Santé Services Sociaux

Home Autonomy Allowance Modality

for Users/Employers

October 2026

Bâtir l'avenir

Québec

PRODUCED BY
This publication was produced by the Sous-ministériat aux services sociaux in collaboration with the Direction des communications du ministère de la Santé et des Services sociaux.
This document is available only in electronic format at: publications.msss.gouv.qc.ca.

For more information: Québec.ca/gouv/santé-services-sociaux

Legal deposit – 2026
Bibliothèque et Archives nationales du Québec
ISBN 978-2-555-04958-1 (PDF)

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Context

This document has been prepared to provide comprehensive information on the home autonomy allowance (HAA) modality and facilitate its use for users.

Description of the home autonomy allowance

Home support services (HSS) are for anyone, regardless of their age, who has a temporary or permanent disability, which may be physical, cognitive, mental health-related or psychosocial, and who must receive some or all of the care and services their condition requires in their home.

The HAA is a HSS delivery modality in force in the regions of Quebec. The health and social services institution's care provider assesses the user's needs and prepares an intervention plan that includes a specific number of hours of home support services. In order to assign this modality, the care provider takes into account the user's needs, their preferences for the service delivery modality, their ability to self-manage the modality as well as the resources available in their family, the community or the institution. For some institutions, depending on the territorial networks of services, the final authorization of the services is made by an allocation or attribution committee. In this modality, which is **free of charge**, the user may hire one or more people of their choice to provide certain types of care and the health and social services required for their condition in accordance, however, with certain guidelines. In this sense, you, that is, the user or their representative, become the employer within the legal meaning of the Act respecting labour standards.

Intervention plan

Depending on the institution's guidelines, the institution's care provider is responsible for organizing all HSS. The HAA hours granted by the care provider are determined based on the services included in your intervention plan. The number of hours of service cannot be changed without the care provider's authorization. The intervention plan must be reviewed by the care provider at least once a year and adjusted based on your needs. In the course of a year, if your situation or health deteriorates or in the event of any other changes, you must inform the care provider, who will reassess your needs and make the necessary adjustments. The reassessment may result in an increase, decrease or termination of HAA services based on your level of autonomy and the needs identified.

It is recommended that you inform your HAA worker of the services included in your intervention plan.

In addition, if you move to another local territory or if you move house, you must contact your care provider as soon as possible, who will take the necessary steps so that you can receive your services. However, the HAA modality cannot be used outside Quebec.

Services that may be provided in the HAA modality

The HSS services that may be provided to you in the HAA modality are:

- personal assistance, such as assistance with bathing, dressing, feeding and certain transfers (for example, chair to bed, chair to toilet, etc.) (Allowance A);
- domestic help, such as household chores, meal preparation, laundry, grocery shopping and other errands (Allowance A);
- learning assistance and support for family tasks (Allowance A);
- services for informal caregivers, including respite care, companion care or supervision and emergency help (Allowance B);
- occasional home support services to contribute to your maintenance and health and safety at home and allow you to stay in your home (Allowance C).[1]

You must organize these services at your convenience, based on your needs and as authorized by the institution's care provider, on a regular or occasional basis, spread over periods of two weeks.

You are the employer

When you choose to use the HAA to receive some of your HSS services, **you become the employer** of the person who provides the services. This means you must assume the responsibilities and comply with the legal obligations associated with the status of employer.

In order to simplify the administrative tasks related to your worker's pay, the HAA modality allows a financial institution, via the Home Autonomy Allowance Processing Centre (HAAPC), to process operations related to the pay of the people you choose to hire to provide some of your HSS. The ***Volet social*** form is the tool used to transmit the information needed to manage the HAA modality between the institution, the HAAPC and you. The HAA minimum hourly rate is determined by the ministère de la Santé et des Services sociaux (MSSS). The hourly rate is indexed annually.

Appendix 1 presents your role and responsibilities as an employer.

[1] For example: major house cleaning, clearing snow from the main access to the home (steps, balcony).

Support measure for parents of a severely disabled adult child

Introduced in 2020, this measure aims to better meet the needs of parents living in the same household as their severely disabled adult child. It allows eligible families to obtain a minimum of 20.5 hours per week of HSS for hours of domestic help services and personal assistance services. Note that the increase in hours of services in instrumental activities of daily living (IADL), activities of daily living (ADL) and respite services,2 provided for by this measure, can only apply when the HSS services are provided under the HAA modality of delivery of care and services.

