

WHMIS – Know The Laws of Your Province



The Workplace Hazardous Materials Information System (WHMIS) is Canada's national standard for communicating workplace hazardous materials' risks and safe handling procedures. WHMIS regulations require employers to ensure that hazardous products are properly labeled, accompanied by up-to-date Safety Data Sheets (SDS), and that workers receive training on how to safely handle, store, and dispose of hazardous substances. The system is designed to protect workers from exposure to chemicals, biohazards, and other dangerous materials by providing clear hazard identification and precautionary measures. Employers must implement a WHMIS program in the workplace, ensuring that employees understand hazard symbols, read SDS information, and follow safe handling practices. While WHMIS is consistent across Canada, enforcement and specific requirements may vary by province and territory. Compliance with WHMIS regulations helps prevent workplace injuries, reduces exposure to hazardous materials, and promotes a culture of safety in Canadian workplaces.

FEDERAL

In Canada, **employers** are **required** to comply with WHMIS regulations under the **Hazardous Products Act – Part II Hazardous Products, Sections 13 to 14.1**, and the **Hazardous Products Regulations – Part 2 Classification of a Product, Mixture, Material, or Substance, Section 2**. These regulations

establish the legal framework for the classification, labeling, and communication of hazardous materials in the workplace, ensuring that workers have the necessary information to handle hazardous products safely.

Part II – Hazardous Products

Prohibitions

(1) Subject to the [Hazardous Materials Information Review Act](#), no supplier **shall** sell a hazardous product that is intended for use, handling or storage in a work place in Canada unless:

(a) the supplier has in their possession a safety data sheet for the hazardous product that meets the requirements set out in the regulations made under subsection 15(1);

(a.1) on the sale of the hazardous product to any person or government, the supplier provides to the person or government the safety data sheet referred to in paragraph (a), or causes it to be provided, if on that sale the person or government acquires possession or ownership of that hazardous product; and

(b) the hazardous product or the container in which the hazardous product is packaged has a label that meets the requirements set out in the regulations made under subsection 15(1) affixed to it, printed on it or attached to it in a manner that meets the requirements set out in the regulations made under that subsection.

Definition of Government

(2) In this section, **government** means any of the following or their institutions:

(a) the federal government;

(b) a corporation named in Schedule III to the [Financial](#)

Administration Act;

(c) a provincial government or a public body established under an Act of the legislature of a province; and

(d) an aboriginal government as defined in subsection 13(3) of the Access to Information Act. **Section 13(1)(2).**

Prohibition re: Importation

Subject to the Hazardous Materials Information Review Act, no supplier **shall** import a hazardous product that is intended for use, handling or storage in a work place in Canada unless:

(a) the supplier obtains or prepares, on or before the importation of the hazardous product, a safety data sheet for the hazardous product that meets the requirements set out in the regulations made under subsection 15(1); and

(b) the hazardous product or the container in which the hazardous product is packaged has a label that meets the requirements set out in the regulations made under subsection 15(1) affixed to it, printed on it or attached to it in a manner that meets the requirements set out in the regulations made under that subsection. **Section 14(a)(b).**

Prohibition re: Sale

(1) Despite section 13, no supplier **shall** sell a hazardous product that contains asbestos and is intended for use, handling or storage in a work place in Canada unless, subject to the Hazardous Materials Information Review Act, the supplier complies with the requirements set out in paragraphs 13(1)(a) to (b) and the hazardous product meets the requirements set out in the regulations made under subsection 15(2).

Prohibition re: Importation

(2) Despite section 14, no supplier **shall** import a hazardous product that contains asbestos and is intended for use, handling or storage in a work place in Canada unless, subject to the [*Hazardous Materials Information Review Act*](#), the supplier complies with the requirements set out in paragraphs 14(a) and (b) and the hazardous product meets the requirements set out in the regulations made under subsection 15(2). **Section 14.1(1)(2).**

For more information:

- General – Order of decreasing severity. **Section 2(1).**
- Evaluation – order in classification table. **Section 2(2).**
- Evaluation not necessary for less severe hazard. **Section 2(2.1).**
- Prescribed classification. **Section 2(3).**
- Ingredient – more severe hazard. **Section 2(4).**
- Prescribed classification – Subpart 1, 4, 7 or 8 of Part 8. **Section 2(5).**
- Impurities, stabilizing solvents and stabilizing additives – substance. **Section 2(6).**
- Impurities, stabilizing solvents and stabilizing additives – mixture. **Section 2(7).**
- Individually packaged in outer container. **Section 2(8).**
- Animal data – not relevant to humans. **Section 2(9).**

Further details on the Hazardous Products Act and the Hazardous Products Regulations can be found at Justice.gc.ca and Laws-lois.justice.gc.ca.

ALBERTA

In Alberta, **employers** are **required** to comply with WHMIS regulations under the [**Occupational Health and Safety Code – Part 29 Workplace Hazardous Materials Information System \(WHMIS\), Sections 395 to 405**](#). These regulations **mandate** that hazardous products used in the workplace be properly

classified, labeled, and accompanied by Safety Data Sheets (SDS) to provide workers with critical information about potential hazards and safe handling procedures.

Application

(1) Subject to subsections (3), (4) and (5), this Part applies to hazardous products at a work site.

(2) An **employer must** ensure that a hazardous product is used, stored, handled, or manufactured at a work site in accordance with this Part.

(3) This Part does not apply if the hazardous product is:

- (a) wood or a product made of wood,
- (b) tobacco or a tobacco product governed by the *Tobacco and Vaping Products Act* (Canada),
- (c) a hazardous waste, or
- (d) a manufactured article.

(4) Except for section 407, this Part does not apply if the hazardous product is a dangerous good under the *Dangerous Goods Transportation and Handling Act*, to the extent that its handling, offering for transport or transport is subject to that Act.

(5) Sections 398, 403, 404, 405, 406, 407, and 408 do not apply if the hazardous product is:

- (a) an explosive governed by the *Explosives Act* (Canada),
- (b) a cosmetic, device, drug or food governed by the *Food and Drugs Act* (Canada),
- (c) a product governed by the *Pest Control Products Act* (Canada),

(d) a nuclear substance that is radioactive governed by the *Nuclear Safety and Control Act* (Canada), or

(e) a product, material or substance packaged as a consumer product as defined in section 2 of the *Canada Consumer Product Safety Act* (Canada). **Section 395(1) to (5).**

Hazardous Waste

If a hazardous product is a hazardous waste generated at the work site, an **employer must** ensure that it is stored and handled safely using a combination of:

(a) an appropriate means of identification, and

(b) instruction of workers on the safe handling of the hazardous waste. **Section 396(a)(b).**

Training

(1) An **employer must** ensure that a worker who works with or near a hazardous product or performs work involving the manufacture of a hazardous product is trained in:

(a) the content **required** to be on a supplier label and a work site label and the purpose and significance of the information on the label,

(b) the content **required** to be on a safety data sheet and the purpose and significance of the information on the safety data sheet,

(c) procedures for safely storing, using and handling the hazardous product,

(d) if applicable, the procedures for safely manufacturing the hazardous product,

(e) if applicable, the methods of identification referred to in section 402,

(f) the procedures to be followed if there are fugitive emissions, and

(g) the procedures to be followed in case of an emergency involving the hazardous product.

(2) An **employer must** develop and implement the procedures referred to in subsection (1) in consultation with the joint health and safety committee or health and safety representative, if there is one. **Section 397(1)(2).**

Label Required

(1) Subject to subsection (5), an **employer must** ensure that a hazardous product or its container at a work site has a supplier label or a work site label on it.

(2) Subject to any labelling exemptions in the *Hazardous Products Regulations* (Canada), an **employer must** not remove, modify, or alter a supplier label on a container in which a hazardous product is received from a supplier if any amount of the hazardous product remains in the container.

