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# Harassment by Another Coworking Tenant: Quebec Employer Guide

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## In this article

1. Executive Summary
  2. Introduction and Background
  3. Key Changes in Quebec Law That Matter for Shared Work Sites
  4. Mapping Responsibilities Across Tenant Boundaries
  5. Implementation Considerations and Process Changes
  6. Data Analysis and Evidence
  7. Implications and Future Directions
  8. Frequently Asked Questions (FAQs)
  9. Conclusion
- 

## Executive Summary

Quebec's **Act respecting labour standards** (LNT) places a harassment duty on the employer even when the person responsible is not an employee. Section **81.19** requires the employer to take reasonable means to prevent psychological harassment "provenant de toute personne" (coming from any person) and, once the conduct is brought to its knowledge, to stop it ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). For a small employer with staff in a Montreal coworking space, a complaint about a worker employed by another tenant cannot simply be answered by referring the employee to the space operator. The regulator, the **CNESST** (Commission des normes, de l'équité, de la santé et de la sécurité du travail), looks at the employer's compliance, and the remedies run against the employer ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). The provisions apply to every employee and employer covered by the Act, with no small-business threshold in the text.

The required policy must name a designated handler ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), set protective measures ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), and provide confidentiality and a document retention period of at least **two years** ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)). The CNESST's drafting aid says to scale the policy to the business's size and means and to apply it in all work locations, telework included. The complaint limit is **two years** from the last manifestation of the conduct ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), and a reprisal complaint must be filed within **45 days** ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). The CNESST reports **6,817** psychological or sexual harassment complaints in 2024 ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), and Quebec counted **228,622** small employer businesses in December 2024 ([ised-isde.canada.ca](http://ised-isde.canada.ca)).

The distinctive problem in a shared work site is the gap between legal duty and practical control. The employer owes the duty but does not control the alleged harasser, and the operator controls the premises and the membership contract but is neither person's employer. Federal guidance on a comparable situation notes that an employer cannot compel non-employees to co-operate ([www.canada.ca](http://www.canada.ca)). This report therefore proposes a **workflow hypothesis**, not a legal conclusion: name a complaint handler, take confidential intake, protect the complaining employee first, share the minimum with the operator and only with consent ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), and keep records.

Published operator terms vary. One operator's house rules state that harassment will not be tolerated and offer an in-app form ([www.wework.com](http://www.wework.com)), while another reserves sole discretion to decide what is offensive. No source reviewed shows an operator undertaking to investigate employment matters. Federally regulated

employers follow the Canada Labour Code instead. Buyers should ask for the code of conduct, complaint route, guest rules and termination powers before signing, and take professional advice on any live case.

## Introduction and Background

This report asks one question: what should a Quebec small employer arrange, before a problem occurs, if an employee working in a Montreal coworking space or shared private office reports harassment by someone employed by a different tenant? The audience is the workspace buyer and the person making the HR decision, not an individual seeking representation. It also covers employer duties toward third parties, the CNESST complaint route, small-employer policies and coworking codes of conduct.

**Scope and method.** Legal texts and guidance were opened in October 2026. The Quebec statutes quoted are consolidated versions that the official publisher shows as current to 15 October 2026. Where a point rests on inference rather than a stated rule, the text says so. No source reviewed addresses a co-tenant scenario directly, so the process here is a workflow hypothesis assembled from general rules. It is not legal advice, and no lawyer has reviewed it.

**A simple scenario (Hypothetical Example).** A four-person Montreal firm rents two desks on a shared floor. One employee tells the founder that a worker from a neighbouring tenant has, over three weeks, made repeated demeaning remarks in the kitchen and sent unwanted messages. The founder cannot discipline that person, cannot direct the neighbouring company, and does not run the building. The employee is still entitled to a harassment-free workplace ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)).

**Why the question deserves attention.** The Quebec government announced in March 2024 that the employer's duty was extended to any person, including a third party such as a client ([www.quebec.ca](http://www.quebec.ca)). The Ministry of Labour's later report describes the change as largely reflecting existing case law, with an educational aim ([cdn-contenu.quebec.ca](http://cdn-contenu.quebec.ca)). Either reading leads to the same operational point: other tenants are "persons", and the duty does not depend on the harasser's payroll.

**Publisher note.** This article is published by a Montreal coworking and virtual-office provider, which is a stakeholder in the operator role described below. The report makes no claim about what any provider, including the publisher, offers today. Provider statements are limited to published documents cited where used.

