

# New Brunswick

## LAWS & ANNOUNCEMENTS

### Transportation Safety

May 9: [Bill 11](#) amending the *Motor Vehicle Act* to allow non-standard logging trucks to operate on certain segments of Crown land roads in New Brunswick, provided that the operator gets a special permit from the Minister of Natural Resources, is through Third Reading but hasn't yet received Royal Assent. New permits would cost \$1,202 per year.

### Infectious Illness

May 5: The pertussis (whooping cough) outbreak in New Brunswick is officially over. There were 1,029 cases reported during the 9-month outbreak, the most since the last provincial outbreak in 2012. Those most affected were children aged 10-14 years, followed by those 15-19 and 5-9. Nine cases required hospitalization, and no deaths were reported.

**Action Point:** Use the [OHS Insider Infection Exposure Control Plan](#) template to guard against measles, COVID, and other potential infectious illness outbreaks at your workplace.

### New Laws

May 9: [Bill 14](#) amending the *Fair Registration Practices in Regulated Professions Act* to make it easier for skilled workers and professionals who are registered or licensed in another province from to get their credentials recognized so they can ply their trade in New Brunswick is now out of Committee and just 2 steps from passage.

### New Laws

Apr 24: The U.S. tariffs have galvanized the efforts of provinces to work together to ensure free flow of goods and labours across their borders. New Brunswick signed a new free trade and labour mobility agreement with Newfoundland, its fourth-largest trading partner. The memorandum of understanding is similar to the one that the province signed a week earlier with Ontario.

### New Laws

May 12: New Brunswick began paying out its promised second \$5,000 retention payment to nurses. The first retention payment was distributed late last year to about 11,000 permanent full-time and part-time nurses as a first step to address the ongoing staffing shortage. The government is also negotiating with unions on additional \$5,000 retention payments.

### Workplace Violence

Apr 24: New Brunswick's provincial budget allocates \$9.2 million in enhanced support for victims of gender-based violence, including \$2.1 million for the Domestic Violence Outreach Program offering prevention, education and support services to victims.

**Action Point:** Find out how to implement an effective [domestic violence prevention and response policy](#) at your workplace.

### **Workers' Comp**

May 6: [Bill 13](#), which is through Second Reading, would expand firefighters' benefits under the *Firefighters' Compensation Act* by changing the definition of "average earnings" on which injury benefits are based to "the daily, weekly, monthly, or other regular remuneration" that a firefighter was getting at the time of disablement, loss of earnings, or death that the WorkSafeNB believes "best represents" those earnings unless it's proven that based on the firefighter's age and ongoing occupational, trade, technical, or professional training, those earnings would have probably increased.

### **Return To Work**

May 1: WorkSafeNB revised [Policy 21-413](#) governing employers' return-to-work and re-employment of injured workers' duties. The policy clarifies that "suitable work" may be an existing position or one modified for the worker's restrictions. In either case, you must consider the worker's pre-accident employment, aptitudes, skills, available work, and any safety concerns for the returning worker or coworkers.

## **CASES**

### **Ergonomics: No Proof that Back Pain Is Recurrence of Work-Related Musculoskeletal Injury**

Fifteen months after retiring, a postal clerk began experiencing what she claimed was a recurrence of the same work-related repetitive strain injury that forced her to miss months of work 4 years earlier. The New Brunswick workers' comp Commission denied her benefits claim. After losing the appeal, she took her case all the way to the province's highest court. But, alas, it was to no avail. The Commission made no error in ruling that the clerk didn't meet her burden of producing medical evidence to prove that her new back pain was a recurrence of the earlier work injury, concluded the high court [[Floyd v. Workplace Health, Safety and Compensation Commission and Canada Post Corporation](#), 2025 NBCA 54 (CanLII), April 24, 2025].

**Action Point:** Find out how to implement an [Ergonomics and Musculoskeletal Injury Prevention and Compliance Game Plan](#) at your workplace.