#### COMPLAINT FOR PSYCHOLOGICAL HARRASSMENT UNDER THE *ACT RESPECTING THE PROFESSIONAL STATUS OF ARTISTS IN THE VISUAL ARTS, FILM, THE RECORDING ARTS, LITERATURE, ARTS AND CRAFTS AND THE PERFORMING ARTS*, CQLR, c. S-32.1 (Sections 45 and 63.3)

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| **COMPLAINANT** | REPRESENTATIVE OF THECOMPLAINANT |
| Name: | Name: |
| Address: | Addres**s**: |
| City: | City: |
| Postal code: | Postal code: |
| Telephone: | Telephone: |
| Fax: | Fax: |
| Email: | Email: |
| Occupation: |  |
| INFORMATION ON THE OCCUPATION EXERCISED FOR THE PRODUCER | PRODUCER |
| Name of the production:  Start date:    **(year/month/day)**  Last day worked:    **(year/month/day)**  Date of the last incidence of harrassment:    **(year/month/day)**    Are you or were you governed by a collective agreement?  **YES**  **NO**  **If so, which?** | Name: |
| Address: |
| City: |
| Postal code: |
| Telephone: |
| Fax: |
| Email: |
| Name of contact: |
| DESCRIPTION OF THE FACTS | |
| **Is it a record involving allegations of sexual violence?   YES  NO** | |
| ***Describe in detail the facts supporting your complaint***:  If needed, continue the description on a blank sheet and attach it to the form. | |

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| **CORRECTIVE MEASURE(S) SOUGHT (s. 63.3 para. 2)**  ***Briefly describe the corrective measures you are seeking under section 63.3 of the Act***: |

#### Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

🡺 You must send copies of your complaint and all relevant documents to the producer in question, using any means that provides proof of transmission (notification).

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| **SUBMIT TO AN OFFICE OF THE TRIBUNAL** | | |
| Tribunal administratifdu travail  900, boulevard René-Lévesque Est, 5e étage  **Québec** (Québec) G1R 6C9  Telephone: 418 643-3208  Toll free: 1 800 361-9593  Fax: 418 643-8946  Email: [tat.quebec.vprt@tat.gouv.qc.ca](mailto:tat.quebec.vprt@tat.gouv.qc.ca)  Website: [www.tat.gouv.qc.ca](http://www.tat.gouv.qc.ca) | **Proof of receipt**  (Please leave this space blank.) | Tribunal administratifdu travail  500, boul. René-Lévesque Ouest,  Bureau 18.200  **Montréal** (Québec) H2Z 1W7  Telephone: 514 873-7188  Toll free: 1 800 361-9593  Fax: 514 873-3112  Email: [tat.montreal.vprt@tat.gouv.qc.ca](mailto:tat.montreal.vprt@tat.gouv.qc.ca)  Website: [www.tat.gouv.qc.ca](http://www.tat.gouv.qc.ca) |

**INSTRUCTIONS**

**When to file a complaint**

You have **two years** from the last incidence of the alleged psychological harassment to submit a complaint under section 45, paragraph 2, of the *Act respecting the professional status of artists in the visual arts, film, the recording arts, literature, arts and crafts and the performing arts*.

**How to complete the** **form**

You must complete **all sections** of the form. You must also sign and date it, and enclose all relevant documents.

**To submit the form**

Submit your complaint to the Tribunal using the “Dépôt d’un acte introductif” online service available at [www.tat.gouv.qc.ca](http://www.tat.gouv.qc.ca), or by fax, by mail, in person, or by email at the address that corresponds to your region:

* [tat.quebec.vprt@tat.gouv.qc.ca](mailto:tat.quebec.vprt@tat.gouv.qc.ca) : Bas-Saint-Laurent, Capitale-Nationale, Centre-du-Québec, Chaudière-Appalaches, Côte-Nord, Estrie, Gaspésie–Îles-de-la-Madeleine, Lanaudière, Mauricie et Saguenay–Lac-Saint-Jean;
* [tat.montreal.vprt@tat.gouv.qc.ca](mailto:tat.montreal.vprt@tat.gouv.qc.ca) : Abitibi-Témiscamingue, Laurentides, Laval, Montérégie, Montréal, Nord-du-Québec et Outaouais.

You must then send copies of your complaint and all relevant documents to the producer, using any means that provides proof of transmission (notification).

Once your **record is open**, you can submit additional documents to the Tribunal by email or using the “Dépôt de documents en ligne” service on our website.

***ACT RESPECTING THE PROFESSIONAL STATUS OF ARTISTS IN THE VISUAL ARTS, FILM, THE RECORDING ARTS, LITERATURE, ARTS AND CRAFTS AND THE PERFORMING ARTS*, CQLR, c. S-32.1**

**43.** Every artist has a right, in his relations with a producer and with the persons the producer puts the artist in contact with for the purposes of the carrying out of his contract, to a work environment free from psychological harassment.

The producer must take reasonable action to prevent psychological harassment and, whenever he becomes aware of such behaviour, to put a stop to it. The producer must, in particular, adopt and make available to the persons who participate in the production or presentation of a work a psychological harassment prevention and complaint processing policy that includes, in particular, a section on behaviour that manifests itself in the form of verbal comments, actions or gestures of a sexual nature.

[**44.**](https://www.legisquebec.gouv.qc.ca/fr/document/lc/s-32.1#se:44)  In this Act, “psychological harassment” has the meaning assigned by section 81.18 of the Act respecting labour standards (chapter N-1.1), with the necessary modifications.

[**45.**](https://www.legisquebec.gouv.qc.ca/fr/document/lc/s-32.1#se:45)  The provisions of sections 43, 44, 63.3 and 63.4 are deemed to be an integral part of every group agreement, with the necessary modifications. An artist covered by such an agreement must exercise the recourses provided for in the agreement.

An artist who is not covered by a group agreement and who believes he has been the victim of psychological harassment may file a complaint with the Tribunal.

**63.3** A complaint referred to in the second paragraph of section 45 must be filed with the Tribunal within two years of the last incidence of psychological harassment.

If the Tribunal considers that the artist has been a victim of psychological harassment and that the producer has failed to fulfil his obligations under section 43, it may render any decision it believes fair and reasonable, taking into account all the circumstances of the matter, including the discriminatory nature of the behaviour, such as:

(1) ordering the producer to reinstate the artist;

(2)   ordering the producer to pay the artist an indemnity up to a maximum equivalent to the remuneration or monetary consideration lost;

(3)   ordering the producer to take reasonable action to put a stop to the harassment;

(4)   ordering the producer to pay punitive and moral damages to the artist;

(5)   ordering the producer to pay the artist an indemnity for loss of income;

(6)   ordering the producer to pay for the psychological support needed by the artist for a reasonable period of time determined by the Tribunal; and

(7)   ordering the modification of the disciplinary record of the artist who is a victim of psychological harassment.