The objective of this measure is to allow the parents of an eligible severely disabled adult child to act as workers under the HAA modality in order to provide certain HSS to their adult child. Although respite services are eligible for the increased hours of service provided for by this measure, the parents cannot be hired to provide them. They may, however, hire a worker directly to guarantee all services, including respite services.

Conditions of application

- The measure is accessible from the date of the 18th birthday of a severely disabled person who meets the eligibility criteria.
- In the context where the measure consists of increasing services, it cannot be applied retroactively.
- In order to avoid wait times to access the measure, the requisite assessments must ideally be completed before the date of the 18th birthday.
- Some severely disabled adults may become eligible for the measure during the year or be eligible for only part of the year, including those:
    - who reached the age of majority during the year;
    - who immigrated recently;
    - who are receiving services through another HSS delivery modality and who decide, in collaboration with the care provider, to change to the HAA modality during the year;
    - who are not known to HSS;
    - whose needs have changed;
    - who die during the year.

[2] Respite services include companion care, supervision and emergency help.

Specific provisions

In order to promote harmonized and equitable access to the support measure for parents of a severely disabled adult child, the following specific provisions must be respected:

1. A needs and situation assessment is carried out by a home support worker in collaboration with the severely disabled adult and their loved ones.

2. The results of the assessment meet the following criteria:
    - the parent is living in the same household as their severely disabled adult child;
    - the person (adult child) has an Iso-SMAF profile 9 to 14[3] or benefited from the Supplement for Handicapped Children Requiring Exceptional Care until the age of 18;
    - the parent is capable of safely providing care and services to their child without the risk of becoming exhausted.[4]

3. Determine whether, in order to receive certain HSS, the HAA modality is appropriate for the severely disabled adult. To do this, a care provider from the health and social services network (HSSN) institution takes into account the situation of the person who is receiving the services, their safety and that of the person who is providing the services, the risk of exhaustion as well as the expertise and supervision required depending on the type of service to be provided.

4. Give the following information to the parent who wishes to be hired under the HAA to provide certain HSS to their child:

    - by becoming a person hired under the HAA, the parent who benefits from this measure acquires the status of employee within the meaning of the Act respecting labour standards[5] and, under certain conditions, the status of worker within the meaning of the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety;[6]
    - amounts paid under the HAA are considered as remuneration both for the purposes of tax laws and in the calculation of amounts granted under transfer programs, including social assistance programs;

[3] Taking into account the clinical judgment of the clinical staff member, severely disabled adult children who have a different Iso-SMAF profile may be admitted.
[4] This criterion only applies to parents who wish to be hired under the HAA to provide certain HSS required to meet the needs of their severely disabled adult child.
[5] MTESS. Act respecting labour standards. In Publications. [Online] N-1.1 – Act respecting labour standards (gouv.qc.ca).
[6] MTESS. Act respecting industrial accidents and occupational diseases. In Publications. [Online] a-3.001 – Act respecting industrial accidents and occupational diseases (gouv.qc.ca).

- a parent hired as an HAA worker cannot benefit from the tax credit for caregivers of the adult child because one of the eligibility criteria is not to receive any remuneration of any kind for the assistance provided.

5. Severely disabled adult users eligible for the measure and their families may choose to refuse the increase in the hours of IADL/ADL/respite services under the HAA and to obtain the number of hours determined for these services at the time of the user's needs and situation assessment by the institution's care provider through another HSS delivery modality.

6. If it is no longer possible for a severely disabled adult user who benefits from the measure in order to receive the hours of IADL/ADL/respite services under the HAA, the measure ceases to apply. Thus, the hours of IADL/ADL/respite services must be provided to the user concerned through another HSS delivery modality, based on the number of hours initially determined by the local community services centre when the user's needs and situation were assessed.

Special provision regarding the choice of HAA workers

The HAA allows you to choose the worker(s) who will help you in your daily life. It also aims to prevent your family members from becoming exhausted. You may hire your informal caregiver or a loved one (family member or other loved one) as an HAA worker if you and your informal caregiver so wish. If, on the other hand, hiring an informal caregiver or a loved one as an HAA worker may be a solution that will address your needs, this practice must take the informal caregiver's capacities into account. HSS are determined in partnership with the health and social services network (HSSN) care provider following a clinical procedure. As part of this procedure, in order to determine whether or not it is appropriate for your informal caregiver or loved one to provide HSS, the care provider must take into account:

- your overall situation and needs;
- your health;
- your safety and the safety of the person providing assistance;
- the type of care and services to be provided;
- the skills required;
- the expertise and supervision required;
- the risk of exhaustion of your family and friends.

