

Alexandre Fallon on proposed changes to Québec's Charter of the French Language – Lexpert TV

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Alexandre Fallon, a partner in Osler's Litigation Group in Montréal, recently spoke with Lexpert TV's Kavita Musty about how proposed changes to Québec's Charter of the French Language could impact employment and labour relations for businesses operating in that province.

In May 2021, the government of Québec introduced Bill 96, An Act respecting French, the Official and Common Language of Québec, which proposes significant amendments to the *Charter of the French Language*. If the bill passes, businesses operating in Québec would need to comply with provisions around employee communications, employment offers, job postings, recruitment and hiring and more.

Currently, businesses with 50 or more employees in Québec must follow certain rules to ensure French is the language of work. Bill 96 proposes to generalize the use of French for companies operating in Québec that employ at least 25 people.

Some of the new requirements include posting job advertisements in French. Currently, companies advertising positions open to Québec residents must post them in some manner in French, but there are no specific rules. Bill 96 proposes that when the posting occurs it, must be on the same forums as English language postings or equivalent in reach. For example, if posting a job on LinkedIn in English, an organization would need to find an alternative, platform with lesser visibility. It would have to have as broad a distribution or bilingual postings on a forum such as LinkedIn. As well, companies with career pages would need to post job openings in both languages.

Bill 96 is also proposing that for new employees or amendments to existing employment contracts, a French version of the contract or the standard clauses, would have to be provided for examination before the employee can request to have the employment agreement drawn up in English. There will be a transition period for existing employees.

"The consequences and the risks are much more significant under Bill 96," Alexandre told LexpertTV.

Bill 96 would also create entirely new private rights of action in multiple ways.

"From our perspective, the net effect of this will, I think, launch a new trend of language litigation that we have not seen in Québec because it has not been a possibility under the *Charter of the French Language* until now," says Alexandre.

Watch Alexandre's [full video interview on Lexpert.ca](#).