

Human Resources Legislative Update

Bill 160 OHS Act Amendments Coming Into Force

Date: March 19, 2012

The [Ontario government has proclaimed that effective April 1, 2012](#), certain amendments to the *Occupational Health and Safety Act* (the “Act”) outlined in [Bill 160, the Occupational Health and Safety Statute Law Amendment Act, 2011](#), will come into force. These include:

- amendments to s. 50 of the Act that allow an inspector to refer a matter to the Labour Board where the circumstances warrant, and if conditions are met (s. 13, [“Referral by inspector”](#)); and
- amendments to s. 50.1 of the Act setting out the [functions of the Office of the Worker Advisor and the Office of the Employer Adviser](#) (s. 14), and compellability of persons employed by same (s. 16).

The government has also filed [O. Reg. 33/12 prescribing the specific functions of the Offices of the Worker and Employer Advisers for the purposes of Part VI \(Reprisals by Employer Prohibited\)](#) of the Act. The regulation, which comes into effect April 1, 2012, provides as follows:

- the functions of the Office of the Worker Adviser are to educate, advise and represent non-unionized workers in proceedings before the Board; and
- the functions of the Office of the Employer Adviser are to educate, advise and represent employers that have fewer than 50 employees in proceedings before the Board.

Unless proclaimed earlier, other Bill 160 amendments are expected to come into force on April 1, 2012, including:

- section 4.1, setting out the [Powers of the Minister to administer the Act](#); and
- [“Designated Entities”](#) provisions under Part II.1 of the Act (Prevention Council, Chief Prevention Officer and Designated Entities).