



COMMUNITY ORGANIZATIONAL HEALTH **SANTÉ DES ORGANISMES COMMUNAUTAIRES**

GUIDE TO THE WORKPLACE HAZARDOUS MATERIALS INFORMATION SYSTEM (WHMIS) Regulation 860 of the Occupational Health and Safety Act

This guide is meant as a reference for Regulation 860 requirements of the Ontario Occupational Health and Safety Act 2001 (OHSA). It does not outline all the provisions of the Act and Regulation but common requirements pertaining to the not-for-profit environment. These requirements may be amended for individual organizations by a Ministry of Labour inspector at any time.

Please note that this does not replace consultation with a written copy of the Act and Regulation or with a representative from the Ontario Ministry of Labour.

Note:

- For the purposes of this guide the terms 'hazardous material' and 'controlled product' will be used interchangeably.
- For the purposes of this guide the terms:
 - 'material safety data sheet' will be referred to as 'MSDS';
 - 'joint health and safety committee' will be referred to as the 'committee';
 - 'health and safety representative' will be referred to as the 'representative'.

Topics	General Provisions	Relevant Section of the Act or Regulation
What is WHMIS?	<ul style="list-style-type: none">• WHMIS is a Canada-wide system designed to give employers and workers information about hazardous materials used in the workplace.• It is divided into three components of which the employer is responsible to:<ol style="list-style-type: none">1. ensure controlled products are labeled or identified2. obtain material safety data sheets (MSDS) for the controlled products3. to educate workers.	
Employer Responsibility - general	<ul style="list-style-type: none">• An employer shall ensure that a hazardous material is not used, handled or stored at a workplace unless the prescribed requirements concerning	Act: 37(3)

	<p>identification, MSDS and worker education are met.</p> <ul style="list-style-type: none"> • The employer shall keep readily accessible at the workplace a floor plan showing the names and locations of all the hazardous materials. • The employer shall post a notice where it is most likely to be seen by workers stating where the floor plan is kept. 	Act: 29(4)
Employer Responsibility – Inventory of hazardous materials	<ul style="list-style-type: none"> • An employer shall make and maintain an inventory of all hazardous materials present in the workplace. • The inventory shall be prepared in consultation with the joint health and safety committee or health and safety representative. 	Act: 26 (1)(c)
Employer Responsibility – labels →supplier	<ul style="list-style-type: none"> • Ensure that every controlled product received by a supplier be labeled with a supplier label • Ensure that the supplier labels are not altered • Replace with a workplace label any supplier label which is illegible or removed from the controlled product container • Ensure that to controlled products which are received in a multi-container shipment in which the supplier has not labeled the individual containers be affixed a workplace label 	Reg.: 8 Act: 37
Employer Responsibility – labels →workplace	<ul style="list-style-type: none"> • If a controlled product that an employer receives from a supplier is transferred to another container, a workplace label must be affixed to the second container • No supplier or workplace label is required on a portable container that is filled directly from a container of a controlled product with a supplier label or workplace label if: <ul style="list-style-type: none"> ○ The product is under the control of and is used exclusively by the worker who filled the second container ○ The product is used only during the shift in which the second container was filled, 	Reg.: 10

	<p>and</p> <ul style="list-style-type: none"> ○ The contents of the portable container are clearly identified or ○ If all the product in the second container is required for immediate use 	
Employer Responsibility – worker education	<ul style="list-style-type: none"> • Ensure that a worker who is exposed or is likely to be exposed to a controlled product is informed about all hazard information the employer receives from the supplier concerning the product and all further hazard information concerning its use, storage and handling. • The education program shall be developed and implemented by the employer in consultation with the committee or representative. • Ensure that the above stated employees are instructed in: <ul style="list-style-type: none"> ○ Contents required on a supplier and workplace label and the purpose and significance of the information on the labels ○ Contents required on a MSDS and the purpose and significance of the information on the MSDS ○ Procedure for safe use, storage, handling and disposal of the controlled product ○ Procedures to be followed in case of an emergency involving a controlled product • Ensure that the worker education program be developed and implemented for the workplace • Ensure that the education program be provided to a worker or the worker's be re-familiarized at least annually. • The review shall be held more frequently than annually if, <ul style="list-style-type: none"> ○ The employer, on the advice 	Reg.: 6(1)(2)(3) 7(3) Act: 42

	<p>of the committee or representative determine that such reviews are necessary, or</p> <ul style="list-style-type: none">○ There is a change in circumstances that may affect the health and safety of a worker.● Ensure, so far as is reasonably practicable, that the education program results in the employees being able to use the information to protect their health and safety i.e. written or oral test or practical demonstration.	
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