

Guide to WHMIS 2015 for PEI Workplaces



This Guide has been prepared to assist the workplace parties in understanding their obligations under the Occupational Health and Safety Act (OHS Act) and the Workplace Hazardous Materials Information System (WHMIS) Regulations for Prince Edward Island. It is not intended to replace the OHS Act or the WHMIS Regulations and reference should always be made to the official version of the legislation. It is the responsibility of the workplace parties to ensure compliance with the legislation. This resource does not constitute legal advice.

Portions of other publications from WorksafeBC and the Occupational Health and Safety Division of the Nova Scotia Department of Labour and Advanced Education have been used in creating this Guide with appreciation.

Table of Contents

Part 1 – Introduction to WHMIS 2015	2
Key elements of WHMIS 2015:.....	2
Part 2 - What is covered under WHMIS?	4
What is NOT covered under WHMIS?	5
Part 3 - Roles and Responsibilities	7
Part 4 - Enforcement and Inspections.....	8
Part 5 – Education and Training	9
Part 6 – Labels and Other Identifiers	12
Part 7 – Safety Data Sheets	17
Part 8 – Confidential Business Information.....	23
Part 9 – Inventory of Toxic Substances	24
Additional Resources	25
Hazardous Products Inventory / Checklist	27
Sample WHMIS program checklist.....	29
SAMPLE WHMIS TRAINING RECORD.....	30
Overview of WHMIS 2015 Pictograms	31

Part 1 – Introduction to WHMIS 2015

Workplace Hazardous Materials Information System (WHMIS) 2015 is an updated information system for chemical products stored, handled or used in Canadian workplaces. Employers must ensure hazardous products are properly identified, controlled, stored and used.

WHMIS has been updated to reflect the United Nations initiative, the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). It aligns Canada’s hazard classification and communication requirements with the United States and other trading partners. The original WHMIS is now referred to as WHMIS 1988.

Key elements of WHMIS 2015:

- Classification

WHMIS 2015 divides hazardous products into two major hazard groups: physical hazards and health hazards. These two major hazard groups are split up into a number of classes. Some of the classes are divided even further into categories. Most classes are assigned a pictogram (symbols surrounded by red, diamond-shaped borders) that identifies their specific hazards.



- WHMIS Labels

Labels on hazardous products alert workers to the identity of the product, the hazards, and the required precautions. Under WHMIS 2015, these labels must display some elements together – the pictogram(s), signal word and hazard statement(s). “Hazard statements” and “precautionary statements” have been standardized. The labels must be written in both English and French.



- Safety Data Sheets (SDSs)

These documents (formerly known as Material Safety Data Sheets) provide detailed hazard and precautionary information. Under WHMIS 2015, SDSs have 16 sections. The information required in each section has been standardized.

For a comparison of the key changes from WHMIS 1988 to WHMIS 2015, see the Table at the top of page 3.

Changes to WHMIS at a glimpse:

WHMIS (1988)	WHMIS (2015)
6 Hazard Classes <ul style="list-style-type: none"> 3 divisions 	32 Hazard Classes <ul style="list-style-type: none"> Multiple hazard categories
Material Safety Data Sheets (MSDS) <ul style="list-style-type: none"> 9 sections Update required every 3 years or as needed 	Safety Data Sheets (SDS) <ul style="list-style-type: none"> 16 sections Update only as needed (when significant changes occur)
Symbols (8) <ul style="list-style-type: none"> Black circle border 	Pictograms (10) <ul style="list-style-type: none"> Red diamond border except for Biohazardous infectious material which still has a black circle border

To allow time for suppliers, employers, and workers to adjust to the new WHMIS 2015 requirements, a multi-year transition plan is in effect. The transition dates are set out below.

All parties will need to be in complete compliance with WHMIS 2015 by **December 1, 2018**. This means employers will be required to have WHMIS 2015 labels on all hazardous products in the workplace and the associated WHMIS 2015 compliant Safety Data Sheets available by this date.

