

WHMIS Policy



Even though each jurisdiction has its own WHMIS regulations, the rules are pretty much the same across the country with only minor geographical differences. Thus, while this Policy is based on Ontario laws, it can be easily adapted for any location.

1. PURPOSE

ABC Company has adopted this Policy to To ensure that all workers understand and are able to protect themselves from the health and safety hazards posed by the hazardous products used, stored, handled, or disposed of at its workplace in accordance with the [list province] *Occupational Health and Safety Act* ("Act"), the *Workplace Hazardous Materials Information System Regulations* ("WHMIS Regulations"), the ABC Company Occupational Health and Safety Program ("OHS Program"), and other applicable requirements and standards.

2. DEFINITIONS

For purposes of this Policy:

- **"Bulk shipment"** means a shipment of a hazardous product that is contained without intermediate packaging in:
 - A container with a water capacity of more than 450 litres;
 - A freight container, road vehicle, railway vehicle or portable tank;
 - The hold of a ship; or
 - A pipeline;
- means a shipment of a controlled product that is contained, without intermediate packaging, in:
- ate a danger, and includes a ch"Container" includes a bag, barrel, bottle, box, can, cylinder, drum, storage tank, or similar package or receptacle;
- **"Fugitive emission"** means a means a gas, liquid, solid, vapour, fume, mist, fog or dust that meets the following conditions:
 - The gas, liquid, solid, vapour, fume, mist, fog or dust escaped from process equipment, from emission control equipment or from a product;
 - Workers may be readily exposed to the gas, liquid, solid, vapour, fume, mist, fog or dust;
- **"Hazard information"** means information about the proper and safe use, storage, and handling of a hazardous product, including information about the product's

health and physical hazards;

- **“Hazardous product”** means any product, mixture, material or substance that is classified in accordance with the *Hazardous Products Regulations* (“HPA Regulations”) in a category or subcategory of a hazard class listed in Schedule 2 to the *Hazardous Products Act* (“HPA”);
- **“Hazardous waste”** means a hazardous product that is acquired or generated for recycling or recovery or intended for disposal;
- **“Label”** means a group of written, printed or graphic information elements that relate to a hazardous product, which is designed to be affixed to, printed on or attached to the hazardous product or the container in which the hazardous product is packaged;
- **“Manufactured article”** means an article that is formed to a specific shape or design during manufacture, the intended use of which when in that form is dependent in whole or in part on its shape or design, and that, when being installed, if the intended use of the article requires it to be installed, and under normal conditions of use, will not release or otherwise cause an individual to be exposed to a hazardous product;
- **“Product identifier”** means, in respect of a hazardous product, the brand name, chemical name, common name, generic name or trade name;
- **“Safety data sheet” (SDS)** means:
 - A supplier safety data sheet; or
 - SDS prepared by an employer under the WHMIS Regulations;
- **“Significant new information”** means s new data about a hazardous product’s hazards that change its classification, in accordance with the HPA Regulations (Canada), in a category or subcategory of a hazard class listed in Schedule 2 to the HPA (Canada), results in its classification in another hazard class, or changes the ways to protect against the the hazardous product’s hazards;
- **“Supplier label”** means, in respect of a hazardous product, a label provided by a supplier that contains the information required by the HPA Regulations for that hazardous product;
- **“Supplier safety data sheet” (or “Supplier SDS”)** means, in respect of a hazardous product, a safety data sheet provided by a supplier that complies with the requirements of the HPA Regulations for an SDS;
- **“Train”** means not just providing workers information and explanation about a topic but also requiring workers to make a practical demonstration showing that they have actually acquired knowledge or skill on the topic;
- **“Workplace label”** means, in respect of a hazardous product, a label that discloses,
 - A product identifier identical to that found on the SDS for the hazardous product;
 - Information for the safe handling of the hazardous product; and
 - That an SDS, if supplied or produced, is available.

3. POLICY STATEMENT

Workers have the right to know about the hazards of any hazardous products they are exposed to at work. Management recognizes that to ensure effective exercise of workers’ right to know, ABC Company must provide workers not only access to the required hazard information about the hazardous products they work with or near but also education about how to obtain and use that hazard information to protect their health and safety. The objective of this Policy is to ensure that all exposed workers receive such hazard information and education.