(3) If significant new data is provided to the **employer** from the supplier regarding the label content, the **employer must** update the supplier label or work site label as soon as this information is received.

(4) Subject to any labelling exemptions in the *Hazardous Products Regulations* (Canada), if the supplier label on a hazardous product or its container is illegible or is removed or detached, an **employer must** immediately replace the label with another supplier label or a work site label.

(5) An **employer** may store a hazardous product that does not have a supplier label or a work site label on it for not more than 120 days if the **employer:**

(a) is actively seeking the supplier label or the information **required** for a work site label,

(b) posts a placard that complies with section 401, and

(c) ensures that a worker who works with or in proximity to the stored, hazardous product

(i) knows the purpose of the placard and the significance of the information on it,

(ii) is trained in the procedures to be followed if there are fugitive emissions, and

(iii) is trained in the procedures to be followed in case of an emergency involving the hazardous product.

(6) If a hazardous product is imported and received at a work site without a supplier label, the **employer must** apply a work site label.

(7) An **employer** who receives an unpackaged hazardous product or a hazardous product transported as a bulk shipment **must** apply a label containing the information **required** on a supplier label or a work site label to the container of the hazardous product or to the hazardous product at the work site. **Section 398(1) to (7).**

For more information:

- Production or manufacture. **Section 399.**
- Decanted products. **Section 400(1)(2).**
- Placards. **Section 401(1)(2).**
- Transfer of hazardous products. **Section 402.**
- Laboratory samples. **Section 403(1) to (4).**
- Safety data sheet – supplier. **Section 404(1)(2).**
- Safety data sheet – employer. **Section 405(1) to (3).**

Further details on the Occupational Health And Safety Code can be found at Alberta.ca.

BRITISH COLUMBIA

In British Columbia, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Regulation – Part 5: Chemical Agents and Biological Agents, Sections 5.5 to 5.16**. These regulations **mandate** that hazardous materials in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to ensure workers have access to critical information about potential hazards and safe handling procedures.

Prohibition

(1) Subject to subsection (2), an **employer must** ensure that a hazardous product is not used, stored or handled in a workplace unless all the applicable WHMIS Requirements concerning labels, product identifiers, SDSs and worker education and training are complied with.

(2) An **employer** may store a hazardous product in a workplace while actively seeking information **required** by subsection (1).
Section 5.4(1)(2).

WHMIS Program

If hazardous products are used in the workplace the **employer**, in consultation with the joint committee or health and safety representative, as applicable, **must** establish and maintain an effective WHMIS program, as part of the overall workplace health and safety program, which:

- (a) addresses applicable WHMIS Requirements including education and training,
- (b) is reviewed at least annually, or more frequently if **required** by a change in work conditions or available hazard information, and
- (c) provides for the periodic evaluation of the knowledge of workers using suitable means such as written tests and

practical demonstrations. **Section 5.5.**

Worker Education

(1) An **employer must** ensure that general WHMIS education, as it pertains to the workplace, is provided to workers on the:

- (a) elements of the WHMIS program,
- (b) major hazards of the hazardous products in use in the workplace,
- (c) rights and responsibilities of **employers** and workers, and
- (d) content **required** on labels and SDSs, and the significance of this information.

(2) The **employer must** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is informed about all hazard information received from the supplier concerning that hazardous product as well as any further hazard information of which the **employer** is aware or reasonably ought to be aware concerning the use, storage and handling of that hazardous product.

(3) If a hazardous product is produced in a workplace, the **employer must** ensure that a worker who works with or in proximity to the hazardous product or may be exposed to the hazardous product in the course of the worker's work activities has access to all hazard information of which the **employer** is aware or reasonably ought to be aware concerning the use, storage and handling of that hazardous product.
Section 5.6(1) to (3).

Worker Training

(1) An **employer must** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in

the course of the worker's work activities is trained in the following:

- (a) the content **required** on a supplier label and workplace label, and the purpose and significance of the information contained on those labels;
- (b) the content **required** on an SDS and the purpose and significance of the information contained on the SDS;
- (c) procedures for the safe use, storage, handling and disposal of the hazardous product;
- (d) procedures for the safe use, handling and disposal of the hazardous product contained or transferred in
 - (i) a pipe or a piping system including valves,
 - (ii) a process or reaction vessel, or
 - (iii) a tank car, tank truck, ore car, conveyor belt, or similar conveyance;
- (e) procedures to be followed where fugitive emissions are present if workers may be exposed to those fugitive emissions;
- (f) procedures to be followed in case of an emergency involving the hazardous product.

(2) Instruction **required** by subsection (1) **must** be specific to the workplace and cover the safe work procedures and emergency response procedures to be used in the workplace. **Section 5.7(1)(2).**

Supplier Label

(1) Subject to any exemptions from labelling requirements in the Hazardous Products Regulations and this Part, an **employer must** ensure that a hazardous product or the container of a hazardous product received at a workplace is attached or

printed with a supplier label.

(2) Subject to any exemptions from labelling requirements in the Hazardous Products Regulations and this Part, an **employer must** not remove, deface, modify or alter the supplier label, as long as any amount of a hazardous product remains in a workplace in the container in which it was received from the supplier.

(3) Subject to any exemptions from labelling requirements in the Hazardous Products Regulations and this Part, an **employer must** replace the label with either a supplier label or a workplace label if a supplier label applied to a hazardous product or a container of a hazardous product becomes illegible or is accidentally removed from the hazardous product or the container.

(4) If an **employer** imports and receives a hazardous product under the Hazardous Products Regulations at the workplace, without a supplier label or with a supplier label that does not comply with the Hazardous Products Regulations, the **employer must** affix a workplace label that meets the requirements of the Hazardous Products Regulations.

(5) The **employer must** update the labels or the information on containers as soon as significant new data is provided to the **employer** by the supplier.

(6) An **employer** who has received an unpackaged hazardous product or a hazardous product transported as a bulk shipment, to which, under the exemption in the Hazardous Products Regulations, a supplier label has not been affixed or attached, **must** apply a label having the information **required** of a supplier label to the container of the hazardous product or to the hazardous product in the workplace.

(7) Subsections (2) and (3) do not apply if a label is removed under normal conditions of use of a hazardous product that is in a container that has a capacity of 3 ml or less and the

label interferes with the normal use of the product. **Section 5.8(1) to (7).**

For more information:

- Workplace label for employer-produced products. **Section 5.9(1) to (4).**
- Workplace label for decanted products. **Section 5.10(1)(2).**
- Piping systems and vessels. **Section 5.11.**
- Placard identifiers. **Section 5.12.**
- Laboratory label. **Section 5.13(1) to (3).**
- Supplier SDS. **Section 5.14(1) to (5).**
- Employer SDS. **Section 5.15(1) to (3).**
- Availability of an SDS. **Section 5.16(1)(2).**

Further details on the Occupational Health and Safety Regulation can be found at WorksafeBC.com.

MANITOBA

In Manitoba, **employers** are **required** to comply with WHMIS regulations under the **Workplace Safety and Health Act and Regulation – Part 35 Workplace Hazardous Products Information Systems, Sections 35.1 to 35.8**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to provide workers with essential information about potential hazards and safe handling procedures.

Part 35 – Workplace Hazardous Products Information Systems

Application

(1) Subject to subsections (2) and (3), this Part applies to every workplace where a hazardous product is used, stored, handled or produced.

(2) This Part does not apply if the hazardous product is any

of the following:

- (a) wood or a product made of wood;
- (b) tobacco or a tobacco product as defined in section 2 of the Tobacco Act (Canada);
- (c) a manufactured article;
- (d) a product being transported or handled pursuant to The Dangerous Goods Handling and Transportation Act or the Transportation of Dangerous Goods Act, 1992 (Canada), to the extent that its handling, offering for transport or transport is subject to those Acts.

