

OCTOBER 2023 MONTH IN REVIEW

New Brunswick

LAWS & ANNOUNCEMENTS

Lockout Tagout

Aug 29: WorkSafeNB posted a new [Hazard Alert](#) about the importance of de-energizing and locking out machines before performing repairs, maintenance or other servicing operations on them, citing recent fatalities and amputation incidents.

Action Point: Use the OHSI [Lockout Tagout Compliance Centre](#) resources to avoid lockout violations

New Laws

Sep 8: Changes to New Brunswick *Fish and Wildlife Act* regulations took effect, including: i. Reduced minimum age for purchasing a deer or bear hunting licensing from 16 to 12; ii. One-week period immediately after the end of the regular firearms deer hunting season during which hunting is allowed only when using a muzzle-loaded firearm; and iii. Eliminate option to purchase a second resident bear hunting license after the harvest of a bear and instead, allowing for the harvesting of up to 2 bears by a resident license holder.

Environmental

Aug 30: New Brunswick unveiled a [new forestry management strategy](#) that aims to balance immediate economic and employment needs with long-term principles of conservation and sustainability. Forestry provides more than 24,000 full-time jobs while contributing over \$1.5 billion to the province's economy.

CASES

Workplace Harassment: Does Workers Comp Bar Employees' Sexual Abuse Class Action?

Employees filed a class action lawsuit against the City of St. John for the workplace sexual abuse they allegedly suffered at the hands of a now retired police officer. The court ruled that the City was vicariously liable for the sexual abuse that the officer committed while he was employed at the Works Dept. but not during his tenure in the police department since he wasn't a City employee at that time. The City appealed, claiming that the suits violated the workers comp bar against employees' suing for employment injuries. The New Brunswick Court of Appeal found that the City had a valid point and sent the case back to the lower court to determine if the workers comp bar applied in this situation [*Hayes v. The City of Saint John*, 2023 NBCA 66 (CanLII), August 4, 2024].

Action Point: Implement a [workplace violence and harassment compliance game plan](#) at your site