## Key Changes in Quebec Law That Matter for Shared Work Sites

### Change 1: The duty reaches harassment from "any person"

Section 81.19 sets the employer's duty to take reasonable means to prevent harassment coming from any person and to stop it when it comes to the employer's attention. The Ministry of Labour describes the duty as extending to third parties such as clients or suppliers ([cdn-contenu.quebec.ca](http://cdn-contenu.quebec.ca)). The Bill 42 explanatory notes in the Gazette officielle carry the same wording ([www.publicationsduquebec.gouv.qc.ca](http://www.publicationsduquebec.gouv.qc.ca)).

Two timing points should be kept apart. Most of Bill 42 entered into force on 27 March 2024 ([www.publicationsduquebec.gouv.qc.ca](http://www.publicationsduquebec.gouv.qc.ca)), but the provisions amending section 81.19, apart from its last paragraph, are listed among those taking effect on 27 September 2024 ([www.publicationsduquebec.gouv.qc.ca](http://www.publicationsduquebec.gouv.qc.ca)). The last paragraph, tying the policy into the occupational health and

safety prevention program or action plan, follows a separate date ([www.publicationsduquebec.gouv.qc.ca](http://www.publicationsduquebec.gouv.qc.ca)). Treat that date with care and confirm it with the CNESST or counsel, because it rests on one source: the CNESST's drafting aid states that the policy becomes part of that program or plan from 1 October 2025 ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)).

The CNESST's interpretation notes explain how far the "workplace" extends. It is any place where the employee may be called to work ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), consistent with the INSPQ's definition of every place workers must be or go because of their work ([www.inspq.qc.ca](http://www.inspq.qc.ca)), and it includes the people the employee deals with, such as clients or third parties. The duty is an obligation of means, not of result ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), a standard comparable to the due diligence that Canadian occupational health and safety law generally expects, meaning all reasonable precautions ([www.ccohs.ca](http://www.ccohs.ca)). The employer is therefore judged on whether its steps were reasonable, not on whether it forced the other tenant's conduct to stop.

The public-health institute INSPQ (Institut national de santé publique du Québec) defines external psychological harassment as harassment by a non-employee, with clients and suppliers among its examples ([www.inspq.qc.ca](http://www.inspq.qc.ca)). The CNESST says harassing behaviour can come from clients or suppliers ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), and Éducaloi, a non-profit legal-information service, tells employees that the employer must act whatever the source ([educaloi.qc.ca](http://educaloi.qc.ca)). Outside Quebec, the Canadian Centre for Occupational Health and Safety advises that a prevention policy extend to independent contractors and anyone with a relationship with the company ([www.ccohs.ca](http://www.ccohs.ca)), and Ontario's code of practice asks employers to address harassment from all sources such as customers and clients ([www.ontario.ca](http://www.ontario.ca)). Those are analogies, not Quebec law. None of the Quebec sources names a co-tenant, so application to another tenant's staff is an inference from "any person" that counsel should confirm.

Section 81.18 defines psychological harassment as repeated hostile or unwanted conduct that harms dignity or integrity ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), and a single serious incident can also qualify. Ordinary friction between neighbours does not meet that definition, which is why intake should record specifics.

## **Change 2: A mandatory policy with a named handler, protective measures and retention**

Every employer must adopt a prevention and handling policy and make it available to employees ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). The Ministry notes that the policy duty dates from 2018 and that mandatory content was added later ([cdn-contenu.quebec.ca](http://cdn-contenu.quebec.ca)). The statutory content covers the complaint procedure, the designated person, information and training programs, protective measures, and confidentiality with retention of at least two years.

For a small employer, the CNESST's drafting aid is the practical reference. It says the policy should reflect size, means and union status ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), and commit the employer to prevent and stop harassment including from external sources ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)). It applies to all places and contexts of work, telework included ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), which is the hook for an employee whose office is a desk in someone else's building. Éducaloi adds that protection extends to telework ([educaloi.qc.ca](http://educaloi.qc.ca)). The policy must be easily accessible so that staff know it ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)).

On handling, the employer must designate one or more persons to receive reports and complaints ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)). The policy should accept a report without a formal complaint ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)), state whether internal or external resources conduct interventions such as an

investigation or mediation, and list the available options, from individual meetings to mediation or an internal investigation. A founder with no HR staff can meet this by naming an external resource in advance. The policy must also commit to tolerating no reprisals toward anyone who used the procedures ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)) and tell the complainant what follow-up to expect.