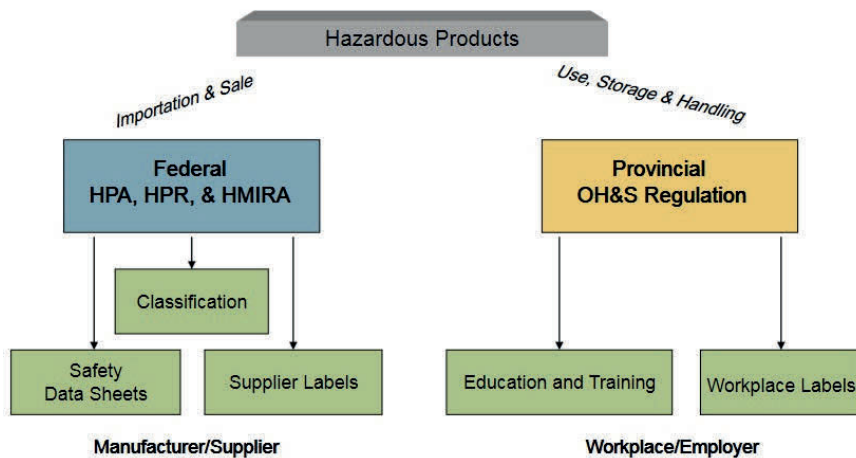
Phase	Dates	Suppliers		Employers
		Manufacturers	Distributors	
Phase 1	From February 11, 2015 to May 31, 2018	WHMIS 1988 or WHMIS 2015	WHMIS 1988 or WHMIS 2015	WHMIS 1988 and/or WHMIS 2015
Phase 2	From June 1, 2018 to August 31, 2018	WHMIS 2015	WHMIS 1988 or WHMIS 2015	WHMIS 1988 and/or WHMIS 2015
Phase 3	From September 1, 2018 to November 30, 2018	WHMIS 2015	WHMIS 2015	WHMIS 1988 and/or WHMIS 2015
Completion	December 1, 2018	WHMIS 2015	WHMIS 2015	WHMIS 2015

Part 2 - What is covered under WHMIS?

The federal *Hazardous Products Act* and *Hazardous Products Regulations* (HPA and HPR) came into effect in February 2015 and replaced the previous *Hazardous Products Act* and *Controlled Products Regulations*. The HPR sets out the criteria for classifying hazards. If a product covered by the *Hazardous Products Act* meets the criteria to be included in a hazard class or category, it is considered to be a “hazardous product” (formerly called “controlled product”).

The federal *Hazardous Products Act* requires each province and territory across Canada to enforce WHMIS through the occupational health and safety laws in their own jurisdiction.

Who Enforces What?



Hazardous Products

A hazardous product is any product, mixture, material or substance (in the form of solid, liquid or gas) that can harm people, property, or the environment. Some products are known to cause disease when workers are exposed to them, and some can cause burns or rashes. Others may explode or catch on fire under certain circumstances.

Where hazardous products are present in the workplace, a WHMIS program—including education and training—must be in place (see page 29 for a checklist to assist with a WHMIS program).

Not all hazardous materials are governed by WHMIS. Consumer products, like household cleaners, are also dangerous, especially when mixed with other products or if they are

packaged in containers that could also explode if heated or punctured (see more on consumer products below).

Some examples of hazardous products used in these industries:

- Kitchens – Dish sanitizer, oven/grill cleaners
- Automotive – Degreasers, paint
- Farms – Hydraulic fluid, antifreeze
- Rinks/ Pools – Ammonia, chlorine

What is NOT covered under WHMIS?

The following products are NOT covered under the *Hazardous Products Act*:

- Explosives - as defined in the *Explosives Act* (Canada)
- Cosmetics, devices, drugs, or foods - as defined in the *Food and Drugs Act* (Canada)
- Pest control products - as defined in the *Pest Control Products Act* (Canada)
- Consumer products – as defined in the *Canada Consumer Product Safety Act* (Canada)
- Wood or products made of wood
- Tobacco or a tobacco product – as defined in the *Tobacco Act* (Canada)
- Manufactured articles
- Products being transported or handled pursuant to the requirements of the *Transportation of Dangerous Goods Act* (Canada)

While a product may be exempt from the supplier requirement to have a WHMIS label and SDS, employers must still provide education and training on health effects, safe use, and storage.

If any of these materials are present or used in the workplace, the employer must ensure that the original product labels are kept visible and legible. If not, the employer must either replace the original label or provide a workplace label. The employer must also inform workers and supervisors of the hazards associated with these products if they are present or used in the workplace.

Consumer Products

Consumer products are labelled according to other legislation (*Consumer Chemicals and Containers Regulations*). They still pose hazards to workers, and workers must still receive education and training for safe use of these products. A comprehensive chemical safety program would include both hazardous products as regulated by WHMIS and any other products that a worker may be exposed to (which includes consumer products, pesticides, etc.).

Did you know?

