

Newfoundland & Labrador

LAWS & ANNOUNCEMENTS

Workplace Postings

Jan 2: WorkplaceNL published a new [poster](#) that employers must upload and display in the workplace. The poster lays out the 3 basic OHS rights of workers in Canada, that is, the right to: i. know of potential workplace hazards; ii. participate in keeping their workplace safe; and iii. refuse dangerous work.

Action Point: Find out about the [OHS workplace posting rules](#) in each part of Canada.

Industry Challenges

Feb 23: February 23 is the deadline [to apply](#) for Resilient Agricultural Landscape Program funding for farming initiatives to promote beneficial land use and environmental resiliency of farms. Such initiatives include maintaining and providing healthy soil and water resources, enhancing wildlife habitat and biodiversity and adapting to climate change.

Workplace Violence

Jan 27: Newfoundland and Labrador will not participate in the new federal firearms compensation program, which the provincial government says doesn't "reflect the realities of the province or align with its public safety priorities." Alberta, Manitoba, Ontario, Saskatchewan, the Northwest Territories, and the Yukon have also indicated they won't participate in the program.

Action Point: Find out how to implement ["active shooter" response guidelines](#) for your workers.

Workers' Compensation

Feb 28: February 28 is when the new WorkplaceNL Statements of Benefits (T5007) form for the 2025 tax year will be available. The agency will send T5007 forms directly to injured workers who are receiving wage-loss benefits. Anybody with a MyWorkplaceNL online account will receive their T5007 digitally via the online portal.

Workers' Compensation

Feb 28: February 28 is the final day for Newfoundland and Labrador employers to submit their Annual Employer Statements to WorkplaceNL, including their: i. Employer Payroll Statement listing their actual payroll data for 2025; ii. Occupational Health and Safety Statement; and iii. Employer Contractor Statement.

Action Point: Find out how much each province and territory is charging for [workers' compensation premiums in 2026](#).

CASES

Due Diligence: General Toolbox Talks Not Enough to Avoid Liability for Machine Violation

A Newfoundland court found the owner of a fish processing plant guilty of two OHS violations resulting in serious injuries to a worker who got her arm caught in a mussels declumping machine: The company could and should have taken steps, such as installing an extra wingnut on the door, to prevent workers from carelessly accessing the machine. Although “toolbox meetings” were held, they didn’t specifically cover the declumper machine. In rejecting the company’s due diligence defence for failing to ensure the machine was properly locked out, the court noted that its general rule requiring motors to be shut off was neither in writing nor “fleshed out to include lockout” when required by OHS regulations. However, the court dismissed a third charge for a machine guarding violation citing the prosecution’s lack of evidence of the company’s failure to ensure that the declumper door was an adequate safeguard to prevent access to a hazardous point (the auger) [*R. v Triton Ocean Products Limited*, 2026 CanLII 2062 (NL PC), January 16, 2026].

Action Point: The takeaway from *Triton* is that general training isn’t enough to ensure compliance with requirements pertaining to specific operations, tools, or equipment. The other fatal flaw that undermined the company’s due diligence defence was failure to keep records documenting the safety training it provided. Don’t make the same mistakes! Find out how to carry out an [OHS Training Compliance Audit](#) as part of a broader [OHS Safety Training Records & Documentation Compliance Game Plan](#).