Monthly OHS New Laws & Cases Briefing for July 2026



Even though legislatures were in recess, June was an extremely active month for new OHS laws, regulatory trends, and case rulings.

Important New OHS Laws & Trends

Here are the key new laws and trends shaping OHS compliance that OHS coordinators need to know about.

1. Transportation of Dangerous Goods Regulations Changes Take Effect

Significant revisions to the *Transportation of Dangerous Goods Regulations* (TDGR) aligning Canadian rules with the United Nations Model Regulations and other international codes officially took effect on June 4. The deadline for employers to comply with the new rules is June 4, 2027. One of the most important changes affects training. Rather than simply ensure that workers are "adequately trained," the revised TDGR require employers to perform on-the-job assessment to verify workers are fully competent in the specific hazardous material tasks they perform. Other major changes include updated railway buffer car requirements and new Emergency Response Assistance Plan (ERAP) rules for anhydrous ammonia. Find out more about the new TDGR competency-based training rules and how to comply with them.

2. OHS Regulators Continue to Crack Down on Powered Mobile Equipment Violations

Forklift and powered mobile equipment has become a priority for OHS enforcers across the country. Thus, the biggest OHS fine of the month and fourth highest fine of the year was the $350,000 penalty imposed by Alberta against an employer for failing to prevent the unsafe movement of a forklift load resulting in the death of a forklift operator after being hit by a falling marble slab. Don't let something like this happen on your watch! Find out how to implement a Powered Mobile Equipment Compliance Game Plan to prevent forklift incidents and injuries at your workplace.

3. Ontario Relaxes OHS Requirements for Filtering Respirators

Ontario is one of the only provinces where all filtering respirators must meet NIOSH standards. Almost every jurisdiction allows for respirators to meet some version of CSA Z94. But that changed on July 1, when new OHS regulations took effect making Canadian-made respirators meeting CSA Z94.4.1 and the CSA Certification Program an acceptable alternative to NIOSH approval for filtering respirators in Ontario. That should make life easier, especially for Ontario companies that also operate in other provinces and territories. Find out how to implement an effective Respiratory Protection Equipment Compliance Game Plan at your site no matter where in Canada you do operate.

4. Québec Imposes Tougher OHS Requirements for Chainsaws in Forestry Operations

No province was more active in the OHS regulations sphere than Québec this month where CNESST issued new rules covering

construction sites, mines, and forestry operations. Among the latter were proposed amendments to OHS forest management work regulations affecting standards for chainsaw chains, safety footwear, leg protection devices, and protective clothing for chainsaw users. The amendments also add paramedic to the list of potential contact people when there are fewer than nine workers and permit modifying brush clearing equipment if the manufacturer allows it. Find out how to implement an effective Chainsaws Safety & Compliance Game Plan at your workplace.

5. Government Health Departments Sound the Warning on Lyme Disease & Other Tick-Borne Illnesses

Tick activity is exceptionally high across Canada. Confirmed tick reports are up 50.2% in Ontario and 38.5% nationwide, as compared to the same period last year. Reports of blacklegged, aka, deer ticks are especially surging, which is bad news because these are the ticks that carry Lyme disease. This month: At least four provinces issued advisories this month warning employers to take measures to protect outdoor workers against exposure to tick bites. Find out how to protect outdoor workers from tick bites and implement a Lyme Disease Prevention Game Plan.

6. Workers' Compensation Boards Are Dishing Out Money to Safe Employers—Are You Getting Your Share?

With overall injury and claims rates down across most of the country, Canadian workers' compensation boards are running healthy surpluses. And they're giving those surplus funds back to employers with strong OHS programs. Workers' comp rebates are also available on a perennial basis to companies that achieve special safety certification. For example, Alberta Workers' Compensation Board (WCB) distributed roughly $106.5

million in rebates to more than 10,000 Certificate of Recognition (COR) employers under the Partnerships in Injury Reduction (PIR) program last month. COR status is awarded to employers whose OHS management programs meet provincial standards as determined by a certified auditor. In addition to earning workers' compensation rebates, studies show that companies with COR or similar recognition have lower injury rates. Use these findings to make a strong business case for your own OHS program.

7. Drug Overdose Deaths Decline Thanks to Naloxone Kits

While use of illegal opiate drugs remains a nationwide problem, overdose death rates are going down. According to a new Health Canada report, national drug toxicity death rates declined by 23% in 2025 compared to 2024. The report cites the increased availability of lifesaving naloxone kits as a major factor in the decline of overdose deaths. Find out how to implement a workplace Naloxone Program to save lives and prevent opioid overdose deaths at your site.

Important New OHS Cases

These were the Top 11 OHS court cases of the month.

1. Ontario Settles Training School Abuse Victims Class Action for $60 Million

An Ontario court approved the $60 million settlement of the class action lawsuit against the province filed by thousands of individuals for the physical, sexual, and psychological abuse they suffered while placed in provincially operated juvenile detention and reform facilities, aka "Training Schools", between 1953 and 1984. The Ontario government issued a public acknowledgment and expression of regret. Eligible class members will receive compensation ranging from $5,000 to

$100,000, depending on the severity of the harm they suffered [*Brown v. His Majesty the King in Right of the Province of Ontario*, 2026 ONSC 2880, May 21, 2026].