### Change 3: Longer time limits, remedies against the employer and reprisal protection

Since the 2018 reform, the complaint limit is two years from the last manifestation of the conduct, up from 90 days ([cdn-contenu.quebec.ca](http://cdn-contenu.quebec.ca)). A complaint is admissible only if both the employee and the employer are subject to the LNT. The CNESST investigates on receipt and refers unresolved complaints to the Tribunal administratif du travail, the labour tribunal.

Remedies are directed at the employer, and only where it failed its section 81.19 duties. The tribunal may order the employer to take reasonable means to stop the harassment, and the list of orders now includes punitive damages. The harasser is not a party, so the cross-tenant case turns on what the employer did after learning of the conduct. The text does not say in terms that a complaint can be filed where the harasser is a non-employee; that is an inference from section 81.19 and the structure of the remedy.

Reprisal protection was widened in 2024. The Act protects an employee who made a report about harassment of another person or helped handle a complaint ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), with a 45-day limit for a prohibited-practice complaint. The CNESST confirms that an employee who suffers reprisals for complaining can use that route ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)). A witness who cannot speak to the employer can report confidentially or anonymously to the CNESST's on-call inspector ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)).

### Change 4: Parallel regimes and the federal exception

Several rules run alongside the LNT. The Quebec Charter of human rights and freedoms prohibits harassment on a ground of discrimination. The human rights commission (CDPDJ) states that an employer may be held liable for acts in the workplace by staff or third parties ([www.cdpcj.qc.ca](http://www.cdpcj.qc.ca)). Its complaint limit is generally three years ([www.cdpcj.qc.ca](http://www.cdpcj.qc.ca)), though it may decline an event older than two years ([www.cdpcj.qc.ca](http://www.cdpcj.qc.ca)). The CNESST treats discriminatory harassment as psychological or sexual harassment, and the two bodies publish an agreement because each can receive complaints about the same situation ([www.cdpcj.qc.ca](http://www.cdpcj.qc.ca)).

The Civil Code requires the employer to take measures to protect the employee's health, safety and dignity ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). The occupational health and safety statute requires necessary measures to protect physical and psychological integrity ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). One wording point matters in shared premises: the duty to equip and arrange workplaces is tied to establishments over which the employer has authority ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). Whether that limits any duty in a shared building is not settled by the text, and it is a question for counsel.

The **federal exception** is the most important check for some firms. The Canada Labour Code governs federally regulated employers such as banks ([www.canada.ca](http://www.canada.ca)), including any business vital, essential or integral to a listed federal activity ([www.canada.ca](http://www.canada.ca)). Other employers are directed to their province's standards ([www.canada.ca](http://www.canada.ca)). Federal harassment and violence regulations have applied since 1 January 2021 ([laws-lois.justice.gc.ca](http://laws-lois.justice.gc.ca)), require a designated recipient for notices ([laws-lois.justice.gc.ca](http://laws-lois.justice.gc.ca)), and expressly

contemplate a responding party who is neither employer nor employee ([laws-lois.justice.gc.ca](https://laws-lois.justice.gc.ca)). A small consulting, technology or logistics firm should confirm which regime applies before copying a Quebec template.

Self-employed tenants fall in a gap: Éducaloi states that self-employed workers are not protected by the Labour Standards Act or the Canada Labour Code harassment provisions ([educaloi.qc.ca](https://educaloi.qc.ca)). At the international level, ILO Convention 190 covers private spaces that are a place of work ([normlex.ilo.org](https://normlex.ilo.org)), and the federal government announced that it formally entered into force in Canada on 30 January 2024 ([www.canada.ca](https://www.canada.ca)).

## Mapping Responsibilities Across Tenant Boundaries

Five parties hold different pieces of the problem. *Table 1* below separates them. It is a workflow hypothesis: the employer's duties come from the sources cited, the operator's role depends on the actual membership contract, and the other tenant's employer is not bound by the complaining employer's policy. French terms appear in parentheses where Quebec texts use a term of art.

