

Septembre 2025



THE SUPREME COURT CLOSES ONE DOOR... BUT OTHERS OPEN

Last April, the FFARIQ, together with other associations representing Ressources, filed an application to appeal to the Supreme Court of Canada to challenge the decision rendered by the Quebec Court of Appeal. The goal: to recognize that family-type resources and intermediate resources must benefit from constitutional protection equivalent to that of employees, as well as effective collective bargaining

Last week, the Supreme Court of Canada refused to hear our challenge seeking to have certain provisions of the *Act respecting the representation of family-type and certain intermediate resources and the collective agreement negotiation process concerning them (ARR)* declared unconstitutional.

mechanisms.

This is not a decision based on the merits. The Court did not rule on the relevance of the case or the validity of our arguments: it simply decided not to intervene, as the national interest criterion was not met at this stage.

We remain disappointed: the trial court decision had recognized that the ARR infringed on freedom of association. However, the Court of Appeal restricted this protection, considering that resources are service providers rather than

employees. It nevertheless clarified the scope of certain provisions, particularly regarding the duration of specific agreements and the remuneration of services. We will return to this in a future communication, through the Inform'Accueil or as part of the preparatory work for the renewal of the next collective agreement.

One legal door is closing, but another is opening: we will now take this fight to the political arena.

Our priority is to ensure compliance with a key recommendation of the Laurent Commission: to amend the ARR to better reflect the reality of foster families and protect the interests of children.

Mélanie Gagnon
Provincial President
FFARIQ