

MAY 2024 MONTH IN REVIEW

Newfoundland and Labrador

LAWS & ANNOUNCEMENTS

Immigration

May 6: [The Federal Budget eliminates the 2017 top-up funding from the Labour Market Transfer Agreements](#) resulting in nationwide cuts of \$625 million, including \$16.8 million for Newfoundland. Like other provinces and territories, Newfoundland will have to scale back support for stakeholders and suspend programs like the Canada-Newfoundland and Labrador Job Grant.

New Laws

May 1: Newfoundland passed [Bill 75 amending the Tourist Accommodations Act](#) by adding definitions related to listings and platform operations, removing the primary residence definition, and mandating registration for platform operators. The Bill also eliminates the registration exemption for tourist accommodations designated as primary residences and required operators to include registration numbers in listings.

CASES

Drugs & Alcohol: Not Accommodating Substance Abuse Disorder Costs Company +\$42,000

A driver returning from work after a short leave of absence to attend rehab for a substance use disorder applied for reinstatement. The company said there was no

position available due to a shortage of work and denied the application. The driver sued the company for failing to accommodate his disability. The Newfoundland Human Rights Commission ruled that the driver had a valid claim for discrimination and nixed the company's motion to dismiss. Contrary to the company's claims, substance abuse disorder is a disability requiring accommodation, the Commission reasoned. So, the company's contention that it treated the driver the same way it would have treated anybody else in that position returning from leave didn't fly; the company had to proactively explore the possibility of accommodating the driver. For failing to do so, the company had to pay the driver \$42,750 in lost wages and damages [*Pittman v Astaldi Canada Inc.*, 2024 CanLII 40945 (NL HRC), May 8, 2024].

Action Point: Find out how to effectively control substance abuse at your workplace