(3) The provisions of this Part relating to supplier labels and safety data sheets do not apply to the following:

- (a) an explosive within the meaning of the Explosives Act (Canada);
- (b) any food, drug, cosmetic or device, as defined in section 2 of the Food and Drugs Act (Canada);
- (c) any pest control product, as defined in subsection 2(1) of the Pest Control Products Act (Canada);
- (d) a nuclear substance within the meaning of the Nuclear Safety and Control Act (Canada), that is radioactive;
- (e) a consumer product as defined in section 2 of the Canada Consumer Product Safety Act (Canada).

(4) Sections 35.2 to 35.24 do not apply with respect to hazardous waste except to the extent that an **employer must** ensure any hazardous waste generated at the workplace is stored and handled safely through the combination of worker training and proper identification of the waste. **Section 35.1(1) to (4).**

REQUIREMENTS

Hazardous Product Use and Storage

(1) An **employer must** ensure that a hazardous product is not used, stored, handled, or produced in a workplace unless all the applicable requirements of this Part have been satisfied.

(2) As an exception, an **employer** may store a hazardous product in a workplace while not complying with subsection (1) if the **employer:**

(a) is actively seeking information **required** by this Part in respect of the product; and

(b) ensures that the product is stored in a manner that does not pose a risk to the health and safety of a worker.

Section 35.2(1)(2).

Worker Education and Training

Education and Training

(1) An **employer must** ensure that a worker who works with or may be exposed to a hazardous product in the course of the worker's work activities is educated in respect of:

(a) the content **required** to be on a supplier label and a workplace label and the purpose and significance of the information contained on those labels;

(b) the content **required** to be on a safety data sheet and the purpose and significance of the information contained on a safety data sheet;

(c) any other form of identification used in the workplace for hazardous products, and the content, purpose and significance of the information conveyed by the form of identification used; and

(d) how to access or obtain the information in the workplace referenced in clauses (a) to (c).

(2) For each hazardous product that a worker works with or may be exposed to in the course of his or her work activities, the **employer must** ensure that the worker receives training in respect of:

(a) the contents on the safety data sheet and the supplier label or workplace label for the hazardous product, and the significance of that information;

(b) any further hazard information which the **employer** is or ought to be aware of respecting the hazardous product;

(c) the procedures for safely using, storing, handling, and disposing of the hazardous product;

(d) the procedures to be followed if there are fugitive emissions;

(e) the procedures to be followed in case of an emergency involving the hazardous product.

(3) An **employer must** ensure that:

(a) education and training is delivered in a manner that enables workers to protect their safety and health; and

(b) workers comply with the education and training when using, storing, handling or disposing of hazardous products. **Section 35.3(1) to (3).**

For more information:

Labelling Requirements

- Supplier labels. **Section 35.5(1) to (4).**
- Labels for imported products. **Section 35.6(a)(b).**
- Workplace labels for employer-produced products. **Section 35.7(1)(2).**
- Workplace labels for decanted products. **Section 35.8(1)(2).**

Further details on the Workplace Safety and Health Act and Regulation can be found at Gov.MB.ca.

NEW BRUNSWICK

In New Brunswick, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Act, Sections 4 to 16**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to ensure that workers have access to critical information about potential hazards and safe handling procedures.

Employee Education, Instruction, and Training

Hazard Information

(1) An **employer shall** ensure that an **employee** who works with a hazardous product or who may be exposed to a hazardous product in the course of his or her work activities is informed of all hazard information received from a supplier concerning the hazardous product, as well as any further hazard information concerning the hazardous product of which the **employer** is aware or ought to be aware concerning the use, storage and handling of the hazardous product.

(2) If a hazardous product is produced at a place of employment, an **employer shall** ensure that an **employee** who works with the hazardous product or who may be exposed to the hazardous product in the course of his or her work activities is informed of all hazard information of which the **employer** is aware or ought to be aware concerning the hazardous product.
Section 6(1)(2).

Program of Employee Education, Instruction, and Training

(1) An **employer shall** ensure that an **employee** who works with a hazardous product or who may be exposed to a hazardous product in the course of his or her work activities receives

education, instruction and training in:

(a) the content **required** on a supplier label and workplace label and the purpose and significance of the information contained on the labels,

(b) the content **required** on a safety data sheet and the purpose and significance of the information contained on the safety data sheet,

(c) procedures for the safe use, storage, handling and disposal of a hazardous product,

(d) specific information needed for the safe use, storage, handling and disposal of a hazardous product contained or transferred in:

(i) a pipe,

(ii) a piping system including valves,

(iii) a process vessel,

(iv) a reaction vessel, or

(v) a tank car, tank truck, ore car, conveyor belt or similar conveyance,

(e) procedures to be followed where fugitive emissions are present and where **employees** may be exposed to the fugitive emissions, and

(f) procedures to be followed in case of an emergency involving a hazardous product.

(2) An **employer shall** ensure that the program of **employee** education, instruction and training **required** by subsection (1) is:

(a) developed and implemented for the employer's place of employment,

(b) related to any other hazard prevention and control program at the place of employment, and

(c) developed and implemented in consultation with the committee, if any, or the health and safety representative, if any.

(3) So far as is reasonably practicable, an **employer shall** ensure that:

(a) the program of **employee** education, instruction and training **required** by subsection (1) results in an **employee** being able to apply the information as needed to protect the employee's health and safety,

(b) the knowledge of the **employees** is periodically evaluated using a written test, practical demonstration, or other suitable means, and

(c) the requirements of paragraph (b) are determined in consultation with the committee, if any, or the health and safety representative, if any.

(4) An **employer shall** review at least annually, or more frequently if **required** by a change in work conditions or available hazard information, and in consultation with the committee, if any, or health and safety representative, if any, the education, instruction and training provided to **employees** concerning hazardous products. **Section 7(1) to (4).**

For more information:

- Application. **Section 4(1) to (3).**
- Prohibition. **Section 5(1)(2).**
- Labelling and Identification – Supplier labels. **Section 8(1) to (6).**
- Workplace labels. **Section 9(1) to (3).**
- Workplace label for decanted products. **Section 10(1)(2).**

- Identification of a hazardous product in piping systems and vessels. **Section 11.**
- Placard identifiers. **Section 12.**
- Laboratory labels. **Section 13(1) to (5).**
- Supplier safety data sheets. **Section 14(1) to (5).**
- Employer safety data sheets. **Section 15(1) to (5).**
- Availability of safety data sheets. **Section 16(a)(b).**

Further details on the Occupational Health and Safety Act can be found at Laws.GNB.ca.

NEWFOUNDLAND & LABRADOR

In Newfoundland and Labrador, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Act, Sections 3 to 20**. These regulations **mandate** that hazardous products used in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to provide workers with essential information regarding potential hazards and safe handling procedures.

Prohibition

(1) An **employer shall** ensure that a hazardous product is not used, stored, or handled in a workplace unless all of the applicable requirements of these regulations in respect of labels, identifiers, safety data sheets, and worker education and training are complied with.

(2) Notwithstanding subsection (1), an **employer** may store a hazardous product in a workplace while actively seeking information **required** by these regulations. **Section 4(1)(2).**

Worker Education and Training

(1) An **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of his or her work activities is informed about all hazard information received from a supplier concerning that

hazardous product as well as any further hazard information of which the **employer** is aware or ought to be aware concerning the use, storage, handling and disposal of that hazardous product.

