

OCTOBER 2024 MONTH IN REVIEW

Saskatchewan

LAWS & ANNOUNCEMENTS

New Laws

Sep 27: The federal government announced that it will provide nearly \$4.5 million via the Rural Transit Solutions Fund and Active Transportation Fund to support 7 different transportation infrastructure projects across Saskatchewan.

Environmental

Sep 27: Saskatchewan announced that it has decided to postpone the implementation of Tier 3 energy-efficiency building requirements by one year, to January 2026. Adopted under the *National Building Code*, the energy efficiency tiers apply to residential buildings of 3 storeys or less in building height, having a building area not exceeding 600 metres squared.

Workers' Comp

Sep 1: The Saskatchewan WCB issued a new policy ([PRO-10/2024](#)) setting out guidelines and procedures for workers' comp payment of fees for services provided by physicians for treating work-related injuries and illnesses.

Environmental

Sep 24: Saskatchewan officially announced that it opposes the federal government's oil and gas emissions cap and Methane 75 regulations, contending that they would cost the province 34,000 jobs and \$34 billion in government revenues by 2050. Implementing the federal rules would cause oil production in Saskatchewan to fall between 38% and 52%, the province claims.

CASES

Fall Protection: Scaffold Fall Results in Serious Injury, \$70,000 OHS Fine

Three metres is the usual trigger for when fall protection is required. However, employers also have a duty to ensure use of fall protection against falls of less than 3 metres that pose a high risk of injury. A Saskatchewan window contractor learned

this lesson the hard way via a \$70,000 fine resulting from a worker's fall from a scaffold that caused serious injury even though it was from a height of less than 3 metres. As part of the plea bargain, the government dropped 3 other OHS charges [Denovo Window & Door Inc., [Govt. Press Release](#), October 11, 2024].

Action Point: Find out how to implement a legally sound [Fall Protection Compliance Game Plan](#) at your site.

Drugs & Alcohol: No Reasonable Grounds to Make Workers Submit to Post-Incident Drug Testing

An arbitrator ruled that an energy company violated its unilaterally imposed drug testing of safety-sensitive workers after “significant work-related incidents.” The incidents in this case weren’t significant enough, the arbitrator found. Citing case law, it also faulted the company for not undertaking “some form of investigation or ‘line of inquiry’ to determine whether testing might reasonably be required to rule out impairment by drugs or alcohol as a contributing factor.” The company appealed but the Saskatchewan court concluded that the arbitrator’s ruling was reasonable and refused to overturn it [[Saskenergy Incorporated v Unifor Local 649](#), 2024 SKKB 160 (CanLII), September 9, 2024].

Action Point: Find out how to create a legally sound [Drugs and Alcohol Testing Policy](#) for your workplace.