

#### **LAWS & ANNOUNCEMENTS**

### **Workplace Violence**

Mar 31: Effective today, employers must ensure that good visibility is maintained into and out of the work site, access by the public is limited in the interior of any buildings in the work site, the work site is monitored by video surveillance, signs at the work site are visible to the public indicating that the work site is monitored by video surveillance, and each worker working alone is provided with a personal emergency transmitter monitored by the employer.

### **Workplace Violence**

Mar 31: Workplace violence and harassment prevention plans of workplaces open to the public between 11 pm and 5 am <u>must now</u> provide for a time lock safe that can't be opened by workers between those hours, signs indicating that such a safe is in place and limited quantities of cash and other high-value items, which must be stored in a secure location.

**Action Point:** Find out how to implement an effective Workplace Violence and Harassment Compliance Game Plan at your site.

### Blasting

Mar 31: <u>Changes to OHS blasting regulations</u> take effect, including new requirements for employer reports of blasting certificates, an employer and blaster duty to ensure that no unintended detonation of an explosive or detonator is or may be caused by any electrical energy, including static electricity and revised procedures for handling misfires.

**Action Point:** One of the key requirements of OHS regulations on blasting and demolition is to keep proper logs. Find out how to implement a legally sound blasting logs compliance game plan at your workplace.

### **Material Handling**

Mar 31: New OHS rules take effect requiring employers at oil and gas sites to ensure that when a derrick or mast is hoisted: i. designated lifting points on the derrick or mast are identified; ii. designated lifting points are clearly marked on each derrick or mast; and iii. rigging is attached to designated lifting points only.

**Action Point:** Use the OHS Insider <u>Cranes/Hoists/Lifting Device Compliance Game</u> Plan to prevent crane violations at your workplace.



#### **New Laws**

Jan 15: In response to what it calls the federal government's new "catch-and-release" bail policy, Alberta implemented a new ankle bracelet electronic monitoring program for high-risk and repeat criminal offenders, who will now be monitored 24/7 as part of their community supervision conditions.

#### **New Laws**

Jan 28: Alberta is using a new Automatic Yes Toolkit to identify permits that can benefit from faster decision-making processes. Permit approvals for lower-risk and routine activities such as *Water Act* applications, will be replaced with clear operating requirements, freeing up resources to focus on more complex applications. Government decisions on permits requiring detailed reviews will also be subject to mandatory time limits.

#### **New Laws**

Feb 4: Alberta announced that it's creating a new program providing benefits enabling persons with disabilities to get and keep fulfilling jobs. Scheduled to launch in July 2026, the Alberta Disability Assistance Program will replace the assistance benefits that the disabled lose as a result of obtaining employment.

### **Workers' Comp**

Feb 28: That's the final day for Alberta employers to submit their actual payroll and wages data from 2024 and projected figures for 2025 to the WCB. Missing the deadline may result in penalties and late fees.

#### **Environmental**

Feb 13: Effective today, Albertans will have to pay a \$200 tax when they register their electric vehicles, an amount that's in line with what drivers of a typical internal combustion engine vehicle would be expected to pay each year in fuel tax.

#### **CASES**

# Machine Safety: Pipeline Constructor Fined \$350,000 for Worker's Machine Death

An equipment operator preparing a CAT D4H pipelayer side boom for transport was on top of the tracks at the entry to the open cab suffered fatal injuries when the machine's drive mechanism became engaged, pulling the operator between the moving track and side boom lower support arm. The victim's employer was fined \$350,000 after pleading guilty to failing to ensure that an operational control, a parking brake lever, on equipment, a side boom pipelayer, was designed, located or protected to prevent unintentional activation, and suitably identified to indicate the nature or function of the control [Excel Projects Ltd., Govt. Press Release, January 31, 2025].

**Action Point:** Use the <u>OHSI Machine Guarding Policy template</u> to prevent similar



tragedies and the massive OHS fines they lead to at your own workplace.

# Drugs & Alcohol: Positive THC Test Isn't Grounds for Termination but Reinstatement Is a No Go

A mine worker had to undergo post-incident drug testing after he drove a heavy haul truck into a berm. The test came back positive for marijuana and the mine terminated the worker for violating its anti-drug policy. While admitting to eating a couple of cannabis gummies and sharing a joint the previous day while he was off duty, the worker insisted that his buzz was long gone by the time he reported to work. Given how long THC lingers in the body after the high, the Alberta arbitrator concluded that the test result finding 4 ng/ml didn't by itself prove the worker was impaired at the time of testing. Nor did the employer provide any other evidence of impairment. But the arbitrator also found that the worker's admitted use of pot was still a serious violation that undermined the trust the employer must have for a safety-sensitive worker. So, instead of reinstatement, it ordered the employer to pay money damages to compensate the worker for any harms he suffered as a result of being wrongfully terminated [CST Canada Coal Limited v United Mine Workers of America, Local 2009, 2025 CanLII 5367 (AB GAA), January 8, 2025].

**Action Point:** Workers who come to work impaired pose significant hazards, especially when they perform safety-sensitive jobs. Use the <a href="OHS Insider Substance">OHS Insider Substance</a> Abuse Compliance Game Plan to curb drugs and alcohol at your workplace.

## Fall Protection: Prime Contractor, Employer Fined \$168,000 Apiece for Ladder Fall

A worker at a Calgary residential construction site suffered life-altering injuries after falling from an unsecured portable ladder and through an uncovered opening onto the basement floor. The prosecution brought multiple OHS charges against both the victim's employer and the prime contractor. Each company cut a plea deal settling the charges by agreeing to plead guilty to a single charge and accept a fine of \$168,000 apiece [Ihawk Construction Ltd. (employer) and Utopia Construction Inc. (prime contractor), Govt. Press Release, January 22, 2025].

**Action Point:** Find out how to implement a legally sound <u>Fall Protection</u> <u>Compliance Game Plan</u> at your site.

