

FIRST AID MODERNIZATION CONSULTATION

Introduction

The Ministry of Labour, Training and Skills Development (MLTSD) is proposing to transfer the responsibility of workplace first aid from the Workplace Safety and Insurance Board (WSIB) to MLTSD.

This regulatory modernization could include:

- A new first aid regulation made under the [Occupational Health and Safety Act](#) (OHSA),
- Revocation of the current [Regulation 1101 First Aid Requirements](#) made under the *Workplace Safety and Insurance Act, 1997* (WSIA),
- The development of first aid training standards that are approved by the Chief Prevention Officer (CPO), and;
- Enforcement of first aid requirements by MLTSD.

The proposed modernization presents an opportunity to make first aid requirements easier to understand and comply with. It also standardizes first aid compliance obligations for larger employers who conduct business across Canada.

Background

This proposal to move the first aid mandate from the WSIB to MLTSD would:

- Increase oversight of first aid in workplaces in the province with all other occupational health and safety regulatory requirements under the OHSA; and,
- Facilitate Federal/Provincial/Territorial first aid regulatory reconciliation efforts.

The WSIB currently administers Regulation 1101 relating to first aid in WSIA-regulated workplaces. Regulation 1101 First Aid Requirements made under WSIA was last amended in 1983.

Coverage

The WSIA covers approximately [76% of Ontario employers](#) and a subset of these are subject to Regulation 1101.

The OHSA applies to all provincially regulated workplaces in Ontario. All occupational health and safety regulatory requirements that apply to these workplaces are under the OHSA except for workplace first aid requirements. Some sector specific OHSA regulations do set discrete first aid requirements applicable solely to the sector.

Currently, Ontario employers must look to both the OHSA and the WSIA for comprehensive occupational health and safety requirements. While MLTSD has oversight over OHSA, the WSIB has oversight over the first aid regulation. This proposal would bring all requirements under one Act, administered by MLTSD.

CSA Standards

The Canadian Standards Association (operating as “CSA Group”) has developed two standards respecting first aid; CSA Z1220-17 *First aid kits for the workplace*, and CSA Z1210-17 *First aid training for the workplace - Curriculum and quality management for training agencies*. Both of these standards can be [viewed online](#).

Ontario is participating in ongoing work with other Canadian jurisdictions to reconcile workplace first aid requirements across Canada as part of the workplan of the Regulatory Reconciliation and Cooperation Table under the Canada Free Trade Agreement.

In support of first aid reconciliation efforts across Canada, effective January 1, 2020, the WSIB has been accepting the CSA Z1220-17. To meet the Regulation 1101 first aid obligations under WSIA, workplaces have the option of supplying first aid kits to meet the requirements of either Regulation 1101 or the CSA Z1220-17. It is anticipated that the proposed new first aid regulation under OHSA would incorporate by reference CSA Z1220-17, and many components of CSA Z1210-17 related to training would also be incorporated into first aid training standards developed by MLTSD and approved by the CPO.

Discussion Questions

MLTSD is seeking feedback on creating a new first aid regulation under the OHSA which would replace Regulation 1101 under the WSIA. MLTSD is also seeking feedback on the development of first aid training and training provider standards.

Feedback can be submitted on any or all of the discussion questions asked in this paper.

If there are additional issues, concerns or ideas about workplace first aid modernization that are not addressed in this paper, please take this opportunity to share those thoughts as well.

Section I – First Aid Regulation

This section seeks feedback about creating a new regulation under OHSA. Feedback on first aid training and training provider standards are contained in Section II.

A. Application – The WSIA applies to 76% of Ontario workplaces. Regulation 1101 applies to a subset of those workplaces. Bringing workplace first aid requirements under OHSIA would extend first aid requirements to a greater number of Ontario employers.

Question:

A. Would you have any concerns with the potential extension of workplace first aid requirements to your workplace, particularly if you are an employer that is not currently covered by existing first aid requirements?