| Actor                                                             | Position in a cross-tenant complaint                                                          | What it can reasonably do                                                                                                                                                      | What it should not be asked to do                                                               | Basis and caveat                                                                                                                                                                                                                               |
|-------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Employee's employer</b><br>(employeur de la personne salariée) | Holds the statutory duty toward its own employee.                                             | Receive the report through a named handler, protect the employee, document, ask the operator for access or seating measures, notify the other employer with consent, escalate. | Discipline the other tenant's worker, or require the employee to confront the alleged harasser. | Duty to prevent and stop harassment by any person. Obligation of means.                                                                                                                                                                        |
| <b>Other tenant's employer</b>                                    | Employs the alleged harasser and is the only party with workplace authority over that person. | Receive a minimal, consented notice and apply its own rules to its own staff.                                                                                                  | Be treated as bound by the first employer's policy.                                             | Federal guidance says an employer cannot compel non-employees, an analogy only ( <a href="https://www.canada.ca">www.canada.ca</a> ). Its own duties depend on its facts.                                                                      |
| <b>Operator</b> (exploitant de l'espace)                          | Controls premises, access and the membership agreement, but employs neither person.           | Apply its code of conduct to members and guests, adjust access or seating, record the incident, warn or end a membership if the contract allows.                               | Investigate an employment matter or decide whether psychological harassment occurred.           | The LNT defines an employer as whoever has work done by an employee ( <a href="https://www.legisquebec.gouv.qc.ca">www.legisquebec.gouv.qc.ca</a> ). Published operator terms describe conduct rules and removal powers (see <i>Table 4</i> ). |
| <b>CNESST</b>                                                     | Receives an employee's complaint against the employee's own employer.                         | Investigate, offer mediation, refer to the labour tribunal, receive anonymous witness reports.                                                                                 | Direct the other tenant's employer through the complaint.                                       | Remedies run against the employer. Witness channel.                                                                                                                                                                                            |

| Actor                                  | Position in a cross-tenant complaint            | What it can reasonably do                                                              | What it should not be asked to do         | Basis and caveat |
|----------------------------------------|-------------------------------------------------|----------------------------------------------------------------------------------------|-------------------------------------------|------------------|
| <b>Employee</b><br>(personne salariée) | Holds the right to a harassment-free workplace. | Report formally or informally, request protective measures, complain within two years. | Be required to confront the other tenant. | Right and limit. |

*Table 1* shows that the employer's duty cannot be delegated to the operator. The operator can act on conduct inside the premises under its own contract, but nothing in the Quebec sources reviewed turns an operator into the investigator of an employment complaint. The employer owns the process, and the operator is an essential source of cooperation on access, seating and incident records.

Because the employer cannot compel either the operator or the other tenant, its leverage is mostly pre-signing. The questions in *Table 3* turn that leverage into specific requests. After signing, the most reliable tools are the employer's own handler, interim measures and records.

## Implementation Considerations and Process Changes

### Step 1: Before any incident, adapt the policy to a shared site

A short shared-site annex is the simplest adaptation. It is a workflow suggestion, not a statutory form. It should:

- **Name the handler** and a backup by role and contact method, so no employee reports to the person at the next desk.
- **State that harassment by non-employees is covered**, including other tenants, guests and building staff.
- **Accept informal reports** as well as formal complaints.
- **Explain the limits of disclosure**: details go to the operator or another employer only with the employee's consent, subject to legal exceptions.
- **Confirm no reprisals** for good-faith reports and for witnesses.
- **Name an external resource** for investigation or mediation if there is no internal capacity.
- **Set retention** of at least two years.

Training and visible reminders complete the preparation. The CNESST suggests posters that remind staff of expected behaviours, and the INSPQ reports that workplaces studied for violence prevention used, among other interventions, a system for reporting and following up incidents ([www.inspq.qc.ca](http://www.inspq.qc.ca)). The INSPQ also recommends covering cyberharassment ([www.inspq.qc.ca](http://www.inspq.qc.ca)), which matters because unwanted messages often continue outside the shared premises, and it lists a culture that normalises or trivialises incivility as a risk factor ([www.inspq.qc.ca](http://www.inspq.qc.ca)).

### Step 2: First response, safety, documentation and confidential intake

If there is a threat of physical harm, emergency steps come first. Otherwise the handler should proceed in order:

1. **Listen and secure the employee.** Ask what is needed now (a different seat, schedule or remote work) without making any option a detriment.
2. **Record the facts** in the employee's words: dates, places, what was said, witnesses, saved messages. Keep only what is necessary, since the privacy statute limits collection to what the stated purpose requires ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)).
3. **Assess against the definition:** repeated hostile conduct, or a single serious incident. Note any discrimination ground or sexual conduct, which engages the Charter.
4. **Confirm confidentiality and anti-retaliation in writing.**
5. **Tell the employee about rights and resources**, including the CNESST and the time limit.
6. **Choose the intervention track** from the policy's options.

The employer also holds personal information. The head of the business is by default the person responsible for protecting it ([www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)). A confidentiality incident includes communication not authorised by law ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), and a business must keep a register of such incidents. A careless forward of a complaint email to the operator can therefore become a recordable incident.

