

JANUARY 2023 MONTH IN REVIEW

New Brunswick

LAWS & ANNOUNCEMENTS

Minimum Wage

Dec 16: New Brunswick passed [Bill 12](#) to eliminate *Employment Standards Act* loopholes allowing employers to pay persons with a disability less than minimum wage. Specifically, it revises the definitions of “employer” and “employee” to clarify that an employment relationship subject to the ESA is created when an employment agency is involved.

Labour Relations

Nov 25: [Bill 26](#), which is through First Reading, would impose new limits on employers’ rights to use replacement workers, whether paid or not, during legal strikes and lock-outs, including via forced redeployment of workers from other company facilities.

Labour Relations

Dec 16: Newly passed [Bill 23](#) restricts public service workers’ right to strike to avoid what the government contends would be undue disruptions of essential services:

- Automatic expiry of strike votes after 1 year
- 72-hour notice required for strikes and 24-hour notice for lockouts

- Allow striking workers to picket
- Scabs can replace essential workers who are on strike or locked out
- Employers can alter work schedules of essential workers during strikes or lock outs.

Leaves of Absence

Dec 6: Employees in New Brunswick will have 10 days of **paid** sick leave if newly tabled [Bill 27](#) passes. Under the current *Employment Standards Act*, employees get up to 5 unpaid sick leave days per year.

Discrimination

Dec 16: Overt and systemic racism remains a problem in New Brunswick. That's the conclusion of the Systemic Racism Commissioner's newly published [final report](#), which includes 86 recommendations to address the problem several of which impact the workplace and employment.

Action Point: Beware of [employment practices](#) that inadvertently perpetuate racial discrimination

Health & Safety

Dec 9: As the weather turns cold and flu season gets into high gear, WorkSafeNB reminded employers of their duty under OHS laws to implement a prevention plan to protect workers from the risk of contracting an infectious illness at work.

Action Point: Use the HRI template to create your own infectious illness [exposure control plan](#)

Workplace Violence

Dec 16: Royal Assent for [Bill 17](#), the *Disclosure to Protect Against Intimate Partner Violence Act*, allowing people to apply to the police for access to private information about whether their partner has a history of intimate partner violence. Similar bills have passed in Alberta and Saskatchewan.

Action Point: Find out about the 10 things you must do to [prevent workplace violence](#)