Accordingly, hazardous products may not be used, stored, or handled in any ABC

Company workplace unless and until all of the WHMIS measures with respect to labels, identifiers, SDSs, and worker training required by this Policy have been implemented.

4. SCOPE

• Workers This Policy Is Intended to Protect

The intent of this Policy is to ensure that all workers engaged to work at ABC Company work sites where hazardous products are used, stored, or handled receive the hazard information and WHMIS training necessary to exercise their right to know, regardless of who pays or employs those workers, including:

- Full- or part-time workers employed by ABC Company;
- Temporary employees placed by an outside agency to work at the site;
- Contract labourers engaged to perform work at the site;
- Volunteers who work at the site for free; and
- Workers employed by constructors, contractors, and subcontractors to perform work at the site under a contract with ABC Company.

◦ Hazardous Products Not Covered by This Policy

This Policy applies to any hazardous product used, stored, or handled in an ABC Company workplace except for a hazardous product that is:

- Wood or a product made of wood;
- Tobacco or a product made of tobacco;
- A manufactured article; or
- Being transported or handled under the requirements of the Ontario Dangerous Goods Transportation Act or Transportation of Dangerous Goods Act, 1992 (Canada).

◦ Hazardous Products Not Covered by Label & SDS Requirements

Provisions of this Policy relating to supplier labels and SDSs do not apply to:

- Explosives as defined by the Explosives Act (Canada);
- Cosmetics, devices, drugs, or food as defined by the Food and Drugs Act (Canada);
- A pest control product as defined by the Pest Control Products Act (Canada);
- A radioactive substance defined as a nuclear substance by the Nuclear Safety and Control Act (Canada); or

* A product, material, or substance packaged as a consumer product in a quantity normally used by the public.

5. ROLES & RESPONSIBILITIES

• ABC Company/Employer

Owners, corporate officers and directors, upper managers, and other representatives of ABC Company who may be defined as an “employer” under the Act are responsible for overall implementation of this Policy, including ensuring that:

- The resources necessary to implement this Policy effectively are provided;
- The assessment of biological and chemical substances at the workplace required by this Policy to identify hazardous substances triggering the need for worker training and identification is carried;

- All required WHMIS labels, SDSs, and other means of identification are used to provide workers notification of hazards posed by hazardous products;
- SDSs are kept up to date and readily accessible to workers;
- All workers who may be exposed to hazardous products receive and are required to demonstrate their understanding of the required WHMIS training;
- Where necessary, safe work procedures are developed and implemented for the safe use, handling, storing, and disposing of hazardous products;
- This Policy is appropriately reviewed.

- **Safety Coordinator, Site Manager**

The safety coordinator, facility manager, or other person designated as being in charge of safety at the workplace is responsible for ensuring the effective implementation of the WHMIS measures required by this Policy, including ensuring that:

- All required WHMIS labels, SDSs, and other means of identification are used to provide workers notification of hazards posed by hazardous products;
- The assessment of biological and chemical substances at the workplace required by this Policy to identify hazardous substances triggering the need for worker training and identification is carried;
- SDSs are kept up to date and readily accessible to workers;
- All workers who may be exposed to hazardous products receive and are required to demonstrate their understanding of the required WHMIS training;
- Where necessary, safe work procedures are developed and implemented for the safe use, handling, storing, and disposing of hazardous products;
- This Policy and is applied to constructors, contractors, and subcontractors hired to perform work at ABC Company sites involving exposure to hazardous products;
- All records required to implement this Policy are kept and retained;
- This Policy is appropriately reviewed.

- **Supervisors**

Supervisors are responsible for day-to-day implementation of many of the measures provided by this Policy, including ensuring that:

- All workers exposed to hazardous products receive, understand, and follow their WHMIS training;
- Safe work procedures for using, handling, storing, and disposing of hazardous products are created and implemented;
- Hazardous products are properly labelled (or otherwise identified) and have an up-to-date SDS;
- Workers are held accountable for complying with this Policy, including where necessary via the discipline for infractions;
- This Policy is properly applied to workers of constructors, contractors, and subcontractors hired to work at ABC Company work sites who may be exposed to hazardous products;
- This Policy is appropriately reviewed.