Consumer products are those products that can be purchased by the general public in a retail outlet and are generally intended to be used in the home or other non-commercial purposes. A product packaged and used by a consumer distinguishes the product from chemical products used by workers in an industrial setting or other workplace. Consumer products are defined in the *Canada Consumer Product Safety Act* as “a product, including its components, parts and accessories that may reasonably be expected to be obtained by an individual to be used for non-commercial purposes, including for domestic, recreational and sports purposes, and includes its packaging.”

For example: A chemical product sold in containers packaged for general public consumers through a retail outlet differs from the same chemical product sold in containers to commercial customers, in that the industrial or commercial-packaged product is governed by the WHMIS regulations and DOES require a supplier label and SDS. The consumer-packaged product is governed by the *Consumer Chemicals and Containers Regulations* and does NOT require a WHMIS supplier label. An SDS may still be available for the consumer product, and may be obtained from the supplier upon request.



The chemical, Acetone, can be sold as a consumer product for non-commercial purposes, using consumer packaging (left), and also sold as a commercial product using WHMIS-required packaging (right).

List some examples of consumer products (if any) in your workplace that might be exempt from WHMIS labelling requirements:

Part 3 - Roles and Responsibilities

Roles and Responsibilities for WHMIS include:

Suppliers / Manufacturers

A supplier is defined in the *Hazardous Products Act* as a person who, in the course of business, sells or imports a hazardous product. A manufacturer is a supplier who, in the course of business, manufactures, produces, processes, packages or labels a hazardous product and sells it. Suppliers and manufacturers must:

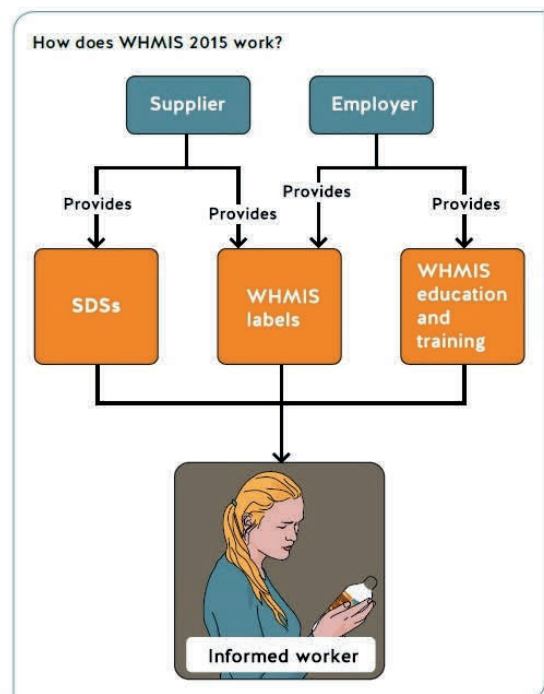
- Identify and classify hazardous products
- Prepare supplier labels and SDSs
- Revise, update and distribute SDSs and labels, as required

Employers / Supervisors

- Educate and train workers on the hazards and safe use of products
- Ensure that hazardous products are properly labelled (create a proper label if necessary)
- Ensure appropriate control measures are in place to protect workers' health and safety
- Provide workers with access to current SDSs
- Review the education and training provided to employees annually or whenever work conditions or hazard information changes

Workers:

- Use or wear the personal protective equipment and personal protective clothing as required by the employer
- Cooperate in receiving and applying the education and training on WHMIS labels and Safety Data Sheets
- Cooperate with the employer to ensure your own health and safety by:
 - ✓ Checking for a label
 - ✓ Reading, understanding and following instructions on the labels and SDSs
 - ✓ Following the safety procedures and rules when working with hazardous products
 - ✓ Labelling a new container when a hazardous product is transferred or decanted
 - ✓ Reporting any concerns to the employer with respect to incorrect, missing or damaged labels or outdated or missing SDSs



Part 4 - Enforcement and Inspections

The Occupational Health and Safety Division of the Workers Compensation Board of PEI enforces WHMIS in PEI workplaces. OHS Officers have the authority to enter any workplace at any time to complete an inspection and enforce the occupational health and safety legislation, which includes PEI's WHMIS Regulations. The federal Labour Program within the Department of Employment and Social Development Canada enforces WHMIS in federally-regulated workplaces.

When inspected by an OHS Officer, employers should be prepared to:

- ✓ Demonstrate that a WHMIS program is in place
- ✓ Show where the SDSs are for the hazardous products used at that workplace
- ✓ Show that hazardous products in use have the appropriate labels
- ✓ Show education and training records for employees who work with or may be exposed to a hazardous product

OHS Officers may need to speak to workers to confirm the education and workplace-specific training are being applied appropriately. Workers should be able to answer the questions below for every hazardous product they work with:

Pick one of your hazardous products and answer the questions below:

- What are the hazards of the product?