In some cases, the HAA cannot be combined with other types of financial assistance. For example, an informal caregiver employed under the HAA measure may not be eligible receive:

- the tax credit for caregivers;[7]
- last-resort financial assistance;
- Employment Insurance.

[7] Tax Credit for Caregivers | Revenu Québec, https://www.revenuquebec.ca/en/citizens/tax-credits/tax-credit-for-caregivers/

Criminal record check

When you hire a worker directly, you may request a criminal record check of your HAA worker under the laws and regulations applicable in Quebec and a civil criminal record check.

Consult the following site for complete information about the procedure to follow :

- Vérification du casier et des antécédents judiciaires – Sûreté du Québec;
- procedure-clientele-vulnerable.pdf.

HAA worker status

HAA modality workers are considered **employees** within the meaning of the Act respecting labour standards (ALS) and they **are not considered self-employed** for tax purposes. In this sense, they **cannot** claim a tax deduction for expenses related to the job, such as mileage expenses, travel expenses, the purchase of equipment if required, etc.

Furthermore, the Droits et obligations des travailleurs | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST page on the website of the Commission des normes de l'équité de la santé et de la sécurité du travail (CNESST) sets out workers' rights and obligations.

Young workers

An employer may not ask a person under the age of 18 to perform work that exceeds their abilities and that may:

- be detrimental to their education;
- be detrimental to their health or their physical or moral development.

An informal caregiver, a loved one or any other person designated as an HAA worker must be 16 years of age or older in order to provide Allowance A services, specifically for:

- the following basic personal assistance services:
  - activities of daily living;
  - unregulated care activities;
  - care activities regulated under sections 39.7 and 39.8 of the Professional Code;
- civic support services.

Work schedule and school attendance

A young worker aged 16 or under[8] who is required to attend school under the Education Act must have a work schedule of a maximum of 17 hours per week, including a maximum of 10 hours from Monday to Friday.

These conditions do not apply during periods when there is no school for more than seven days, such as during the holiday season, spring break or the summer vacation.

In addition, throughout the school calendar, a young person aged 16 or under who is required to go to school must have a schedule that allows them to be:

- in class during school hours;
- at home between 11 p.m. at night and 6 a.m. the following morning (including in the summer, on weekends and during periods of leave).

Registering for the HAA modality

When your worker is hired and registered with the HAAPC, they must provide you with the information the HAAPC will need to process their pay, that is, their name, address, telephone number, Social Insurance Number and date of birth. They must also give you a sample cheque so that their pay can be deposited directly into their bank account.

The HAA worker is responsible for providing you with tax deduction information so that the HAAPC can calculate the taxes and other contributions payable to the federal and provincial governments. Otherwise, the basic exemption will be applied automatically.

IT IS IMPORTANT to provide all the information and documents for each new worker you hire. To make sure the HAA worker has been registered with the HAAPC, it is recommended that the institution's care provider register HAA workers on your behalf.

Placement agency

For the HAA modality, using a placement agency **is not** recommended. This practice raises many questions, particularly with respect to the user's status as an employer, respect for the foundations of the direct allocation of the HAA and above all the fact that it carries a significant risk of disagreement and misunderstanding regarding the roles and responsibilities of each of the people involved.

[8] In Quebec, the minimum working age is 14, with a few rare exceptions provided for by law: Young people under 14 years of age | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

However, if you wish to use a placement agency to look for a worker, you must **discuss it beforehand with your institution's care provider** and make sure the agency has a valid permit issued by the CNESST.

In the Act respecting labour standards (chapter N-1.1), a personnel placement agency is defined as "a person, partnership or other entity that has at least one activity consisting in offering personnel leasing services by providing employees to a client enterprise to meet its labour needs".

The list of personnel placement agencies that hold a valid, suspended or revoked licence is available on the CNESST's website:

- Registre des titulaires de permis d'agence | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

The CNESST also sets out the obligations determined with respect to personnel placement agencies:

Agences de placement de personnel | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

Placement Assistance Centre, Emploi-Québec

If you wish to publish a job offer to look for HAA workers, Emploi-Québec's Placement Assistance Centre (PAC) is available to answer your questions and to help you complete the job offer form. It is not advisable to fill it out by hand and take a photo of the completed form because of illegibility issues. We invite you to discuss this option with your institution's care provider who will help you complete the steps with the PAC.

If you have any questions about posting a job offer or looking for a job offer, you can refer to and recommend your HAA worker at the following number: 1 888 367-5647.

