

chapter E-12.001, r. 1

Regulation respecting the report on pay equity

Pay Equity Act
(chapter E-12.001, s. 4).

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1. The following employers are subject to the obligation to submit a report on pay equity:

(1) an employer registered under the Act respecting the legal publicity of enterprises (chapter P-44.1) which, under that Act, is subject to the obligation to file an annual updating declaration for the current year and declared 11 employees or more in its previous annual updating declaration or in any other document standing in lieu of the last annual updating under that Act;

(2) the Conseil du trésor, as an employer deemed to be the employer in the public service enterprise and the parapublic sector enterprise under section 3 of the Pay Equity Act (chapter E-12.001);

(3) an employer registered in the central database of public bodies and corporations provided for by Order in Council 1870-93 dated 15 December 1993, except if the employer is in the public service enterprise or the parapublic sector enterprise;

(4) a group of employers recognized as the employer of a single enterprise by the Commission de l'équité salariale pursuant to section 12.1 of the Pay Equity Act;

(5) any employer registered under the Act respecting the legal publicity of enterprises which, not having 11 employees or more or being exempt from the obligation to file an annual updating declaration, has already submitted a report on pay equity in which the employer declared that it was subject to the Pay Equity Act.

In this Regulation,

(1) “report on pay equity” means an employer’s report on the implementation of the Pay Equity Act in the employer’s enterprise, provided for in the second paragraph of section 4 of the Pay Equity Act;

(2) “annual updating declaration” means the declaration provided for in section 45 of the Act respecting the legal publicity of enterprises.

M.O. 2011-001, s. 1; M.O. 2015-001, s. 1.

2. An employer referred to in subparagraph 1 or 5 of the first paragraph of section 1 is to submit a report on pay equity during the period applicable to the employer for filing an annual updating declaration, provided for in section 3 of the Regulation respecting the application of the Act respecting the legal publicity of enterprises (chapter P-44.1, r. 1), subject to section 3.1.

M.O. 2011-001, s. 2; M.O. 2019-002, s. 1.

3. An employer referred to in paragraph 2, 3 or 4 of the first paragraph of section 1 is to submit its report on pay equity within 6 months of 1 March of each year, subject to section 3.1.

M.O. 2011-001, s. 3; M.O. 2019-002, s. 2.

3.1. An employer having submitted a report on pay equity attesting that adjustments in compensation have been determined, a pay equity plan has been completed or a pay equity audit has been completed is exempt from submitting a report on an annual basis until the date on which the next pay equity audit is to be made pursuant to section 76.1 of the Act, without taking into account any time limit set by the Commission pursuant to section 101.1 of the Act.

M.O. 2019-002, s. 3.

4. The report on pay equity is submitted using the form prescribed by the Minister of Labour and includes an attestation to the accuracy of the information provided.

In addition to useful identification information, the report on pay equity contains the information required to determine whether the employer is subject to the Pay Equity Act (chapter E-12.001) and, where applicable,

within what time limit the employer must complete any pay equity plan, determine compensation adjustments or conduct a pay equity audit. The report on pay equity of an employer required to submit it also contains

- (1) the enterprise's sector of activity;
- (2) an indication of whether all the pay equity plans or compensation adjustments required in the enterprise have actually been completed or determined and, if such is the case, the date of the last posting attesting to it; and
- (3) an indication of whether all the pay equity audits required in the enterprise have actually been conducted and, if such is the case, the date of the last posting attesting to it.

M.O. 2011-001, s. 4.

5. *(Omitted).*

M.O. 2011-001, s. 5.

UPDATES

M.O. 2011-001, 2011 G.O. 2, 561

S.Q. 2010, c. 7, s. 282

M.O. 2015-001, 2015 G.O. 2, 1104

M.O. 2019-002, 2019 G.O. 2, 2658

