

OHS Workplace Safety Training Records – Know The Laws of Your Province



Simply providing required OHS safety training isn't enough to ensure compliance and avoid fines and penalties; employers must also maintain documentation proving that such training was provided and understood by the trainees who received it. However, the rules differ with regard to which training records employers must keep. New Brunswick, Yukon, and the Federal jurisdiction have the broadest rules requiring employers to keep records of the general training they provide under their OHS or hazard prevention program. BC, Manitoba, and New Brunswick also require records of new and young workers safety orientation training. Most jurisdictions expressly require employers to keep records only for training provided on particular hazards or hazardous operations.

ALBERTA

Employer must keep records of training provided to a worker who's assigned confined space or restricted space entry duties in recognizing hazards associated with working in confined spaces or restricted spaces, and performing the worker's duties in a safe and healthy manner, for: (a) 1 year if no incident or unplanned event occurred during the entry, or (b) 2 years if an incident or unplanned event occurred during the entry (*OHS Code*, Secs. 46(2) + 58).

BRITISH COLUMBIA

Employer must keep records of:

- Young or new worker orientation and training and additional training provided (*OHS Reg*, Sec. 3.25).
- JHSC member/Health and safety representative training for 2 years after person is no longer a JHSC member or health and safety rep (*OHS Reg*, Sec. 3.27(9)).
- Training and instruction to workers exposed to asbestos-containing materials for 10 years (*OHS Reg*, Sec. 6.32).
- Training and instruction to workers about the company's exposure control program for biological agents (*OHS Reg*, Sec. 6.34(1)(g)).

- Training to workers on safe handling of hazardous drugs for 3 years after training was provided (*OHS Reg*, 6.58(1)).
- Training to workers exposed to lead (*OHS Reg*, 6.68(a)).
- Training and education to workers on operations involving a toxic process gas (*OHS Reg*, 6.121(b)).
- Training and education to workers on the contents of a noise and hearing conservation program (*OHS Reg*, 7.5(b)).
- Training of and practice drills involving confined space rescue personnel (*OHS Reg*, 9.11(3)).
- Training and orientation of traffic control persons provided at the worksite (*OHS Reg*, 18.4(2)(e)(i)).
- Training of workers involved in forestry operations and fallers (*OHS Reg*, 26.3).
- Training of workers that provide evacuation and rescue services (*OHS Reg*, Sec. 32.2(2)).
- Training in the rope access plan (*OHS Reg*, Sec. 34.4(3)).

MANITOBA

Employers must retain all training records that the *WSH Regs.* require them to keep or retain for 5 years after creating or coming into possession of those records (*WSH Regs*, Sec. 2.10); however, *WSH Regs.* expressly list only 3 kinds of training records that employers must keep or retain, including records of:

- Orientation provided to new workers (*WSH Regs*, Sec. 2.2.1(4)).
- Training on safe operation of a powered lift truck (*WSH Regs*, Sec. 22.29(3)).
- Training provided to firefighters (*WSH Regs*, Sec. 42.23).

Employer that stops operating in Manitoba must transfer the required record to the successor employer, if any, or if there is no successor employer, the employer must (i) preserve the record, (ii) notify the director, and (iii) deliver the record at the time and to the place identified by the director (*WSH Regs*, Sec. 2.11).

NEW BRUNSWICK

Employer must:

- Establish a record management system that includes training records as part of a required OHS program (*OHS Act*, Sec. 8.1(1)(f)).
- Keep records of orientation and new employee safety training for 3 years (*OHS Act*, Sec. 8.2(5)).
- Ensure that a competent person who provides fall protection training makes a written training record listing: (a) the name of the employee who received the training; (b) the date the training took place; and (c) the name of the competent person and the name of the agency (*OHS General Regs*, Sec. 50.3(2)).
- Keep a record of each employee who completes required confined space entry training listing: (a) the name of the employee; (b) the name of the competent person who provided the training; and (c) the date on which the training took place (*OHS General Regs*, Sec. 262.082(2)).
- Keep a record of workplace violence and harassment training provided to each employee (*OHS General Regs*, Sec. 374.7).

NEWFOUNDLAND & LABRADOR

Employer or contractor must maintain accurate records of asbestos-containing materials training provided to each employee (Asbestos Abatement Regs, Sec. 24(2)(c)).

NOVA SCOTIA

Employers must generally retain required OHS safety training records for 5 years after the record was made but OHS regulations don't expressly specify which training records employers must keep (OHS Safety General Reg, Sec. 8(1)).

NORTHWEST TERRITORIES AND NUNAVUT

Employer must:

- Keep records of training in safe use of a respiratory device for as long as it employs the worker (OHS Regs, Sec. 91(5)(c)).
- Keep records of training provided to workers who are designated signalers (OHS Regs, Sec. 138(c)).
- Ensure that written record is kept of all training delivered to a worker required to work in an atmosphere containing a flammable or explosive substance at over 20% of the substance's lower explosive limit (OHS Regs, Sec. 403(3)(c)).