Employment contract

"An employment contract is an agreement whereby a worker undertakes to perform a task or work for an employer in exchange for remuneration. As soon as an employer hires a worker, there is an employment contract. The employment contract may be **verbal or written**. However, a written employment contract is recommended. It helps to avoid misunderstandings by clarifying, among other things, the working conditions, the duration of the contract and the tasks that the worker will have to perform."[9]

[9] Employment contract | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

“An employment contract must comply with the laws governing employment. Otherwise, it has no value, even if the worker and the employer are in agreement.”[10]

The CNESST provides a written employment contract template that you can use with your worker. It is available on the CNESST’s website and by clicking on the following link: *dc200-989-2-contrattravail.pdf (gouv.qc.ca).

A simplified contract template, based on the CNESST’s contract, is also available by clicking on the following document:

employment contract template AAD_EN_04-

Confirmation of employment letter template

Your HAA worker may you ask for a confirmation of employment letter. The letter may be requested by a banking institution when they apply for a loan or a purchase. As a user/employer, you are responsible for producing the letter. To help you write the letter, here is a letter template that you could fill in and give your HAA worker.

employment confirmation letter ter

Pay processing

The HAA Processing Centre acts as paying agent and is responsible for pay operations.

The institution uses the *Volet social* form to register you with the HAAPC as well as your representative and the person providing you with home support services. It allows information to be transmitted between the HAAPC, the institution and you. It also serves as an **attendance sheet** for the HAA worker.

[10] Employment contract | Commission des normes de l’équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

- The pay covers a period of two weeks; it starts on Sunday and ends on Saturday.
- A pay processing schedule that specifies the dates of each pay period is given to you by the HAAPC.
- For each pay period, the HAAPC sends you the *Volet social* form in duplicate with a reply envelope (one copy for your file and one for the HAAPC).
- **At the end of each two-week pay period**, you must enter the number of hours and minutes **worked** according to the different allowances (A or B). **The total number of hours worked cannot exceed the number of hours and minutes allocated by the institution's care provider.** If it is an allocated amount (lump sum / allowance C), you must enter the total dollar amount that represents the number of total hours worked multiplied by your worker's current hourly rate.
- You or your representative must sign the *Volet social* form in the space provided at the bottom of the form in order for the HAAPC to process the pay. You can have it signed by each of the people who provide support services, but this is not mandatory.
- You must keep a copy of the completed ***Volet social*** form for your records in order to have the supporting documents on hand for follow-up or for subsequent verification, if applicable.
- You must meet the deadline for submitting the *Volet social* form to the HAAPC in accordance with the HAAPC's schedule for sending the form so that your worker is paid on time at the end of each pay period.
- The HAAPC enters the data on the Wednesday following the second week of each pay period and sends you a new *Volet social* form for the next period.
- The pay of each person who provides you with assistance is deposited into their account on Friday or a day before when it is a public holiday.
- In order for the direct pay deposit to be made, you must send the HAAPC the sample cheque of each person you hire under the HAA.
- An oversight or error on your part in completing and transmitting the *Volet social* form may result in a delay in the pay of the person who is providing you with home assistance.
- A deposit notice (pay stub) is then sent to the HAA worker's personal mailing address.
- There are four options for sending the *Volet social* form to the HAAPC:
    - by mail using the reply envelope sent in advance by the HAAPC;
    - by fax;
    - by internal mail at a Caisses populaires Desjardins point of service using the reply envelope;
    - by email to the following address: cesad.vs@employeurd.com (a confirmation of receipt is sent for each email received).
- The HAAPC prepares the workers' bank deposit on time and makes the government remittances for the payment of taxes, contributions to the Régie des rentes du Québec, the Québec Parental Insurance Plan, Employment Insurance, etc. based on the information entered on the *Volet social* form. An HAA worker hired directly by several users must consider each user/employer **separately**, so it is preferable to ask the HAAPC to deduct an additional amount or percentage of tax, federally and provincially, in order to avoid having to pay tax at the end of the year.

- The person you hire is entitled to paid annual leave. The length of annual leave and the amount of the indemnity vary depending on the length of uninterrupted service at the end of a reference year (May 1 to April 30). You must agree with them when the leave will be taken and send the information to the HAAPC, which will ensure payment before the start of their leave. If the person did not take their leave during the reference year, the indemnity will be paid at the end of the reference year.
- If necessary, you must update certain information entered on the *Volet social* form that relates to the person who is providing you with services, for example:
    - a change of address;
    - a change of financial institution or account number;
    - a change relating to tax exemptions, etc.
- You must inform the health and social services institution's care provider of any change in situation that may affect the services you receive, whether the change is temporary or permanent. This may include travel, hospitalization, relocation, etc.

