

# Nova Scotia

## LAWS & ANNOUNCEMENTS

### New Laws

Jun 4: Nova Scotia removed trade barriers with Alberta and Prince Edward Island and plans to do the same with BC, Manitoba, Ontario, and the federal government as soon as those jurisdictions officially pass legislation equivalent to the province's recently enacted *Free Trade and Mobility within Canada Act*.

### Immigration

Jun 25: Under a new agreement, the Lebanese American University in Beirut will send 2 ready-to-practice family physicians to Nova Scotia per year over a 5-year period. The doctors will be required to sign a 3-year return-of-service agreement. The province will provide \$5 million to the University to fund 2 medical school residency positions per year, licensing exams, and immigration and relocation costs.

### New Laws

Jun 15: From now through July 30, the Nova Scotia Emergency Services Provider Fund will be accepting [applications](#) from fire departments, ground search and rescue teams, and hazardous materials units seeking government funding of up to \$30,000 to cover the costs of purchasing new PPE, communication, firefighting, rescue, and other safety equipment.

### Workplace Violence

Jun 10: Nova Scotia announced that it's creating a new engagement table dedicated to preventing gender-based violence in the province. The engagement table will be led by the Justice Minister and have up to 25 members who will meet at least once every 3 months to discuss how to prevent gender-based violence and support its victims.

**Action Point:** Find out [how to protect your employees](#) from the risk of workplace domestic violence.

### Workers' Comp

Jun 4: The Nova Scotia WCB approved the [Return to Work and Duty to Cooperate Policy](#) implementing recently enacted *Workers' Compensation Act* amendments requiring employers and workers to stay in touch throughout the return-to-work process and the employer to offer injured workers suitable work when they return or face risk of penalties. Effective date: July 15, 2025.

**Action Point:** Find out about your workers' comp [duties to re-employ](#) injured workers and what you must do to comply with them.

## CASES

### **Mental Stress: Workers' Comp Doesn't Cover Anxiety Caused by Overwork**

A new case testing the limits of workers' comp coverage of gradual onset psychological injury involves a call centre recruiter who claimed she suffered stress as a result of being overworked when the company cut recruitment staff from 15 to 6. Adding to the stress was the '3CX' app that the centre used to enable candidates to call and text the recruiter at any time, which they often did, along with sending emails to her personal address. Some disappointed candidates even criticized her personally on the centre's Facebook page; others complained because she didn't speak French. But the Nova Scotia WCB denied the recruiter's claim citing WCB policy stating that workers' comp doesn't cover gradual onset or traumatic mental stress resulting from an employer's decisions or actions relating to the work or the worker's employment. The anxiety the recruiter experienced in this case stemmed from the centre's poor management decisions rather than direct action to intimidate, harass or bully her. The recruiter appealed but to no avail [[2025-48-AD \(Re\)](#), 2025 CanLII 49712 (NS WCAT), May 28, 2025].

**Action Point:** This is the second recent case addressing whether workers' comp covers psychological injury due to workload stress. While coverage was denied in this case, a March ruling from the Saskatchewan WCB went the other way in finding that stress from overworking is compensable. Find out about [workers' comp coverage of mental stress claims](#) across Canada.

### **Discipline: Reassigning Teacher to Different Classroom Isn't Reprisal for Safety Complaint**

A teacher worried about COVID complained about the quality of air ventilation in her classroom and asked the school principal install HEPA filters. After testing the air in the classroom and the one next to it, the school reassured her that the air was fine and rejected the request. The safety committee also reviewed the matter and decided not to recommend HEPA filters. But the teacher wasn't satisfied and renewed her request. Soon thereafter she got a negative performance review and the school reassigned her to a different classroom. Believing these actions to be reprisal for expressing safety concerns, filed a discrimination complaint to the OHS Division. The OHS investigators concluded that the negative review wasn't a reprisal but the reassignment was. The school appealed; and it won. The Nova Scotia Labour Board ruled that reassignment to a different classroom wasn't the kind of adverse employment decision that constitutes a reprisal, even though the teacher had taught in that classroom for 15 years and become emotionally attached to it. Her insistence on HEPA filters wasn't a demand that the school comply with OHS requirements because the air test results showed they were unnecessary. Last but not least, the school had a legitimate reason for the transfer, namely, to get the teacher away from the teacher in the adjacent classroom with whom she had an inter-personal conflict [[Halifax Regional Centre for Education v Gannett](#), 2025 NSLB 77 (CanLII), June 12, 2025].

**Action Point:** The key to this case is that the school didn't discipline the teacher. The more common scenario is when an employer does discipline an employee who has complained about safety or exercised another legitimate right, but the discipline is completely unrelated to that action. So, it's crucial to know [how to discipline such employees without committing reprisals or retaliation](#).