- How do I protect myself from those hazards?

- What do I do in case of an emergency?

- Where can I get further information?

If a worker is unable to answer the questions above to the satisfaction of the OHS Officer, it may be an indication that the worker has not fully comprehended the education and training provided by the employer as required in Section 5(4) of the WHMIS Regulations. In that case, the Officer may require the worker to be retrained. (See next section on education and training)

Part 5 – Education and Training

Who needs to be trained?

Sections 4 and 5 of the PEI WHMIS Regulations state an employer has the duty to inform, educate and train workers who “work with a hazardous product or may be exposed to a hazardous product in the course of the worker’s activities.”

What type of training is needed?

The Regulations set out a multi-step training program:

1. Inform workers of the hazard information that is available for the products they are working with or may be exposed to.
2. Provide education* on the content of WHMIS labels and safety data sheets and the significance of this information (many employers choose to do this through an online course or in person by a trainer, where the worker is tested and receives a certificate).
3. Provide training* to workers on the procedures used at the workplace for the hazardous products. The worker training program should be tailored to each individual workplace. When training a worker about how to handle a hazardous product safely, it may not be enough to only review the information on a supplier label and safety data sheet for the product. That product may be used in a number of different workplaces, and the conditions of use can vary from place to place.

Did you know?

Job-specific training must happen even after a generic WHMIS course is completed. The training must include the employer’s procedures for the safe use, handling, storage and disposal of the hazardous products and the procedures to be followed in an emergency situation. This may be a good time to review your emergency and/or evacuation plan as well!

Training must be job-specific. For example, a maintenance worker will not receive the same training as a lab worker. A nurse will not receive the same training as a mechanic. WHMIS training needs to be workplace specific to the procedures used for the job in the workplace. The employer must consult with the Joint Occupational Health and Safety Committee or Health and Safety Representative when developing and implementing the education and training program.

**PEI’s WHMIS Regulations define ‘education’ as the delivery of general or portable information to workers. This means the worker’s education (usually represented by a certificate) can be carried from one workplace to another when a worker changes jobs. However, training must be job-specific and is not portable from one workplace to another.*

Training for WHMIS 1988 vs. WHMIS 2015

During the transition to WHMIS 2015, where an employer has products that meet both WHMIS 1988 and WHMIS 2015 in the workplace, the employer must comply with both systems at the same time. This includes ensuring workers have either Material Safety Data Sheets (MSDSs) or SDSs readily available, hazardous products are labeled and employees are educated and trained. Training workers on the safe use, storage, handling and disposal in both WHMIS 1988 and WHMIS 2015 will be necessary if products compliant with both systems are being used in the workplace. **Remember, the employer must only have WHMIS 2015-compliant labels and SDSs from December 1, 2018 onward. After December 1, 2018, any products in a workplace that have labels with WHMIS 1988 symbols will need a new supplier or workplace label that meets WHMIS 2015 requirements, and all MSDSs will need to be updated to SDSs.**

Does WHMIS training expire?

This is a common question. It is not that easy to answer this question because there is no prescribed retraining period set out in the PEI WHMIS Regulations nor is there an expiry date on WHMIS certificates. WHMIS training is not usually a one-time-only training. It depends on the ability of a worker to *apply* the training to their work. If it is determined that workers cannot apply their training to their work, or if there is a change made to the products used or the equipment or environment in which they are used, the worker will need retraining.

Comprehension by worker and evaluation by employer

Employers have a responsibility to ensure their workers are sufficiently knowledgeable on WHMIS to do the work safely. The employer must ensure the worker has understood the education and training and is able to put what they have learned into practice on the job. It is left to the individual employer to determine whether a worker has been properly trained. This can be done by having the worker take some form of written or oral test, or to participate in a practical demonstration on a regular basis.

State below where workers can find the safe work procedures for hazardous products in your workplace :

Who is the person responsible for updating and maintaining the safe work procedures?