(2) Where a hazardous product is produced in a workplace, an **employer shall** ensure that a worker who works with that hazardous product or may be exposed to that hazardous product in the course of his or her work activities is informed about all hazard information of which the **employer** is aware or ought to be aware concerning that hazardous product and its use, storage, handling and disposal. **Section 5(1)(2).**

Instructions to Workers

(1) The **employer shall** ensure that a worker who may be exposed to a hazardous product in the course of his or her work activities is:

(a) educated in the content **required** on a supplier label and workplace label, and the purpose and significance of the information disclosed on it;

(b) educated in the content **required** on a safety data sheet, and the purpose and significance of the information contained on the safety data sheet;

(c) trained in procedures for the safe use, storage, handling and disposal of a hazardous product;

(d) trained in procedures for the safe use, storage, handling and disposal of a hazardous product contained or transferred in:

(i) a pipe,

(ii) a piping system including valves,

(iii) a process vessel,

(iv) a reaction vessel, or

(v) a tank car, tank truck, ore car, conveyor belt or similar conveyance;

(e) trained in procedures to be followed where a fugitive emission is present; and

(f) trained in procedures to be followed in case of an emergency involving a hazardous product.

(2) An **employer shall** ensure that the program of worker education and training **required** by subsection (1) is developed and implemented:

(a) for that employer's workplace and related to the workplace's hazard prevention and control program; and

(b) in consultation with the occupational health and safety committee or the worker health and safety representative.

(3) An **employer shall** ensure, so far as is reasonably practicable, that:

(a) the program of worker education and training **required** by subsection (1) results in a worker being able to apply the information as needed to protect the worker's health and safety; and

(b) the knowledge of workers is periodically evaluated using written tests, practical demonstrations or other suitable means.

(4) The **employer shall** review at least annually, or more frequently where **required** by a change in work conditions or available hazard information, and in consultation with the occupational health and safety committee or the worker health and safety representative, the education and training programs that have been developed and implemented to provide to workers the knowledge **required** to safely use, store, handle and

dispose of hazardous products. **Section 6(1) to (4).**

For more information:

- Application. **Section 3(1) to (4).**
- Supplier label. **Section 7(1) to (8).**
- Employer-produced products. **Section 8(1) to (4).**
- Decanted products. **Section 9(1)(2).**
- Hazardous product in piping systems and vessels. **Section 10(a) to (e).**
- Placard identifiers. **Section 11(a) to (e).**
- Laboratory labels. **Section 12(1) to (3).**
- Supplier safety data sheets. **Section 13(1) to (8).**
- Employer safety data sheets. **Section 14(1) to (3).**
- Availability of safety data sheets. **Section 15(a) to (c).**
- Confidential business information. **Section 18(1) to (6).**
- Hazardous Materials Information Review Act (Canada). **Section 19(1)(2).**
- Notice of exemption. **Section 20(a) to (c).**

Further details on the Occupational Health and Safety Act can be found at Assembly.NL.ca.

NOVA SCOTIA

In Nova Scotia, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Act – Part 3: Workplace Hazardous Materials Information System, Sections 3.2 to 3.8**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to provide workers with essential information about potential hazards and safe handling procedures.

Part 3: Workplace Hazardous Materials Information System

Application

(1) The requirements under this Part for a supplier label and safety data sheet do not apply if the hazardous product is any of the following:

- (a) an explosive within the meaning of the Explosives Act (Canada);
- (b) a cosmetic, device, drug or food as defined in Section 2 of the Food and Drugs Act (Canada);
- (c) a pest control product as defined in subsection 2(1) of the Pest Control Products Act (Canada);
- (d) a nuclear substance as defined in Section 2 of the Nuclear Safety and Control Act (Canada) that is radioactive;
- (e) a consumer product as defined in Section 2 of the Canada Consumer Product Safety Act.

(2) This Part does not apply if the hazardous product is any of the following:

- (a) wood or a product made of wood;
- (b) a tobacco product as defined in Section 2 of the Tobacco and Vaping Products Act (Canada);
- (c) a manufactured article.

(3) This Part does not apply to a hazardous product that is being transported or handled under the requirements of the Transportation of Dangerous Goods Act (Canada).

(4) This Part does not apply to hazardous wastes, except that an **employer must** ensure the safe storage and handling of hazardous waste through a combination of identification and **employee** training. **Section 3.2(1) to (4).**

Prohibition

(1) An **employer must** ensure that the label, identifier, safety data sheet and **employee** training requirements of these regulations are complied with when using, storing or handling a hazardous product in a workplace.

(2) Despite the requirement to provide information and training **required** for a hazardous product in a workplace under subsection (1), an **employer** may store a hazardous product in a workplace while actively seeking information **required** under these regulations if the **employer** ensures that the hazardous product or the container of the hazardous product has 1 of the following labels affixed to it:

(a) a workplace label; or

(b) if the **employer** does not have the information **required** for a workplace label, a label disclosing that the product is:

(i) hazardous, and

(ii) cannot be used or handled at the workplace until further information is obtained. **Section 3.3(1)(2).**

Employer's Duty to Inform Employees

(1) An **employer must** ensure that an **employee** who works with a hazardous product or may be exposed to a hazardous product in the course of their work activities is informed about all of the following:

(a) all hazard information received from a supplier for that hazardous product;

(b) any further hazard information the **employer** is aware of or ought to be aware of for the use, storage, handling and disposal of that hazardous product.

(2) If a hazardous product is produced in a workplace, an **employer must** ensure that an **employee** who works with that hazardous product or may be exposed to that hazardous product in the course of their work activities is informed about all of the hazard information the **employer** is aware of or ought to be aware of for the use, storage and handling of that hazardous product. **Section 3.4(1)(2).**

Employee Education and Training

(1) An **employer must** ensure that an **employee** who works with, or may be exposed to, a hazardous product in the course of their work activities is educated in all of the following:

- (a) the content **required** on a supplier label and workplace label, and the purpose and significance of that information;

- (b) the content **required** on a safety data sheet and the purpose and significance of the information on the safety data sheet.

(2) An **employer must** ensure that an **employee** who works with, or may be exposed to, a hazardous product in the course of their work activities is trained in all of the following:

- (a) procedures for the safe use, storage, handling and disposal of a hazardous product;

- (b) procedures for the safe use, storage, handling and disposal of a hazardous product contained or transferred in any of the following:

- (i) a pipe,

- (ii) a piping system including valves,

- (iii) a process vessel,

- (iv) a reaction vessel,

(v) a tank car, tank truck, ore car, conveyor belt or similar conveyance;

(c) procedures to be followed if an **employee** may be exposed to fugitive emissions;

(d) procedures to be followed in case of an emergency involving a hazardous product;

(e) how to locate a safety data sheet at the workplace and the format it may be found in.

(3) An **employer must** ensure that the **employee** education and training **required** by subsections (1) and (2) are developed and implemented:

(a) for that employer's workplace; and

(b) in consultation with the committee, or representative, if any.

(4) An **employer must** ensure, so far as is reasonably practicable, that:

(a) the **employee** education and training **required** by subsections (1) and (2) enable an **employee** to protect the employee's own health and safety and the health and safety of others at the workplace; and

(b) the knowledge of an **employee** is periodically evaluated using written tests, practical demonstrations or other suitable means.

(5) An **employer must** review the education and training **required** under this Section at least annually, or more frequently if **required** by a change in work conditions or available hazard information, and in consultation with the committee or representative, if any, to ensure the education and training continue to comply with relevant legislation and regulations.

(6) If a change is made to the education or training as a result of the review under subsection (5), an **employee** affected by the change **must** be provided with additional education or training about the change. **Section 3.5(1) to (6).**

For more information:

- Supplier label. **Section 3.6(1) to (8).**
- Workplace label for employer-produced products. **Section 3.7(1) to (4).**
- Workplace label for decanted products. **Section 3.8(1)(2).**

Further details on the Occupational Health and Safety Act can be found at NovaScotia.ca.

NORTHWEST TERRITORIES & NUNAVUT

In the Northwest Territories, **employers** are **required** to comply with WHMIS regulations under the **Official Consolidation of Occupational Health and Safety Regulations – Part 22 Hazardous Products and Workplace Hazardous Materials Information System, Sections 323 to 331**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by **Safety Data Sheets (SDS)** to ensure that workers have access to critical information regarding potential hazards and safe handling procedures.

