# July 1, 2014: Deadline For The New Training Requirements Under OHSA



On July 1, 2014, the new ***Occupational Health and Safety Awareness and Training Regulation*** (the Regulation) will come into force, which will require employers to ensure that every worker and supervisor covered by the ***Occupational Health and Safety Act*** (the OHSA) completes a "basic occupational health and safety awareness training program".

The Regulation comes as a result of the **Expert Advisory Panel on Occupational Health and Safety Report**, and aims to increase awareness of basic rights and responsibilities with respect to workplace health and safety issues among workers and supervisors. The training requirements will apply to all workplaces covered under OHSA, regardless of workplace size or sector.

Under the Regulation, all supervisors (and others with authority over a worker) and all workers are subject to the training programs, irrespective of their employment status (full-time, part-time, seasonal, etc.). Workers must complete the training program as soon as reasonably possible after they start performing work for an employer, and supervisors have one week from the date they begin working in a supervisory capacity to complete the training.

### Minimum Content Requirements

The content of the training programs required by the Regulation differs for workers and supervisors, but generally includes the following topics: duties and rights of workers under OHSA; duties of employers and supervisors under OHSA; roles of health and safety representatives and joint health and safety committees under OHSA; roles of the Ministry of Labour, Workplace Safety and Insurance Board and other safety system partners; common workplace hazards (and, for supervisors, how to recognize, assess and control such hazards and how to evaluate those controls); Workplace Hazardous Materials Information System (WHMIS) requirements regarding information and instruction on controlled products; occupational illness, including latency (supervisors only); and sources of information on occupational health and safety (supervisors only).

### Exemptions

The Regulation contains limited exemptions to the training requirements. Both workers and supervisors who have previously completed a training program which meets the

minimum requirements of the Regulation, either with their current employer or a previous employer, do not have to retake the training if they can provide proof of completion of such training and verify that it meets the requirements of the Regulation. With respect to supervisors, those who have completed a supervisor training program before July 1, 2014 with proof that such training program meets the requirements of the Regulation are not required to take an additional worker training program. It is the employer's responsibility to verify that previous training programs received by workers and supervisors meet the requirements set out in the Regulation.

## Records

Employers are required to maintain records of training program completed by its employees (or, where an exemption applies, a record of the exemption). Employers must also, on request, be prepared to provide written proof of training completion. If an employee's employment ends, he or she can make a request for such written proof from the employer within six months of the date the employee ceases performing work for the employer.

## Training Materials

Employers are not required to develop new training programs or hire external training providers to deliver training programs; they can simply modify existing training programs to meet the requirements of the Regulation, or use the training program materials developed by the Ministry of Labour, which are accessible online on the Ministry of Labour website at no cost (see: **Workers** and **Supervisors**).

## Our views

Employers should ensure that they review their current training practices to ensure that they meet the requirements of the new Regulation before July 1, 2014.

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