

# LEGISLATION UPDATES

## OVERVIEW OF IMPORTANT UPDATES

Dunk & Associates continues to monitor legislation updates and implement changes to program content and training modules to ensure you are always kept up to date. To see a recap of the recent changes, please [click here](#).

Click to skip ahead to the province you need



OVERVIEW OF MAJOR CHANGES	WHAT DOES THIS MEAN FOR EMPLOYERS?
<p><b>ALL</b></p> <p><b>WHMIS Compliance</b></p> <p>In 2023, Canada updated its Workplace Hazardous Materials Information System (WHMIS 2015). These revisions were part of Canada's proactive approach to regulatory alignment, now reflected in the latest GHS 7th revised edition. Companies were granted a three-year window until January 4th, 2026, to revise and update their Hazard Communication documentation in compliance with the amended WHMIS Regulations.</p> <p>Key changes resulting from the amendments include:</p> <ul style="list-style-type: none"><li>• Improved clarity and precision for certain provisions</li><li>• New information elements required on safety data sheets</li><li>• Adoption of a new physical hazard class (Chemicals Under Pressure)</li><li>• Adoption of a new hazard category for non-flammable aerosols and new subcategories for flammable gases</li></ul>	<p>By January 4, 2026, ensure your Health &amp; Safety program meets the new requirements and has been fully implemented:</p> <ul style="list-style-type: none"><li>• Ensure hazardous products used in the workplace are properly labelled and are accompanied by a current SDS.</li><li>• Train workers on both generic and workplace-specific WHMIS training.</li><li>• Ensure workers can access the SDSs and know how to make workplace labels.</li><li>• Develop procedures and training for workers regarding the safe use, storage, handling and disposal of hazardous products, as well as procedures to follow when fugitive emissions are present and what to do in case of an emergency involving hazardous products, such as a spill.</li><li>• Ensure appropriate control measures are in place to protect the health and safety of workers.</li><li>• Review and update the WHMIS program annually with the Joint Health and Safety Committee or Health and Safety Representative to ensure that it is effective in protecting workers who are exposed to hazardous chemicals.</li></ul> <p><i>If you are a Full-Service Health &amp; Safety client with Dunk &amp; Associates, your H&amp;S program has been updated with these requirements.</i></p>

# LEGISLATION UPDATES

OVERVIEW OF MAJOR CHANGES	WHAT DOES THIS MEAN FOR EMPLOYERS?
<b>BRITISH COLUMBIA</b>	
<p><b>Bill 11: ESA Amendment – Now in effect</b></p> <p>Bill 11 was passed earlier this year, and is now in effect. This amendment to the ESA restricts when employers can ask for sick notes from employees:</p> <ul style="list-style-type: none"> <li>• Employers are prohibited from requesting medical notes for the first 2 absences of 5 days or less in any given calendar year.</li> </ul>	<p>Employers need to make sure they are not asking for doctor's/sick notes from employees who call in sick for the first 2 absences of 5 days or less in each calendar year. Review your policies to make sure they are in compliance with this change and communicate this to your managers/supervisors. Employers are still permitted to ask for doctor's/sick notes for absences beyond these first 2 absences. each calendar year, as well as if the occurrence is more than consecutive 5 days.</p>
<p><b>NEW Leave of Absence: Serious Illness or Injury Leave</b></p> <p>Effective immediately, the new Serious Illness or Injury Leave gives employees entitlement to take up to 27 weeks of unpaid leave within any 52-week period if they can't work due to their own illness or injury.</p> <p>An employee taking this leave must give their employer a medical certificate stating:</p> <ul style="list-style-type: none"> <li>• They can't work for medical reasons</li> <li>• The date the leave begins</li> <li>• The date they expect to return to work</li> </ul> <p>Employees must take this leave in units of full weeks.</p>	<p>Ensure you are updating your company's policies on protected leaves of absence to include this new entitlement.</p> <p>Eligible employees will be entitled to take Serious Illness or Injury unpaid leave for medical reasons, for up to 27 weeks in a 52-week period.</p> <p><i>If you are a Full-Service Human Resources client with Dunk &amp; Associates, your HR program has been updated to reflect these amendments.</i></p>