Part 22 – Hazardous Products and Workplace Hazardous Materials Information System

Application

(1) Subject to this section, this Part applies to **employers** and workers in respect of hazardous products used, stored and handled at a workplace.

(2) Despite subsection (1), the provisions of this Part with

respect to a label and a safety data sheet, do not apply to a hazardous product that is:

- (a) an explosive within the meaning of the Explosives Act (Canada);
- (b) a cosmetic, device, drug or food, each defined in section 2 of the Food and Drugs Act (Canada);
- (c) a pest control product within the meaning of subsection 2(1) of the Pest Control Products Act (Canada);
- (d) a nuclear substance as defined in section 2 of the Nuclear Safety and Control Act (Canada); or
- (e) a consumer product as defined in section 2 of the Canada Consumer Product Safety Act.

(3) Despite subsection (1), this Part does not apply to a hazardous product that is:

- (a) wood or a product made of wood;
- (b) tobacco or a tobacco product, each defined in section 2 of the Tobacco Act (Canada);
 - (b.1) cannabis as defined in the Cannabis Act (Canada);
- (c) a manufactured article as defined in section 2 of the Hazardous Products Act (Canada);
- (d) being transported or handled under the Transportation of Dangerous Goods Act (Canada) or the Transportation of Dangerous Goods Act; or
- (e) sold for recycling or recovery or intended for disposal. **Section 323(1) to (3).**

Duty of Employer

(1) An **employer shall** ensure that a hazardous product is not used, stored, or handled in a workplace unless all of the applicable requirements of this Part are complied with, in respect of:

(a) labels and safety data sheets;

(b) colour coding, placards and other forms of identification of hazardous products; and

(c) worker training.

(2) Despite subsection (1), an **employer** may store a hazardous product in a workplace while actively seeking information **required** by this Part. **Section 324(1)(2).**

Worker Training

(1) An **employer shall** ensure that a worker who works with or may be exposed to a hazardous product is informed about:

(a) hazard information received from the supplier concerning the hazardous product; and

(b) further hazard information that the **employer** is aware of, or ought to be aware of, concerning the use, storage, and handling of that hazardous product.

(2) If a hazardous product is produced at a workplace, an **employer shall** ensure that a worker who works with or may be exposed to that hazardous product is informed about the hazard information that the **employer** is aware of, or ought to be aware of, concerning the use, storage and handling of that hazardous product.

(3) An **employer shall** ensure that a worker who works with or may be exposed to a hazardous product is trained in:

(a) understanding the information on a label for the hazardous product and the purpose and significance of the

information;

(b) understanding the information on a safety data sheet for the hazardous product and the purpose and significance of the information;

(c) procedures for the safe use, storage, handling and disposal of the hazardous product;

(d) procedures to be followed when fugitive emissions are present; and

(e) procedures to be followed in case of an emergency involving a hazardous product.

(4) An **employer shall** ensure that the training **required** by subsection (3) is developed:

(a) for that employer's workplace; and

(b) in consultation with the Committee or representative.

(5) An **employer shall** ensure that:

(a) the training **required** by subsection (3) results in the worker being able to apply the information as needed to protect the health and safety of that worker or other workers at the workplace; and (b) the procedures referred to in paragraphs (3)(c) to (e) are implemented.

(6) An **employer**, in consultation with the Committee or representative, **shall** review the training provided to workers in respect of hazardous products not less than once annually, or more frequently if there is a change in work conditions or available hazard information. **Section 325(1) to (3).**

For more information:

- Identification Program. **Section 326(1)(2).**
- Label. **Section 327(1) to (7).**
- Label for Employer-produced Products. **Section 328(1) to**

(3).

- Identification of a Hazardous Product in Piping Systems and Vessels. **Section 330(1)(2).**
- Placard Identifiers. **Section 331(1)(2).**

Further details on the Official Consolidation of Occupational Health and Safety Regulations can be found at Canlii.org.

NUNAVUT

In Nunavut, **employers** are **required** to comply with WHMIS regulations under the **Official Consolidation of Occupational Health and Safety Regulations – Part 22 Hazardous Products and Workplace Hazardous Materials Information System, Sections 323 to 331**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by **Safety Data Sheets (SDS)** to ensure that workers have access to critical information regarding potential hazards and safe handling procedures.

Part 22 – Hazardous Products and Workplace Hazardous Materials Information System

Application

(1) Subject to this section, this Part applies to **employers** and workers in respect of hazardous products used, stored and handled at a workplace.

(2) Despite subsection (1), the provisions of this Part with respect to a label and a safety data sheet, do not apply to a hazardous product that is:

(a) an explosive within the meaning of the Explosives Act (Canada);

(b) a cosmetic, device, drug or food, each defined in section 2 of the Food and Drugs Act (Canada);

(c) a pest control product within the meaning of subsection 2(1) of the Pest Control Products Act (Canada);

(d) a nuclear substance as defined in section 2 of the Nuclear Safety and Control Act (Canada); or

(e) a consumer product as defined in section 2 of the Canada Consumer Product Safety Act.

(3) Despite subsection (1), this Part does not apply to a hazardous product that is:

(a) wood or a product made of wood;

(b) tobacco or a tobacco product, each defined in section 2 of the Tobacco Act (Canada);

(b.1) cannabis as defined in the Cannabis Act (Canada);

(c) a manufactured article as defined in section 2 of the Hazardous Products Act (Canada);

(d) being transported or handled under the Transportation of Dangerous Goods Act (Canada) or the Transportation of Dangerous Goods Act; or

(e) sold for recycling or recovery or intended for disposal. **Section 323(1) to (3).**

Duty of Employer

(1) An **employer shall** ensure that a hazardous product is not used, stored or handled in a workplace unless all of the applicable requirements of this Part are complied with, in respect of:

(a) labels and safety data sheets;

(b) colour coding, placards and other forms of identification of hazardous products; and

(c) worker training.

(2) Despite subsection (1), an **employer** may store a hazardous product in a workplace while actively seeking information **required** by this Part. **Section 324(1)(2)**.

Worker Training

(1) An **employer shall** ensure that a worker who works with or may be exposed to a hazardous product is informed about:

(a) hazard information received from the supplier concerning the hazardous product; and

(b) further hazard information that the **employer** is aware of, or ought to be aware of, concerning the use, storage and handling of that hazardous product.

(2) If a hazardous product is produced at a workplace, an **employer shall** ensure that a worker who works with or may be exposed to that hazardous product is informed about the hazard information that the **employer** is aware of, or ought to be aware of, concerning the use, storage and handling of that hazardous product.

(3) An **employer shall** ensure that a worker who works with or may be exposed to a hazardous product is trained in:

(a) understanding the information on a label for the hazardous product and the purpose and significance of the information;

(b) understanding the information on a safety data sheet for the hazardous product and the purpose and significance of the information;

(c) procedures for the safe use, storage, handling and disposal of the hazardous product;

(d) procedures to be followed when fugitive emissions are

present; and

(e) procedures to be followed in case of an emergency involving a hazardous product.

(4) An **employer shall** ensure that the training **required** by subsection (3) is developed:

(a) for that employer's workplace; and

(b) in consultation with the Committee or representative.

(5) An **employer shall** ensure that:

(a) the training **required** by subsection (3) results in the worker being able to apply the information as needed to protect the health and safety of that worker or other workers at the workplace; and (b) the procedures referred to in paragraphs (3)(c) to (e) are implemented.

(6) An **employer**, in consultation with the Committee or representative, **shall** review the training provided to workers in respect of hazardous products not less than once annually, or more frequently if there is a change in work conditions or available hazard information. **Section 325(1) to (3).**

For more information:

- Identification Program. **Section 326(1)(2).**
- Label. **Section 327(1) to (7).**
- Label for Employer-produced Products. **Section 328(1) to (3).**
- Identification of a Hazardous Product in Piping Systems and Vessels. **Section 330(1)(2).**
- Placard Identifiers. **Section 331(1)(2).**

Further details on the Official Consolidation of Occupational Health and Safety Regulations can be found at Canlii.org.

