

Asbestos – 2023 Year in Review



ALBERTA

LAWS & ANNOUNCEMENTS

Jan 16: Alberta issued a new [OHS allowance](#), that is, order allowing a work site party to deviate from an OHS Code requirement, to allow for demolition of a building without first removing materials with the potential to release asbestos fibers, provided that a professional engineer certifies that the building's structural integrity is or may become compromised due to asbestos abatement activities.

Mar 1: The WCB revised its [asbestos guidance](#) to incorporate a new [OHS allowance](#) allowing for demolition of a building without first removing materials with the potential to release asbestos fibers, provided that a professional engineer certifies that the building's structural integrity is or may become compromised due to asbestos abatement activities.

Action Point: Implement an [Asbestos Exposure Control Plan](#) at your workplace.

BRITISH COLUMBIA

LAWS & ANNOUNCEMENTS

Feb 28: That's the final day of public consultations on [proposed changes](#) to the certification and licensing required

for asbestos abatement work under Part 6 of the OHS Regulations. The new rules would also require owners and prime contractors to ensure that contractors are properly licensed and certified before letting them carry out abatement work.

Action Point: Implement an [Asbestos Exposure Control Plan](#) at your workplace

May 10: That's the final day of public consultations on proposed rules (OHS Regulations, Part 6) to implement new licensing and certification requirements for asbestos abatement work provided for under newly passed Bill 5.

Action Point: Implement an [Asbestos Exposure Control Plan](#) at your workplace

Jun 9: BC will become the first province to require contractors to get a licence to conduct asbestos abatement work. WorkSafeBC will begin accepting [license](#) in September before the new licensing rule officially takes effect on January 1, 2024. Workers will also need certification to perform asbestos abatement work.

Action Point: Find out more about [accessibility laws across Canada](#)

CASES

Asbestos: WorkSafeBC Gets Injunction Against Non-Compliant Asbestos Contractor

The BC Superior Court issued an order barring an asbestos abatement contractor from carrying out operations until it gets into compliance with OHS requirements. While courts are generally reluctant to issue injunctions, the evidence strongly supported the WCB's claims that the contractor violated parts of the OHS asbestos regulations covering Training and Supervision, Containment, Containment Inward Air Flow and Secured Openings [[Workers' Compensation Board v E H Z Pre-Demolition Ltd.](#), 2023 BCSC 831 (CanLII), May 16, 2023].

Action Point: Implement an [Asbestos Exposure Control Plan](#) at your workplace

ONTARIO

LAWS & ANNOUNCEMENTS

Jun 5: The government reported on the progress that public agencies in Newfoundland are making in developing their legislatively required [Accessibility Plans](#). The deadline for full implementation is December 31, 2023.

Action Point: Find out more about [accessibility laws across Canada](#)

Nov 16: [Bill 52](#), which is designed to improve accessibility in public spaces, has received Royal Assent. Key changes: i. Removal of pre-1981 exemption from current Buildings Accessibility Act; ii. Clarification of how the Act applies to home-based businesses; and iii. Doubling of fines for violations.

Action Point: Find out more about [accessibility laws across Canada](#)