If the employer hires a contract worker or subcontractor, that worker may be asked to show a WHMIS card, or WHMIS certificate as proof they have completed a WHMIS education course and testing. What the person is asking for, is a way to determine if the worker is knowledgeable on WHMIS. The more recent the WHMIS course was completed, the more likely the employer will expect that the worker is knowledgeable on WHMIS labelling and SDSs. However, it comes down to the worker's ability to *apply* the training and knowledge to the work. A certificate may indicate the worker has been *educated* in the WHMIS system, but the worker will also need additional *job-specific training* if the work or the products are unfamiliar to the worker. (See page 30 for sample training record)

Review of Worker Education

The employer must review the training program at least once a year or more often if conditions at the workplace change, or if new information on a hazardous product becomes available. The review must take place in consultation with the Joint Occupational Health and Safety Committee or Health and Safety Representative.

The requirement for a review of the education program does not mean that workers are required to be retrained. Rather, the review identifies whether the training program remains current for the workers or if updating is required. The annual review is a good opportunity to complete worker evaluations, update any required documentation and review/check personal protective equipment as well. Such an evaluation is an excellent way for the employer to ensure that their program is effective.

Did you know?

WHMIS training is not a one-size-fits-all program, and it is very important to have specific workplace training so the worker will know and understand the hazardous products used in their own workplace.

State below the dates of the last reviews of the worker training and education component of the WHMIS program :

List the contact person responsible for updating the worker training and education component of the WHMIS program:

A supplier label must be:

- Clearly and prominently displayed on the container
- Easy to read
- In contrast with other information on the product or container
- Bilingual (as one label or two)

If an employer receives a hazardous product where the supplier label does not have both official languages (English and French), it may not be from a Canadian supplier.

- If the product is being re-sold or distributed, the employer must then attach a supplier label that is bilingual and meets all the requirements as noted above, in accordance with the *Hazardous Products Regulations*.
- If the product is not being re-sold or distributed but is being used at the workplace, the employer may then affix a workplace label (see section below on workplace labels).

The employer must ensure that until a supplier container is empty, the supplier label must not be deliberately removed, destroyed or changed. If the supplier label is accidentally removed or can no longer be read, then the employer must replace it. When replacing the original supplier label, the employer may either use a new supplier label, if there are extras on hand, or the employer may make a workplace label.

Future updates to supplier labels

Labels need to be updated when the supplier becomes aware of any “significant new data.” Section 5.12(1) of the *Hazardous Products Regulations* defines significant new data as:

“...new data regarding the hazard presented by a hazardous product that changes its classification in a category or subcategory of a hazard class, or result in its classification in another hazard class, or change the ways to protect against the hazard presented by the hazardous product.”

When significant new data becomes known, labels need to be updated by the supplier within 180 days of the supplier being made aware of the new information.

If an employer purchases a product from a supplier within this 180-day time period, the supplier must inform the employer of the changes, and the date they become available, in writing. The employer will then need to receive an updated label from the supplier.

Workplace Label

The workplace label is a label the employer produces. It is not as specific as the supplier label. A workplace label is required where:

- A supplier label becomes hard to read or is removed (the employer may replace the damaged or missing supplier label with another supplier label OR a workplace label).



A worker is decanting a hazardous product from a larger container into a smaller, portable container

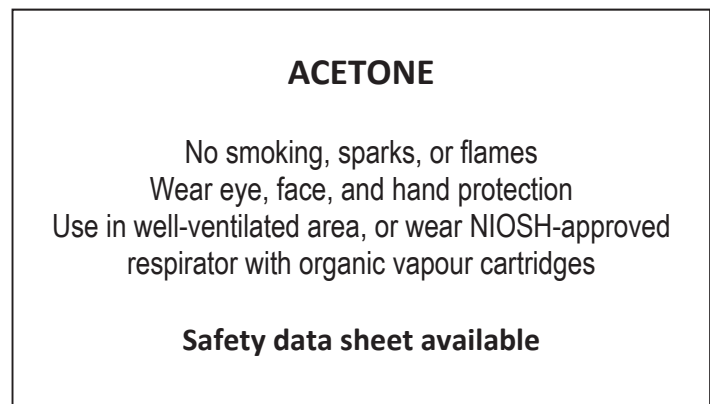
- A hazardous product is imported directly to the workplace and either has no supplier label or has one that does not meet requirements of the *Hazardous Products Regulations* AND the product is only being used at the workplace (if it is being sold or distributed then a supplier label is required).
- A hazardous product is produced at the workplace (unless the product produced is a fugitive emission or is one that intended to be for sale or distribution; then no workplace label is required).
- A hazardous product is decanted (transferred) into another workplace container (unless the product is decanted into a portable container that is immediately used or is under the exclusive use and control of a worker during that worker’s shift; then only an identifier is required but no workplace label is needed – in this case, it is still good practice to label the portable container in case the worker goes on break or otherwise leaves it unattended by mistake).