### Step 3: Handoff to the operator and the other employer, with consent and minimal disclosure

Privacy rules are the main constraint. Quebec's private-sector privacy statute provides that personal information may not be communicated to a third party unless the person consents or the Act provides otherwise. Consent must be manifest, free, informed and specific to a purpose ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)). The privacy regulator (Commission d'accès à l'information) explains that free consent means no constraint or undue pressure ([www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)) and that exceptions are interpreted restrictively ([www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)). There is a narrow exception for a serious risk of death or serious injury. Whether disclosure to an operator fits any exception is a legal question, and no CNESST or regulator text reviewed addresses it. The cautious workflow hypothesis is a disclosure ladder:

- **Level 0, no identifying details.** Ask the operator how its code of conduct and reporting route work in general.
- **Level 1, behaviour only.** With the employee's agreement, report the type of conduct, place and time, without naming the employee.
- **Level 2, named parties.** Only with specific, informed consent, and only for a defined request such as a seating or access measure.
- **Level 3, the other employer.** Only with consent, limited to the conduct and a request that it be addressed under that employer's own rules. Never forward the file or investigation notes.

Law 25's first provisions took effect on 22 September 2022 and the second set on 22 September 2023 ([www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)). The federal privacy commissioner notes that the federal private-sector law does not apply to organizations operating entirely within Quebec, subject to cross-border flows ([www.priv.gc.ca](http://www.priv.gc.ca)), so a firm with out-of-province data flows should ask counsel which law governs.

## Step 4: Protections while the process runs

The policy must contain measures to protect those involved and those who helped handle a complaint. The CNESST pages reviewed give no concrete examples, so these options are a workflow hypothesis:

- **Change seating or entry route** through a facilities request to the operator.
- **Offer flexible work** such as remote days, with agreement and no loss of pay or status.
- **Ask the operator to brief community staff** to watch common areas, using Level 1 disclosure.
- **Book private rooms** for the employee's meetings near the relevant area.
- **Check in regularly**, as the CNESST describes follow-up with people who reported ([www.cnesst.gouv.qc.ca](http://www.cnesst.gouv.qc.ca)).
- **Protect witnesses**, since the Act protects those who report or help.

Avoid measures that look like a penalty for the complainant, which could draw a reprisal complaint within 45 days. Make measures time-limited and reviewed. Ontario's code of practice, an analogy only, lists responses to customer harassment that run up to refusal of service in some cases ([www.ontario.ca](http://www.ontario.ca)), which in a shared site corresponds to the operator's access powers. The employer's inquiry can cover its own employee and staff witnesses but cannot compel the other tenant's staff. *Table 2* turns the steps into a checklist by event.

| Event                                                 | Employer action                                                                  | Operator request                                                | Document to retain                                 | Unresolved risk                                                                                               |
|-------------------------------------------------------|----------------------------------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| <b>1. Report received</b>                             | Handler acknowledges, secures the employee, explains confidentiality and rights. | None yet.                                                       | Intake note, acknowledgement.                      | Whether the definition is met may be unclear at intake.                                                       |
| <b>2. Physical danger or serious single incident</b>  | Emergency steps, then same-day handler contact.                                  | Immediate access or staff response, if the contract allows.     | Time-stamped account, operator incident reference. | The operator may judge on its own conduct rules, not the statutory definition.                                |
| <b>3. Repeated conduct, person identified</b>         | Open the track chosen from the policy options.                                   | Level 1 disclosure on behaviour and place.                      | Chronology, saved messages, witness list.          | The employer cannot compel the person or their employer ( <a href="http://www.canada.ca">www.canada.ca</a> ). |
| <b>4. Handoff to operator</b>                         | Obtain written consent for any named details.                                    | Written receipt and a note of action under the code of conduct. | Consent form, disclosure log, reply.               | Operator may decline or be slow. Mishandled disclosure can itself be an incident.                             |
| <b>5. Contact with other tenant's employer</b>        | Only with consent. Ask it to apply its own rules.                                | Introduction, if the contract permits.                          | Copy of minimal notice, reply.                     | No duty on that employer under the first employer's policy. Outcome may not be shared.                        |
| <b>6. Interim measures</b>                            | Seating, schedule, remote options, no detriment.                                 | Access or staff-presence adjustments.                           | Record of each measure and end date.               | A measure seen as punitive may prompt a reprisal claim.                                                       |
| <b>7. No response from operator or other employer</b> | Continue interim measures, consult counsel, consider the CNESST.                 | Dated written follow-up.                                        | Follow-up letters, replies.                        | The duty is one of means, so the record of reasonable steps matters.                                          |

| Event             | Employer action                              | Operator request                             | Document to retain                          | Unresolved risk                                            |
|-------------------|----------------------------------------------|----------------------------------------------|---------------------------------------------|------------------------------------------------------------|
| <b>8. Closure</b> | Inform the employee of follow-up and rights. | Written confirmation of any operator action. | Closure note, file kept at least two years. | The complaint limit stays two years from the last conduct. |

