



Parental rights are all the rights arising from the birth or adoption of a child. These rights are primarily regulated by the Act respecting parental insurance and the Act respecting labour standards, as well as the collective agreements; these rights constitute key gains for Quebecers. Here is a summary of the various leaves provided for in the public sector collective agreements.

1. Special leaves

1.1. Leave for medical appointments

The employee has the right to miss work for pregnancy-related appointments with a health professional that are backed by a medical certificate or a written report signed by a midwife. For these visits, the employee is given a special leave without loss of salary or loss of regional disparity premiums, up to a maximum of four days that can be taken in half days.

1.2. Preventive withdrawal as per the “Pour une maternité sans danger” program (For a safe maternity experience)

If the employee's working conditions create a danger for the employee or her unborn child, and the situation cannot be remedied, the employee may, under certain conditions and on recommendation of her physician, be assigned to other occupations. If this is not possible, she stops working and receives preventive withdrawal compensation, i.e. 90% of her net salary, from the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST).

1.3. Special leave in the event of complication or risk of miscarriage

If there is a risk of complication or termination of pregnancy, or danger to the mother or the unborn child's health, which is the result of a personal health issue that prevents the employee from doing her job, she may claim special leave. A medical certificate attesting the danger and indicating the length of the leave is then required; the employee can benefit from the collective agreement's sick leave and employment insurance plan. This special leave ends four weeks prior to the expected date of delivery.

1.4. Termination of pregnancy

In the event of a termination of pregnancy occurring before the beginning of the twentieth week prior to the expected date of delivery, the employee is entitled, on presentation of a medical certificate and for the duration prescribed, to a special leave and employment insurance benefits to recover physically or psychologically from the loss of her baby, where appropriate.

In the event of a termination of pregnancy as of the twentieth week prior to the expected date of delivery, the employee is entitled to a maternity leave as if she had given birth to the child.

2. Maternity leave

The maternity leave is reserved to the mother giving birth to a child. It is twenty-one weeks in duration for cases eligible for the Quebec Parental Insurance Plan (QPIP); it may begin at earliest sixteen weeks prior to the expected date of delivery and it must end, at the latest, eighteen weeks after childbirth. Its distribution is to the employee's discretion, but must include the day of delivery. An indemnity complimentary to the QPIP benefits is paid during this leave.

3. Birth leave (five days) and paternity leave (five weeks)

These two leaves are exclusively reserved for the father or the same sex female spouse if she is designated as one of the child's mothers.

The birth leave is five paid days that may be discontinuous, but must be taken within fifteen days of the arrival of the child or the mother at home.

The paternity leave is for a maximum of five consecutive weeks. It may begin as early as the week of the child's birth and must end, at the latest, fifty-two weeks after the delivery. An indemnity complimentary to the QPIP benefits is paid during this leave.



4. Leave to adopt (five days) and adoption leave (5 weeks)

At the time of the adoption of a child, the employee is entitled to a paid five-day leave, which may be taken within fifteen days of the child's arrival at home.

The adoption leave is for a maximum of five consecutive weeks. It may begin as early as the child's first week at home and must end, at the latest, fifty-two weeks after the child's arrival. An indemnity complimentary to the QPIP benefits is paid during this leave.

5. Complimentary indemnity

The indemnity complimentary to the QPIP paid to the employee during the maternity leave and to the employee during the paternity or adoption leave means that the employee receives the equivalent of their full salary for the duration of the leave.

6. Extended maternity, paternity or adoption leave without pay

This leave without pay is complementary to the maternity, paternity or adoption leave. It is available to both parents, simultaneously or not, but it must be continuous (barring exceptions). Different options are provided in the collective agreements, but, at minimum, the Act respecting labour standards provides for a maximum leave of fifty-two weeks that may begin as early as the first week of the child's birth or arrival (two weeks before in the case of an international adoption) and must end no later than seventy weeks after the birth or arrival of the child.

Rights and benefits are maintained for the duration of these leaves. Please refer to your collective agreement for further information.