

OHS Hazard Identification & Assessment – Know the Laws of Your Province



All jurisdictions require hazard assessment, but federal regulations are the most detailed.

OHS laws require employers to perform hazard identification and assessment, typically as part of an OHS program. Federal OHS rules are the most specific, setting out the kind of methodology employers must use. Here's a look at the hazard assessment requirements in each part of Canada.

Hazard Identification & Assessment Requirements Across Canada

FEDERAL

(1) Employer must, in consultation with JHSC or safety representative, implement a hazard prevention program for workplace that includes a **hazard identification and assessment methodology**, including for ergonomics-related hazards, that takes into account: (a) any hazardous occurrence investigation reports; (b) first aid records and minor injury records; (c) work place health protection programs; (d) any results of workplace inspections; (e) any employee reports of hazards, accidents, injuries or occurrences; (f) any government or employer reports, studies and tests concerning the health and safety of employees; (g) any reports made under the JHSC regulations; (h) the record of hazardous substances; and (i) any other relevant information, including ergonomics-related information; (2) Methodology must include: (a) steps and time frame for identifying and assessing hazards; (b) keeping a record of the hazards; and (c) a time frame for reviewing and, if necessary, revising the methodology; (3) Employer must implement above methodology to identify and assess hazards in the workplace, including ergonomics-related hazards, taking into account: (a) the nature of the hazard; (a.1) in the case of ergonomics-related hazards, all ergonomics-related factors such as (i) the physical demands of the work activities, the work environment, the work procedures, the organization of the work and the circumstances in which the work activities are performed, and (ii) the characteristics of materials, goods, persons, animals, things and work spaces and the features of tools and equipment; (b) the employees' level of exposure to the hazard; (c) the frequency and duration of employees' exposure to the hazard; (d) the effects, real or apprehended, of the exposure on the health and safety of employees; (e) the

preventive measures in place to address the hazard; (f) any employee reports of hazards, accidents, injuries or occurrences; and (g) any other relevant information (*Canada Labour Code*, Sec. 125(f)(z.04); *COHS Regs.*, Secs. 19.1 to 19.4)

ALBERTA

Employer who regularly employs 20 or more workers (or whose ordered by an OHS Director) must implement a health and safety program that includes hazard identification and assessment (*OHS Act*, Secs. 1(s) and 16); Guidelines state that employer must include affected workers and: (a) identify existing and potential hazards at the work site and (b) include biological, chemical, physical and psychosocial hazards.

BRITISH COLUMBIA

(1) Hazard identification and assessment a required element of a written OHS program required for: (i) employers with workforce of 20 or more workers at least one of its workplaces is determined, in accordance with the first aid regulations, to create a moderate or high risk of injury, or (ii) employers with a workforce of 50 or more workers; and (2) Smaller operations need only have a less formal program based on regular monthly meetings with workers to discuss health and safety matters but it still must provide for hazard identification and assessment (*OHS Reg*, Secs. 3.1 and 3.2)

MANITOBA

Employer must, in consultation with JHSC or safety rep, establish written workplace safety and health program that includes hazard identification and assessment for each workplace where 20 or more workers of that employer are regularly employed (unless Director approves request to establish one program for more than one workplace) (*WSH Act*, Sec. 7.4)

NEW BRUNSWICK

Every employer with 20 or more employees regularly employed in New Brunswick must establish a written OHS program, in consultation with the JHSC or safety rep, that includes a hazard identification system that includes identification of potential hazards and evaluation of the place of employment to identify potential hazards (*OHS Act.*, Sec. 8.1)

NEWFOUNDLAND

Employer must conduct a risk assessment that considers: (a) previous experience in the workplace; (b) occupational experience in similar workplaces; (c) the location and circumstances in which work may take place; (d) workplace characteristics including demographics, culture and the presence of new workers; and (e) issues raised by the JHSC, the worker safety rep or the workplace health and safety designate (*OHS Regs.*, Sec. 22.1)

NOVA SCOTIA

Employer must, in consultation with JHSC or safety rep., implement a written OHS program with a hazard identification system that includes: (i) evaluation of the

workplace to identify potential hazards, (ii) procedures and schedules for regular inspections, (iii) procedures for ensuring the reporting of hazards and the accountability of persons responsible for the correction of hazards, and (iv) identification of the circumstances where hazards must be reported by the employer to the committee or representative, if any, and the procedures for doing so (*OHS Act*, Sec. 28(2)(e))

ONTARIO

Employer must prepare and review at least annually a written OHS policy and develop and maintain a program to implement that policy (*OHS Act*, Sec. 25(2)(j)); MOL guidelines say that hazard identification and assessment must be part of the program

PRINCE EDWARD ISLAND

Employer must implement written OHS program with a hazard identification system that includes (a) evaluation of the workplace to identify potential hazards, (b) regular inspection procedures and schedules, (c) procedures for ensuring the reporting of hazards and the accountability of persons responsible for correction of hazards, and (d) circumstances where employer must report hazards to JHSC and safety rep, and the procedures for doing so (*OHS Act*, Sec. 23)

QUÉBEC

Employers must have a prevention program that provides for hazard identification and assessment (*OHS Act*, Secs. 58 to 61)

SASKATCHEWAN

Employer must develop written OHS program, in consultation with JHSC or safety rep, that provides for

identification of existing and potential health or safety risks, and measures, including emergency response procedures, taken to reduce, eliminate or control those risks (*OHS Regs.*, Sec. 3-11(1))

NORTHWEST TERRITORIES & NUNAVUT

Employer must implement OHS program that provides for hazard identification and assessment (*Safety Act*, Sec. 7; *OHS Regs.*, Sec. 21))

YUKON

Workplaces must have an OHS program that provides for hazard identification and assessment (*OHS Act*, Sec. 12)