Table 2 shows that most unresolved risks sit on the boundary, where the employer relies on someone it cannot direct. That is why the employer's own record of reasonable steps carries weight under an obligation of means.

## Step 5: When to contact the CNESST or counsel

Contact counsel early when the employer may be federally regulated ([www.canada.ca](http://www.canada.ca)); when the conduct has a discrimination ground or sexual character; when the employee has been dismissed or moved after complaining; when the membership agreement limits the member's rights; or when the alleged harasser is self-employed and outside the LNT ([educaloi.qc.ca](http://educaloi.qc.ca)). Characterisation of the contract can matter: a lease carries a tenant's duty not to disturb others' normal enjoyment ([www.legisquebec.gouv.qc.ca](http://www.legisquebec.gouv.qc.ca)), while service-contract rules let a client terminate unilaterally and let the provider do so only for a serious reason. One operator's terms state that the agreement creates no tenancy interest ([assets.regus.com](http://assets.regus.com)), which is the vendor's description of its own form and not a Quebec legal characterisation.

Contact the CNESST when the employee wants to file, when the employer wants to understand the process, or when a witness needs a confidential route. Remind the employee of the two-year limit. Where a discrimination ground is involved, the CDPDJ can also receive the matter, and a complainant has 90 days after a closure notice to take it to the human rights tribunal ([www.cdpcj.qc.ca](http://www.cdpcj.qc.ca)).

## Step 6: Pre-signing questions for the workspace buyer

Table 3 lists questions to put to any operator. It does not claim that any provider offers these terms today. The right-hand column describes what a documented answer looks like.

| Question                                                                                                | Why it matters                                                                               | What a documented answer looks like                                  |
|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>1. Does the agreement include a code of conduct prohibiting harassment among members and guests?</b> | Gives the operator a contractual basis to act on conduct in the premises.                    | A written clause or house rules incorporated into the agreement.     |
| <b>2. Who receives complaints, in which languages, and is the route confidential?</b>                   | The employee needs a route that does not expose them, and French access matters in Montreal. | A named role or form, response timeframe, confidentiality statement. |
| <b>3. What can the operator do: warn, change access, suspend, end a membership?</b>                     | Defines what can be requested at Level 1 and Level 2.                                        | Listed remedies, who decides, notice terms.                          |
| <b>4. Is the member answerable for guests and visitors?</b>                                             | A guest may be the alleged harasser.                                                         | A clause covering people present with the member's permission.       |
| <b>5. Will the operator acknowledge a consented, minimal incident report and say what it did?</b>       | Closes the loop for the employer's record.                                                   | A written commitment, within privacy limits.                         |

| Question                                                                    | Why it matters                                                                                                                                                          | What a documented answer looks like                                                                        |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <b>6. Does the operator say anything about employment matters?</b>          | The employer should not expect the operator to decide a harassment complaint.                                                                                           | An express statement that employment complaints belong to the employers, or silence to be treated as such. |
| <b>7. What access control and visitor logging exist?</b>                    | The CNESST lists controlled access among measures for a safe working environment against violence ( <a href="http://www.cnesst.gouv.qc.ca">www.cnesst.gouv.qc.ca</a> ). | Described badge or reception arrangements and how logs may be requested.                                   |
| <b>8. How is the agreement characterised and how can each party end it?</b> | Conduct and termination rules differ between lease and service-contract rules.                                                                                          | A clear termination clause and counsel-reviewed characterisation.                                          |

Most operator documents are silent on some of these questions, so the buyer should ask for answers in the agreement or a signed side letter.

