

JANUARY 2023 MONTH IN REVIEW

Federal

LAWS & ANNOUNCEMENTS

COVID-19

Dec 9: Health Canada cleared use of the Pfizer-BioNTech Comirnaty Omicron BA.4/BA.5 bivalent-adapted booster targeting the original and Omicron BA.4/BA.5 variants for use in children ages 5 to 11.

Action Point: Go to the OHSI website for a [template policy](#) on requiring workers to verify they've received the COVID vaccine

WHMIS

Nov 26: Newly proposed [regulations](#) harmonize the *Transportation of Dangerous Goods Regulations* with the most recent versions of U.S. and international dangerous goods transportation rules, except where Canadian requirements are more stringent, such as with regard to use of cylinders and aerosol containers.

Action Point: Find out how to [ensure safe road transport of compressed gases](#) under the TDGR

Housekeeping

Nov 23: Newly tabled [Bill C-307](#) would amend the *Canada Labour Code* to require federally regulated employers to provide free and sanitary tampons and menstrual pads in both men's and women's bathrooms. The legislation encourages but doesn't require employers to get workers' input in deciding which brands to buy.

New Laws

Dec 1: That's when 10 days of paid sick leave for federally regulated employees officially took effect. Paid sick leave can be taken for personal illness or injury, organ or tissue donation, medical appointments during working hours or medical quarantine. Employees with at least 30 days of continuous employment are now entitled to 3 days of paid sick leave, before accruing a fourth day on Feb. 24; after that, they'll accrue one paid day per month up to 10 days per year.

Immigration

Dec 2: The federal government will phase in a temporary 2-year plan to expand eligibility to work in Canada to spouses and working-age children of workers in the health care, trades, hospitality and other sectors with acute labour shortages. Starting in January, eligible family members can apply for open work permits via Temporary Foreign Worker or International Mobility Program.

Accessibility

Dec 7: The government created a new Disability Inclusion Business Council (DIBC) made up of business leaders from across the country to develop a national plan for promoting cultural change on disability inclusion in the workplace.

Action Point: [Find out more](#) about how accessibility requirements affect your OHS program

Privacy

Nov 25: The Office of the Privacy Commissioner of Canada issued [new guidelines](#) to help employers and others who deploy web-connected cameras to monitor rooms or areas keep the images gathered confidential in accordance with federal privacy rules.

CASES

Workplace Violence: OK to Terminate Worker for Pushing, Threatening Security Guard

A worker violated company policy by accidentally bringing her daughter's cell phone to the workplace. But the reason she got fired was how she reacted after the device was spotted on the x-ray scanner at the facility entrance by deliberately pushing the guard who asked her to empty her bag and then violently swinging her open knapsack scattering its contents across the floor. The federal arbitrator ruled that the company had just cause to terminate the worker for violating not only the cell

phone but also the respectful workplace policy [[*Teamsters, Local 938 v Purolator Inc.*](#), 2022 CanLII 112111 (CA LA), November 15, 2022].

Action Point: Use the extensive resources on the OHSI [Workplace Violence Compliance Center](#) to protect your workers from violence and harassment