

Bill 96: Understanding Québec's French language law

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Bill 96, adopted by Québec's National Assembly in May 2022, brings significant amendments to the *Charter of the French Language* that will affect all businesses with operations or employees in the province. With implications for client and employee communications, contracting, public signage and more, it is critical that organizations understand the new requirements to remain compliant and reduce their risk.

Osler partner Alexandre Fallon outlines the top five areas of the law that could impact your business in the video below.

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Video transcript

ALEXANDRE: Hello, I am Alexandre Fallon, a partner in the Litigation practice at Osler based in Montreal.

Recently, the Province of Quebec passed Bill 96, to promote the use of the French language in the province.

The new requirements introduced by *An Act Respecting French, the Official and Common language of Quebec*, bring significant amendments to the *Charter of the French Language (Bill 101)*. The changes will affect all businesses operating or having employees in Quebec.

Understanding and implementing the new laws will be critical for business entities to remain compliant.

The Bill opens the door to lawsuits against businesses that fail to service customers in

French, provide communications in French and post job descriptions in French, as just a few examples. The law will also apply to e-commerce sites run by businesses outside Quebec, to the extent these sites sell to Quebec residents, and increases the risk of liability if businesses don't comply.

Here are the top 5 areas of the law that could impact your business:

All businesses must inform and serve their Québec clients (both consumers and non-consumers) in French.

Broader requirements for all businesses to communicate with Quebec employees in French.

Stricter standards for hiring in Québec, both in terms of publishing job offers in French and also in respect of limiting situations where knowledge of a language other than French is required as a condition of employment.

A new private right of action for all Québec residents to seek injunctive relief, damages and punitive damages for violations of the provisions of the Charter.

Reducing the threshold at which businesses become subject to the obligation to undergo a "francization program" seeking to generalize the use of French within the businesses' Québec operations from 50 to 25 employees in Québec.

The new law applies the francization process to thousands of businesses that had previously been exempt. Francization is a process that involves detailed inspections of business operations and the development of tailored compliance plans.

Businesses will also be subject to increased scrutiny if they do not follow Québec's language law. Members of the public and employees can, for the first time in the history of language rights in Québec, seek redress before the Courts, and the Office Québécois de la langue française is gaining several new powers to ensure compliance with the requirements.

Our team would be pleased to assist you with any questions you may have about the impact of the new law on your business.