

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].