B. First Aid Kits – CSA Z1220-17 *First aid kits for the workplace* establishes the minimum requirements for kits and has been accepted by the WSIB since January 1, 2020. The standard provides the following:

- a) general requirements (Clause 4);
- b) specifications for a classification system for the kits and minimum requirements for the contents of the kits in accordance with their classification (Clause 5);
- c) requirements for the selection of workplace first aid kits for a workplace environment based on the number of workers at the workplace per shift (Clause 6);
- d) requirements for the workplace first aid kit container, including marking requirements (Clause 7); and
- e) requirements for the ongoing maintenance of the kits (Clause 8).

Question:

B. Do you have any concerns with including these CSA requirements in a new OHSIA regulation?

C. First Aid Stations and Rooms – The CSA standards do not address first aid stations. Regulation 1101 prescribes what a first aid station shall contain, including a first aid kit, a notice board displaying the WSIB "In case of injury poster (Form 82)," the valid first aid certificates of the trained workers on duty, and an inspection card to record the inspections of the first aid box. Regulation 1101 also prescribes who is in charge of the station and where it is to be located to ensure prompt treatment.

CSA Z1220-17 *First aid kits for the workplace* does not include requirements for first aid rooms. Regulation 1101 requires every employer employing 200 or more workers in any one shift at a place of employment to provide and maintain a first aid room equipped with certain items and in the charge of (a) a registered nurse; or (b) a worker who, (i) is the holder of a valid St. John Ambulance Standard First Aid Certificate or its equivalent, (ii) works in the immediate vicinity of the first aid room, and (iii) does not perform other work of a nature that is likely to affect adversely his or her ability to administer first aid.

Question:

C. Do you have any concerns with incorporating the requirements of Regulation 1101 related to first aid stations and rooms into a new OHSA regulation?

D. Specific workplaces and working alone - Regulation 1101 has first aid requirements specific to transportation, construction, farm and bush sites. With the exception of requirements respecting vehicles to transport workers, Regulation 1101 does not have specific requirements around people working alone. Note that Section II of this paper contains additional questions about the level of first aid training required for workers who work in isolation or in geographically remote locations.

Question:

D. Are there any unique first aid requirements that should be considered for workplaces where remote work occurs?

Section II – First Aid Training and Training Provider Standards

This section is seeking feedback about developing first aid training and training provider standards that would be approved by the Chief Prevention Officer.

Questions:

E1. What concerns, if any, do you have about the content of the CSA Z1210-17 standard as the ministry determines whether to adopt or incorporate elements into an approved CPO standard? Please explain.

E2. What barriers, if any, do you face with access to first aid training? (e.g. access to information, costs, geographic location, issues related to race, language, and culture, etc.) Please explain.

Notice to Consultation Participants

Submissions and comments provided to the Ministry of Labour, Training and Skills Development (the Ministry) are part of a public consultation process to solicit views on first aid modernization. This process may involve the Ministry publishing or posting to the internet your submissions, comments, or summaries of them. In addition, the Ministry may also disclose your submissions, comments, or summaries of them, to other parties during and after the consultation period.

Therefore, you should not include the names of other parties (such as the names of employers or other employees) or any other information by which other parties could be identified in your submission.

Further, if you, as an individual, do not want your identity to be made public, you should not include your name or any other information by which you could be identified in the main body of the submission. If you do provide any information which could disclose your identity in the body of the submission, this information may be released with published material or made available to the public. However, your name and contact information provided outside of the body of the submission (such as that which may be found in a cover letter, on the outside of an envelope, or in the header or signature of an email) will not be disclosed by the Ministry unless required by law. An individual who provides a submission or comments and indicates a professional affiliation with an organization will be considered a representative of that organization and his or her identity in their professional capacity as the organization's representative may be disclosed.

Personal information collected during this consultation is under the authority of the Occupational Health and Safety Act and is in compliance with subsection 38(2) of the Freedom of Information and Protection of Privacy Act.

If you have any questions regarding the collection of personal information as a result of this consultation, you may contact the Ministry's Freedom of Information Office, 400 University Avenue, 10th Floor, Toronto, Ontario, M7A 1T7, or by calling 416-326-7786.

Comments Due Date: February 22, 2021

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