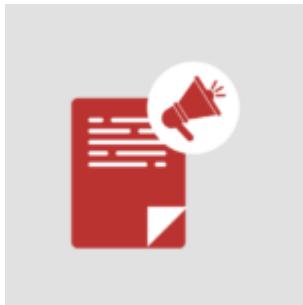


# The 10 Most Significant New OHS Laws of 2026



Part of your job as an OHS coordinator is to brief your CEO and other executive officers about the new safety laws and regulations that impact your company and its OHS program. As the new year begins, that briefing should include the significant laws that were enacted and took effect in 2025, including the ones that have largely flown under the radar. Here's a rundown of the Top 10 new OHS laws you want to tell your CEO about.

## 1. New OHS Administrative Monetary Penalties in Ontario

On November 27, Ontario passed a major piece of employment reform legislation called the *Working for Workers Seven Act, 2025* ([Bill 30](#)) that authorizes the Ministry of Labour (MOL) to issue administrative monetary penalties (AMPs) for OHS violations. Unlike fines, the government can issue AMPs without going to court. Instead of (or possibly in addition to) prosecution, MOL inspectors can hand out AMPs during an OHS inspection or investigation. Ontario thus becomes the ninth [jurisdiction to allow AMPs for OHS violations](#) (the other 8 are Alberta, British Columbia, Manitoba, Nova Scotia, the 3 territories, and the federal jurisdiction).

**What To Do:** As an OHS coordinator, you need to recognize

that it's not just about the money. Like OHS penalties, AMPs create a record of non-compliance that inspectors may consider in imposing future AMPs and convicting courts may deem an aggravating factor calling for a higher fine. The MOL will also probably publish the names of companies that receive AMPs the way it does for companies convicted of OHS violations. Given these stakes, companies on the receiving end of AMPs should seriously consider whether to appeal. But you must act fast. You have only 15 days to appeal an AMP, as opposed to 30 days to appeal an MOL inspector's order under the *OHS Act*.

In appealing AMPs, companies will probably be able to rely on the due diligence defence, just the way they could if they were prosecuted for an OHS violation. Thus, by taking reasonable steps to comply with OHS laws and prevent violations, you'll be able to safeguard your company against risk of liability for not only OHS convictions but also AMPs.

**Bottom Line:** AMPs don't change the standard of compliance, but they do raise the stakes of non-compliance.

## 2. WHMIS GHS 7 Changes

Changes to the national *Hazardous Products Regulations* (HPR) on which WHMIS requirements in each part of Canada are based that were first phased in during April 2023 went into full force on January 1, 2026. Many of the key GHS 7 changes affect how hazardous products are classified. However, for the vast majority of employers, the most important changes are the revisions to the presentation of hazard information in the SDS, specifically under Section 9 and Section 14.

**What To Do:** [Audit](#) your current SDS binders and electronic systems to verify that they meet the GHS requirements for Sections 9 and 14. If they don't, send the supplier of the

hazardous product for a [written request](#) for a revised version of the SDS. Keep records documenting these requests and the supplier's response. If the supplier doesn't cooperate, send a [written notification form](#) to notify the government and document reasonable efforts to get the revised SDS from the supplier.

### **3. New Sexual Violence Protections in Québec & British Columbia**

The employer OHS duty to safeguard workers from workplace violence continues to evolve. New CNESST OHS [Regulations](#) require Québec employers to take measures to prevent workplace sexual violence and psychological harassment (SCV) by October 29, 2026, including providing workers written notification of workplace SCV risks as well as SCV training at least every 3 years. Employers must also establish SCV complaint, reporting, and investigation procedures. BC took parallel action by passing [Bill 18](#) requiring postsecondary institutions to implement a sexual violence policy that, among other things, sets out procedures for making and responding to disclosures about a member of the institutional community, including imposition of discipline against those found to have engaged in wrongdoing.

**What To Do:** Recognize that sexual and domestic violence becomes an OHS issue when it occurs in the victim's workplace. That makes it essential to ensure that your current [Workplace Violence Prevention Plan](#) accounts for and protects against risk of domestic and sexual violence, regardless of where you operate.

### **4. New Toxic Process Gases Requirements in British Columbia**

As it does every year, WorkSafeBC made some significant

revisions to its OHS regulations in 2025, including new safety requirements for a group of substances called toxic process gases (TPGs), which include anhydrous ammonia, chlorine, chlorine dioxide, ethylene oxide, ozone, and sulfur dioxide.

**What To Do:** To comply with the new regulations, BC companies must implement a TPG exposure control plan that provides for:

- Identification and assessment of TPG hazards.
- Written procedures for safe use, handling and storage of TPGs.
- Written procedures for responding to TPG spills and emergencies.
- Provision and use of appropriate respiratory protection and safety equipment.
- Deployment of continuous monitoring systems and alarms for detecting uncontrolled releases or hazardous concentrations of TPGs.
- Emergency eyewash and shower stations.
- Worker training on TPG hazards and how to prevent them.

