

Nova Scotia

LAWS & ANNOUNCEMENTS

Leaves of Absence

Nov 1: Effective January 1st, 2025, employees with at least 3 months' service and who are diagnosed with a serious illness will be entitled to unpaid leave of up to 27 weeks to be taken in increments of at least one week starting on the day of diagnosis or the first day of absence if the employee was already absent due to the serious illness before it was diagnosed.

Action Point: Find out about the [current paid sick leave rules across Canada](#).

Leaves of Absence

Nov 1: Starting January 1st, 2025, employees will be entitled to unpaid leave of up to 5 days if they're sick or injured, and up to 3 unpaid days for medical, dental, or other appointments during work hours, or a child, parent, or family member's sickness or injury. This new Family Responsibility Leave replaces the 3 days of unpaid sick leave provided under the current *Labour Standards Code*.

Action Point: Use the HRI [Compassionate Care Leave Policy](#) template to create your own policy.

Immigration

Oct 4: The federal government officially recognized NICHE, a Nova Scotia program to facilitate acceptance of internationally trained health professionals in 5 professions of significant need: licensed practical nurses; medical laboratory technologists; medical radiation technologists and other diagnostic imaging professions; pharmacists and pharmacy technicians; and respiratory therapists. Ottawa will also provide up to \$10 million in Foreign Credential Recognition (FCR) Program funding to support the NICHE program.

New Laws

Oct 23: Nova Scotia announced that it will reduce the provincial portion of the harmonized sales tax (HST) by 1% to 9%, starting April 1, 2025. The federal portion will remain 5%, meaning that the new HST will decline from 15% to 14%. New Brunswick, Newfoundland, Prince Edward Island, and Ontario also have HST.

Employment Benefits

Oct 25: Nova Scotia finalized [regulation changes](#) that will make it easier for pension plan members to unlock their benefits, including the one-time right of residents

ages 55 and older to unlock up to 50% of their locked-in funds when transferring to a life income fund. The new regulations take effect on April 1, 2025.

Employment Benefits

Oct 25: Newly adopted [changes to pension regulations](#) affecting life income funds (LIFs) take effect on April 1. Highlights: i. Pension plan statements for former and retired members required every 2 years; ii. Financial institutions no longer required to file specimen LIF contracts with the Superintendent of Pensions; and iii. Easier for members to unlock pension funds due to shortened life expectancy or non-residence in Canada.

New Laws

Oct 2: The Canadian Adult Education Credential (CAEC) has replaced the outdated General Education Development (GED) certificate as the high-quality credential for adult learners in Nova Scotia. The CAEC relates directly to Canada's education system and is comprised of 5 tests assessing reading, writing, mathematics, science, and social science.

Accessibility

Oct 25: A government advisory board issued [new recommendations](#) to make employment and workplaces employers to: i. adopt a workplace accessibility policy that includes accessible recruitment practices; ii. implement evacuation and shelter-in-place plans to ensure employees with disabilities are safe during an emergency; and iii. provide reasonable workplace accommodations so that everyone has what they need to do their job.

Action Point: Find out more about [accessibility laws across Canada](#).

Health & Safety

Oct 10: Nova Scotia residents can now [book appointments](#) for free COVID-19 and influenza vaccinations, which are available from participating family doctors, nurse practitioners, family practice nurses, pharmacies, public health offices, and mobile units.

Action Point: Find out how to create a legally and clinically sound workplace infectious illness [exposure control plan](#).

Workers' Comp

Oct 9: The Nova Scotia WCB launched a new [tip-line](#) that individuals can use to report suspected workers' comp fraud to the government. The agency will begin including fraud and compliance statistics in its quarterly reports, starting in 2025.

CASES

Workplace Violence: OHS Work Violence Rules Don't Necessarily Apply to Sexualized Violence Policy

After concluding that its sexualized violence policy didn't meet OHS requirements for workplace violence, a government inspector ordered a university to take corrective actions to ensure that incidents of sexualized violence in the workplace are reported, investigated, and documented. The university appealed, contending that the officer hadn't accounted for its overall violence prevention program and wrongly applied OHS workplace violence requirements to sexualized violence. The Nova Scotia Labour Board agreed and set aside the Compliance Orders. There **is** a difference between sexualized and workplace violence covered by OHS laws, it reasoned. For one thing, some forms of sexualized violence don't meet the OHS definition of "violence" in the workplace. And those forms of sexualized violence should not be subject to mandatory reporting. Meanwhile, the university had a separate violence in the workplace policy that met the OHS requirements for workplace violence [[Dalhousie University \(Re\)](#), 2024 NSLB 91 (CanLII), September 13, 2024].

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

Retaliation: Injured Worker Took Too Long to File OHS 'Discrimination' Complaint

Under Nova Scotia OHS laws, workers who think they've been subject to reprisals or other forms of "discrimination" have 30 days to file claims against their employer. The 30-day deadline begins from the date the alleged discrimination occurs or the worker first becomes aware of it, whichever comes later. The timeline in this case is thus crucial:

- **Oct. 5:** A traffic control worker refuses work that he says is beyond his physical limitations and is sent home with pay since there's no alternative work he can do;
- **Oct. 11:** After missing 3 work days, the worker is placed on short term injury leave during which he gets full salary for the first 40 days and 75% after that;
- **Jan. 12:** The worker returns but goes back on leave a few days later on the advice of his doctor;
- **Feb. 7:** The worker files an OHS discrimination complaint.

Question: Did the worker meet the 30-day deadline? The worker claimed the complaint was timely because he filed it within 30 days of leaving after his second return in January. The employer claimed that if any discrimination occurred, it happened when the worker was put on leave in early October. The Labour Relations

Board agreed with the employer and dismissed the complaint, noting that “the 30-day time limit is rigid and leaves no room for flexibility” [[*Beck v Department of Public Works*](#), 2024 NSLB 118 (CanLII), October 30, 2024].

Action Point: Find out how to discipline employees [without committing reprisals or retaliation](#).