

Mandatory Occupational Health and Safety Training in 2014

Many of you will remember the review of health and safety that took place in 2010, and the fact that there were numerous recommendations made by the Expert Panel about how to make workplaces in Ontario safer in the future. Several of these recommendations touched on the need for more worker and supervisor training. Over the past two years the Office of the Chief Prevention Officer, which is a part of the Ministry of Labour, has worked on addressing these recommendations. They have published training guides for mandatory programs for both workers and supervisors, and these programs have been available on their website for several months. They are available at no cost, and include all of the course materials needed to enable employers to deliver this training.

In the fall of 2013 the government introduced [Ontario Regulation 297/13](#), which amended the Occupational Health and Safety Act. It was filed on November 14, 2013, and provided the legal structure for the application of the requirements for the training programs introduced earlier. Note, however, that Section 7 of the regulation states that several of the sections come into force on the later of either July 1, 2014, or the date the regulation is filed (and since it has already been filed, the July 1 date will be the date upon which all of this takes effect).

What the Regulation Says

Section 1 of the regulation makes basic occupational health and safety training for all workers mandatory, unless they have already had that training from a previous employer and have proof of such training. Either way, the training must meet the content described in Section 1 (3), described below.

Section 2 of the regulation makes basic occupational health and safety awareness training for supervisors mandatory within one week of beginning to work as a supervisor, again unless they have already had that training from a previous employer and have proof of such training. Either way, the training must meet the content described in Section 2(3), described below.

The training program for both workers and supervisors must include:

- The duties and rights of workers under the Act;
- The duties of employers and supervisors under the Act;
- The roles of health and safety representatives and JH&SC's under the Act; and,
- The roles of the Ministry, the WSIB, and entities designated under section 22.5 of the Act (Health and Safety Associations) with respect to occupational health and safety.

The worker program must include, in addition to the list above:

- Common workplace hazards;
- The requirements set out in Regulation 860 (WHMIS) with respect to information and instruction on controlled products; and,
- Occupational illness, including latency.

The supervisor program must include, in addition to the list above:

- How to recognize, assess and control workplace hazards, and evaluate those controls; and,
- Sources of information on occupational health and safety.

Section 4 of the Regulation covers the need to retain records of this training. The employer is responsible for maintaining training records, providing workers with written proof of the completion of the training upon request, and

providing written proof of the training to former workers or supervisors for six months following the end of the employment relationship.

This is a summary, and I would recommend that you read through [Ontario Regulation 297/13](#) for yourself.

To summarize, the Ministry announced that mandatory training was coming to Ontario for both workers and supervisors. The Ministry then made available free training programs which can be downloaded from their website which provide the information required. Finally, they filed Regulation 297/13 which established the legal requirement for this training, and it is coming into force on July 1, 2014.

What You Need to Do

There must be two parts to your program – first, you must make sure that all of your existing staff and supervisors have completed the training. Secondly, you must have a program so that all future hires and newly promoted supervisors can be trained as they arrive. As an employer in Ontario you have several options.

1. If you already have a new employee health and safety orientation program, and a similar program for supervisors, you can look at the free training programs, and compare them to the new worker orientation and supervisor training programs you currently provide. If you have gaps in your own program, add the missing material, and begin using the new programs as you train your new staff and new supervisors (after making sure all your current staff and supervisors are trained, of course). This is the route that many firms in Ontario will take. Note: make sure you deliver this training as soon as you hire or promote (supervisors must be trained within one week).
2. If you would rather not develop or deliver your own program, you can contract with a training provider to come in and deliver these programs to all existing staff and supervisors. This will get you up to date before July 1, 2014. Remember that you still must make sure you have a plan for keeping current as you hire and promote in the future.
3. If you can handle your own training, but are not sure if your program complies with the new requirements, you can hire a provider to update your training programs so that they comply with the new requirements.
4. If all of this training is beyond your ability to handle internally, you can schedule with any of the safe workplace associations or other providers to put your staff and supervisors through any one of their generic programs, which are available, and which will be generally available from now on. Search for a provider that meets your needs in terms of cost, location, schedule, etc.

The employer must also maintain training records as required under Section 4 of the regulation.

How We Can Help You

If you review the four options above, and decide that Option 1 is not for you, please be aware that we can assist with any of the other three. We can train your existing workers and supervisors, and we can upgrade your existing training programs to comply with the new regulation. With our friends at Safetyscope, we can offer public courses in this area as well.

Finally, we can make sure you understand what your obligations, and your options, are. If any of the above generates questions or concerns, please do not hesitate to contact us, and we will help you sort it out. Just write

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