ONTARIO

In Ontario, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Act – Part IV Toxic Substances, Sections 37 to 40.1, and R.R.O. 1990, Regulation 860: Workplace Hazardous Materials Information System (WHMIS), Sections 2 to 11.** These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to provide workers with essential information on potential hazards and safe handling procedures.

Hazardous Material Identification and Data Sheets

- (1) An **employer**,
 - (a) **shall** ensure that all hazardous materials present in the workplace are identified in the prescribed manner;
 - (b) **shall** obtain or prepare, as may be prescribed, a current safety data sheet for all hazardous materials present in the workplace; and
 - (c) **shall** ensure that the identification **required** by clause (a) and safety data sheets **required** by clause (b) are available in English and such other languages as may be prescribed.

Prohibition

- (2) No person **shall** remove or deface the identification described in clause (1) (a) for a hazardous material.

Hazardous Material Not to be Used

- (3) An **employer shall** ensure that a hazardous material is not used, handled, or stored at a workplace unless the prescribed requirements concerning identification, safety data sheets, and worker instruction and training are met.

Notice to Director

(4) An **employer shall** advise a Director in writing if the **employer**, after making reasonable efforts, is unable to obtain a label or safety data sheet **required** by subsection (1). **Section 37(1) to (4).**

Making Safety Data Sheets Available

(1) A copy of every current safety data sheet **required** by this Part in respect of hazardous materials in a workplace **shall** be,

(a) made available by the **employer** in the workplace in such a manner as to allow examination by the workers;

(b) furnished by the **employer** to the committee or health and safety representative, if any, for the workplace or to a worker selected by the workers to represent them, if there is no committee or health and safety representative;

(c) furnished by the **employer** on request or if so prescribed to the medical officer of health of the health unit in which the workplace is located;

(d) furnished by the **employer** on request or if so prescribed to the fire department which serves the location in which the workplace is located; and

(e) filed by the **employer** with a Director on request or if so prescribed.

Additional Requirements

(1.1) In addition to complying with subsection (1), the **employer shall** make a copy of a safety data sheet readily available to those workers who may be exposed to the hazardous material to which it relates.

Public Access

(2) The medical officer of health, at the request of any person, **shall** request an **employer** to furnish a copy of a current safety data sheet.

(3) At the request of any person, the medical officer of health **shall** make available to the person for inspection a copy of any safety data sheet requested by the person and in the possession of the medical officer of health.

(4) A medical officer of health **shall** not disclose the name of any person who makes a request under subsection (2) or (3).

Electronic Format

(5) For greater certainty, a copy of a safety data sheet in an electronic format is a copy for the purposes of this section.

Requirement to Consult

(6) An **employer shall** consult with the committee and the health and safety representative, if any, on making safety data sheets available in the workplace or furnishing them as **required** by clauses (1) (a) and (b) and subsection (1.1). **Section 38(1) to (6).**

Assessment for Hazardous Materials

(1) Where so prescribed, an **employer shall** assess all biological and chemical agents produced in the workplace for use therein to determine if they are hazardous materials.

Assessments to be Made Available

(2) The assessment **required** by subsection (1) **shall** be in writing and a copy of it **shall** be,

(a) made available by the **employer** in the workplace in such a manner as to allow examination by the workers;

(b) furnished by the **employer** to the committee or health

and safety representative, if any, for the workplace or to a worker selected by the workers to represent them, if there is no committee or health and safety representative. **Section 39(1)(2).**

For more information:

- Confidential business information. **Section 40(1) to (7).**
- Information privileged. **Section 40.1(1) to (4).**
- Assessment of Biological and Chemical Agents. **Section 3(1) to (3).**
- Application. **Section 4(1) to (4).**
- Exemptions. **Section 5(1)(2).**
- Worker Education. **Section 6(1)(2), 7(1) to (3).**
- Supplier labels. **Section 8(1) to (11).**
- Workplace labels for employer-produced products. **Section 9(1) to (3).**
- Workplace labels for decanted products. **Section 10(1)(2).**
- Identification of a hazardous product in piping systems and vessels. **Section 11(a) to (e).**

Further details on the Occupational Health and Safety Act and the R.R.O. 1990, Regulation 860: Workplace Hazardous Materials Information System (WHMIS) can be found at Ontario.ca and Ontario.ca/regulation.

PRINCE EDWARD ISLAND

In Prince Edward Island, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Act – Workplace Hazardous Materials Information System Regulations, Sections 2 to 9**. These regulations **mandate** that hazardous products used in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to ensure workers have access to critical information about potential hazards and safe handling procedures.

Application

(1) Subject to subsections (2) to (4), these regulations apply in respect of hazardous products used, handled, stored or produced at a workplace.

Supplier Label and Safety Data Sheet Provisions Not Applicable

(2) The provisions of these regulations in respect of supplier labels and safety data sheets do not apply where the hazardous product is:

- (a) an explosive as defined in section 2 of the Explosives Act (Canada);
- (b) a cosmetic, device, drug or food as defined in section 2 of the Food and Drugs Act (Canada);
- (c) a pest control product as defined in subsection 2(1) of the Pest Control Products Act (Canada);
- (d) a nuclear substance, within the meaning of the Nuclear Safety and Control Act (Canada), that is radioactive;
- (e) a consumer product as defined in section 2 of the Canada Consumer Product Safety Act. **Section 2(1)(2).**

Requirements

Obligation of Employer

(1) Subject to subsection (2), an **employer shall** ensure that a hazardous product is not used, handled, stored or produced at a workplace unless all of the applicable requirements of these regulations in respect of labels, identifiers, safety data sheets and worker education and training are complied with.

Storage Pending Receipt of Information

(2) An **employer** may store a hazardous product at a workplace

while actively seeking information **required** by these regulations about the hazardous product. **Section 3(1)(2).**

Worker Education and Training

Hazard Information to be Supplied to Employee

An **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is informed about all hazard information received from a supplier concerning that hazardous product, if applicable, and any other hazard information the **employer** is aware of, or ought to be aware of, concerning that hazardous product. **Section 4.**

Education Required

(1) An **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is educated respecting:

(a) the content **required** on a supplier label and a workplace label and the purpose and significance of the information contained on those labels; and

(b) the content **required** on a safety data sheet and the purpose and significance of the information contained on a safety data sheet.

Training in Procedures Required

(2) An **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is trained in the following procedures:

(a) procedures for the safe use, handling, storage and disposal of the hazardous product;

(b) procedures for the safe use, handling, storage and disposal of a hazardous product contained or transferred in:

(i) a pipe or a piping system including valves,

(ii) a process vessel or reaction vessel, or

(iii) a tank car, tank truck, ore car, conveyer belt, or similar conveyance;

(c) procedures to be followed when fugitive emissions are present; and

(d) procedures to be followed in an emergency situation involving a hazardous product.

Development of Education and Training

(3) An **employer shall** ensure that the education and training **required** under subsections (1) and

(2) are developed and implemented at a workplace in consultation with the committee or representative at the workplace, as applicable.

Comprehension by Employee

(4) An **employer shall** ensure, so far as is reasonably practicable, that:

(a) the education and training **required** under subsections (1) and (2) result in a worker being able to apply the information as needed to protect the worker's health and safety; and

(b) the knowledge of workers about matters referred to in subsections (1) and (2) is periodically evaluated using written tests, practical demonstrations or other suitable means. **Section 5(1) to (4).**

For more information:

- Regulations not applicable to certain hazardous products. **Section 2(3)(4).**
- Supplier Labels. **Section 6(1) to (7).**
- Workplace Labels. **Section 7(1)(2).**
- Workplace label for product produced at workplace. **Section 8(1)(2).**
- Workplace label for decanted products. **Section 9(1)(2).**

Further details on the Occupational Health And Safety Act Workplace Hazardous Materials Information System Regulations can be found at PrinceEdwardIsland.ca.

