

Leave for Injuries as a Result of a Crime

Employees may be absent from work without pay for up to 104 weeks if they are seriously injured as a result of a crime, rendering them unable to do their usual job. Also, employees may be absent from work without pay for up to 104 weeks if their minor child is seriously injured as a result of a crime, (rendering the child unable to pursue his or her regular activities).

Maternity and Paternity Leave

Maternity, paternity, and parental leave (unpaid time off) are separate from the Quebec Parental Insurance Plan (QPIP), which provides financial benefits.

Maternity Leave in Quebec

A maternity leave could last a maximum of 83 weeks. The maternity leave itself lasts for 18 weeks, and after that, mothers can take an additional 65 weeks of parental leave (in which case the father would get no paternity leave).

Maternity leave is only for biological mothers. Mothers take it while they are pregnant and after the baby is born. The maximum length of maternity leave is 18 weeks, and it can start either before or after the child is born. Maternity leave can begin at the earliest 16 weeks before the expected delivery date, and it must end at the latest 20 weeks after the child is born.

For more information, please visit vacationtracker.io

If the birth occurs after the expected date, the employee is entitled to at least 2 weeks of maternity leave following the birth, even if her 18 weeks have already been used.

After taking 18 weeks of maternity leave, mothers can proceed to take parental leave, which can last up to maximum of 65 weeks (in case father doesn't take any part of parental leave). This means that in total, mothers can have up to 83 weeks of leave (18 weeks of maternity leave + 65 weeks of parental leave).

Time Off for Pregnancy-Related Examinations

An employee may take as many days off as needed for pregnancy-related examinations, whether they are to be conducted by a midwife or a physician. These days will not be paid. The employee must notify her employer as early as possible.

Employer's Rights During Pregnancy

Beginning 6 weeks before the expected delivery date, an employer can ask a pregnant employee to provide a written medical certificate confirming that she can work. If she doesn't provide this certificate within 8 days, her employer can require her to take maternity leave immediately by giving her written notice.

Notice Requirements

The employee must give her employer 3 weeks' written notice indicating the date she will go on maternity leave and the date she will return to work. The written notice must always be accompanied by a medical certificate attesting to the pregnancy and the expected date of delivery.

Return to Work

At the end of the maternity leave, the employer must reinstate the employee in her former position with the wages and benefits she would have been entitled to have if she remained at work.

For more information, please visit vacationtracker.io

Special Maternity Leave

An employee is entitled to special maternity leave without pay if there is a risk of termination of the pregnancy or if the pregnancy threatens the health of the mother or the unborn child. The employee must provide a medical certificate attesting to the risk or threat and indicating the length of the leave and the expected date of delivery. In this case, regular maternity leave begins 4 weeks before the expected date of delivery.

Leave in the Event of a Termination of Pregnancy

A pregnant employee who experiences a termination of pregnancy (such as a miscarriage or an abortion) has the right to be absent from work, to recover.

If the termination occurs before the beginning of the 20th week of pregnancy, she has the right to be absent for up to 3 weeks, without pay.

If termination of pregnancy occurs as of the 20th week of pregnancy, the employee is entitled to maternity leave, without pay, for a maximum of 20 weeks.

Both parents may also be entitled to 5 days' leave, 2 of them with pay. This leave must be taken in the 15 days following the termination of the pregnancy. If the mother is already on maternity leave or the father is on paternity leave, they are not entitled to this leave.

Paternity Leave in Quebec

5 weeks (plus parental leave).

Paternity leave is only for biological fathers (or the female spouse of the mother). Paternity leave may begin in the week the child is born, and must end no later than 78 weeks (18 months) after the child is born. The maximum length of paternity leave is 5 consecutive weeks.

For more information, please visit vacationtracker.io

After taking 5 weeks of paternity leave, fathers can continue with parental leave, which they can share with mothers and which can last up to a maximum of 65 weeks. For example, if the mother takes 55 weeks of parental leave, the father can have an additional 10 weeks on top of his 5 weeks of paternity leave. This would bring the total length of paternity leave to 15 weeks.

The employee must give his employer at least 3 weeks' written notice indicating the expected start date of the leave and the date he will return to work. This notice period may, however, be shorter if the child is born before the expected date.

At the end of the paternity leave, the employer must reinstate the employee in his former position with the wages and benefits he would have been entitled to have if he remained at work.

Parental Leave in Quebec

65 weeks.

Parental leave applies to both biological and adoptive parents, and is added to maternity or paternity leave. This period is devoted to integrating the new child into the family. Both parents can take parental leave, at the same time or at different times, even if they have the same employer.

Parental leave may begin in the week the child is born, and must end no later than 78 weeks (18 months) after the child is born. The maximum length of parental leave is 65 continuous weeks. It is in addition to the 18-week maternity leave or the 5-week paternity leave.

At the parent's request, the parental leave may be suspended, divided, or extended if the parent's or child's health condition requires so. In some situations, at the parent's request and with the employer's agreement, the leave may be split into weeks.