At your request, the HAAPC prepares termination of employment forms, tax statements, etc.

Retention period for the *Volet social* form

The user and/or the representative must keep a copy of the duly completed *Volet social* forms in their records for six years, as an employer. This way, you will have the supporting documents to do the follow-up or the subsequent verification, if applicable.

Act respecting labour standards

As an employer, you are also obliged to apply the Act respecting labour standards with respect to work schedules, vacation, statutory holidays, absences, termination of employment, etc.

Labour standards

The website of the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST), Working conditions | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca), provides information on working conditions, in particular for:

- leave:
    - statutory holidays,
    - family-related leave,
    - annual vacation,
    - accidents and illnesses,
    - special situations,
    - events not covered by the Act;
- work schedule:
    - standard work week,
    - attendance at work, breaks and weekly rest,
    - right to refuse to work;
- termination of employment:
    - termination, layoff, dismissal and resignation;
    - notice of termination of employment and indemnity.

The application and interpretation of the Act respecting labour standards is the CNESST's responsibility. For more details on labour standards, you can consult the CNESST's website at **www.cnesst.gouv.qc.ca** or call 1 844 838-0808.

Notice of termination of employment

You must give written notice of termination of employment to the employee, with the required length of notice, before terminating their employment contract or laying them off for a period of more than six months.

For example: "I am informing you that your employment will end on xx (date)."

You must also inform the institution's care provider who is responsible for your file.

For information purposes, the table below shows the required length of notice before terminating the employment contract as of March 2026 (Notice of termination of employment and indemnity | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST).[11]

Time between the notice and the departure of the workers to give the notice of termination of employment

Length of uninterrupted service	Length of time between the notice and the worker's departure
3 months to one year	1 week
1 to 5 years	2 weeks
5 to 10 years	4 weeks
10 years or more	8 weeks

[11] Notice of termination of employment and indemnity | Commission des normes de l 'équité de la santé et de la sécurité du travail – CNESST.

If you want to terminate the employment of your worker who has been employed for at least two years, make sure you are able to provide grounds for the dismissal. You must be able to demonstrate that you have a just and reasonable cause for dismissing them if the worker takes legal action. If necessary, consult the following link : Complaint concerning dismissal without just and sufficient cause | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

For more information, the CNESST provides all the important information concerning the notice of departure or notice of termination of employment at the following address :

Notice of termination of employment and indemnity | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

It includes the following sections:

- situations where notice of termination is not required;
- the required length of notice of termination of employment.

In the event of the user's death or relocation to long-term care accommodation, the user's representative is responsible for making the change on the *Volet social* form and indicating the end of service. If you do not have a representative, the HSSN care provider is responsible for terminating the HAA.

- The representative must indicate the last day worked and the reason. Since it is a loss of employment, the person must enter the answer "A" meaning lack of work.
- Once it has received the *Volet social* form with the indication, the HAAPC produces and sends the record of employment directly to your employee.

Indemnity payable

When the length of time between the notice and the worker's departure is respected, the worker receives their wages for the hours worked (hours worked x hourly rate in force) until the end date of their employment.

If you do not give the required length of notice, you must pay the worker an indemnity **yourself**. The indemnity must be equal to the regular wages they would have earned between the date on which the notice should have been given and the termination of their employment The indemnity must be paid at the time of termination of employment or at the time of the next pay.[12]

If you refuse to pay the indemnity that is due, the worker may file a complaint with the CNESST. It will be a pecuniary complaint. A claim will be issued if an investigation reveals that the sums are indeed due. If you refuse to pay the claim, the file may be transferred for a hearing before a judge. The worker will be represented by a lawyer from the CNESST and you will have to represent yourself or be represented by a lawyer.

[12] Notice of termination of employment and indemnity | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

If your worker resigns before the date of termination of employment, they are not entitled to an indemnity for the remaining weeks of the notice period following their resignation.

Record of employment

You must also fill in the specific field on the *Volet social* form associated with the date and reason for the termination of employment of your HAA worker. You will then receive the *Record of employment* form from the HAAPC (in triplicate). Records of employment are produced by the HAAPC. A period of ten working days should be expected before you receive the document.

