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CANADIAN HEALTH AND SAFETY LAW NORMAN A. KEITH Release No. 3, December 2025
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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 Appendix SLL (Selected Legal Literature) and Appendix WP (Words and Phrases).

Highlights

- **APPENDIX WP — NEW TERM — WP:3.30 ACCOMODATION** — McIntyre J. in [*Ontario (Human Rights Commission) v. Simpsons-Sears Ltd.*, [1985] 2 S.C.R. 536] discussed the duty to accommodate[:] The duty in a case of adverse effect discrimination on the basis of religion or creed is to take reasonable steps to accommodate the complainant, short of undue hardship: in other words, to take such steps as may be reasonable to accommodate without undue interference in the operation of the employer's business and without undue expense to the employer ... Where there is adverse effect discrimination on account of creed the offending order or rule will not necessarily be struck down. It will survive in most cases because its discriminatory effect is limited to one person or to one group ... The employer must take reasonable steps ... which may or may not result in full accommodation. Where such reasonable steps, however, do not fully reach the desired end, the complainant, in the absence of some accommodating steps on his own part ... must either sacrifice his religious principles or his employment: *Kurvits v. Canada (Treasury Board)* (1991), 1991 CarswellNat 1553, [1991] C.H.R.D. No. 7, 14 C.H.R.R. D/469, 91 C.L.L.C. 17,024 (Can. Human Rights Trib.) at para. 67 Bortolussi (Member)
- **APPENDIX SLL — § SLL:9 Construction Industry and § SLL:24.50 Industrial Safety** — Municipal infrastructure construction projects and workplace safety: how control and due diligence can (but not necessarily will) work in practice; by David S. Reiter; (Jan. 2025) 12 Digest M. & P.L. (2d) No. 1, 1-4; Municipal owners-employers given hope in occupational health and safety law acquittal; by Norm Keith; (Jan. / Feb. 2025) 41 Construction L.L. 10-12.

ProView Developments

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