Notice requirements and reinstatement rights apply the same as for maternity and paternity leave (check above).

Adoption – Parental Leave

65 weeks.

The rules for parental leave also apply to adoptions. In case of an adoption, parental leave may begin no earlier than the week the child is entrusted to the employee or the employee leaves work to take custody of the child outside Québec. Parental leave must end no later than 78 weeks (18 months) after the child is entrusted to the employee.

Leave for a Birth or Adoption

5 days

Both parents may be absent from work for 5 days, 2 of them with pay, at the birth or adoption of a child. This leave can be added to other leaves related to the birth or adoption of a child. The employee must take the leave in the 15 days following the child's arrival in the employee's home. The days need not be consecutive, at the employee's request.

It is separate from maternity, paternity, and parental type of leave explained above. If the mother is already on maternity leave or the father is on paternity leave, they are not entitled to this leave.

Payout

Employers are not required to pay workers or offer benefits while they are on maternity, paternity, or parental leave. The Quebec Parental Insurance Plan (QPIP) provides benefits to eligible workers during these types of leave.

For more information, please visit vacationtracker.io

Maternity and Paternity Benefits

The law does not require an employer to pay for maternity, paternity, or parental benefits. However, employees can receive payments from the Quebec Parental Insurance Plan (QPIP) if they apply.

Maternity benefits (non-shareable benefits) may begin before birth, no sooner than the 16th week before the week scheduled for childbirth. These benefits must end no later than 20 weeks after the child is born.

Paternity benefits (non-shareable benefits) may begin in the week the child is born. These benefits must end no later than 78 weeks after the child is born.

Parental benefits (shareable benefits) may begin in the week the child is born, and must end no later than 78 weeks after the child is born. Some parental benefits are shareable, while others are not.

Choosing a plan

When parents apply for benefits, they have to choose between two options:

- basic plan
- special plan

This choice determines the number of parental insurance benefit weeks that may be paid and the percentage replacement of your earnings for these weeks. Both parents must choose the same plan.

Basic Plan

For more information, please visit vacationtracker.io

The mother is entitled to 18 weeks of maternity benefits (at 70% of income).

The father (or the female spouse of the mother who gave birth) is entitled to 5 weeks of paternity benefits (at 70% of income).

Both parents are entitled to 32 weeks of shareable parental benefits (with 7 weeks at 70% of income and 25 weeks at 55% of income). As soon as eight weeks of shareable parental benefits have been paid to each parent, they will be eligible for 4 additional weeks of parental benefits (at 55% of income), which brings the number of shareable parental benefit weeks to 36 weeks.

In total, under the basic plan, parents could benefit from a maximum of 59 benefit weeks (maternity, paternity, and parental benefits).

Special Plan

The mother is entitled to 15 weeks of maternity benefits (at 75% of income).

The father or the female spouse of the mother who gave birth is entitled to 3 weeks of paternity benefits (at 75% of income).

Both parents are entitled to 25 weeks of shareable parental benefits (at 75% of income). As soon as six weeks of shareable parental benefits have been paid to each parent, they will be eligible for 3 additional weeks of parental benefits (at 75% of income), which brings the number of shareable parental benefit weeks to 28 weeks.

In total, under the special plan, parents could benefit from a maximum of 46 benefit weeks (maternity, paternity, and parental benefits).

Adoption

Basic Plan

Each parent is entitled to 5 weeks of non-shareable adoption benefits.

Both parents are entitled to 13 weeks of adoption-related welcome and support benefits, which are shareable.

Both parents are entitled to 32 weeks of shareable adoption benefits. As soon as eight weeks of shareable adoption benefits have been paid to each parent, they will be eligible for 4 additional weeks of adoption benefits, which brings the number of shareable adoption benefit weeks to 36 weeks.

In total, under the basic plan, parents could benefit from a maximum of 59 benefit weeks (non-shareable adoption benefits, adoption-related welcome and support benefits, and shareable adoption benefits).

Special plan

Each parent is entitled to 3 weeks of non-shareable adoption benefits.

Both parents are entitled to 12 weeks of adoption-related welcome and support benefits, which are shareable.

Both parents are entitled to 25 weeks of shareable adoption benefits. As soon as six weeks of shareable adoption benefits have been paid to each parent, they will be eligible for 3 additional weeks of adoption benefits, which brings the number of shareable adoption benefit weeks to 28 weeks.

In total, under the special plan, parents could benefit from a maximum of 46 benefit weeks (non-shareable adoption benefits, adoption-related welcome, and support benefits, and shareable adoption benefits).

*

For more information about maternity, paternity, and parental benefits, check out [the detailed brochure of QPIP](#).

Payout

For residents of Quebec, maternity and parental benefits do not come from Employment Insurance (EI) like the rest of Canada, but rather from a separate provincial plan, the Québec Parental Insurance Plan (QPIP).

Bereavement Leave in Quebec

5 days for an immediate family member (2 paid days), 1 day for relatives and in-laws.