ONTARIO

Employer must:

- Keep records of the date, nature of, and who provided and received confined space entry training at sites that are NOT construction projects for the later of: i. 1 year after the document is created; and ii. the period necessary to ensure that at least the 2 most recent records of each kind that relate to a particular confined space are retained (Confined Spaces Reg, Sec. 21(1)).
- Keep records of the date of and who provided and received confined space entry training at sites that ARE construction projects for 1 year after the project is finished (Confined Spaces Reg, Sec. 21(2)).
- Employer or constructor must keep any records at a construction project that are required to be available for MOL inspection for 1 year after the project is finished (OHS Const. Project Regs, Sec. 19).
- Ensure that the competent person who provides Working At Heights training and instruction required for using fall protection at a construction project prepares and signs a written training and instruction record for each worker that lists the worker's name and dates on which training and instruction took place (OHS Const. Project Regs, Sec. 26(2)).
- Ensure that the competent person who provides fall protection training required for using a suspended platform system or boatswain's chair at a construction project prepares and signs a written record for each worker that successfully completes the training (OHS Const. Project Regs, Sec. 138(3)).
- Ensure that the competent person who provides fall protection training required for inspecting a suspended platform system or boatswain's chair at a construction project prepares and signs a written record for each worker that successfully completes the training (OHS Const. Project Regs, Sec. 138.1(4)).

- Keep a record of training required for operating a rotary foundation drill at a construction project listing the worker's name, training dates and the trainer's name and signature (OHS Const. Project Regs, Sec. 156.6(2)).
- Keep a written record for each worker or supervisor who completes (or is exempt from) required OHS Awareness training (OHS Awareness Training Regs, Sec. 4).
- Keep a written record for each worker that completes required Working At Heights training listing: (a) the worker's name, (b) the approved training provider's name, (c) the date training was successfully completed, and (d) the name of the approved training program completed (OHS Awareness Training Regs, Sec. 10).
- Employer must keep a record of qualifications for employees appointed as competent persons at oil and gas sites for as long as employee is employed (OHS Oil and Gas-Offshore, Sec. 11).

PRINCE EDWARD ISLAND

Employer must keep records of:

Training and education provided to employee under company's noise control and hearing conservation program (OHS Act General Regs, Sec. 8.10).

Asbestos safety training records for 40 years (OHS Act General Regs, Sec. 49.26(2)).

Fall protection training records for 2 years after employee's employment ends (OHS Act Fall Protection Regs, Sec. 2.1(2)).

QUÉBEC

OHS regulations don't expressly require employers to keep and retain any specific training records.

SASKATCHEWAN

Employer must:

- Keep records of training in safe use of a respiratory device for as long as it employs the worker (OHS Regs, Sec. 7-3(5)).
- Keep records of training provided to workers who are designated signalers (OHS Regs, Sec. 9-21(1)(c)).
- Employer or constructor must ensure written records of training required to operate powered mobile equipment are maintained (OHS Regs, Sec. 11-2(2)(b)).
- Ensure that written record is kept of all training delivered to a worker required to work in an atmosphere containing a flammable or explosive substance at over 20% of the substance's lower explosive limit (OHS Regs, Sec. 25-11(3)(c)).
- Ensure that written record is kept of all training delivered to a firefighter required by Part 32 of the Regulations (OHS Regs, Sec. 32-4(1)(c)).

YUKON TERRITORY

Employer must:

- Keep records of required training provided in: (a) the identification of

workplace hazards; (b) the employer's policy statements and procedures for prevention of workplace injury; (c) how to respond to incidents and injuries, including procedures for obtaining assistance; and (d) the procedures for reporting, investigating, and documenting incidents and injuries (WSC Regs, Sec. 1.06.01(2)).

- Keep records of training and drill provided to confined space rescue personnel (WSC Regs, Sec. 2.30(4)).
- Ensure written records are kept of required training provided for operating an ATV or S/V (WSC Regs, Sec. 6.46(3)).

Ensure that required training to workers in a forestry operation are properly documented (WSC Regs, Sec. 12.02(3)).

FEDERAL

Employer must keep:

- Written or electronic record of the training provided under hazard prevention program, including ergonomics, for 2 years after employee is no longer exposed to hazard (*COHS Reg*, Sec. 19.6(5)).
- Written or electronic record of training and education on hazardous substances safety provided to an employee for 2 years after employee ceases to: (i) handle or be exposed to the hazardous substance, or (ii) install, operate, maintain or repair the assembly of pipes containing the hazardous substance (*COHS Reg*, Sec. 10.15(b)).
- Written or electronic record of the training and education in how to operate ventilation system provided to an employee for as long as employer continues to employ the employee (*COHS Reg*, Sec. 10.18(7)).
- Records of confined spaces training provided to an employee for: (i) as long as the employee works for the employer; or (ii) 2 years after the day on which an employee ceases to perform any activity in a confined space (*COHS Reg*, Sec. 11.13).
- Written record of training in how to operate motorized materials handling equipment for as long as employer continues to employ the employee (*COHS Reg*, Sec. 14.23(4)).
- Written record of emergency response training and instructions to emergency wardens, deputy wardens and monitors for 2 years from date training was provided with record kept in the workplace training covered (*COHS Reg*, Sec. 17.8(2)).
- Records of all diver training, instructions and required demonstrations of competency for as long as employer continues to employ the employee as a diver (*COHS Reg*, Sec. 18.40).