

## **EMPLOYER ALERT: HIGH-PRESSURE SALES TACTICS PROVIDING MISLEADING INFORMATION ABOUT WORKPLACE NOTICES AND SAFETY TRAINING**

The Ontario government is committed to protecting workers' rights, and their health and safety in the workplace. To ensure that workers are aware of their rights, employers are mandated, through legislation or regulation, to prominently display an employment standards poster and the Occupational Health and Safety Act, as well as the company's own workplace health and safety policy.

The Ministry of Labour has recently received reports and complaints about aggressive, high-pressure sales tactics by private providers of workplace posters and workplace safety training. These companies imply a connection with the ministry and are selling "official" posters that they claim will satisfy legislated posting requirements. Some of these companies are also selling "training" that may not be appropriate or required.

Posters sold by private companies may not comply with the requirements of the Employment Standards Act, 2000 (ESA) or the Occupational Health and Safety Act (OHSA).

### ***Employment Standards***

Under the ESA, employers are required to display the most recent poster prepared and published by the Minister of Labour in at least one conspicuous location in the workplace.

The poster "**What You Should Know About The Ontario Employment Standards Act**" is available free at <http://www.labour.gov.on.ca/english/es/pdf/poster.pdf>. A simple print-out on legal-size paper will suffice for compliance with the ESA. Publications Ontario will also provide copies of the poster, charging only for shipping and handling.

### ***Health and Safety***

Employers are required to post a copy of the **Occupational Health and Safety Act** in their workplaces. The act, in booklet form, is available from Publications Ontario. The price is \$8, plus GST. The act can be ordered online at [www.publications.serviceontario.ca](http://www.publications.serviceontario.ca); the search code is 111759. Also, the act can be printed for free from [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

Employers also must prepare and review at least once a year a written occupational health and safety policy, and must develop and maintain a program to implement that policy. Advice for doing this is available at [http://www.labour.gov.on.ca/english/hs/ohsaguide/ohsag\\_appa.html](http://www.labour.gov.on.ca/english/hs/ohsaguide/ohsag_appa.html).

## **Workplace Hazardous Material Information System (WHMIS)**

WHMIS is a Canada-wide system designed to give employers and workers information about hazardous materials used in the workplace. The provinces and territories have incorporated the national standards into their occupational health and safety legislation and regulations, and are responsible for enforcement. This ensures a consistent approach across Canada for the labelling and use of hazardous materials.

Ontario's Occupational Health and Safety Act sets out the employer requirements, and the WHMIS regulation under the act sets out operational requirements.

Certain employers in Ontario are required to identify hazardous materials, ensure that proper data sheets on the materials are readily available and containers are properly labelled, and to make sure that employees are properly trained in handling and use of the materials.

The act also requires an annual review, but not annual training in WHMIS. The review must be done in consultation with the joint health and safety committee (if the workplace has one) and includes ensuring that the information on the hazardous materials is up-to-date, that anyone working with the materials has been properly trained and is still conversant with the training. A review is also required if the conditions at the workplace have changed or new information on a controlled product becomes available.

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### **For further information:**

#### **Public enquiries:**

Employment Standards:  
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Health and Safety:  
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