The steps to complete after receiving your worker's record of employment are as follows:

- sign and write your name in block letters on the form (so there will be a signature copied on all three copies);
- detach the dotted lines;
- give your worker, in person or by mail, the first copy ("employee's copy" is indicated at the bottom of the page);
- mail the second copy (blue copy) to the Service Canada Centre at the address indicated on the copy (you must provide the envelope and stamp);
- keep the third duly completed copy for your records in order to have the supporting documents on hand for follow-up or for subsequent verification, if applicable. These copies are used to determine the length of the notice (based on the date of hire);
- if the employee loses their record of employment, you can make a photocopy of it and it will be valid.

At any time, you can consult the CNESST's Advisory Service at the following number: 1 844 838-0808.

Occupational health and safety

HAA modality workers

HAA modality workers[13] have labour rights and obligations, in particular:

- to apply for the For a Safe Maternity Experience Program;
- in the event of a work accident or occupational disease;
- and with respect to prevention.

[13] Domestic workers | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

Employer's responsibilities

For the prevention component, as an employer, you have the obligation to document in writing the hazards identified to which your HAA worker is exposed and to put preventive measures in place to correct and control the hazards so that they do not reappear.

The CNESST provides a hazard identification tool and information at the address: identifier les risques dans le milieu de travail | Commission des normes de l 'équité de la santé et de la sécurité du travail – CNESST.

In concrete terms, your worker has the right to:

- working conditions that respect their health, safety and physical and psychological well-being;
- be given information, adequate training and supervision;
- access to preventive health services depending on the hazards they may be exposed to;
- refuse to perform work if they have reasonable grounds to believe that it poses a danger to their health, safety, physical or psychological well-being or that of someone else;
- request an assignment to perform tasks that are safe for them or their child's health, if they are pregnant or breastfeeding and are eligible for the For a Safe Maternity Experience Program;
- obtain physical, social or professional rehabilitation in the event of a work accident or occupational disease necessary for their social and professional reintegration, when they have a permanent physical or psychological impairment;
- in the event of a work accident or occupational disease, to receive certain benefits, such as compensation;
- to exercise their right to return to work;
- to apply for a review of a CNESST decision if they disagree with it.

If your worker has had an accident, has developed a work-related illness or is pregnant

HAA workers are covered by the Act respecting industrial accidents and occupational diseases (AIAOD). This means that the person who provides you with home services can file a claim with the CNESST in the event of a work accident or an occupational disease at their place of work while performing the tasks related to the hours allocated for the HAA modality. The cost of this coverage is paid by the MSSS directly to the CNESST.

The management of HAA worker injury files is the responsibility of a person acting as an occupational health and safety advisor and who represents the MSSS with the CNESST. Thus, you must send this advisor, by fax or email, as soon as possible, all the documents related to the follow-up of the work accident or occupational disease as well as any reassignment or preventive withdrawal certificate for a pregnant or breastfeeding worker (for example, event report, medical reports, examinations, etc.).

You can contact the occupational health and safety advisory staff at the Comité patronal de négociation du secteur de la santé et des services sociaux (CPNSSS) using the following contact information:

Telephone number: 514 864-8113	Fax number: 514 873-2125
Email: aad.cpnsss@ssss.gouv.qc.ca	

If you want to learn more about the procedure, workers' rights, the period of absence and the return to work after an injury or after developing an occupational disease, you can consult the following link: I had an accident or illness at work | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

Note that if your worker works hours outside the hours granted for the HAA modality, they are not covered in the event of a work accident or occupational disease or for reassignment or preventive withdrawal as a pregnant or breastfeeding worker.

Preventing psychological harassment and sexual violence in the workplace

As an employer, you must prevent psychological or sexual harassment. In particular, you are obliged to put in place a policy for the prevention and management of psychological harassment and make it available to your workers.

A policy template is available at the following address: Modèle de politique de prévention et de prise en charge du harcèlement psychologique | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

The CNESST's website provides all the essential information on the subject. You can consult it at the following address: Harassment in the workplace | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

The Act respecting occupational health and safety also provides that occupational health includes both physical and psychological health. This is why work-related psychosocial hazards, including psychological harassment and sexual violence, must also be addressed, in the same way as other health and safety risks. For more information on this subject, go to the CNESST's website:

Risques psychosociaux liés au travail | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST.

