#### COMPLAINT FOR A PROHIBITED PRACTICE 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 42 and 63.1)

|  |  |
| --- | --- |
| **COMPLAINANT** | REPRESENTATIVE OF THECOMPLAINANT |
| Mr.  Ms. Name: | Mr.  Ms. Name: |
| Address: | Address: |
| City: | City: |
| Postal code: | Postal code: |
| Telephone: | Telephone: |
| Fax: | Fax: |
| Email: | Email: |
| Occupation: |  |
| STATEMENT | PRODUCER |
| Nature of the action:  Refusal to engage  Other, specify:  Date of the action:  **(year/month/day)** | Name: |
| Address: |
| City: |
| Postal code: |
| Telephone: |
| Fax: |
| Email: |
| DESCRIPTION OF THE FACTS | |
| *Describe in detail the facts supporting your complaint****:***  Au If needed, continue the description on a blank sheet and attach it to the form. | |
| Was this complaint the subject of a grievance?  **YES**  **NO** | |
| Is it a record involving allegations of sexual violence?   **YES**  **NO** | |
| **CORRECTIVE MEASURE(S) SOUGHT**  ***Briefly describe the corrective measures you are seeking:*** | |

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

🡺 **Attach all relevant documents to this complaint (ex.: disciplinary notice, dismissal letter, etc.).**

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

#### 

|  |  |  |
| --- | --- | --- |
| **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 **thiry (30) days** from the date the alleged contravention to section 42 came to light to file a complaint 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.

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

You must complete **all the 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**

**42.** No producer nor any person acting for a producer may refuse to engage an artist because that artist exercises a right arising from this Act, or endeavour by intimidation, discrimination or reprisals, threat of dismissal or other threat, or by the imposition of a sanction or by any other means, to compel an artist to refrain from or to cease exercising a right arising from this Act.

If it is shown to the satisfaction of the Tribunal that the artist exercised a right arising from this Act, there is a simple presumption in his favour that the action was taken against him because he exercised such right, and the burden of proof is upon the producer to prove that he resorted to the action against the artist for another good and sufficient reason.

**63.1** An application relating to the application of sections 11.1, 11.2 and 26, the second paragraph of section 26.1, sections 30, 32 and 34, the second paragraph of section 37 and sections 37.1, 38 to 40 and 42 must be filed with the Tribunal within 30 days of the alleged contravention coming to light.

In addition to the other powers conferred on it by the [Act to establish the Administrative Labour Tribunal (chapter T-15.1](https://www.canlii.org/en/qc/laws/stat/cqlr-c-t-15.1/latest/cqlr-c-t-15.1.html)), the Tribunal may render any decision it believes fair and reasonable, taking into account all the circumstances of the matter. It may, in particular, exercise the powers provided for in [section 15](https://www.canlii.org/en/qc/laws/stat/cqlr-c-s-32.1/latest/cqlr-c-s-32.1.html#sec15_smooth) and in subparagraphs 1 to 5 of the first paragraph of [section 111.33](https://www.canlii.org/en/qc/laws/stat/cqlr-c-c-27/latest/cqlr-c-c-27.html#sec111.33_smooth) of the [Labour Code (chapter C-27](https://www.canlii.org/en/qc/laws/stat/cqlr-c-c-27/latest/cqlr-c-c-27.html)), with the necessary modifications.