

How to Create a WHMIS Policy



WHAT'S AT STAKE

Almost all workplaces contain chemical, biological and other substances that pose health and safety risks to workers. The OHS laws require employers to use a special system to ensure that workers who work with, near or are otherwise exposed to these substances (called 'hazardous products') understand the dangers they face and how to protect themselves. That system is called WHMIS, short for the Workplace Hazardous Materials Information System. The starting point for compliance is to implement the right WHMIS policy. Here's a look at the 10 things that policy must include.

[Click here](#) for a Model WHMIS Policy tailored to the OHS laws of your jurisdiction.

Defining Our Terms: WHMIS v. Hazardous Substances Policy

WHMIS is a subset of an employer's larger duty to protect workers from hazardous substances in the workplace. Explanation: WHMIS measures like labels and SDSs apply to a group of hazardous substances known as 'hazardous products.' In addition to a WHMIS policy, you also need a general policy providing for the assessment, identification and control of hazardous substances. You may also need separate policies for specific kinds of designated substances that require special OHS measures, such as asbestos.

1. Statement of Purpose

Start by acknowledging that there are hazardous products at the workplace and that the purpose of the policy is to ensure that workers know about the hazards they pose.

2. Key Definitions

There are about a dozen important technical terms you need to define in your WHMIS policy.

4 Key WHMIS Definitions

Hazardous product: A product, mixture, material or substance that's recognized as being hazardous and thus triggering a worker's WHMIS rights

Hazard information: The essential safety information workers know about a hazardous product

Label: A label attached to a hazardous product container that lists the hazard information about the product

SDS (Safety Data Sheet, which used to be called MSDS): A sheet listing more detailed hazard information about a hazardous product typically prepared by the product manufacturer which must be kept together in a binder and/or electronic database at the workplace along with the SDSs for other hazardous products used at the site

3. Policy Statement

Clearly and emphatically ban the use, storage or handling of any hazardous product in the workplace unless and until all the required WHMIS measures are taken.

4. Roles & Responsibilities

Lay out the things each workplace stakeholder must do to make the WHMIS policy work, including:

- Company management, i.e., the employer;
- The OHS manager, i.e., person responsible for implementing the OHS program at the site;
- Supervisors;
- Workers;
- The workplace JHSC or health and safety representative; and
- Visitors to the site.

5. WHMIS Training & Instruction

Specify that WHMIS training and instruction will be provided by a competent person before workers are exposed to hazardous

products. Of course, workers need to get the hazard information about the hazardous products they work with. But the other basic objective of WHMIS training is to explain the elements of the system and how to use them to get information for themselves. When training is done, you should verify (and require workers to demonstrate) that they know:

- What a supplier, workplace and decanted label is, which information each must contain and the significance of that information;
- How placards or other devices are used instead of labels to communicate safety information about a hazardous product;
- What an SDS is, what information they list and where in the workplace they're kept;
- Procedures for the safe use, storage, handling and disposal of a hazardous product, including when it's contained or transferred in a pipe, piping system, process vessel, reaction vessel, tank car, tank truck, ore car, conveyor belt or similar conveyance;
- Procedures for handling fugitive emissions and emergencies involving the hazardous product.

There's a popular misconception that workers must receive WHMIS training at least once a year. Although you must review your overall WHMIS training program annually, individual workers don't need new training unless and until:

- Work conditions change in a way that affects health and safety;
- You reassign workers to jobs involving exposure to hazardous products that previous training didn't cover; or
- There are other indications that the original training isn't effective and needs refreshing.

6. WHMIS Labels

One of the most crucial functions of a WHMIS policy is to

require that containers of hazardous products have proper WHMIS labels, which may include:

- Supplier labels provided by the company that manufactures or supplies the product;
- Workplace labels you create yourself, e.g., if you produce the product at your site; and
- Workplace labels on 'decanted products,' i.e., hazardous products poured from a container with a proper label into an unlabeled container for immediate use.

Say that nobody may remove or deface a WHMIS label without authorization.

7. Identification of Hazardous Products Inside Pipes & Vessels

Explain when it's okay to use methods other than WHMIS labels to communicate information about a hazardous product. First, note that colour coding, placards, alternative labels or other equally effective means of identification can be used for a hazardous product that's contained or transferred in a piping system that includes valves, reaction vessel or tank car, tank truck, ore car, conveyor belt, or similar conveyance.

8. Placard Identifiers

Note that a placard identifier instead of a label can be used to communicate the required hazard information, under 2 conditions:

Condition 1

The hazardous product:

- Isn't in a container;
- Is in a container or form intended for export; or
- Is in a container intended for sale or distribution that's not appropriately labelled but is about to be.

Condition 2

The placard identifier:

- Includes all the information that a workplace label for the hazardous product must list;
- Is in a conspicuous location where workers can see it; and
- Lists the information clearly and in a size and format that workers can understand.

9. SDSs

You don't have to create an SDS unless you actually produce the hazardous product in the workplace or import it into Canada and bring it into the workplace. You can also create a separate SDS that builds on information listed in the supplier SDS (as long as the so called workplace SDS doesn't contradict or contain any less information than the supplier SDS and you make the supplier SDS readily available to workers. Otherwise, there are 3 basic SDS obligations to list in your policy, including your duty to:

- Get a complete and up to date SDS ('supplier SDS') for each hazardous product from the supplier;
- Make all SDSs readily available to workers; and
- Ensure SDSs are updated as 'soon as practicable' after getting new hazard information about the product from the supplier.

10. Monitoring

Last but not least, say that you'll monitor your WHMIS policy, in consultation with the JHSC or health and safety representative, at least once a year or in response to new hazard information or changes, incidents or other circumstances occur indicating the need for more immediate review.