Training

National Rule of Care training program

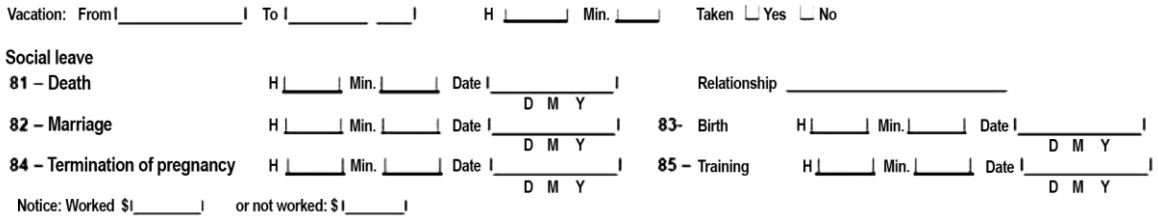
Since June 2022, HAA workers have been required to comply with the conditions of training and performance set out in the regulation on the activities described in sections 39.7 and 39.8 of the Professional Code when they must carry out entrusted care activities. The 14-hour training program is paid for in the case of HAA workers. Note that the 14 hours of training cannot be deducted from the hours granted to you to provide care and services.

The training program recognized by the MSSS may be offered, depending on the institution, in person or in hybrid mode, i.e., one day via the FCP-Partenaires platform[14] and one day of practical training. Specific training concerning invasive care is provided by qualified professionals after the 14-hour training program, if applicable. So the training is personalized for each user/employer based on the type of invasive care to be carried out.

The institution in your territory will tell you if your worker will be doing the training in person or in hybrid mode and will give you the relevant information.

To ensure there is no confusion, a parent or informal caregiver who is receiving the HAA modality is not subject to the training provided for in the Regulation and therefore does not have to complete the mandatory 14-hour training program, since they may provide care pursuant to section 39.6 of the Professional Code.[15]

When your worker completes National Rule of Care training program, it is important to indicate on the *Volet social* form, at Item 85 “Training”, the hours of training (maximum 14 hours) and the date of training.


Vacation: From ____ To ____ H ____ Min. ____ Taken ☐ Yes ☐ No

Social leave

81 – Death H ____ Min. ____ Date ____ (D M Y) Relationship ____

82 – Marriage H ____ Min. ____ Date ____ (D M Y) 83- Birth H ____ Min. ____ Date ____ (D M Y)

84 – Termination of pregnancy H ____ Min. ____ Date ____ (D M Y) 85 – Training H ____ Min. ____ Date ____ (D M Y)

Notice: Worked $ ____ or not worked: $ ____

Available training

For HAA workers, a number of **free**, but **unpaid**, courses are available on the shared continuing education site for non-network service partners. All you have to do is discuss it with the institution’s care provider and, if necessary, connect to the following address: se connecter sur le site | ENA hors réseau.

[14] Se connecter sur le site | ENA hors réseau (fcp-partenaires.ca).

[15] C-26 – Professional Code (gouv.qc.ca).

Following an agreement with the MSSS, HAA workers also have access to Mr. Philippe Voyer's training platform, https://www.philippevoyer.org/formations.

Refer to your institution's care provider to obtain the access code.

Additional information

For any questions related to pay processing, contact the HAAPC.

By telephone:

- Montreal region: 514 356-1199
- Elsewhere in Quebec (toll free): 1 888 405-4262

By fax:

- Montreal region: 514 356-1155
- Elsewhere in Quebec (toll free): 1 888 385-3969

For any questions relating to income tax, Employment Insurance, the Québec Pension Plan, the Québec Parental Insurance Plan or labour standards, contact the ministries or agencies concerned:

Ministère du Revenu du Québec or Canada Revenue Agency

Home | Revenu Québec (revenuquebec.ca) or https://www.revenuquebec.ca/fr/
Canada Revenue Agency – Canada.ca or https://www.canada.ca/fr/agence-revenu.html

Service Canada Centre

Service Canada – Canada.ca:
(https://www.canada.ca/en/employment-social-development/corporate/portfolio/service-canada.html)

Régie des rentes du Québec

Retraite Québec – The Québec Pension Plan (gouv.qc.ca) or
https://www.rrq.gouv.qc.ca/fr/programs/regime_rentes/Pages/regime_rentes.aspx

Commission des normes, de l'équité, de la santé et de la sécurité du travail

Contact us | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca) or https://www.cnesst.gouv.qc.ca/en/client-services/contact-us

For support and referrals concerning specific situations of mistreatment of older adults, people in vulnerable situations or to find information, the general public and professionals can consult the Mistreatment Helpline at : 1 888 489-2287 or the site https://lignemaltraitance.ca/en.