QUÉBEC

In Québec, **employers** are **required** to comply with WHMIS regulations under the **Hazardous Products Information Regulation – Chapter II Hazardous Products Information, Sections 4 to 23**, and the **Act Respecting Occupational Health and Safety – Division II The Employer, Sections 62.1 to 62.21**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by **Safety Data Sheets (SDS)** to ensure workers have access to essential information regarding potential hazards and safe handling procedures.

Chapter II – Hazardous Products Information

Division I – Labelling of Hazardous Products

Obligation to label

For subdivision 5 of Division II of Chapter III of the Act, an **employer** fulfills the obligation to label a hazardous product obtained from a supplier if the product is labelled in accordance with the Hazardous Products Act (R.S.C., 1985, c. H-3) and the Hazardous Products Regulations (SOR/2015-17),

except in the cases provided for in this Regulation. **Section 4.**

If a hazardous product present in the workplace and obtained from a supplier does not have a supplier's label, in accordance with an exemption provided for in the Hazardous Products Act (R.S.C., 1985, c. H-3) or an exception provided for in the Hazardous Products Regulations (SOR/2015-17), the **employer** is not **required** to affix a workplace label on the product or to install a sign, as applicable, except in the cases provided for in this Regulation. **Section 5.**

An **employer must** prepare and affix a workplace label on a hazardous product if:

(1) the **employer** wishes to use or handle such a product that the **employer** obtained from a supplier and that does not have a supplier's label when such a label is **required** under the Hazardous Products Act (R.S.C., 1985, c. H-3) and the Hazardous Products Regulations (SOR/2015-17);

(2) the product is referred to in section 5.2(a) of the Hazardous Products Regulations and obtained from a supplier and the label affixed on the inside container is no longer visible through the outer container; in such a case, the workplace label **must** be affixed on the outer container of the product;

(3) the product is referred to in section 5.2(b) of the Hazardous Products Regulations and obtained from a supplier but does not have a supplier's label, and is removed from its outer container having a label that meets the requirements of the Transportation of Dangerous Goods Regulations (SOR/2001 286);

(4) the **employer** receives the product from a supplier in bulk form or without packaging; or

(5) the **employer** manufactures such a product, including a

product referred to in subparagraph 1, 2, 5, 6, 7 or 8 of the second paragraph of section 3, in the workplace. **Section 6(1) to (5).**

In the case described in subparagraph 1 of the first paragraph, the **employer** may only, in accordance with section 62.1 of the Act, store the product. The **employer must** then display a sign that contains the same information as the workplace label and that meets the signage and sign maintenance requirements set out in section 25, until the **employer** affixes a label obtained from the supplier or a workplace label on the product.

In the case of a product in bulk form or without packaging, the **employer must** affix a sign that contains the same information as that **required** on the workplace label. Such a sign **must** meet the signage and sign maintenance requirements set out in **Section 25**.

In the case described in subparagraph 5 of the first paragraph, the **employer** may replace the workplace label by a sign that contains the same information. If the product is a manufactured product intended for sale, a sign is not **required** if the product has a supplier's label that is visible under normal handling and storage conditions.

Workplace Label

A workplace label **must** contain the following information:

- (1) the name of the product, as it appears on the safety data sheet relating to the product;
- (2) general, prevention, response, storage and disposal precautionary statements; and
- (3) a statement that the safety data sheet for the hazardous product may be consulted, if such a sheet is available.

A workplace label may also contain other information presented

in a variety of ways, such as through images, concerning the precautions to take when handling or using the product.

Section 7.

In addition to meeting the linguistic requirement set out in section 62.4 of the Act, the information on a workplace label **must** be clear, specific and consistent with the information on the safety data sheet, if any. It **must** be easily legible and contrasted with any other information on the hazardous product or its container.

A workplace label **must** be prominently displayed on a surface that is visible under normal conditions of use of the product.

In addition, the information on such a label **must**, under normal conditions of use of the product, remain present and remain legible. **Section 8.**

Replacement and Updating of a Label

Subject to its replacement under section 10 or its updating under section 11, or subject to the exception under section 15, a label may not be removed, modified or altered so long as the hazardous product remains in the container in which it is received.

In the case of a product referred to in subparagraph 1, 5, 6, 7, or 8 of the second paragraph of section 3 and obtained from a supplier, any information of the same nature as that listed in the first paragraph of section 7 that is set out on the product **must** remain present on it. **Section 9.**

An **employer must** immediately replace a label that is totally or partially lost, destroyed or illegible. The replacement label **must** contain the same information as the label it replaces.

In the case of a product referred to in the second paragraph

of section 9, the **employer must** reproduce the information **required** under that section on the product, or affix a workplace label to the product if the information has been lost or destroyed or is illegible. **Section 10.**

An **employer must**, as soon as possible after being informed by a supplier, in accordance with section 3(1) and section 5.12(4) and (5) of the Hazardous Products Regulations (SOR/2015-17), of significant new data regarding a hazardous product or on becoming otherwise aware of such data, send a written notice to the workers and to the members of the health and safety committee or, if applicable, to the job-site committee or the safety representative.

The **employer must** update the label within 180 days of becoming aware of such data, either by substituting new information for the information concerned or by replacing the label.

When the **employer** substitutes new information, it **must** completely cover the previous information without affecting the legibility of any other information on the label.

In the case of a label for stored products, the **employer** may update it by affixing a sign that complies with the second paragraph of section 24 and with section 25. The **employer must**, however, ensure that the products or their container have an updated label when being used.

During the period specified in the second paragraph, the **employer must** display the notice **required** under the first paragraph near the product until the label has been updated. The signage requirements set out in section 25 apply to the notice. The **employer must** also ensure that products or their containers have an updated label when being used. **Section 11.**

For more information:

- Division II – Rules Relating to Certain Containers.
Section 14, 15.

- Division III – Safety Data Sheets Concerning Hazardous Products. **Sections 16, 17, 18, 19, 20, 21, 22, and 23.**
- Division II – The Employer. **Section 62.1 to 62.21.**

Further details on the Hazardous Products Information Regulation and the Act Respecting Occupational Health and Safety can be found at Legisquebec.gouv.QC.ca and Gouv.QC.ca.

SASKATCHEWAN

In Saskatchewan, **employers** are **required** to comply with WHMIS regulations under the **Occupational Health and Safety Regulations – Part 7 Personal Protective Equipment, Section 7-13, and Part 22 Workplace Hazardous Materials Information System, Sections 22-2 to 22-4.** These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by Safety Data Sheets (SDS) to ensure workers have access to essential information regarding potential hazards and safe handling procedures.

Part 22 – Workplace Hazardous Materials Information System

Certain products exempted 222(1) Subject to subsections (2) to (6), these regulations apply to **employers** and workers with respect to hazardous products used, stored and handled at a workplace.

(2) A supplier label and a supplier safety data sheet are not **required** for the following hazardous products:

- (a) an explosive as defined in section 2 of the Explosives Act (Canada);
- (b) a cosmetic, device, drug or food, as defined in section 2 of the Food and Drugs Act (Canada);
- (c) a pest control product as defined in subsection 2(1) of

the Pest Control Products Act (Canada);

(d) a nuclear substance as defined in section 2 of the Nuclear Safety and Control Act (Canada) that is radioactive;

(e) a consumer product as defined in section 2 of the Canada Consumer Product Safety Act.

(3) These regulations do not apply to a hazardous product that is:

(a) wood or a product made of wood;

(b) tobacco or a product made of tobacco;

(c) a manufactured article; or

(d) being transported or handled pursuant to The Dangerous Goods Transportation Act and the Transportation of Dangerous Goods Act (Canada).