## 5. **New Tower Crane Equipment Certification Rules in British Columbia**

Another important new BC OHS regulation requires certain tower crane safety equipment to be "certified safe for use" at designated intervals. While certification isn't new, the previous rule covered only self-erecting tower cranes. Certification is now mandatory for all tower cranes, as well as mobile cranes, boom trucks, vehicle-mounted elevating work platforms, self-propelled boom-supported elevating work platforms, and excavation masts.

**What To Do:** It's essential to implement

a [Cranes/Hoists/Lifting Device Compliance Game Plan](#) to prevent OHS crane violations and accidents at your workplace. To comply with the new British Columbia certification rules, you'll have to ensure that:

- All tower cranes and other covered equipment is certified in writing by a professional engineer is safe for use annually and in response to changes affecting the equipment's connections, bracing, or shoring.
- Covered equipment undergoes comprehensive inspection by a professional engineer at least every 10 years.
- Repairs to a load-bearing component are certified by a professional engineer or the Original Equipment Manufacturer (OEM) as meeting the original design safety margins.
- Each major interchangeable structural component is uniquely identified and marked to confirm compatibility with the specific crane mode.

## 6. New Return to Work & Duty to Cooperate Rules in Nova Scotia

On July 15, the Nova Scotia Workers' Compensation Board rolled out its [Return to Work and Duty to Cooperate Policy](#) implementing new *Workers' Compensation Act* amendments requiring employers to stay in touch with injured workers throughout the return-to-work process and offer suitable work when the workers return or face risk of penalties. The Nova Scotia policy is similar to the Duty to Cooperate requirements that took effect in British Columbia in 2024.

**What To Do:** Employers in Nova Scotia, BC, and any province that imposes [mandatory re-employment rules](#) should implement a [game plan](#) for ensuring that injured workers return safely to the workplace. Such a plan should provide for the [involvement of supervisors](#) and development of an individualized [return to](#)

[work plan](#) for each worker.

## 7. AEDs Now Mandatory at Large Ontario Construction Sites

Automated External Defibrillators (AEDs) are first aid devices that send an electric shock to the heart to save the life of a person in cardiac arrest which are designed for use by any person on an emergency scene regardless of training. AEDs are mandatory in certain government and other public buildings. In November, Ontario became the first province to make AEDs mandatory at certain non-public worksites. The same Bill 30 legislation that established AMPs for OHS violations requires AEDs at construction projects with over 20 workers that are expected to last 3 months or more.

**What To Do:** Construction contractors need to be aware of the [new Ontario AEDs regulations](#), especially if they act as constructor in charge of safety and OHS compliance at the site. However, because AEDs save lives, many private employers and other property owners choose to install them voluntarily. Find out how to implement an [AEDs Compliance Game Plan](#) and [Policy](#) to save lives at your own workplace.

## 8. Québec Employers Can Now Get Reimbursement for Pregnancy Reassignment Costs

Under the Québec *OHS Act*, a pregnant worker has the right to be reassigned without loss of pay or benefits if she furnishes the employer certification that her working conditions may be physically dangerous to herself or the unborn child. Workers who are breastfeeding have similar reassignment rights. New employment reform legislation ([Bill 101](#)) passed on October 28, 2025, allows employers to file a claim with CNESST to recover part of the salary paid to a

pregnant or breastfeeding worker that the employer assigns to other duties in accordance with OHS requirements.

**What To Do:** CNESST will publish regulations setting out a process and requirements that employers must follow to qualify for reimbursement. In the meantime, OHS coordinators in all parts of the country should be familiar with any OHS law protections for pregnant and breastfeeding workers that apply in their own jurisdiction.

## 9. New Construction Site Washroom Sanitation Requirements in British Columbia

On October 1, new OHS regulations took effect requiring British Columbia construction sites with 25 or more workers to have:

- Flush toilets connected to a sewer system or holding tank that uses clean water or mixture of clean water and chemicals to flush.
- Hand-washing facilities with soap and water.
- Well-maintained, clean, ventilated, and private washrooms.

**What To Do: Action Point:** While specific requirements vary slightly by jurisdiction, all companies should implement a Sanitation and Toilets Compliance Game Plan to ensure that the toilet facilities at their site:

- Are of the right type for your particular site.
- Include at least the required minimum number of toilets.
- Are in a proper location.
- Are properly designed.
- Are properly equipped.
- Are properly maintained.

## 10. Notable New Workers' Compensation Rules Across Canada

In addition to new OHS laws, significant changes to workers' compensation coverage rules took effect in many provinces and territories in 2025. Highlights:

- Ontario, PEI, Québec, and Saskatchewan expanded cancer coverage for professional and volunteer firefighters.
- Nova Scotia expanded cancer benefits for wildland firefighters.
- Alberta expanded the presumption that post-traumatic stress disorder (PTSD) is work-related to registered nurses, certified graduate nurses, and graduate nurses who meet specific criteria.
- New Brunswick clarified its coverage rules for noise-induced and traumatic hearing loss and tinnitus, as well as medical cannabis for work-related central nervous system injuries and neuropathic pain.
- Nova Scotia extended coverage of death benefits to a deceased worker's dependent adult children or other dependents.