- **Workers**

Workers are responsible for knowing, cooperating, and complying with this Policy, including:

- Showing up for and paying attention to their WHMIS training, including:
 - How to read a WHMIS label;
 - How to read an SDS;
 - How to access the SDS binder;

- How to access computer-stored SDS where SDS access is available via computer terminal;
- Actually applying their WHMIS training when working with or near hazardous products;
- Being aware of and carrying out safe work procedures for use, handling, storing, and disposing of hazardous products;
- Reporting any chemical hazards to their supervisor or manager.

- **Safety Committee/Safety Representative**

ABC Company will consult with and secure the participation of the Safety Committee, Safety Representative, or where no Committee, or Representative exists, the affected workers at the site in developing and implementing this Policy, including with regard to:

- Identification and assessment of chemical hazards;
- Development of WHMIS training;
- Development of safe work procedures;
- Selection and monitoring of hazard controls;
- Review of this Policy.

- **Visitors**

Visitors to ABC Company workplaces are responsible for:

- Staying away from areas of the work site where hazardous products are used, handled, produced, or stored unless they:
 - Are authorized to be in those areas;
 - Follow all applicable safe work procedures while in those areas;
 - Use all required personal protective equipment;
 - Refraining from engaging in any conduct that distracts or interferes with the implementation of the procedures and protections set out in this Policy;
- Complying with the terms of the ABC Company Visitors Safety Policy.

6. ASSESSMENT OF BIOLOGICAL & CHEMICAL AGENTS

ABC Company will assess all biological and chemical agents produced in the workplace for use in the workplace to determine if they are hazardous materials for purposes of being subject to the protections of this WHMIS Policy. Exception: The assessment does not include the exempt products listed in Section 4.2 of this Policy above.

7. WHMIS INFORMATION & TRAINING

- **Worker Awareness of Hazard Information**

ABC Company will ensure that any worker who works with or may be exposed at work to a hazardous product that ABC Company has received from a supplier is informed about all hazard information the ABC Company has received from the supplier about the hazardous product and all further hazard information of which ABC Company is aware concerning its use, storage and handling.

If ABC Company actually produces the hazardous product that the worker works with or may be exposed to at work, it will ensure that the worker is informed about all

hazard information it is aware of with regard to the hazardous product and its use, storage and handling.

- **WHMIS Instruction**

ABC Company will ensure that any worker who works with or may be exposed at work to a hazardous product is instructed in:

- What must be on a supplier label and workplace label and the purpose and significance of that information;
- What must be on an SDS and the purpose and significance of that information;
- Procedures for the safe use, storage, handling and disposal of a hazardous product;
- Procedures for the safe use, storage, handling and disposal of a hazardous product when it is contained or transferred in:
 - A pipe;
 - A piping system including valves;
 - A process vessel;
 - A reaction vessel; or
 - A tank car, a tank truck, an ore car, a conveyor belt or a similar conveyance;
- Procedures to be followed when fugitive emissions are present; and
- Procedures to be followed in case of an emergency involving a hazardous product.

Steps will be taken to verify that workers understand the above instruction and are capable of applying it to protect their own health and safety.

8. WHMIS LABELS

- **Supplier Labels**

ABC Company will ensure that every hazardous product not in a container, and every container of a hazardous product, received at a workplace from a supplier is labelled with a supplier label and that such supplier labels will not be altered for as long as the hazardous product remains in the container.

If a label applied to a hazardous product or a container of a hazardous product becomes illegible or gets removed, ABC Company will replace it with either a supplier label or workplace label. Exception: It is permissible to remove a supplier label from a container with a capacity of 3 mL or less if the label interferes with the normal use of the hazardous product.

If ABC Company receives significant new data from a supplier about a hazardous product, the employer shall, as soon as practicable, attach to every relevant supplier label new information that reflects the significant new data.