(4) Subject to subsection (5), these regulations do not apply to hazardous waste.

(5) An **employer shall** ensure the safe storage and handling of hazardous waste through a combination of identification of the hazardous waste and worker education and training.

(6) The worker education and training mentioned in subsection (5) **must** include all hazard information that the **employer** is, or ought reasonably to be, aware of concerning the hazardous waste. **Section 22-2(1) to (6).**

Worker Education and Training

(1) An **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is informed about:

(a) all hazard information received by the **employer** from a supplier concerning that hazardous product; and (b) any

further hazard information that the **employer** is, or ought reasonably to be, aware of concerning the use, storage, handling and disposal of that hazardous product.

(2) If a hazardous product is produced in a place of employment, an **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is informed about all hazard information that the **employer** is, or ought reasonably to be, aware of concerning the use, storage, handling and disposal of that hazardous product.

(3) An **employer shall** ensure that a worker who works with a hazardous product or may be exposed to a hazardous product in the course of the worker's work activities is educated and trained respecting:

- (a) the content that is **required** to appear on a supplier label and workplace label for the hazardous product and the purpose and significance of the information contained on those labels;

- (b) the content that is **required** to appear on a safety data sheet for a hazardous product and the purpose and significance of the information contained on the safety data sheet;

- (c) all necessary procedures for the safe use, storage, handling and disposal of the hazardous product;

- (d) all necessary procedures to be followed if fugitive emissions are present where workers may be exposed to those fugitive emissions; and

- (e) all necessary procedures to be followed in case of an emergency involving a hazardous product.

(4) An **employer shall** ensure that the education and training **required** by subsection (3) is developed and implemented:

(a) for that employer's place of employment; and

(b) in consultation with the committee, if there is an occupational health committee.

(5) An **employer shall** ensure that:

(a) the education and training **required** by subsection (3) results in a worker being able to apply the information as needed to protect the health and safety of that worker or any other worker;

(b) the necessary procedures mentioned in clauses (3) (c) to (e) are implemented; and

(c) the knowledge of the workers is periodically evaluated using written tests, practical demonstrations or other suitable means.

(6) An **employer shall** review at least annually, or more frequently if **required** by a change in work conditions or available hazard information, the education and training programs provided to workers on the safe use, storage, handling and disposal of hazardous products, in consultation with: (a) the committee;

(b) the occupational health and safety representative; or

(c) if there is no committee or occupational health and safety representative, a worker representative. **Section 224(1) to (6).**

For more information:

- Supplier label. **Section 22-5(1) to (7).**
- Workplace label for employer – produced products. **Section 22-6(1) to (3).**
- Workplace label for decanted products. **Section 22-7(1)(2).**
- Identification of hazardous products in piping systems

- and vessels. **Section 22-8(a) to (e).**
- Placard identifiers. **Section 22-9(1) to (3).**
- Laboratory and sample labels. **Section 22-10(1) to (7).**
- Supplier safety data sheets. **Section 22-11(1) to (5).**
- Employer safety data sheets. **Section 22-12(1) to (5).**
- Availability of safety data sheets. **Section 22-13(1)(2).**

Further details on the Occupational Health and Safety Regulations can be found at Saskatchewan.ca.

YUKON

In Yukon, **employers** are **required** to comply with WHMIS regulations under the **Workplace Hazardous Materials Information System Regulation, Sections 2 to 14**. These regulations **mandate** that hazardous products in the workplace be properly classified, labeled, and accompanied by **Safety Data Sheets (SDS)** to ensure workers have access to essential information regarding potential hazards and safe handling procedures.

Application

(1) This Regulation applies to **employers** and workers in respect of hazardous products used, stored or handled in a workplace.

(2) Despite subsection (1), the provisions of this Regulation in respect of supplier labels and safety data sheets do not apply to a hazardous product that is:

- (a) an explosive as defined in the Explosives Act (Canada);
- (b) a food, drug, cosmetic, or device as defined in the Food and Drugs Act (Canada);
- (c) a pest control product as defined in the Pest Control

Products Act (Canada);

(d) a nuclear substance, within the meaning of the Nuclear Safety and Control Act, that is radioactive; or

(e) a consumer product as defined in the Canada Consumer Product Safety Act (Canada).

(3) Despite subsection (1), this Regulation does not apply where the hazardous product is:

(a) wood or a product made of wood;

(b) tobacco or a product made of tobacco as defined in the Tobacco Act (Canada); or

(c) a manufactured article.

(4) Despite subsection (1), this Regulation does not apply to hazardous waste (meaning a hazardous product that is acquired or generated for recycling or recovery or is intended for disposal), except that the **employer shall** ensure the safe storage and handling of hazardous waste through the combination of training and assessment of the components and nature of the hazardous waste. **Section 2(1) to (4).**

Prohibition

(1) Every **employer must** ensure that no hazardous product is used, stored or handled in the employer's workplace, unless this Regulation is complied with.

(2) Despite subsection (1), an **employer** may store a hazardous product in the employer's workplace while actively seeking information necessary for the **employer** to comply with this Regulation. **Section 3(1)(2).**

Worker Education and Training

(1) Every **employer must** ensure that each worker of the **employer** who works with a hazardous product or may be exposed

to a hazardous product in the course of their work has received education and training, within the meaning of this Regulation, in all hazard information received from a supplier concerning that hazardous product as well as any further hazard information of which the **employer** is aware or ought to be aware concerning the use, storage and handling of that hazardous product.

(2) Where a hazardous product is produced in an employer's workplace, the **employer must** ensure that each worker who works with that hazardous product or may be exposed to that hazardous product in the course of their work is trained in all hazard information that the **employer** is aware of or ought to be aware of concerning that hazardous product and its use, storage and handling. **Section 4(1)(2).**

Worker Education and Training

(1) Every **employer must** ensure that each worker of the **employer** who works with a hazardous product or may be exposed to a hazardous product in the course of their work:

(a) has received education as to what information supplier labels, workplace labels and safety data sheets **must** provide, and the purpose and significance of that information; and

(b) has received training in:

i. procedures for the safe use, storage, handling and disposal of hazardous products in their workplace and work,

ii. procedures for the safe use, storage, handling, and disposal of a hazardous product in their workplace and work that is contained or transferred in:

1. a pipe,
2. a piping system including valves,

3. a process vessel,
4. a reaction vessel, or
5. a tank car, tank truck, ore car, conveyor belt or similar conveyance,

iii. procedures to be followed where fugitive emissions are present in their workplace and workers may be exposed to those fugitive emissions, and

iv. procedures to be followed in case of an emergency involving a hazardous product in their workplace and work.

(2) Every **employer must** ensure that the education and training under subsection (1) is developed and implemented, and in consultation with the joint health and safety committee, if any, or the health and safety representative, if any.

(3) Every **employer must** ensure, to the extent reasonably practicable, that the education and training under subsection (1) results in each worker being able to apply the information as needed to protect the worker's health and safety.

(4) Every **employer must** review at least annually, or more frequently if **required** by a change in work conditions or available hazard information, and in consultation with the joint health and safety committee, if any, or the health and safety representative, if any, the education and training that have been developed to provide to workers the knowledge **required** to safely use, handle and store hazardous products. **Section 5(1) to (4).**

For more information:

- Supplier labels. **Section 6(1) to (6).**
- Workplace label for employer produced products. **Section 7(1)(2).**
- Workplace label for decanted products. **Section 8(1)(2).**
- Identification of a hazardous product in piping systems

and vessels. **Section 9.**

- Placard Identifiers. **Section 10(1)(2).**
- Laboratory Samples. **Section 11(1) to (3).**
- Safety Data Sheets. **Section 12(1) to (6).**
- Employer safety data sheets. **Section 13(1)(2).**
- Availability of safety data sheets. **Section 14(a) to (c).**

Further details on the Workplace Hazardous Materials Information System Regulation can be found at wcb.yk.ca.