

The Top 5 OHS Cases of August 2026



Here are the five most significant occupational health and safety (OHS) cases that came down in Canada last month.

1. British Columbia Socks Hotel with Year-High OHS Fine for Asbestos Violations

What Happened: WorkSafeBC inspectors observe mould, lead paint debris, and asbestos-containing material at a hotel renovation site. They also find that renovation workers aren't trained or certified in asbestos abatement and aren't using respiratory protection. The price tag: administrative monetary penalties of \$624,051 against the hotel owner [*Northland Properties Corporation*].

Significance: This is the highest OHS penalty reported so far this year—not just in British Columbia but all of Canada.

What To Do: Because of the dangers involved, asbestos violations carry massive penalties. Find out how to implement an [Asbestos Exposure Compliance Game Plan](#) to ensure they don't happen to you.

2. Ontario Site Owner Who Notifies Contractor of Hidden Hazards Not Guilty of OHS Violations

What Happened: The front wheel of a mobile elevating work platform used by a contractor sinks into an old, covered drinking fountain service box causing the basket to tip over and crash to the ground with a worker inside. The site owner is found guilty of two OHS violations for allegedly not telling the contractor about the presence of underground structures at the site but the Ontario appeals court finds that it exercised due diligence and overturns both convictions [[*Ontario \(Ministry of Labour, Immigration, Training and Skills Development\) v. Greater Sudbury \(City\)*](#), 2026 ONSC 3671 (CanLII), July 10, 2026].

Significance: hiring contractors to carry out projects at your site doesn't relieve you of responsibility for injuries and safety incidents that occur during the work, especially when those injuries and incidents are the result of hazardous conditions on the property. The owner was able to avoid liability by proving that it exercised due diligence in warning the contractor of the danger.

What To Do: Find out how to take the steps necessary to meet the standard of due diligence when entering into [contractor agreements at](#) your site.

3. Onboard Drug Inspection of Officers' Bunks Is Valid Safety Measure, Says Federal Arbitrator

What Happened: A merchant shipping company performs a surprise inspection of officers' cabins using drug sniffing resulting in the seizure of alcohol and cannabis products. The union

cries foul, contending that the cabins were the officers' "homes" and that the random, warrantless, and unannounced search violated their privacy expectations. The federal arbitrator dismissed the grievance [[Canadian Merchant Service Guild v. Desgagnés Marine Cargo Inc.](#), 2026 CanLII 69369 (CA SA), July 10, 2026].

Significance: The key to this case is the setting aboard a merchant ship which enabled the arbitrator to conclude that the company's safety interest in ensuring onboard sobriety requirements outweighed the officers' privacy rights.

What To Do: Random inspection and testing is difficult to justify even in a safety-sensitive workplace. Find out how to implement a [Drugs and Alcohol Testing Policy](#) at your own site.

4. No Duty to Accommodate Drug-Dependent Equipment Operator Who Declines Offered Help

What Happened: A mobile equipment technician returning from a drug-related disability leave admits to smoking pot the night before taking his return-to-work drug test. The company gives him another week but he tests positive again and the company fires him. The Québec arbitrator upholds the decision to terminate [[United Steelworkers Local 5778 v. ArcelorMittal Mining Canada](#), 2026 CanLII 70757 (QC SAT), July 9, 2026].

Significance: The company recognized that the technician's drug dependency was a disability for which it had to make reasonable accommodation. So, it offered him help and support. But the technician declined, thinking he could solve his cannabis problem by himself. At that point, the company's duty to accommodate ended and termination became justified.

What To Do: Use the [OHS Insider Substance Abuse Compliance Game Plan](#) to curb drugs and alcohol at your workplace without

violating workers' rights to reasonable accommodations.

5. Alberta Employer Need Not Create New Job to Accommodate Worker's Disability

What Happened: A radiology practice ends the employment of an ultrasound technician who had been on long term disability (LTD) leave for nearly four years based on a recent medical exam finding she's permanently disabled. The Alberta court finds termination justified. The duty to make reasonable accommodation doesn't require an employer to create a whole new employment position it doesn't need—in this case, turn a sonographer into an MRI technician [[Lai-Terke v EFW Radiology](#), 2026 ABCJ 114 (CanLII), July 22, 2026].

Significance: Although the employer won, the takeaway is that failing to accommodate the needs of injured workers may lead to liability under not just workers' compensation but also human rights laws, specifically the duty to make reasonable accommodations for disabilities.

What To Do: Find out how to implement a legally sound [Return to Work Compliance Game Plan](#) for injured workers.