December 2024 MONTH IN REVIEW

Nova Scotia

LAWS & ANNOUNCEMENTS

Privacy
The Nova Scotia Privacy Commissioner joined its colleagues across Canada in a joint resolution calling for action on the growing use of deceptive design patterns (DDPs) that undermine privacy rights on websites and mobile apps. Aka dark patterns, DDPs manipulate or coerce users, especially children, into making decisions that may not be in their best interests.

Health & Safety
With lobster season about to begin, the government called on fishing crews in southwestern Nova Scotia to prioritize safety. Before heading out each day, crews should monitor the weather, inspect their boats and vessel safety equipment and prepare for emergencies. All crew members must wear a life jacket or personal flotation device, notes the advisory.

Drugs & Alcohol
New regulations take effect in Nova Scotia requiring servers at licensed bars and restaurants in Nova Scotia to complete training in how to serve alcohol safely. Mandatory training also applies to servers at concerts and festivals where alcohol is served.
Action Point: Find out how to effectively control substance abuse at your workplace.

CASES

Labour Relations: How Long Must Union Wait After Losing Vote to Try Again for Certification?
After PetSmart workers in Dartmouth voted against unionizing the question became how long the union would have to wait to make another try at certification at that location. PetSmart contended that 3 months, the normal time bar for recertification

applications, wasn't long enough to give the sides to cool off and asked for a time bar of 6 months. The Nova Scotia labour board denied the request, noting that this was a fairly straightforward application process without undue emotion, conflict or alleged unfair labour practices. Result: The union could try for certification again after 3 months [United Food and Commercial Workers Union Canada, Local 864 v PETM Canada Corporation o/a PetSmart, 2024 NSLB 116 (CanLII), November 20, 2024].