Action Point: Don't assume workers will tell you if they're being harassed. Use the OHS Insider Assessment Questionnaire template to uncover hidden harassment, bullying, and stalking problems at your workplace.

2. Alberta: OHS Officials Can Issue Stop Worker Orders Even If There's No "Imminent Danger"

After an assessment concluded that a consulting firm wasn't qualified to conduct indoor hygiene testing, OHS officials issued an Order requiring it to stop performing airborne concentration measurements of harmful substances and hazardous materials inventory assessments in Alberta unless and until the Order was lifted. The firm appealed contending, among other things, that the government had no authority to issue the Order because there was no proof of "imminent danger." The Labour Relations Board upheld the Order finding that nothing in the *OHS Act* expressly limits the discretion of inspectors to issue stop work orders only to situations involving imminent danger [*11184903 Canada Corp. operating as Pure Air Solutions Services Ltd. v Occupational Health and Safety*, 2026 ABOHSAB 9, June 24, 2026].

Action Point: This is an important case because it interprets the statutory authority of Alberta OHS inspectors to issue stop work orders broadly including situations where there's no imminent danger. Find out about the factors you should consider in deciding whether to appeal an OHS order.

3. Nunavut: Nuclear Plant Fined $276,000

for Electrician's Electrocution Death

Qulliq Energy Corporation was on the receiving end of what may be the highest OHS fine ever imposed in Nunavut—a total of $276,000 for the electrocution death of a 58-year-old electrician while working on an emergency generator that had not been de-energized in the hamlet. The accident occurred at the company's Naujaat Power Plant during a blackout. Qulliq pled guilty to one violation: failing to carry out all reasonable techniques and procedures, to ensure the health and safety of every person in its establishment. In return, the Workers' Safety and Compensation Commission (WSCC) dropped eight charges [*Qulliq Energy Corporation*, WSCC Press Release, June 16, 2026].

Action Point: Find out how to prevent fatalities and OHS fines like these by implementing a legally sound Lockout and Hazardous Energy Control Compliance Game Plan at your site.

4. Alberta: Construction Panel Installation Mishap Leads to $250,000 in OHS Fines

A work crew was installing forms for a foundation at a new residential development when a cage holding panels fell, striking and pinning one of the workers resulting in serious injuries. The constructor and victim's employer were each fined $125,000 for an OHS violation in connection with the incident, the former for failing to ensure that workers were adequately trained to perform the work safely and the latter for failure to ensure that racks used to store materials or equipment were placed on firm foundations that could support the load [*Excel G.P Ltd., and Benchmark Cribbing, Inc.,* Govt. Press Release, June 8, 2026].

Action Point: Find out how to implement a legally sound and effective Material Stacking Safety & Compliance Game Plan at

your workplace.

5. British Columbia: Relying on Experienced Supervisor Isn't Enough to Prove Due Diligence

WorkSafeBC inspectors fined a siding contractor nearly $20,000 after observing workers at a height without fall protection even though fall protection equipment was available and their supervisor was right below them on the ground. The contractor claimed due diligence. We trained the crew in fall protection, we gave them the necessary equipment, and we appointed an experienced person to supervise them—what more could we have done? But the BC Workers' Comp Appeals Tribunal (WCAT) wasn't impressed. Given the company's history of similar violations, it should have "treated fall protection requirements with a heightened level of scrutiny." And it couldn't document the training it claimed it provided. Relying on its experienced supervisor to ensure compliance was also a nonstarter since there was no evidence that the company regularly monitored and tested supervisors' competency and ability to abide by the safety rules. "Due diligence requires that an employer have a reasonable basis to assume that its site supervisor will supervise a work activity safely, responsibly, and in accordance with legal requirements," the WCAT reasoned [*A2501668 (Re),* 2026 CanLII 60152 (BC WCAT), June 11, 2026].

Action Point: The takeaway is that relying on experienced supervisors isn't enough to prove due diligence. Use the OHSI Due Diligence Scorecard and accompanying Case Summaries to draw other important lessons that you can use to assess whether your own OHS program meets the standards of due diligence.

6. Québec: Contractor Didn't Use Due

Diligence to Prevent Electrical Violation

A CNESST inspector pulls aside a construction worker replacing light fixtures in a corridor to ask whether the power source to the electrical supply system has been properly locked out. At that very moment the lights come on. The inspector cites the electrical contractor/employer for failing to ensure that the components of an electrical circuit of more than 30 volts are protected to prevent contact with a live element. The Québec court rejects the contractor's due diligence defence based on evidence that its workers weren't aware of the company's electrical hazards prevention program and the lack of documentation that training was provided and safe work procedures were in place. The court also pooh-poohs the contractor's reasonable mistake of fact due diligence argument finding that its misidentification of the electrical box was due to "passivity" rather than reasonable mistake of fact [*CNESST v. EK Électrik inc*., 2026 QCCQ 2902 (CanLII), June 23, 2026].

Action Point: You can prevent OHS fines like these by implementing a legally sound Lockout and Hazardous Energy Control Compliance Game Plan at your site.