OVERVIEW OF MAJOR CHANGES	WHAT DOES THIS MEAN FOR EMPLOYERS?
<b>NEWFOUNDLAND</b>	
<p><b>Workplace NL - Employer Invoices are Moving Online</b></p> <p>Effective Monday, December 15, 2025 WorkplaceNL has begun distributing employer invoices online through connect rather than sending them in the mail for connect users.</p> <p>Employers will begin receiving invoices online automatically. This means that Firm Administrators and anyone with access to Monthly Assessment Statements will automatically have access to invoices.</p>	<p>Log into <a href="#">connect</a> to view invoices at any time.</p> <p>You will receive email notifications when new invoices are available on connect.</p> <p>Contact WorkplaceNL with any questions at <a href="mailto:info@workplacenl.ca">info@workplacenl.ca</a> or 1-800-563-9000.</p>

# LEGISLATION UPDATES

OVERVIEW OF MAJOR CHANGES	WHAT DOES THIS MEAN FOR EMPLOYERS?
<b>NOVA SCOTIA</b>	
<p><b>Bill 144 - Workers' Compensation: Amendments coming into force January 2026</b></p> <p>Some key amendments include:</p> <ul style="list-style-type: none"><li>• <b>Faster injury reporting:</b> Employers must report workplace injuries within 2 days, down from 5 days.</li><li>• <b>Better access to RTW Information:</b> Employers will receive functional ability information to better offer safe modified duties. Only info necessary for safe accommodation will be shared to protect worker privacy.</li><li>• <b>Transportation costs now part of medical aid:</b> This means the cost of ambulance transportation is now part of overall claims costs, not a separate expense for employers.</li><li>• <b>More responsive benefit reviews:</b> Extended earning replacement benefits can now be reviewed with a worker's situation changes, rather than waiting the 3 or 5 year review period.</li><li>• <b>Public reporting of non-compliance:</b> WCB has the option to publish names of employers who receive administrative penalties.</li></ul>	<p>Review your program and ensure that workers are aware of the new reporting timeframe for workplace injuries.</p> <p>Ensure you are submitting claims to WCB within 2 days, and including any transportation associated with the incident as a claim cost.</p> <p>Be sure you are providing timely and accurate information to the best of your knowledge to WCB, through all communications.</p> <p>If you are a full-service Health &amp; Safety client of Dunk &amp; Associates, your program has already been updated to reflect these amendments.</p> <p>We offer complete guidance from the initial reporting stage to a safe and early return to work. Contact Dunk &amp; Associates for assistance with claims submission and management at <a href="mailto:support@systems24-7.com">support@systems24-7.com</a>.</p>

