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New Brunswick provincial legislation guide

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Canadian Centre for Diversity and Inclusion
Centre canadien pour la diversité et l'inclusion

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Introduction

This guide provides a brief overview of key employment, health and safety, privacy, and diversity, equity, inclusion and accessibility (DEIA) legislation in New Brunswick. For each piece of legislation, we outline why it is important to employers and how it relates to DEIA, who and what it applies to, the latest date of amendment, the key requirements for employers (highlighting how the legislation specifically affects workplace practices), and the penalties for non-compliance. This guide is intended for general informational purposes only and does not constitute legal advice.

We encourage organizations to use this guide as a starting point for understanding their obligations under the law. However, this guide is not exhaustive and there are details, exceptions, and nuances in the legislation that require further reading or consultation to fully understand and apply. Additionally, while the information and links provided are accurate at the time of publication, this guide is not updated with every legislative change. Users should review the relevant legislation to confirm current requirements.

While compliance with the law is the baseline, we also recommend that organizations go beyond compliance where possible, proactively building workplaces that prioritize safety, inclusion, and equity in policies, practices, and culture.

Note that this resource covers legislation specific to one province or territory. A Canadian federal legislation guide is also available.

Accessibility Act

Why this legislation matters

New Brunswick's Accessibility Act creates a province-wide framework for identifying, removing, and preventing barriers.

Note: This is newly enacted framework legislation. Detailed, enforceable employer obligations will come through accessibility standards (regulations) that are still being developed.

Applies to

- Government, private businesses, non-profits, post-secondary institutions, and the public.

Latest amendment

- 2024-06-07

Requirements for employers

- Comply with accessibility standards as they are introduced. Standards will set specific, legally binding requirements in areas like employment practices, workplace accessibility, and information and communication.
- Identify, remove, and prevent barriers.
- Participate in accessibility planning and consultation (anticipated as standards are developed).

Penalties for non-compliance

- While detailed penalty frameworks will be clarified in regulations, the Act provides for enforcement mechanisms including orders to comply and administrative penalties.

Further reading

- [Accessibility Act](#)
- [Accessibility](#), Government of New Brunswick

New Brunswick Human Rights Act

Why this legislation matters

The New Brunswick Human Rights Act is the province's core anti-discrimination law. The Act establishes the basic legal standard for equal treatment in employment and requires workplaces to avoid discrimination and respond appropriately to harassment and accommodation needs.

Applies to

- Employers, employees, unions, landlords, service providers, and others in New Brunswick.

Latest amendment

- 2023-06-16

Requirements for employers

- Prohibit discrimination in employment based on protected grounds.
- Ensure equitable employment practices across hiring, pay, promotion, discipline, termination, and workplace treatment.
- Provide reasonable accommodations for needs related to disability, religion, or other protected grounds, to the point of undue hardship.
- Maintain complaint and response processes that help prevent and address harassment and discrimination.

Penalties for non-compliance

- Complaints may result in remedial orders through the human rights system, including compensation and directions to change workplace practices.

Further reading

- [Human Rights Act](#)
- [The New Brunswick Human Rights Act explained](#), New Brunswick Human Rights Commission

Employment Standards Act

Why this legislation matters

The Employment Standards Act sets minimum employment standards in New Brunswick. Fair baseline rules for wages, hours, leaves, and termination help reduce power imbalances and provide clearer protections for vulnerable workers, including temporary foreign workers.

Applies to

- Most employers and employees in New Brunswick, with exceptions and special rules for some sectors and situations.

Latest amendment

- 2024-08-01

Requirements for employers

- The Act sets out the minimum standards for key employment conditions, including:
 - Wages and pay practices
 - Hours of work, rest periods, and overtime
 - Vacation, public holidays, and job-protected leaves
 - Termination and severance
- The Act also includes protections against reprisals for employees who seek to enforce their rights, and it contains rules aimed at protecting foreign workers.

Penalties for non-compliance

- Enforcement may include orders to pay amounts owing and administrative penalties or other compliance measures under the Act.

Further reading

- [Employment Standards Act](#)
- [Employment standards](#), Government of New Brunswick

Occupational Health and Safety Act

Why this legislation matters

The Occupational Health and Safety Act is New Brunswick's main workplace safety law. All workers should have a safe workplace, clear information, and meaningful protection from unsafe work, and safety systems should work for workers with different roles, languages, and vulnerabilities.

Applies to

- Employers, employees (including contractors and volunteers), supervisors, contractors, and owners of workplaces in New Brunswick.

Latest amendment

- 2024-06-07

Requirements for employers

- Register with WorkSafeNB if three or more people are employed either part-time or full-time, at any time during the year.
- Ensure a safe workplace by taking all reasonable precautions to protect the health and safety of workers, including the maintenance of tools and equipment, and providing and enforcing the use of personal protective equipment (PPE).
- Identify and control hazards including conducting risk assessments and implementing appropriate safety measures.
- Provide training, supervision, and information to ensure workers can perform their jobs safely.
- Establish health and safety committees or representatives as required.

Penalties for non-compliance

- The Act includes administrative penalties and other enforcement tools, and more serious non-compliance can lead to prosecution.

Further reading

- [Occupational Health and Safety Act](#)
- [WorkSafeNB](#)
- [The OHS Act and you](#), WorkSafeNB

Right to Information and Protection of Privacy Act

Why this legislation matters

The Right to Information and Protection of Privacy Act (RTIPPA) governs access to records and the protection of personal information. Workplace and human resources data, including sensitive personal information, must be collected, used, disclosed, and safeguarded in accordance with the law.

Applies to

- Provincial public bodies, including government departments and agencies, crown corporations, regional health authorities, school districts, and some publicly funded institutions.

Latest amendment

- 2025-02-13

Requirements for employers

- Take reasonable precautions to protect personal information from unauthorized access, collection, use, disclosure, or disposal.
- Only collect personal information necessary for employment purposes, and information must be used only for the purpose it was collected.
- Respond to employee requests to access or correct their personal information within required timelines.

Penalties for non-compliance

- The Commissioner can investigate complaints and issue binding orders to correct non-compliance.
- Willful breaches (such as obstructing access requests or improper disclosure or destruction of records) can result in fines up to \$10,200 (as a category F offence under the [Provincial Offences Procedure Act](#)).

Further reading

- [Right to Information and Protection of Privacy Act](#)
- [Information access and privacy](#), Government of New Brunswick

Workers' Compensation Act

Why this legislation matters

The Workers' Compensation Act provides the no-fault workers' compensation framework in New Brunswick, administered by WorkSafeNB. The Act supports access to compensation and return-to-work processes for workers injured on the job and helps create more consistent protections across workplaces.

Applies to

- Most employers and workers in provincially regulated industries, including full-time, part-time, and seasonal workers, and some contractors.
- Some workplaces may be exempt, but they can choose to opt-in for coverage.

Latest amendment

- 2025-06-06

Requirements for employers

- Register with WorkSafeNB and pay assessment premiums.
- Report workplace injuries or occupational diseases within required timelines.
- Cooperate in return-to-work planning and offer modified or suitable work where possible.
- Maintain records and cooperate with WorkSafeNB investigations and decisions.

Penalties for non-compliance

- Administrative penalties up to \$500 for a first contravention, and up to \$10,000 for repeat contraventions.
- Employers who operate without coverage may be liable for workplace injury costs.

Further reading

- [Workers' Compensation Act](#)
- [WorkSafeNB](#)