## Step 7: What published operator terms say

Table 4 summarises three published sets of operator documents, opened in October 2026. They are examples of drafting, not a ranking and not a statement about any operator's practice. Some are global or United States forms rather than Montreal-specific. The final row records the publisher of this report and makes no claim.

| Operator document                                   | Harassment language                                                                                                                                             | Reporting route and consequences                                                                                                                                                                                                                                       | Scope note                                                                 |
|-----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <b>WeWork membership house rules</b> (English text) | States that discrimination and harassment will not be tolerated ( <a href="http://www.wework.com">www.wework.com</a> ).                                         | Community team or in-app form ( <a href="http://www.wework.com">www.wework.com</a> ). Remedial action can extend to prohibiting admission to premises ( <a href="http://www.wework.com">www.wework.com</a> ).                                                          | Passage reviewed does not mention referral to the member's employer.       |
| <b>Industrious on-demand terms</b>                  | May require members to sign an anti-harassment policy before using open workspace ( <a href="http://www.industriousoffice.com">www.industriousoffice.com</a> ). | The operator may determine at its sole discretion what is deemed offensive ( <a href="http://www.industriousoffice.com">www.industriousoffice.com</a> ) and may revoke or suspend access ( <a href="http://www.industriousoffice.com">www.industriousoffice.com</a> ). | United States form. The policy text was not on the page.                   |
| <b>Regus (IWG) global terms</b>                     | House rules are incorporated into the terms ( <a href="http://assets.regus.com">assets.regus.com</a> ).                                                         | Termination can rest on the client's conduct or that of someone present with permission or invitation ( <a href="http://assets.regus.com">assets.regus.com</a> ).                                                                                                      | Global form. Harassment is not named in the clauses reviewed.              |
| <b>Publisher of this report</b> (2727coworking.com) | Not assessed here.                                                                                                                                              | Not assessed here.                                                                                                                                                                                                                                                     | No claim made. Request the current membership agreement and apply Table 3. |

Table 4 shows a range of drafting styles: an explicit harassment statement with a reporting form, a broad discretionary conduct clause, and a general conduct clause. None of the passages describes the operator investigating an employment matter. A community code-of-conduct template from a coworking software vendor

commits organisers to act on anonymous reports ([coworkingcodeofconduct.org](https://coworkingcodeofconduct.org)), but it is a template, not a binding member contract ([coworkingcodeofconduct.org](https://coworkingcodeofconduct.org)).

## Data Analysis and Evidence

The data describe harassment in general and the CNESST complaint flow. No source reviewed measures harassment between tenants of a shared office, so the figures set context only.

- **Complaint volume.** The CNESST reports **6,817** psychological or sexual harassment complaints under the LNT in 2024, up **54.1%** in five years, from 4,425 in 2020 ([www.cnesst.gouv.qc.ca](https://www.cnesst.gouv.qc.ca)). The Ministry of Labour reports **43,988** complaints of all types in 2024 ([cdn-contenu.quebec.ca](https://cdn-contenu.quebec.ca)), so harassment is roughly **15.5%** of the total, a calculation made for this report.
- **Closure.** In 2024, **93.7%** of closed harassment complaints were closed without the CNESST legal affairs unit's intervention ([www.cnesst.gouv.qc.ca](https://www.cnesst.gouv.qc.ca)).
- **Prevalence.** The EQCOTESST survey found **14.8%** of workers reported psychological harassment in the prior 12 months (fieldwork 2007 to 2008) ([www.inspq.qc.ca](https://www.inspq.qc.ca)), and about **20%** reported it in the 2014 to 2015 population survey, with the INSPQ cautioning that question wording differs ([www.inspq.qc.ca](https://www.inspq.qc.ca)).
- **Sexual conduct.** About a quarter (**25%**) of Quebec women reported unwanted sexual behaviour at work in the year before the 2018 survey ([statistique.quebec.ca](https://statistique.quebec.ca)).
- **Public contact.** Workers in contact with the public are more exposed to psychological harassment ([www.inspq.qc.ca](https://www.inspq.qc.ca)).
- **Audience size.** Canada had 1.10 million employer businesses in December 2024 ([ised-isde.canada.ca](https://ised-isde.canada.ca)), and Quebec had 228,622 small ones (1 to 99 paid employees), a 98.0% share ([ised-isde.canada.ca](https://ised-isde.canada.ca)).
- **Shared-space context.** Flex space was 1.1% of national office inventory at the end of 2019 ([knowledge-leader.colliers.com](https://knowledge-leader.colliers.com)), and trade press put Montreal at 836,000 square feet, 12.7% of national flex inventory ([renx.ca](https://renx.ca)). These 2019 figures are context, not current market size.

Complaint counts reflect those who file, and the surveys use different questions, so they cannot be combined. No dataset separates co-tenant harassment from harassment by clients or colleagues, so the case for a shared-site process rests on the legal text and the gap between duty and control, not on a measured frequency.

