

# OHS Insider Month in Review – March 2018

## Newfoundland & Labrador



### **LAWS & ANNOUNCEMENTS**

#### **OHS Priorities**

Feb.: WorkSafeNL's Work Plan for 2018-2022 identifies MSIs, falls, young workers, workplace violence, psychological safety and traffic control as priority risk areas. Strategic initiatives to be undertaken include:

- Comprehensive review of Radiation Health and Safety Act and Regulations
- Implement GHS changes to WHMIS
- Review training requirements for confined space entry and traffic control
- Promote mandatory orientation safety training for all new workers
- Refocus inspection strategy to target high-risk employers and sectors.

#### **Workers' Compensation**

Feb. 20: The government said it will propose a bill to increase the income replacement rate (IRR) from 80% to 85% of an injured worker's pre-injury net income. The adjustment will carry a high price tag considering that Newfoundland's Maximum Compensable Assessable Earnings cap for income replacement is the highest in Canada (\$64,375 in 2018).

#### **Workplace Harassment**

Feb. 23: Setting a nice example for the private sector, the provincial government unveiled a brand spanking new state-of-the-art workplace harassment policy. Novel features:

- Mandatory harassment awareness and training for all employees
- A 90-day timeline for harassment investigations
- 'Single-access-entry' point for submitting complaints to ensure consistency
- Communication checkpoints to provide regular updates to accuser and accused throughout the investigation and disciplinary process
- Expanded definition of 'sexual harassment' to include gender-based

discrimination and insults

- Complainant's right to request a formal investigation.

### **Mental Stress**

March 30: That's the newly extended deadline to comment on proposed WorkplaceNL's workers' comp coverage rules for mental stress. Current Policy EN-18 , which covers only stress resulting from a discrete, sudden and unexpected traumatic event at work, is out of touch with other jurisdictions and scientific research showing that PTSD and other psychological injuries develop gradually over time.

### **Traffic Safety**

Feb. 5: Increased penalties for *Highway Traffic Act* offences took effect:

Offence	New Minimum Fine	New Maximum Fine	Old Minimum Fine	Old Maximum Fine
Slow driving	\$100	\$235	\$45	\$180
Failure to observe traffic-control device prohibiting parking or stopping	\$100	\$170	\$20	\$90
Driving with windshield covered with snow so as to obstruct vision	\$100	\$235	\$45	\$180
Operating vehicle without proper equipment or of improper construction	\$100	\$170	\$20	\$90
Failure to comply with vehicle inspection requirements	\$100	\$160	\$60	\$120

### **Environmental Assessments**

EPA environmental assessment actions in Feb.:

- Registration of Incinerator Road Scrap Metal Processing Initiative [Reg. 1947]
- Registration of Harbour Arterial Mineral Workings Area Expansion [Reg. 1945]
- Registration of Argentia Cannabis Production Facility [Reg. 1946]
- Submission of Second Addendum for Argentia Access Road Industrial Composting Facility Project [Reg.1838]
- Environmental Assessment Committee appointed for Green Hill Quarry Reclamation and Rehabilitation [Reg. 1934]
- Environmental Assessment Committee appointed for Baie Verte Tailings Management Facility Expansion, Ming Copper-Gold Mine [Reg. 1939].