

FTR Now

Deadline for Mandatory Health and Safety Awareness Training is July 1, 2014

Date: May 20, 2014

Commencing on July 1, 2014, all Ontario employers are required to ensure that workers and supervisors receive mandatory safety awareness training pursuant to [O. Reg 297/13](#), *Occupational Health and Safety Awareness and Training*.

In this *FTR Now*, we provide a brief reminder about these new training obligations, which were discussed in detail in our November 25, 2013 *FTR Now* "[Ontario Imposes Mandatory Health and Safety Awareness Training](#)," and we identify resources that may assist employers in achieving compliance.

OVERVIEW OF THE NEW TRAINING OBLIGATIONS

Under the new regulation employers must ensure that workers complete, as soon as practicable, a training program that includes instruction on:

- the rights and obligations of workers, supervisors, and employers under the *Occupational Health and Safety Act* ("OHSA");
- the roles of health and safety representatives and joint health and safety committees ("JHSC") under the OHSA;
- the role of the Ministry of Labour, the Workplace Safety and Insurance Board ("WSIB"), and health and safety associations, medical clinics, or training centres designated under the OHSA;
- common workplace hazards;
- the Workplace Hazardous Materials Information System; and,
- occupational illness and the fact that a period of time may pass between exposure to a substance and the development of symptoms.

Employers should be aware that because "worker" is defined in the OHSA to include any person who "performs work or supplies services for monetary compensation," the training obligation may extend beyond employees to contractors and others who supply services to the employer.

In addition to training workers, employers must ensure that supervisors complete, within one week of performing work as a supervisor, a training program that includes instruction on:

- the rights and obligations of workers, supervisors, and employers under the OHSA;
- the roles of health and safety representatives and JHSC under the OHSA;
- the role of the Ministry of Labour, the WSIB, and health and safety associations, medical clinics, or training centres designated under the OHSA;
- how to recognize, assess and control workplace hazards, and how to evaluate the effectiveness of controls; and,
- sources of information on occupational health and safety.

Employers should also be aware that because “supervisor” is defined in the OHSA to include any person who “has charge of a workplace or authority over a worker,” the supervisor training obligation will likely extend beyond managers and supervisors to lead hands and other workers who supervise work or have authority over other workers.

EXEMPTIONS FROM MANDATORY TRAINING

There are a few narrow exemptions from this mandatory training for:

- workers or supervisors who provide proof that they have previously completed the training, provided employers are able to verify that the training covered the topics outlined above;
- supervisors who were already working as supervisors for the employer prior to July 1, 2014, provided the employer has verified that the supervisors completed training covering the required topics; and,
- workers or supervisors if another employer was previously exempt from providing training to the workers or supervisors, and the workers or supervisors provide proof of that exemption.

RECORD-KEEPING AND SHARING

Employers are required to maintain records demonstrating that workers and supervisors have completed health and safety awareness training, or that they were properly exempt from the requirement to do so. Upon request, employers must provide workers or supervisors with written proof of exemption or completion of training. The obligation continues for six months after a worker or supervisor is no longer employed by the employer.

RESOURCES FOR COMPLIANCE

The Ministry of Labour has developed a series of basic training resources for [workers](#) and [supervisors](#) to assist employers in achieving compliance with the new training obligation. These resources include printed workbooks and e-learning modules that are available free of charge and in a variety of languages. Although these materials are available free of charge, employers may wish to provide more fulsome health and safety training to existing workers and supervisors who they are required to retrain, or to newly hired workers and supervisors. More fulsome training may

enhance worker and supervisor safety, prevent accidents, and assist the employer in demonstrating due diligence in relation to health and safety obligations.

If you have any questions about mandatory safety awareness training or another occupational health and safety matter, or you would like to arrange training, please contact any [member of the Occupational Health and Safety group](#).

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