# LEGISLATION UPDATES

OVERVIEW OF MAJOR CHANGES	WHAT DOES THIS MEAN FOR EMPLOYERS?
ONTARIO	
<p><b>Working for Workers 6: Job Posting Requirements coming into force January 2026</b></p> <p>These provisions will apply only to an employer that employs 25 or more employees on the day the publicly advertised job posting is posted.</p> <p>Job postings must now include:</p> <ul style="list-style-type: none"> <li>• <b>Compensation Information:</b> Information about the expected compensation, or range of expected compensation. If a range is posted, it must not exceed more than \$50,000 annually. The requirement to include compensation information will not apply to positions where the expected compensation is more than \$200,000 annually.</li> <li>• <b>Experience Requirement:</b> An employer cannot include any requirement related to Canadian-specific experience. The experience must be relevant regardless of which country it was obtained in.</li> <li>• <b>Use of AI in Job Selection Process:</b> Employers must disclose the use of AI to screen, assess, or select applicants.</li> <li>• <b>Job Availability:</b> A statement on whether the posting is for an existing vacancy.</li> <li>• <b>Interview Information:</b> Applicants who have been interviewed must be notified within 45 days of their last interview whether a hiring decision has been made</li> <li>• <b>Record-Keeping:</b> Retain copies of every publicly advertised job posting and associated application form for 3 years after the posting is removed and maintain records of the information provided to applicants who have been interviewed.</li> </ul>	<p>Ensure your recruitment and hiring practices and program are updated to reflect these amendments. Make sure your publicly advertised job postings include all the required information, and that records are maintained accordingly.</p> <p><i>If you are a full-service HR client of Dunk &amp; Associates, your program will be updated to reflect these amendments.</i></p>
<p><b>Working for Workers 7: Now in Force</b></p> <p>The amendments now in force include: <i>Employment Standards Act</i></p> <ul style="list-style-type: none"> <li>• <b>Job Seeking Leave:</b> An employer who provides working notice of termination to 50 or more employees (a “mass termination”) must provide an employee who receives the notice with three days of unpaid “job seeking leave” during the notice period to engage in activities related to obtaining employment.</li> <li>• <b>Extended Temporary Lay-off:</b> A temporary layoff may now extend to 35 weeks or more in a period of 52 consecutive weeks but may not reach 52 or more weeks in any period of 78 consecutive weeks.</li> </ul>	<p><i>Job Seeking Leave</i></p> <p>This leave applies in the event of a Mass Termination (50 or more employees). The job seeking leave is only available if the employee is provided with “working notice,” not pay in lieu of notice.</p> <p>Employees must advise the employer 3 days in advance (when possible) of taking the leave. Employers may require reasonable evidence that the employee is entitled to the leave (e.g., scheduled interview, training course booking, etc.).</p> <div data-bbox="909 1890 1412 1984" style="text-align: right;"> <p><b>ON continued on the next page</b> </p> </div>

# LEGISLATION UPDATES

## OVERVIEW OF MAJOR CHANGES

## WHAT DOES THIS MEAN FOR EMPLOYERS?

### ONTARIO

#### Working for Workers 7: Now in Force Continued

##### *Occupational Health and Safety Act*

- Health and Safety Management Systems equivalency: Health and safety management systems accredited by the Chief Prevention Officer must now be treated as equivalents for regulatory purposes. The amendments also grant extensive regulation-making authority to govern this equivalency, including the use and related record-keeping of accredited health and safety management systems on construction projects.
- Defibrillator on Construction Sites: As of January 1, 2026, an automatic external defibrillator (AED) must be available at a construction project expected to last three months or longer, with 20 or more workers.
- Administrative penalties: Inspectors are authorized to issue notices of administrative penalty for contraventions of the OHSA, its regulations, or for failure to comply with orders. Intended to promote compliance with OHSA requirements, specific penalty amounts will be determined by regulation.

##### *Workplace Safety and Insurance Act*

- False Statements to WSIB: It is now explicitly prohibited for employers to make false or misleading statements to the WSIB in connection with any person's claim for benefits. The Board may impose administrative penalties for such violations, in addition to any penalties imposed by a court.
- Record Keeping: If an employer does not meet the requirement to keep and maintain accurate records of wages paid, and/or does not produce those records when requested by WSIB, they may be subject to an administrative penalty.
- Failure to pay premiums: It is an offence for a Schedule 1 employer to fail to comply with the requirement to calculate and pay premiums to the WSIB.
- Increased penalties: The maximum penalty for persons convicted of two or more counts of the same offence in the same legal proceeding has increased to \$750,000 per conviction.

##### *Extended Temporary Lay Offs*

There are specific requirements for using this extension:

- There must be a written agreement between the employer and employee.
- The agreement must specify the latest recall date and must specify that the employee may not withdraw their agreement to the extended layoff.
- The employer must apply for an extended temporary layoff and have the application approved by the Director of Employment Standards, before proceeding with the layoff.
- The employer must keep a copy of the agreement for 3 years after the approval expires.

