

OHS Workplace Postings Requirements Compliance Game Plan



To exercise their OHS right to know, workers need certain key information. Accordingly, the OHS laws of all jurisdictions require employers to post and keep posted particular kinds of health and safety information in conspicuous locations in the workplace, including with regard to:

- Workers' rights and responsibilities under the laws; and
- The specific hazards to which they're exposed and the precautions necessary to guard against them.

Verifying that all required postings are in place is often among the first things OHS inspectors will check if they come to your workplace. **Bottom Line:** OHS coordinators must perform an audit to determine whether their company posts all the safety information the OHS laws require. Here's a 6-step game plan you can use to ensure compliance with the posting requirements of your jurisdiction regardless of where in Canada you operate.

The Significance of Complying with OHS Posting Requirements

OHS posting requirements are a bit like seat belt laws. The police generally don't stop you for not wearing a seat belt.

But if they stop you for another traffic infraction and notice you're not wearing a seat belt, they'll probably add that offence to your ticket. They may also intensify step up their search for other potential violations. Similarly, OHS inspectors don't usually show up at a workplace because they're worried about posting violations. But it's one of the first things they check for once they arrive, OHS lawyers say. "Verifying required postings is an easy way for inspectors to get a quick read on the safety and compliance environment," notes an Ontario lawyer. "And if they determine that the required information isn't posted, they'll take it as a red flag of non-compliance and may intensify the inspection."

In addition to raising the suspicions of inspectors and risk of OHS fines, failure to post required information may also increase your risks of liability for OHS offences. **Example:** An Ontario company doesn't post the names of workers qualified to provide first aid at the workplace as required by OHS laws. As a result, a worker who collapses doesn't get the CPR she needs and dies. In the subsequent prosecution, the company claims that it showed due diligence, i.e., used all reasonable efforts to comply with first aid rules and prevent the violation. But because it didn't post the required first aid information, the court pooh-poohs its due diligence defence.

Compliance Game Plan

Complying with posting requirements is trickier than it may sound, especially if you operate in more than one province or territory. Not only do posting rules vary by jurisdiction but they're also spread out across a number of statutes and regulations. The good news is that we've gathered up all the posting requirements of all jurisdictions and stuck them into a [single chart](#). **[Production: Insert hyperlink to Know Laws uploaded separately]** And to make things even easier, we'll set out a game plan that you can use to comply.

Step 1. Post All of the Required Safety Information

The starting point for compliance is to ensure you post all of the information [required by the OHS laws of your jurisdiction](#). While rules vary, there are 10 basic kinds of health and safety information that employers must post, including:

1. [JHSC information](#), including members' names and contact information and meeting minutes (or the name and contact information of the health and safety representative if your workplace doesn't have a JHSC);
2. Copies of official orders issued by government [OHS inspectors](#);
3. Names of first aid providers, locations of first aid supplies and other [first aid](#) information;
4. Contact information for local fire, police, ambulance providers and other emergency responders near your workplace;
5. Safe work procedures for certain hazardous operations like [confined space entry](#);
6. Placards listing hazard information about hazardous products used in lieu of or in addition to [WHMIS](#) labels;
7. Warning signs of various types, most commonly signs barring entry to areas where hazards are present, e.g., [high voltage](#), [hazardous sound levels](#), [asbestos](#) and other dangerous substances;
8. Posters or notices issued by the jurisdiction's OHS or workers' comp agency, e.g., the Ontario MOL's OHS "Health + Safety at Work: Prevention Starts Here" poster and WSIB Form 82, aka, the first aid poster;
9. [Fire](#) and emergency response procedures;
10. Rated loads of [cranes and hoisting equipment](#);
11. Copies of the company [workplace violence](#), [harassment](#) and/or [general OHS policy](#); and
12. Copies of the jurisdiction's OHS Act and/or Regulations.

Step 2. Use Proper Posting Techniques

OHS coordinators need to distinguish between posting and accessibility. There's a lot of information that OHS laws require employers to make "readily available" at the workplace, such as [WHMIS Safety Data Sheets](#), results of certain kinds of testing and a copy of the jurisdiction's OHS Act and regulations.

Employer Duty to Provide Copies of OHS Act & Regs.

Duty to Post	Duty to Make Readily Available	Not Specified
*New Brunswick *Nova Scotia *Ontario	*Federal *Alberta *BC *Manitoba *Saskatchewan *Northwest Territories *Nunavut	*Newfoundland *Prince Edward Island *Québec *Yukon

Posting goes beyond simply making the information available to workers or the workplace JHSC or health and safety representative if they ask for it. It requires you to actually display the information in the workplace in a format that's unobstructed and easy to access. There are 2 principle means of posting:

- Displaying the information on bulletin boards; and
- Posting warning and other signs, placards or permanent displays, e.g., markings on lifting machinery showing the equipment's safe working load.

Uploading information that must be posted to company websites is problematic, especially where all affected workers don't have ready access to computers at work. As a result, employers shouldn't substitute electronic posting with display of a hard copy unless the OHS laws of the jurisdiction actually authorize it.

Step 3. Ensure Posted Information Is Clear & Legible

When information must be posted, it must be posted in a manner that's clear and legible to the workers it targets. Common requirements pertain to signage:

- Colour and contrast;
- Height and width;
- The language it must contain, e.g., "Danger–High Voltage";
- How high the lettering must be; and
- Where it's posted.

Example: Federal OHS regulations require posting a clearly legible sign with the words "Danger – High Voltage" and "Danger – Haute Tension" in letters at least 50 mm in height on a contrasting background at every approach to live high voltage electrical equipment.

Step 4. Ensure Posted Information Is Durable

It's also the employer's responsibility to ensure that signs and notices remain clear and visible for as long as they're posted. Consequently, verifying the presence and legibility of required postings should be part of your regular safety inspections.

Step 5. Ensure Posted Information Is Conspicuously Displayed

Posted information must be posted in or near the workplace in one or more conspicuous places where the workers who need the information are most likely to notice it. Certain kinds of information, such as rated loads of cranes and hoisting equipment, must be permanently displayed on the actual

equipment where it's readily visible to the worker operating the equipment. In cases where posting isn't "[practicable](#)," employers must take other steps to bring the required safety information to the attention of the workers who must see it.

Step 6. Keep Information Posted for as Long as Necessary

As used in OHS regulations, "posting" requires not just displaying the necessary information but ensuring that it remains posted for as long as necessary. You can take down a required safety notice when the procedure or hazard to which it pertains no longer exists. **Example:** You don't need to continue displaying a noise hazard warning sign in workplace areas where you reduce noise levels below the safe levels specified in the OHS regulations. Information must also be updated as the situation changes. **Example:** Postings of JHSC members must be revised as new members join and old ones leave. In some cases, OHS regulations indicate when it's okay to take down a required posting. Examples:

- JHSC meeting minutes must stay posted until they're replaced by the minutes of the next JHSC meeting;
- In Nova Scotia and PEI, most required postings must remain up for at least 7 days;
- Copies of stop work and other orders issued by OHS officers generally must remain posted until the officer grants permission to take them down; and
- Copies of codes of practices must stay posted for as long as they're followed in the workplace—if the code changes, you must take down the original and post the revised version.