## Implications and Future Directions

**For the workspace buyer.** The decision is less about which desk to rent than about which contract terms make a cross-tenant complaint workable. Writing down the handler, operator contact, consent steps and interim options before signing reduces improvisation later.

**For the HR decision.** A policy that mentions only colleagues is out of step with a duty framed around any person. The next review should add the shared-site annex, confirm the handler's training, and test the intake route once with a fictional case. Because the CNESST's drafting aid says the policy becomes part of the prevention program or action plan from 1 October 2025 (a date to confirm with the CNESST or counsel), review the two sets of documents together.

**For operators.** The documents reviewed show conduct rules and removal powers, and some publish reporting forms. A consent-based incident acknowledgment, a French-language route and a short shared-site protocol would reduce friction for member employers. This report does not assert that any operator offers them.

#### **Open questions.**

- No guidance reviewed addresses the co-tenant scenario.
- No regulator text reviewed lists concrete interim measures.
- Whether sharing complaint details with an operator fits a privacy exception is unaddressed in the pages reviewed.
- The characterisation of coworking agreements under the Civil Code depends on the contract.
- The ILO Convention's reference to third parties may raise expectations over time ([normlex.ilo.org](https://normlex.ilo.org)).

## **Frequently Asked Questions (FAQs)**

### **What is the employer's duty toward harassment by a third party in Quebec?**

The employer must take reasonable means to prevent psychological harassment coming from any person and, once aware, to stop it. The Ministry of Labour describes this as covering third parties such as clients and suppliers ([cdn-contentu.quebec.ca](https://cdn-contentu.quebec.ca)). It is an obligation of means.

### **Does the employer have to act if the harasser works for another tenant?**

The wording ("any person") supports a duty to take reasonable means, but no source reviewed addresses a co-tenant directly, so this is an inference to confirm with counsel. What is reasonable depends on what the employer can control: its handler, its interim measures, and requests to the operator and the other employer.

### **Can the employer just refer the employee to the operator?**

No. The operator employs neither person, and the employer's duty remains its own. A referral can be one step in a process, not a replacement for it.

### **What must a harassment policy contain, and does a small employer need one?**

Every employer needs one, because the provisions have no small-business threshold ([www.legisquebec.gouv.qc.ca](https://www.legisquebec.gouv.qc.ca)). It must cover the complaint procedure, the designated person, protective measures, the handling process and confidentiality, with documents kept at least two years. The CNESST says to adapt it to size and means and to apply it in all work locations, telework included, so staff in shared offices should also receive the handler's contact route and a shared-site annex.

### **What is the time limit and how does a CNESST complaint work?**

The employee has two years from the last manifestation of the conduct. The CNESST investigates, may arrange mediation and can refer the complaint to the labour tribunal. Reprisal complaints have a 45-day limit.

## Can the employer share complaint details with the operator?

Only with the person's consent or under a statutory exception, and exceptions are read restrictively ([www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)). The disclosure ladder above limits what is shared.

## What should a coworking code of conduct cover?

At minimum: a prohibition of harassment by members and guests, a named complaint route, the operator's possible responses and a confidentiality statement. Published examples vary, and one community template commits organisers to act on anonymous reports ([coworkingcodeofconduct.org](http://coworkingcodeofconduct.org)).

## What if the employer is federally regulated?

Banks and other listed industries fall under federal law ([www.canada.ca](http://www.canada.ca)), and the federal regulations apply instead of the LNT provisions ([laws-lois.justice.gc.ca](http://laws-lois.justice.gc.ca)).

## Conclusion

Quebec employers answer for harassment that reaches their employees from any person, and a coworking tenant is a person. The obligation is one of means, which makes a documented, reasonable process the central safeguard. In a shared work site, that process rests on three facts: the employer owns the duty, the operator controls the premises and the contract, and the other tenant's employer controls the alleged harasser.

The workflow hypothesis follows from those facts. Before a problem occurs, the employer names a handler, extends its policy to shared sites, asks the pre-signing questions and prepares a disclosure ladder based on consent and minimal sharing. When a report arrives, it secures the employee, documents the facts, guards against reprisals, makes written requests to the operator and keeps its records for at least two years. It escalates to counsel or the CNESST when the facts or the contract require it.

The legal duties must be checked against the primary sources and the specific membership contract, and a professional should be consulted for any live case. The most useful action for a buyer today is to put the questions in *Table 3* to every operator under consideration and keep the answers with the signed agreement.

## Source links

Links cited in this article, in order of first appearance. Full addresses are provided for readers using extracted text.

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## THE PUBLISHER

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