If you are a full-service HR client of Dunk & Associates, your program has been updated to reflect these amendments.

##### *Defibrillators on site*

To meet the new AED requirement for Construction Projects, Ontario construction employers should take the following steps:

- Review your project timelines: Determine whether your project will extend past the three-month threshold.
- Install Health Canada-approved AEDs: Purchase a compliant device and any required accessories (e.g., cardiopulmonary resuscitation mask, pairs of disposable medical grade gloves, etc.).
- Place AEDs in accessible and clearly marked locations: Ensure all workers know where the device is stored.
- Include AEDs in your health and safety policies: Update written procedures to reflect this new regulation.
- Offer AED/CPR training: While not legally required, training improves emergency response and reinforces a culture of safety.
- Document everything: Keep records of your AED purchases, training sessions, and safety updates in case of inspection.

*If you are a full-service Health & Safety client of Dunk & Associates, let us know if you need assistance with updates to your program.*

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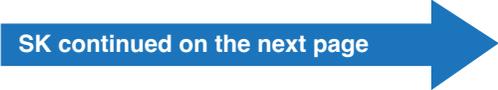
OVERVIEW OF MAJOR CHANGES	WHAT DOES THIS MEAN FOR EMPLOYERS?
ONTARIO	
	<p><i>False Statements to WSIB</i> Ensure you are providing accurate information to the best of your knowledge to WSIB, through all communications.</p> <p>We offer complete guidance from the initial reporting stage to a safe and early return to work. Contact Dunk &amp; Associates for assistance with claims submission and management at <a href="mailto:support@systems24-7.com">support@systems24-7.com</a>.</p> <p><i>Record Keeping and WSIB Premiums</i> Maintain all records of wages paid and cooperate with WSIB when requested to produce those records.</p> <p>Ensure you stay up to date with your WSIB premium payments. Employers that do not pay premiums when they are due may be subject to an administrative penalty in addition to any existing amounts payable to the WSIB. Courts will also be authorized to order an employer to pay their WSIB premiums.</p>
<p><b>Public Consultation – Noise-Induced Hearing Loss Coverage</b></p> <p>From November 10, 2025, to January 30, 2026, the Workplace Safety and Insurance Board (WSIB) is conducting a public consultation related to occupational noise-induced hearing loss (NIHL). The WSIB invites feedback from businesses, people who are ill or injured, trade and labour organizations, health professionals, and other interested members of the public.</p>	<p>Please see WSIB’s Consultation Note for the full information and summary of proposed changes.</p> <p>Feedback can be provided by email to <a href="mailto:Consultation_Secretariat@wsib.on.ca">Consultation_Secretariat@wsib.on.ca</a> by January 30, 2026.</p>

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PEI	
<p><b>WCB Rebate and 2026 Assessment Rates</b></p> <p>WCB of PEI has announced it will distribute \$18 million to eligible registered employers in the coming weeks.</p> <p>The estimated average employer assessment rate for 2026 has been set at \$1.28, which includes a \$0.09 rebate to keep rates affordable for employers. Rates reflect the estimated funds required to provide benefits to injured workers in 2026 and the costs to administer these benefits.</p>	<p>See the full information <a href="#">here</a>.</p>

