Human Resources Legislative Update

Ontario Proposes Creation of Employer “Health and Safety Management Systems” under OHSA

Date: November 17, 2016

On November 16, 2016, the Ontario government introduced Bill 70, *Building Ontario Up for Everyone Act (Budget Measures), 2016*, omnibus legislation that would, among other things, amend the *Occupational Health and Safety Act* (OHSA) to provide for the establishment of employer “health and safety management systems.”

Specifically, the amendments would:

- define “health and safety management system” to mean “a coordinated system of procedures, processes and other measures designed to be implemented by employers in order to promote continuous improvement in occupational health and safety”
- authorize the Chief Prevention Officer (CPO) to establish standards and criteria for accreditation of health and safety management systems
- authorize the CPO to recognize an employer’s workplace(s), upon the employer’s application, if it satisfies the CPO that it is a certified user of an accredited health and safety management system and has met any applicable established criteria
- empower the CPO to require persons seeking an accreditation or recognition, or who are the subject of an accreditation or recognition, to provide “whatever information, records or accounts” the CPO “may require”
- permit the CPO to publish or otherwise make available to the public information relating to accredited health and safety management systems and recognized employers.

The OHSA amendments, which are outlined in Schedule 16, would come into force on the day Bill 70 receives Royal Assent.