

AUGUST 2023 MONTH IN REVIEW

New Brunswick

LAWS & ANNOUNCEMENTS

Drugs & Alcohol

Jun 16: Newly passed [Bill 58](#), the *Opioid Damages and Health Care Costs Recovery Act*, gives the government of New Brunswick authority to sue pharmaceutical manufacturers to recover taxpayer money used to treat opioid drug users and addicts while also allowing private class action lawsuits against opioid drug manufacturers.

Action Point: Use the [OHSI Substance Abuse Compliance Game Plan](#) to curb drugs and alcohol at your workplace

New Laws

Jun 2: New Brunswick announced a new 5-year initiative to provide financial support to internationally educated nurses while they await official recognition of their credentials and approval to practice in the province. The program will cover the costs of competency assessments, Bridging Program Tuition and other expenses.

Training

Jun 7: With financial assistance from the province, the New Brunswick Community College launched a new mobile training centre for apprentices, immigrants, First Nations and remote communities.

New Laws

Jun 16: It's now mandatory for coroners to conduct inquests into certain nonnatural deaths that occur in custody or a hospital facility or where use of force might have

been a factor. As before, inquests are also required for worker deaths in a woodland operation, sawmill, lumber plant, food processing plant, construction project site, mine, pit or quarry.

Workers Comp

May 1: WorkSafeNB announced the 2023 medical transportation amounts: i. 57 cents per km for the first 8,000 kms driven; ii. 52 cents per km for 8,001 to 16,000 kms; iii. 45 cents for each km driven thereafter.

CASES

C-45: Supervisor Convicted of Criminal Negligence for Young Worker's Death

A construction supervisor faces life in prison after being convicted of criminal negligence in the drowning death of a young worker at wastewater treatment plant in 2018. The supervisor decided to conduct a leak test when water leaked into a hole that was 8-feet deep and 3.5 feet wide while a worker was inside cleaning debris. The rubber plug inserted into the pipe while the test was performed came loose and 14,000 litres of water gushed into the hole, trapping the worker who wasn't even notified that the test was being performed. The New Brunswick court found the supervisor guilty of the criminal offence created by the federal law known as C-45 (Section 219 of the *Criminal Code*) of an act or omission causing a person's death with "wanton or reckless disregard for the lives or safety of other persons" [*His Majesty the King v Jason Andrew King*, 2023 NBKB 084, June 5, 2023].

Action Point: Take [5 steps](#) to protect supervisors from OHS and criminal liability