



## LAWS & ANNOUNCEMENTS

### Housekeeping & Sanitation

Jan 1: New [OHS regulations](#) require that menstrual products, including both tampons and menstrual pads, be provided at Ontario construction projects expected to last 3 months or more where 20 or more workers are regularly employed. Such products must be in one or more location if necessary to ensure that each worker has a reasonably private location.

**Action Point:** Find out how to implement a legally effective [Housekeeping & Sanitation Policy](#) at your workplace.

### OHS Enforcement

Dec 20: The *Working for Workers Six Act* ([Bill 229](#)) which passed the Ontario Assembly and took effect establishes a new mandatory minimum fine of \$500,000 against corporations convicted of repeat offences under the *OHS Act* resulting in death or serious injury to a worker within a 2-year period.

### Safety Training

Dec 20: Ontario passed [Bill 229](#), which makes it easier for employers to bring in trained workers from outside Ontario by authorizing the Chief Prevention Officer to establish criteria to assess whether training programs delivered outside the province satisfy Ontario OHS safety training requirements.

### PPE

Dec 20: Ontario passed and proclaimed new legislation ([Bill 229](#), aka, *Working for Workers Six Act*) that requires employers to ensure that any PPE and personal clothing and equipment that's provided, worn, or used at the workplace fits properly and is suitable for use by women and individuals' body types. The MOL will have to create new OHS regulations to fill in the specifics.

**Action Point:** Find out why [standard PPE leaves women workers exposed to injury risk](#) and how to implement a strategy for ensuring that the PPE you select is suitable to workers of all sexes and body types, which will be crucial if and when Bill 229 passes and takes effect.

## Transportation Safety

Dec 20: Legislation that requires drivers to slow down and proceed with caution when a work-related vehicle with flashing amber lights is stopped on a highway received Royal Assent and took effect in Ontario. [Bill 229](#) also requires drivers to move into another lane, if it is safe to do so, when such a vehicle is stopped on a highway with 2 or more lanes. Potential penalties for a first offence include fines of up to \$2,000, 3 demerit points, and a 2-year driver's license suspension. Subsequent offences within 5 years could result in fines of up to \$4,000, 3 demerit points, 2-year driver's license suspension, and possible jail time of up to 6 months.

## Fire Safety

Dec 9: [Bill 228](#) amending the *Forest Fires Prevention Act* has been reported to Committee and will likely pass when the Assembly reconvenes. Highlights include provisions for issuing permits respecting outdoor fires outside a restricted fire zone during a fire season, a requirement that certain entities have a wildland fire management plan, and expansion of the government's authority to restrict activities in wildland fire emergency areas.

**Action Point:** Find out how to implement an effective and legally sound [Fire Prevention Compliance Game Plan](#) at your workplace.

## Emergency Response

Dec 19: Ontario announced that it will provide \$30 million to 374 municipal fire departments across the province to support cancer prevention initiatives over the next 3 years. The money will be used to purchase equipment and upgrade infrastructure to reduce the long-term effects of exposure to fire-related contaminants and chemicals. In Canada, 50 to 60 firefighters die of cancer every year and half of those are from Ontario.

## New Laws

Dec 20: To crack down on immigration scammers, Ontario passed *The Working for Workers Six Act* ([Bill 229](#)) enabling the province to create standards that immigration representatives must meet when assisting individuals or employers with their [Ontario Immigrant Nominee Program](#) applications, including a ban on making misrepresentations. Violators will be subject to fines and multi-year or lifetime bans.

## New Laws

Dec 20: Ontario passed [Bill 229](#), *The Working for Workers Six Act*, establishing a new 16-week unpaid Placement of Child Leave for adoptive parents and parents through surrogacy. Employees must have at least 13 weeks' employment to be eligible for leave, which can also be shared by multiple employees as long as it's taken in one single period. Employees must give employers 2 weeks' written notice of leave start and end dates, as well as of changes to the return date. Employers may also require employees to provide reasonable evidence of entitlement to leave.

## New Laws

Dec 20: Under newly passed [Bill 229, The Working for Workers Six Act](#), employees with at least 13 consecutive weeks of employment may take up to 27 weeks of unpaid long-term illness leave if they can't work due to cancer, multiple sclerosis, Crohn's, or other serious medical condition. Employees must take leave in periods of at least one week and furnish their employer written notice of and certification from a qualified health practitioner verifying their need for leave.

## Workers' Comp

Dec 20: Under previous workers' comp laws, primary-site kidney cancer and primary-site colorectal cancer are presumed work-related for firefighters, fire investigators, volunteers and wildland firefighters and fire investigators who've served at least 20 years and are diagnosed before reaching age 61. But newly passed [Bill 229](#) expands coverage by reducing required service to 10 years and eliminating the age 61 requirement.

## Workers' Comp

Jan 1: The WSIB introduced new classification [001281, Supply of administrative, clerical, and knowledge-based labour](#), for temporary employment agencies (TEAs). From now on, TEAs will now be charged a premium for those workers according to the nature of their work, which is deemed low-risk, rather than the rate assigned to the client employer.

## Workers' Comp

Mar 31: March 31, 2025 is the deadline for Ontario Schedule 1 employers to submit their workers' comp payroll reports listing their actual 2024 costs and projected costs for 2025 to the WSIB to avoid potential late fees, interest, and penalties.

## CASES

### Traffic Control: Construction Firm Fined \$70K for Failing to Post Traffic Barriers

A worker lying on the ground in the middle of a roadway to parge previously installed sewer chambers got hit by a vehicle driven by a coworker and suffered critical injuries. The victim was wearing a high visibility vest, but there were no traffic control measures in place around the worker, or any barriers or warning signs around the workspace. The employer was fined \$70,000 for failing to position adequate warning signs or barriers to protect the worker [[Steed and Evans Ltd., MOL Press Release](#), January 13, 2025].

**Action Point:** Find out about the [traffic signaling and control requirements](#) across Canada.

### Return To Work: Employer Wins the RTW Substance Battle But Loses the RTW

## Process War

The union had no complaints about how the hospital sought to accommodate the part-time cleaner the first 2 times she had to take leave due to a work injury. It grieved because the hospital didn't do the same thing on the third occasion where she had to miss work as a result of the third injury, which was less severe and not work-related. The hospital should have held return-to-work meetings like it did on the first 2 occasions, the union complained. The Ontario arbitrator tossed the claim, noting that the evidence showed "beyond any doubt" that the worker was incapable of performing the essential duties of her position through no fault of her own. But the arbitrator hit the hospital with \$600 in general damages for not doing a better job of communicating, including failing to have return-to-work meetings [[Unity Health v Canadian Union of Public Employees, Local 544](#)], 2025 CanLII 119 (ON LA), January 3, 2025].

**Action Point:** The hospital in this case had and had executed an effective return to work program in the past but the process somehow broke down when the worker suffered her third injury. The case is an illustration of just how important it is to not only have but consistently implement a legally sound [Return to Work Compliance Game Plan](#) for injured workers.