7. Federal: Double Pre-Employment Drug Testing of New Trainees Is Unreasonable

After extensive hearings, a federal arbitrator ruled that three parts of a railway's drug and alcohol testing policy were unreasonable: i. Requiring newly hired trainees for safety sensitive positions to undergo both pre-employment drug testing and a later second drug test before completing their training; ii. A minimum 28-day cannabis ban; and iii. Reducing oral fluid drug testing thresholds from 10ng/ml to 4ng/ml and 2ng/ml. However, the arbitrator upheld other provisions challenged by the union as not unreasonable [*Teamsters Canada Rail Conference – Maintenance of Way Employees Division v*

Canadian Pacific Kansas City Railway Company, 2026 CanLII 60171 (CA LA), June 19, 2026].

Action Point: Although this case turned on the reasonableness of the terms of the policy, workplace drug testing cases are often determined based not on what a testing policy says but how it's actually carried out. Find out how to implement a legally sound Drugs and Alcohol Testing Policy at your own workplace.

8. Ontario: Second Failed Drug Test Is Just Cause to Fire Safety-Sensitive Truck Driver

A truck driver who was put on unpaid leave after failing a drug test was allowed to return to work with a written warning after completing education and submitting to six random drug tests over the next 12 months, all of which he passed. Two years later, he tested positive for marijuana again. The driver admitted to casual marijuana use but insisted that it was a one-time incident that would never happen again. But having already given him one second chance, the company decided to cut ties with the driver. The Ontario court found just cause for termination citing the driver's safety-sensitive job, his signed acknowledgment of receiving training on the company's drugs policies, and his previous transgression. Nor was disability discrimination an issue since the driver didn't claim to have an addiction or dependency. Last but not least, random testing was reasonable given that the driver's route took him into the U.S. and mandatory drug testing for international drivers was mandatory under U.S. law [*McCarthy v. Bison Transport Inc*., 2026 ONSC 3729 (CanLII), June 26, 2026].

Action Point: Under a 2013 Supreme Court case called *Communications, Energy and Paperworkers Union of Canada, Local 30 v. Irving Pulp & Paper, Ltd*., random drug testing is

allowed only when workers are safety-sensitive **and** there's a documented drug use problem at the particular workplace. But *Irving* didn't apply in this case because the driver regularly crossed into the U.S. and random drug testing is required by U.S. law. Find out how to implement a Drugs and Alcohol Testing Policy at your own workplace.

9. British Columbia: Sawmill Fined $110,000 for Worker's Death in Silo Fire

A fire ignited inside a sawmill silo (a confined space) while a worker was inside performing pressure washing. The worker, who couldn't get out because the fire blocked access to the silo hatch, was engulfed by the flames and suffered fatal injuries. WorkSafeBC fined the employer $110,855 for multiple high-risk OHS violations, including failing to assign an adequately trained person to administer the confined space entry program and supervise the entry and ensure that a hazard assessment and written confined space entry procedures were prepared by a qualified person. In addition, the firm didn't carry out pre-entry testing or ensure that persons assigned rescue duties were properly equipped and adequately trained [*West Fraser Mills Ltd. / Eurocan Pulp & Paper*].

Action Point: Don't let this happen to you! Find out how to use the OHS Insider Confined Spaces Compliance Game Plan to avoid confined space fatalities and violations.

10. Yukon: Firing Employee Because She's Domestic Violence Victim Is Sex Discrimination

The Yukon Human Rights Board of Adjudication found a university committed sex and family status discrimination when it terminated an employee one day after she returned from domestic violence leave. The university knew the employee was a domestic violence victim and factored this into its decision

not to renew her contract despite her excellent service record, the Board concluded. Result: It awarded her $35,000 in damages for injury to dignity and self-respect (the second highest such award in Yukon history) and $19,738.88 for three months of lost wages [*Antony v. Yukon University*, YHRPA File: 2025-04, May 28, 2026].

Action Point: The moral of *Antony* is not to blame the victim for domestic violence. In the OHS context, this means that you can't terminate or suspend a worker because they face a threat of domestic violence and you fear that their partner will carry out the threatened violent act in the targeted victim's workplace. Find out how to implement an effective Workplace Domestic Violence Prevention Plan to protect your own workers.

11. Nova Scotia: Placing Manager on Leave Isn't Reprisal for Harassment Complaint

A health centre manager claimed he was put on paid administrative leave in reprisal for complaining about alleged respectful workplace breaches committed by his boss. The OHS investigator found no reprisal, finding that the centre put the manager on leave not as punishment but to protect him pending the investigation into his toxic relationship with the boss. The Nova Scotia Labour Board upheld the ruling. Even if it was an adverse action, there was no evidence that the manager was put on leave because he complained. Moreover, he complained to the employer before the new Nova Scotia OHS psychological harms protections he claimed he was asserting officially took effect [*Fells v IWK Health*, 2026 NSLB 29 (CanLII), June 25, 2026].

Action Point: Find out how to avoid reprisals liability when disciplining workers who commit infractions unrelated to their work refusals or previous exercises of OHS rights.