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<p>CANADIAN HEALTH AND SAFETY LAW NORMAN A. KEITH Release No. 2, August 2025</p>

Canadian Health and Safety Law provides detailed coverage of occupational health and safety law in every jurisdiction in Canada — provincial, federal and territorial. Reviewing health and safety law thematically and including commentary, case law and practical analysis, this title clearly sets out the statutes and regulations required for a solid understanding of your client’s obligations, and each court and tribunal decision helps you determine how to reduce or avoid liability. It includes information on must-know topics like: the internal responsibility system, the requirements for workplace joint health and safety committees and health and safety representatives, the legal defence of due diligence, the authority of government inspectors in the workplace, and alcohol and drugs in the workplace.

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What's New in This Release:

This release features updates to Chapter 5 (Right to Refuse to Do Unsafe Work), Chapter 7 (Workplace Violence and Harassment), Chapter 9 (Appealing Government Inspectors — Orders and Directions), Chapter 10 (Health and Safety Prosecutions) and Chapter 14 (Alcohol and Drugs in the Workplace).

Highlights

- **Chapter 9 — § 9:8 Right to Appeal Inspectors' Orders and Directions — Ontario** — In March 2025, the Court of Appeal for Ontario denied the Ministry of Labour, Immigration, Training, and Skills Development's motion for leave to appeal, leaving the 2024 Ontario Superior Court of Justice decision upholding a 2018 trial court's finding that the City exercised due diligence, as the final decision in the *R. v. Greater Sudbury (City)*, 2023 SCC 28 (S.C.C.).
- **Chapter 14 — V. Conclusion — § 14:21 Conclusion** — In *Felix (Re)*, [2024] C.I.R.B.D. No. 118, the complainant, Trevor Felix, was part of a unionized workforce and was subjected to a random drug test, which ultimately led to his dismissal. The Canada Industrial Relations Board (CIRB) found that the random testing program implemented by Canadian Pacific Railway (CP Rail) was an unreasonable exercise of management rights. The Board emphasized that the random testing program was applied universally to non-unionized employees without evidence of a specific problem at the Transcona Plant, where Felix worked. This aligns with the earlier decisions that have generally rejected random testing in unionized environments unless there is compelling evidence of a substance abuse problem.

ProView Developments

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- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
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- Images are generally greyscale and size is now adjustable

- Footnote text only appears in ProView-generated PDFs of entire sections and pages