

## APRIL 2023 MONTH IN REVIEW

# New Brunswick

### LAWS & ANNOUNCEMENTS

#### Minimum Wage

Apr 1: For the third time in 12 months, New Brunswick increased its general minimum wage by \$1.00 to what is now an Atlantic Canada high of \$14.75 per hour. However, that distinction belies the fact that unlike Newfoundland, Nova Scotia and Prince Edward Island, New Brunswick hasn't made the commitment to go to a \$15 minimum wage.

**Action Point:** Find out more about the latest round of [minimum wage increases](#) taking effect across Canada

#### Health & Safety

Feb 16: WorkSafeNB kicked off a new "Getting back is part of getting better" advertising campaign to highlight the importance that work plays in the injury and illness recovery process. More than 3,400 New Brunswick workers missed time due to a work injury in 2021.

#### New Laws

Mar 16: The 2023 New Brunswick provincial budget earmarks \$6.87 million for 4 educational programs to train high school students, minorities and persons changing careers for future work in the manufacturing sector.

## CASES

### Work Refusals: Confrontational Refusal During COVID Warrants Suspension, Not Termination

It wasn't **that** he refused work due to COVID but **how** he invoked those OHS refusal rights that got a healthcare worker fired. He was confrontational, disrespectful, noncooperative, uncommunicative and unwilling to furnish information about his condition, while making remarks about his own health that scared his co-workers to death at the height of the crisis when strict screening was required for entry. The worker didn't clearly communicate that he was engaging in a work refusal the way OHS laws require. However, the New Brunswick arbitrator reasoned, while discipline for insubordination and failure to cooperate with COVID protocols was justified, termination was too harsh given the worker's long service, absence of prior discipline and the fact that he had gotten away with being disrespectful to managers for so long. So, the arbitrator reduced the penalty to a one-month suspension without pay [[\*CUPE, Local 813 v Horizon Health Network\*](#), 2023 CanLII 12589 (NB LA), February 21, 2023].

**Action Point:** Go to the HRI [Work Refusals Compliance Centre](#) for help dealing with refusals at your workplace