

JUNE 2023 MONTH IN REVIEW

# Newfoundland and Labrador

## LAWS & ANNOUNCEMENTS

### Employment Benefits

May 11: Newfoundland officially signed onto the Canadian Association of Pension Supervisory Authority's [2020 Agreement](#) coordinating regulation of multi-jurisdictional pension plans across the country. The new coordinated rules will go into effect on July 1. Prince Edward Island is now the only province that hasn't joined the CAPSA agreement.

### Privacy

May 24: Newfoundland completed legally required 5-year review of its personal health information and privacy laws and what, if anything, should be done to improve and modernize them.

**Action Point:** [Avoid privacy violations](#) when using digital technology to monitor employees

### Health & Safety

Apr 23: WorkplaceNL launched its [Workplace Injury Prevention Strategy](#) for the next 6 years. Key focuses include prevention of musculoskeletal injuries, occupational diseases and mental health disorder claims and new and young worker safety orientation.

## CASES

### Workplace Harassment: Court Finds Proof Beyond Reasonable Doubt in He Said/She Said Case

A Quality Assurance worker at a seafood processing plant filed criminal charges against a co-worker for touching her right buttock as she was bending over to reach for a sample. As she straightened up, the co-worker allegedly put his arm around her waist, pulled him toward her and uttered "Wouldn't you like it if I touched your ass?" The co-worker denied any touching but admitted to making the comment. In this he said/she said case, the Newfoundland judge found the accuser's account far more credible than the accused's denial, which was riddled with holes, contradictions and general denigration. The gap in believability was so significant that the court concluded that there was proof beyond a reasonable doubt and remanded the co-worker into custody for sentencing [*R v Hillier, Steven*, 2023 CanLII 33056 (NL PC), April 25, 2023].

**Action Point:** Use the HRI [template](#) to create your own workplace harassment and violence policy