If ABC Company receives at a workplace an unpackaged hazardous product without a supplier label or a hazardous product transported as a bulk shipment without a supplier label, it will affix a label that meets HPA Regulations (Canada) labelling requirements to the hazardous product.

- **Workplace Labels for Hazardous Products Produced by ABC Company**

ABC Company will ensure that a workplace label is affixed to any hazardous products

it produces in a workplace or their container and that such workplace is updated as soon as practicable after significant new data about the product becomes available to ABC Company.

- **Workplace Labels for Decanted Products**

If a hazardous product that ABC Company has received in a container from a supplier is transferred to another container, ABC Company shall ensure that the other container has a workplace label. However, a supplier label or workplace label is not required on a portable container that is filled directly from a container of a hazardous product with a supplier label or workplace label if EITHER:

- The hazardous product is under the control of and is used exclusively by the worker who filled the portable container; AND
- The hazardous product is used only during the shift in which the portable container was filled; AND
- The contents of the portable container are clearly identified';

OR

- All of the hazardous product in the portable container is required for immediate use.

9. IDENTIFICATION OF HAZARDOUS PRODUCTS IN PIPING SYSTEMS & VESSELS

ABC Company will ensure the safe use, storage and handling of a hazardous product in a workplace through worker education and the use of colour coding, labels, placards or another mode of identification when the hazardous product is contained or transferred in,

- A pipe;
- A piping system including valves;
- A process vessel;
- A reaction vessel; or
- A tank car, a tank truck, an ore car, a conveyor belt or a similar conveyance.

10. PLACARDS INSTEAD OF LABELS

Placards rather than labels may be used on a hazardous product if both of the following conditions are true:

Condition 1: One of the following things is true:

- The hazardous product is not in a container;
- The hazardous product is in a container or in a form intended for export; or
- The hazardous product is in a container that is intended to contain it for sale or distribution and the container is not about to be appropriately labelled) but is to be appropriately labelled within the normal course of ABC Company's business and without undue delay.

Condition 2: The placard discloses the information required on a workplace label for the hazardous product and is of such size and in such a location that the information is conspicuous and clearly legible to workers.

11. SAFETY DATA SHEETS

- **Supplier SDSs**

When ABC Company receives a hazardous product from a supplier for use, storage or handling at its workplace, it will get a supplier SDS for the hazardous product from the supplier (unless the supplier is exempt from requirements for providing an SDS under the HPA Regulations).

ABC Company will update the supplier SDS obtained as soon as practicable after significant new data about the product is provided by the supplier or otherwise becomes available to ABC Company.

ABC Company has the right to provide an SDS in a different format from that of the supplier SDS for the hazardous product or containing additional hazard information if:

- The ABC Company SDS contains no less content than the supplier SDS; and
- The supplier SDS is available at the workplace and the ABC Company SDS states that fact.

- **Employer SDSs**

ABC Company will prepare an SDS for any hazardous products that it produces in its workplaces in accordance with WHMIS laws and HPA Regulations. ABC Company will update any SDS it creates as soon as practicable and no later than 90 days after significant new data about the product becomes available to ABC Company.

12. CONSTRUCTORS, CONTRACTORS & SUBCONTRACTORS

ABC Company will ensure that any prime constructors, contractors, and subcontractors hired to perform work involving potential exposure to hazardous products used, handled, or stored or to which a worker may be exposed during work at its work site are, before such work begins:

- Notified about the hazards the hazardous products may pose to workers involved in the contract work;
- Notified about the WHMIS protections provided under this Policy; and
- Required to ensure that these WHMIS protections are provided to any of their own workers who may be exposed to those hazardous products.

Constructors, contractors, contractors, or subcontractors in control of work at an ABC Company site that involves potential exposure to hazardous products will be required to provide exposed workers engaged in the contract work adequate protection against those hazards by either:

- Directly applying this Policy to the contract work and assuming all of the employer obligations this Policy assigns to ABC Company; or
- Developing and implementing an equivalent WHMIS protection that meet the requirements of the WHMIS Regulations and that is coordinated with and provides at least the same level of protection as this Policy to workers exposed to hazardous products.

13. EVALUATION

This Policy will be reviewed at least once a year and more often in response to changes affecting workers' health and safety.