

Federal

LAWS & ANNOUNCEMENTS

WHMIS

Jan 1: January 1st is the deadline for employers to comply with the new [GHS 7 WHMIS rules](#) revising the hazard information that must be listed on a Safety Data Sheet in Section 9, which describes a hazardous product's physical and chemical properties, and Section 14 which lists transport information.

Action Point: You'll need to do an [SDS inspection](#) to assess whether your current SDSs meet the new requirements and, if not, [get an updated version of the SDS from the](#) supplier of the product. Find out more about [the new SDS standards](#) and the 6 things you must do to comply, along with [templates of written requests](#) and [other records you'll need to document compliance](#).

WHMIS

Jan 1: [Changes](#) to align the *Hazardous Product Regulations* hazard statement rules for combustible dusts with U.S. Safety Data Sheet regulations take effect. Currently, the required hazard statement for combustible dusts is: "May form combustible dust concentrations in air." Under the new rules, the SDS can use either the original hazard statement or a new version: "May form explosible dust-air mixture."

WHMIS

Jan 1: Effective today, classification of certain hazardous products must comply with [new GHS 7 rules](#). Highlights: i. revised classification for flammable gases; ii. revised classification for aerosols; iii. new classification for chemicals under pressure; and iv. new criteria for classification in Specific Target Organ Toxicity – Single Exposure, Category 3.

Incident Reporting

Sep 3: The government revised the [LAB1070, Hazardous Occurrence Investigation Report \(HOIR\) form](#) that federally regulated employers must use to report a workplace hazardous occurrence and incidents resulting in a disabling injury or death. Key updates include reinstatement of the digital or wet (handwritten) to replace the temporary attestation introduced during the pandemic and the addition of notation "Protected B when completed" to indicate that the form may contain sensitive personal information.

Action Point: Use the [OHS Insider policy template](#) to create a legally sound incident investigation and reporting policy for your workplace.

Fire Safety

Aug 12: The federal [Build and Mobilize Foundational Wildland Fire Knowledge](#) program announced that it will provide \$45.7 million in funding for 30 projects designed to protect Canadians across the country from wildfires by bolstering wildfire risk assessment, preparedness, mitigation, and adaptive forestry practices.

Action Point: Find out how to implement a [Wildfire Smoke Protection Game Plan](#) to guard your workers against smoke exposure, both indoors and outdoors.

Transportation Safety

Aug 18: During the Air Canada flight attendants strike, the federal government announced that it would launch a probe into “the concerning allegations regarding the working conditions and pay of federally regulated flight attendants.” Among other things, investigators will look into allegations of unpaid work in the industry and determine whether flight attendants are being paid in a way that at least meets *Canada Labour Code* requirements.

Training

Sep 5: The federal government will invest an additional \$450 million over the next 3 years under the Labour Market Development Agreements with provinces and territories to provide training programs for workers impacted by tariffs and global market shifts. The money will be used to furnish workers access to targeted training and financial assistance while in training to retain their job or fill in-demand jobs.

New Laws

Sep 5: The federal government’s new tariffs support measures package includes a \$50 million investment to modernize the Job Bank national employment service via the integration of new AI job tools that will automatically enroll EI claimants into advanced job matching services and a mobile job application app. The government will also launch a national online training platform to help users find short-duration training courses, sorted by skill type, location, and format.

Action Point: Find out more about [how tariffs will affect your OHS program](#)

New Laws

Aug 19: The federal government signed a Memorandum of Understanding with home-grown AI developer Cohere Inc. to explore opportunities to deploy AI technologies to enhance government operations and build out Canada’s commercial capabilities in using and exporting AI. Since 2016, the Government of Canada has announced over \$4.4 billion to support AI and digital research infrastructure.

Action Point: Find out about [the 11 ways you can use](#) Artificial Intelligence to improve workplace safety and OHS compliance.

Privacy

Aug 11: The Privacy Commissioner of Canada published [new guidance](#) on the responsible use of facial recognition, fingerprint scanning and other biometric technologies within the public and private sectors. While biometrics can improve security and service delivery, they may also be privacy-invasive to the extent biometric information is unique to each individual. Such technologies may also reveal sensitive information about a person’s health, race and gender characteristics.

Action Point: Find out more about how [privacy laws affect workplace safety](#).

Environmental

Aug 13: The federal government announced that it will furnish over \$25 million in Zero Emission Vehicle Infrastructure Program (ZEVIP) funding for 33 projects aimed

at improving electric vehicle charging availability, decarbonizing freight transportation and developing innovative technologies for medium- and heavy-duty trucks. Most of the projects are located in Québec and BC.

CASES

Work Refusal: Not Signing Work Refusal Form Is OK Since Worker Gave Reasons Orally

A longshore worker refused an order to use a forklift to move 2 pallets of lubricants because the operation would take him too far away from the first aid room to be able to promptly provide first aid as the workplace first aid attendant. Management asked him to fill out and sign a work refusal form, but he refused. He was then suspended pending the refusal investigation and advised to report to the union hall if he wanted to be dispatched to another job. After declining to meet with the company or participate in the investigation, the worker was suspended from all work for 3 days and from dispatch from the refusal site for a full year. The union claimed that the punishment was an illegal reprisal. The company claimed the suspension wasn't for the work refusal but the failure to cooperate in the refusal process. The federal Board sided with the union. The worker didn't have to fill out a written refusal form since he clearly communicated his reasons for refusing verbally. Nor did he have to participate in the investigation. The company also crossed the line in suspending him before the investigation was over. The company appealed but the court found the Board's ruling reasonable and refused to overturn it [[*Pacific Coast Terminals Co. v. Nenad Habus*, 2025 FCA 152 \(CanLII\), August 27, 2025](#)].

Action Point: This case is an important reminder of the importance of properly handling the OHS work refusals process and not make disciplinary decisions until it's over. Find how to implement an [*OHS Work Refusals Response & Compliance Game Plan*](#) to prevent such mishaps at your workplace.

Drugs & Alcohol: Worker Who Smokes Marijuana at Home Is Unfit for Duty

A safety-sensitive worker is sent home after smashing his forklift into a heavy platform. Three hours later, he's called back to work for post-incident drug testing. The tests come back positive for marijuana and the worker gets fired. The worker admits that he smoked pot at home after the incident but insists he was totally sober when the incident occurred. But the federal arbitrator rejects the union's grievance. The forklift crash was justification for post-incident testing. And the company specifically told the worker that it expected him to return to work for testing. Combined with the worker's previous drug-related discipline, admission to regular marijuana use, failure to claim a dependency requiring accommodation and only 5 months of service, there was just cause to dismiss [[*Alstom Transportation Canada Inc. v Teamsters Canada Rail Conference Maintenance of Way Employees Division*, 2025 CanLII 84715 \(CA LA\), July 18, 2025](#)].

Action Point: The takeaway from this case is that doing drugs or drinking at home is grounds for discipline and termination if it renders the worker unfit for duty when they're working. Find out how to create a legally sound [*Substance Abuse & Fitness Duty for Policy*](#) at your workplace.