

Client Services Policy Manual

Policy Number: **PR-11**
Subject: **PRIME Transitional Policy**
Chapter: **PRIME**

Policy Statement

The purpose of this policy is to govern the transition for employers to the revised PRIME Program.

Effective January 1, 2024, Path 1 Employers (OHS Education)¹ includes those with less than \$10,000 in average annual assessments regardless of the number of workers and those with greater than or equal to \$10,000 in average assessments and less than 20 workers at each provincially and federally regulated worksite (refer to PR-01 PRIME Overview).

Medium and large employers as defined in Policy PR-01 PRIME Overview, will follow the PRIME practice requirements as outlined in Policy PR-06 PRIME Practice Incentive for Provincially Regulated Employer and Policy PR-07 PRIME Practice Incentive for Federally Regulated Employers.

2026

Effective January 1, 2026, Path 2 Employers (OHS Certification)² includes those who pay greater than or equal to \$10,000 in average annual assessments and have 20 or more workers at any one provincially or federally regulated worksite.

Path 2 Employers, as defined in Policy PR-01 PRIME Overview, follow the PRIME practice requirements as outlined in Policy PR-15 PRIME Practice Incentive Path 2 Employers (OHS Certification).

For all years, construction employers will continue to follow the PRIME practice incentive as outlined in Policy PR-08 PRIME Practice Incentive for Provincially Regulated Construction Employers and Policy PR-09 PRIME Practice Incentive for Federally Regulated Construction Employers.

The table attached to this policy outlines the paths and timelines for implementing the PRIME program revisions.

¹ With this change, the use of the term “small” employers has been eliminated.

² Once Path 2 Employers (OHS Certification) is implemented, the use of terms medium and large employers will be eliminated.

Client Services Policy Manual

Policy Number: **PR-11**
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Implementation

The PRIME Practice Incentive component outlined in Policy PR-14 PRIME Practice Incentive Path 1 Employers, initially effective on January 1, 2023, has been revised to January 1, 2024. Calculation of practice refunds in 2025 will be based on 2024 requirements.

Medium, large, and construction employers eligible to participate in the PRIME Program (see Policy PR-01 PRIME Overview), shall continue to follow the guidelines set out in policies PR-01 through PR-10 and PR-13 in 2024. The PRIME program revisions for these employers will be phased in over the coming years.

The PRIME Practice Incentive component outlined in Policy PR-15 PRIME Practice Incentive Path 2 Employers (OHS Certification), will come into effect January 1, 2026. Calculation of practice refunds in 2027 will be based on 2026 requirements.

Merits and Justice

Where the individual circumstances of a case are such that the provisions of this policy cannot be applied or to do so would cause an unfair or unintended result, WorkplaceNL will decide the case based on its individual merits and justice as outlined by Policy EN-22 Merits and Justice. Such a decision will be considered for that specific case only and will not be precedent setting.

Reference:

Workplace Health, Safety and Compensation Act, 2022, Sections 65, 98, 100, 101, 103 and 117

Canada Labour Code Part II, Sections 124, 125, 125.1, 135 and 136 and Regulations pursuant thereto

Policies:

EN-22 Merits and Justice, PR-01 PRIME Overview through PR-10 PRIME Audit for Non-Construction Employers, PR-13 PRIME Audit for Construction Employers, PR-14 PRIME Practice Incentive Path 1 – OHS Education, and PR-15 PRIME Practice Incentive Path 2 Employers – OHS Certification

Client Services Policy Manual

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Amendment History

Original Effective Date	2005 01 01
Revision #3	Board approved on 2022 06 30 for effect on 2023 01 01
Revision #4	Board approved on 2023 10 19 for effect on 2024 01 01
Revision #5	2024 06 27

Next Review Date 2025 06 30

Client Services Policy Manual

PR-11 PRIME Transitional Policy for the Revised PRIME Program

The revised PRIME program has two paths with differing requirements depending on the employer’s average assessments and number of workers.

PRIME Employer Category*	Which Employers?	Implementation Target
1. Path 1 Employers (OHS Education)	Path 1 for 2023 PRIME Employers with less than \$10,000 in average assessments and less than 10 workers at each worksite (fewer than 20 for federal worksites) Path 1 for 2024 PRIME Employers with less than \$10,000 in average assessments regardless of the number of workers at each provincially and federally regulated worksite Employers with greater than or equal to \$10,000 in average assessments and less than 20 workers at each provincially and federally regulated worksite	2023 for first refunds in Q1 2024 2024 for first refunds in Q1 2025
2. Path 2 Employers (OHS Certification)	Employers with greater than or equal to \$10,000 in average assessments and 20 or more workers at any provincially or federally regulated worksite	2026 for first refunds in 2027

* Construction employers must be COR certified with a valid Letter of Good Standing from the Newfoundland and Labrador Construction Safety Association to be considered for PRIME refunds.

Path 1 Employers (OHS Education)

Refer to Policy PR-14 PRIME Practice Incentive for Path 1 Employers (OHS Education)

Client Services Policy Manual

Path 2 Employers (OHS Certification)

Refer to Policy PR-15 PRIME Practice Incentive for Path 2 Employers (OHS Certification)