

Compliance Trends: The Top 3 New OHS/Workers' Comp Laws in Each Jurisdiction



The new health and safety laws adopted across Canada over the past 12 months has been unusually heavy in terms of both volume and significance. Such laws include not just OHS legislation and regulations but also internal policies affecting the calculation and payment of workers' comp benefits to injured workers. Here's a rundown of what we've identified as the most significant new laws since June 2017 in each jurisdiction:

NATIONWIDE

1. Marijuana legalization*
2. 2015 WHMIS/GHS changes*
3. Stepped up criminal prosecution under C-45

FEDERAL

1. Bill C-65 workplace violence & harassment rules*
2. New OELs for asbestos
3. New TDGA railway security rules

ALBERTA

1. Bill 30 OHS changes*
2. Bill 30 workers' comp changes
3. Bill 19 workplace violence for gas station & retail*

BRITISH COLUMBIA

1. New JHSC training requirements
2. New storage rack rules
3. New concrete formwork rules

MANITOBA

1. New hearing protection guidelines
2. SAFE Work self-insured employer certification*
3. Extension of indoor smoking ban to e cigarettes & pot

NEW BRUNSWICK

1. New workplace violence & harassment regulations (Part XXII.1)
2. New WCB Policy 25-015 on medical marijuana for work injuries
3. Ticketing for workplace smoking violations

NEWFOUNDLAND/LABRADOR

1. New WorkplaceNL mental stress coverage Policy EN-18
2. WorkSafeNL 2018-22 Work Plan prioritizing MSIs, falls, young workers, violence, psychological safety & traffic control
3. 5% increase in Income Replacement Rate benefits

NOVA SCOTIA

1. Bill 165 OHS enforcement changes
2. PTSD presumption for emergency response workers
3. Elimination of WCB 5-year audiogram requirement

ONTARIO

1. Bill 177 OHS enforcement changes
2. New WSIB chronic mental injury Policy 15-13-14
3. New fall protection & scaffolding rules for industrial sites*

PRINCE EDWARD ISLAND

1. New workplace harassment OHS regulations
2. New WCB coverage rules for mental impairment
3. New WCB Vocational Rehab Policy POL-117

QUÉBEC

1. Bill 176 expansion of psychological harassment protections*
2. New Appendix 1 OELs and formulas
3. New OHS mining safety regulations

SASKATCHEWAN

1. Revised WCB Policy POL 18/2017 on injury recurrence
2. Revised WCB Policy POL 12/2013 on whether injuries are work-related
3. Higher penalties for late payment of workers' comp premiums

NORTHWEST TERRITORIES/NUNAVUT

1. WSCC ticketing for health & safety violations*
2. New OHS rules for trip hazards, worksite smoking, training records & anchor points
3. Revised WSCC Policy 03.09 on coverage of PTSD & psychological disorders

YUKON

1. Bill 8 establishing PTSD presumption for emergency response workers
2. –
3. –

NOTE

* Changes in pipeline that are in the process of being but haven't yet been implemented