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QUEBEC																				
<p><b>Training for Health and Safety Liaison Officers (19 workers and less)</b></p> <p>The mandatory training for the Health and Safety Liaison Officers is now available. CNESST is collaborating with Université TÉLUQ to offer the training.</p> <p>This 2-hour self-paced training is offered online free of charge by the CNESST.</p> <p>During this training, you will cover various topics, such as:</p> <ul style="list-style-type: none"> <li>• the principles of the Act respecting occupational health and safety</li> <li>• the prevention and participation mechanisms in the workplace</li> <li>• the rights and obligations, as well as the roles, of the Health and Safety Liaison Officer</li> <li>• the prevention process</li> </ul>	<p>Once designated, the liaison officer has one year to complete this training and obtain their certificate. They may be absent from work without loss of pay in order to participate.</p> <p>See the <a href="#">Guide</a> for more information, including how to register for the training.</p> <div data-bbox="993 1228 1315 1459" data-label="Table"> <p style="text-align: center;"><small>PREVENTION AND PARTICIPATION MECHANISMS IN THE WORKPLACE Mandatory as of October 1, 2023</small></p> <table border="1"> <thead> <tr> <th></th> <th colspan="2"><small>NUMBER OF EMPLOYEES IN THE ESTABLISHMENT</small></th> </tr> <tr> <th></th> <th><small>10 EMPLOYEES OR LESS</small></th> <th><small>11 EMPLOYEES OR MORE</small></th> </tr> </thead> <tbody> <tr> <td><small>If the number of employees exceeds 10 or more during the year, you must adopt your prevention mechanisms to meet the requirements applicable to establishments with 10 employees or more.</small></td> <td></td> <td> <ul style="list-style-type: none"> <li>• Employees of establishments with 10 employees or more</li> <li>• Employees of establishments with 10 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<b>SASKATCHEWAN</b>	
<p><b>Bill 5 – Employment Act amendments in effect January 2026</b></p> <p>The amendments coming into force include:</p> <ul style="list-style-type: none"><li>• Allowing employers and employees to use a calendar day rather than 24 consecutive hours for the purposes of work schedules and overtime provisions;</li><li>• Prohibiting employers from withholding tips from their employees;</li><li>• Increasing the threshold when employers are required to notify employees, the minister and the union of a group termination from 10 employees to 25 employees;</li><li>• Limiting when employers can request sick notes;</li><li>• Providing the director of employment standards with the authority to order reinstatement and compensation for lost wages in cases of discriminatory action by an employer; and</li><li>• Extending various leave provisions:<ul style="list-style-type: none"><li>• <b>Illness/Injury leave</b> increasing from 12 to 27 weeks in a 52-week period</li><li>• <b>Maternity Leave</b> for employees who experience a pregnancy loss increases from 13 to 20 weeks before the estimated due date</li><li>• <b>Bereavement Leave</b> expanding to include bereavement for pregnancy loss. The leave may now be taken within 6 months after the death of a member of the employee's family or loss of pregnancy, instead of within 1 week of a funeral.</li><li>• <b>Interpersonal Violence and Sexual Violence Leave</b> increasing entitlement of up to 16 weeks in a 52-week period in addition to the existing 10-day leave.</li></ul></li></ul>	<p>Ensure your program is updated to include the amendments under Bill 5, and that the changes are communicated to the workplace, including the increased leave provisions.</p> <p>A copy of the amended legislation will be available at <a href="https://publications.saskatchewan.ca/">publications.saskatchewan.ca/</a>.</p> <p>Employers need to make sure they are not asking for doctor's/sick notes for statutory illness or injury leave unless the employee is absent for more than 5 consecutive working days, or the employee has had non-consecutive absences of 2 or more working days in a 12-month period.</p> <p><i>If you are a full-service HR client of Dunk &amp; Associates, your program has been updated to reflect these amendments.</i></p> <p style="text-align: right;"> <b>SK continued on the next page</b></p>

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<p><b>WCB Premium Rates 2026</b></p> <p>The Saskatchewan WCB is cutting average 2026 workers’ compensation premiums 6 cents to \$1.22 per \$100 of assessable payroll, among the lowest rates in Canada.</p>	<p>Click <a href="#">here</a> for more information on the premium rates.</p>

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<b>YUKON</b>	
<p><b>WSCB Assessment Rates 2026</b></p> <p>Assessment rates for 2026 will increase across rate groups with no industry reclassifications.</p> <p>These increases mark a return to the average assessment rate comparable to 2020-2024. WSCB ended above the target funded range in 2024, and continues to prioritize future rate stability while navigating the global economic landscape.</p>	<p>Click <a href="#">here</a> for full information on assessment rates and industry classification.</p>