Appendix 1

Role and responsibilities of the user/employer or the designated third party

To benefit from the HAA modality, you or the designated third party must respect your role and responsibilities, namely:

- Exercise a capacity for self-management of the activities and the HAA worker(s) under your responsibility in order to plan, organize, coordinate, direct and supervise the care and services granted under the HAA modality.
- Comply with your legal obligations with respect to the CNESST (ALS, AOHS, AIAOD, prevention of psychological or sexual harassment in the workplace, etc.) as a user/employer.
- Participate in the different stages of the decision-making process concerning you by stating your preferences and your vision of the situation.
- Provide all the information needed for the assessment of your needs and the preparation or review of your intervention plan(s).
- Participate in your care according to your abilities and cooperate in carrying out your intervention plan(s).
- Notify the HAA worker of any new infectious status for which they must take personal protective measures when providing care and services (e.g., tuberculosis, influenza, etc.).
- Notify the HSSN institution and the HAA worker if wishes have been expressed in an advance medical directive or any other document indicating your goals of care, if applicable.
- “Immediately give first aid to a worker who suffers an employment injury in his establishment and, where required, transportation, to a facility maintained by an institution, to a health professional or to the worker’s residence, as required by his condition. The cost of transportation of the worker shall be assumed by his employer, who shall reimburse it, where such is the case, to the person who incurred it.” (s. 190).[16]
- Inform, as much as possible, the HAA worker if they are not available to receive the care or service at the scheduled time.
- Express your satisfaction or dissatisfaction with the care and services you have received or should have received to the worker. In the event that a complaint is made to the HSSN institution, cooperate in the subsequent evaluation process and provide all the required information.
- Collaborate with the HSSN institution in the process of evaluating the quality of your care and services experience, with the aim of continuous improvement.
- Undertake to use the material and equipment lent to you in a judicious and safe manner.
- Contribute to the maintenance of a climate conducive to the provision of care and services, in particular, by showing respect and kindness, by respecting agreements and appointments.

[16] MTESS. Act respecting industrial accidents and occupational diseases. In Publications. [Online] A-3.001 – Act respecting industrial accidents and occupational diseases (gouv.qc.ca).

- Proceed with the recruitment, background check and hiring of the HAA worker.
- Complete or rigorously validate the attendance sheet by indicating the hours worked by allowance for each HAA worker hired and send the form to the Pay Processing Centre (HAAPC) by the deadline in accordance with the schedule provided for this purpose.
- Comply with the instructions given by the HSSN institution's care providers for the provision of quality care.

    - Make sure you comply with various obligations with respect to prevention, such as taking the necessary measures to protect the health and ensure the safety and physical and psychological well-being of HAA workers, take charge of occupational health and safety in your home. For example, the user/employer is responsible for:
        - identifying, correcting and controlling hazards in the workplace;
        - informing the worker of the hazards associated with their work;
        - training and supervising the worker, in collaboration with the HSSN institution, so that they have the skills and knowledge needed to carry out their work;
        - making sure, in collaboration with the institution, that the home is equipped and arranged in a safe manner;
        - making sure that the organization of work and the methods and techniques used are safe and do not adversely affect the HAA worker's health;
        - providing the HAA worker with the necessary personal protective equipment free of charge and making sure they use it properly;
        - protecting, in the workplace, the HAA worker from psychological or sexual harassment, or from a situation of physical or psychological violence, including spousal, family or sexual violence.[17]

- Notify the HSSN institution's care provider if an HAA worker has a work accident or develops an occupational disease at their place of work while performing tasks related to the hours allocated for the HAA modality. You must also notify the HSSN institution when an HAA worker has a reassignment or preventive withdrawal certificate for a pregnant or breastfeeding worker.
- Make sure that a worker who is injured at work has contacted the occupational health and safety advisor at the CPNSSS.
- Cooperate with the occupational health and safety advisor at the CPNSSS who is responsible for managing work accident files, in particular:
    - during the initial management of a new claim and the medical-administrative follow-up;
    - during the preventive withdrawal of a pregnant or breastfeeding HAA worker, when temporary assignment tasks are put in place for the HAA worker;
    - during an HAA worker's return to work.

[17] CNESST. Droits et obligations des employeurs. [Online] Droits et obligations des employeurs | Commission des normes de l'équité de la santé et de la sécurité du travail – CNESST (gouv.qc.ca).

- Report any dissatisfaction with the care and services received as well as any situation of mistreatment to the HSSN institution's care provider.
- Report any situation of mistreatment to the local service quality and complaints commissioner of the HSSN institution.
- Cooperate with the HSSN institution in establishing a mechanism for monitoring the services provided by HAA workers.

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26-513-02WA