Employees are entitled to up to 5 days of leave, including 2 paid days due to death or to attend the funeral of their:

- spouse
- child
- spouse's child
- mother or father
- brother or sister

Employees are entitled to 1 unpaid day in the case of the death or funeral of their:

- son-in-law or daughter-in-law
- grandparent
- grandchildren
- parent-in-law
- sister-in-law or brother-in-law

For more information, please visit vacationtracker.io

Employees are also entitled to up to 104 weeks of leave if their child passes away or goes missing. If the child is found alive, the employee must return to work within a maximum of 11 days.

Employees are entitled to up to 104 weeks of unpaid leave due to the suicide of their spouse, child, mother, father, or common-law partner.

Employees are entitled to up to 104 weeks of unpaid leave in the event of the death of their child, spouse, or common-law partner, resulting from a crime.

Payout

The employer pays for the first 2 days of bereavement leave in the event of the death of a member of the employee's immediate family.

Jury Duty Leave in Quebec

All employers must allow employees to take unpaid leave in order to attend court as jurors.

Employers must permit employees to be absent from work for jury duty or as a witness in a trial. Employers aren't required to pay employees if they are absent for court. However, jurors can claim an allowance or compensation for time spent in court. In Quebec, jurors receive \$103 per day (until the 57th day, when it increases to \$165).

Employers may not fire, threaten to fire, penalize, suspend, discipline, or punish an employee in any way due to their jury service.

Payout

Employers in Quebec are not required to pay employees for [jury duty leave](#). However, jurors are paid by the government.

Reservist Leave

An employer must allow eligible employees to take unpaid, job-protected reservist leave.

A Canadian Armed Forces reservist may be absent from civilian work without pay to conduct operations in Canada or abroad. To be eligible for this leave, an employee must have 12 months of continuous service with their current employer.

Reservists may be absent from work for up to 18 months to participate in a Canadian Armed Forces operation abroad. An operation abroad consists of: preparation, training, rest, and travel from their place of residence and back.

A reservist may be absent from work to take part in a Canadian Armed Forces operation in Canada to:

- assist in the event of a major disaster within the meaning of the Loi sur la sécurité civile
- assist the civil authorities at the request of the Attorney General of Québec according to the National Defence Act
- intervene in any other emergency designated by the Government

The reservist leave regulation requires employers to provide up to 15 days of unpaid leave each calendar year for annual training with the Canadian Armed Forces.

The reservist must give at least 4 weeks' notice in writing to their employer. The notice period may be shorter only if there is a serious reason such as an emergency.

For more information, please visit vacationtracker.io

Payout

Reservist leave is unpaid.

Voting Leave

An employer must provide at least 4 paid hours to vote.

An employer must ensure that employees have 4 consecutive hours to vote if elections are on a working day. Employers cannot deduct anything from an employee's paycheck for this leave. Every person who works full or part-time is entitled to this time off.

These 4 hours must be given during polling station hours on election day; the polls are open from 9:30 am to 8 pm. Employers can't compel employees to use their lunch break as part of the 4 hours.

Employees are not eligible for additional time off if they only work a few hours on election day, or already have 4 consecutive hours available before or after their shift. For example, if an employee usually works from 8 am to 4 pm, the employer doesn't have to give her any time off because she will have 4 consecutive hours from 4 pm to 8 pm. If, however, an employee usually works from 10 am to 6 pm, the employer could allow him to finish work at 4 pm instead of at 6 pm.

If an employee works from home on election day, he/she has the same rights as if they worked at their employer's location that day.

An employer may also adjust the regular work schedule to allow an employee to vote. Still, such changes must not result in a salary reduction.

An employee can choose to vote in advance rather than on election day. However, his employer can't force him to do so.

For more information, please visit vacationtracker.io

An employer will not provide this time off automatically, so an employee needs to request it in advance.

Payout

An employer pays regular wages for the time taken for voting leave.

Leave for a Wedding

1 day of job-protected leave (with or without pay)

An employee who gets married or enters a civil union on a workday is entitled to 1 day off with pay.

An employee is entitled to 1 day off without pay when the event takes place on a workday for the wedding or civil union of the employee's child, father, mother, brother, sister, or child of the employee's spouse.

Events Not Covered by Quebec Leave Laws

There is no paid or unpaid leave available for employees who wish to be absent from work for the following reasons:

- birthday
- move
- divorce

No Quebec leave laws are applicable to these private events, and they are at the employer's discretion. Employees who want to miss work for any of these reasons must request it from their employer. The employer has the option of approving or rejecting the leave.

Statutory Holidays in Québec for 2024

8 public holidays

Quebec officially observes 8 statutory holidays as defined by Quebec leave laws. It is an employer's discretion to add the 9th official holiday, Easter Monday.

Bank holidays (when banks are closed) also include January 2, September 30, November 11, and December 25. However, please check more on the following link about [bank holidays in 2024](#) for Canada. In addition to this, it's also advisable to directly check your bank's schedule during the holidays.