The workplace label must do all of the following:

- Identify the product
- Provide information for the safe handling of the product
- Indicate the safety data sheet is available

The workplace label requires no specific wording or format. Requirements are deliberately broad and general. However, in spite of the flexibility given to the employer under these regulations, there are some expectations as to what constitutes an acceptable workplace label.

Example of a workplace label



Did you know?

The true test of the workplace labelling system (the label plus education relating to the label) is whether the system used in a particular workplace conveys all the necessary health and safety information to the worker.

First, in identifying the product, the workplace label must indicate a product identifier that is identical to that found on the safety data sheet.

Second, “information for the safe handling of the product” means precautions the worker must observe to minimize the risks of adverse health effects or physical injury. Alternatively, hazard information about the product can be given instead of precautionary measures, as long as the worker understands the precautions to be taken to guard against the specific hazards, learned through the worker education program.

Third, if a safety data sheet is available for the hazardous product, the workplace label must say so. This safety data sheet may be one provided by the supplier of the product or one prepared by the

employer. For some hazardous products, such as exempted products and products requiring only label maintenance and worker education, no data sheet may be available. In such cases, the workplace label does not have to have any statement regarding a safety data sheet.

Bulk shipments and unpackaged hazardous products - labels

If the employer receives a hazardous product in a bulk shipment or unpackaged hazardous product, the employer must attach or affix a label to the hazardous product or the container(s) in which the hazardous product is packaged at the workplace. The labels must meet all the requirements of *supplier* labels.

Other permitted identification or labelling systems

In specific cases, a WHMIS label can also be a mark, sign, stamp, sticker or seal, ticket, tag or wrapper. It can be attached, imprinted, stenciled, or embossed on the hazardous product or its container. Workers must be trained to be able to identify these alternate systems if they are used in the workplace.

Variations on supplier and workplace labels apply for specific items such as:

- **Bulk shipments** – A labelling exemption exists for products sold or imported without packaging (however, these must be labelled by the employer when received by the employer – see above)
- **Small capacity containers (100 ml or less)** – Exempt only from the requirement to have precautionary or hazard statements on the label
- **Small capacity containers (3 ml or less)** – Where the label will interfere with normal use of the product, the product would be required to have a label that is durable and legible for transport and storage, but removable during use.
- **Piping systems and vessels** – When hazardous products are contained or transferred in a piping system, a process or reaction vessel, or a tank car, tank truck, ore car, conveyor belt, or similar conveyance, the use of labels, placards, colour coding, or any other mode of identification is allowed.



The employer, of course, must ensure the safe use, storage and handling of these items through a combination of worker education and training to ensure the means of identification is understood by the workers.

Placards

In a limited number of situations, the employer may use a placard for labelling. Placards may be used in place of a label, for instance, with hazardous products that are not in a container or that are in a container or form intended for export. They may also be used for products that are

in containers intended to contain the hazardous product for sale or distribution and are to be appropriately labelled for sale or distribution within the normal course of the employer's business, without undue delay. The placard must be conspicuous in size and location, and it must contain the information required on a workplace label and must be of a size and in a location that is conspicuous and clearly legible to workers.

Labelling laboratory samples

The *Hazardous Products Regulations* define a laboratory sample as a hazardous product packaged in a container that holds less than 10 kg of the product and is intended only to be tested in a laboratory. This definition excludes samples that will be used for testing other products or for educational or demonstration purposes.

Under WHMIS, the labelling requirements for some hazardous products present in a laboratory differ from the labelling requirement for hazardous products present in a non-laboratory workplace.

Laboratory samples received at the workplace from a supplier

For those hazardous products received in the laboratory that are exempted from labelling requirements as stated in the HPR, the employer must ensure the product is still labelled appropriately by the supplier with the following information:

- The chemical name or the generic chemical name of the material or substance in the hazardous product.
- The statement "Hazardous Laboratory Sample. For hazard information or in an emergency, call / Échantillon pour laboratoire de produit dangereux. Pour obtenir des renseignements sur les dangers ou en cas d'urgence, composez".
- An emergency telephone number to use to obtain the information that must be provided on the safety data sheet of the hazardous product.

PRODUCT IDENTIFIER

HAZARDOUS LABORATORY SAMPLE
For hazard information or in an emergency call

ÉCHANTILLON POUR LABORATOIRE DE PRODUIT
DANGEREUX
Pour obtenir des renseignements sur les dangers ou en
cas d'urgence, composez

Tel. _____

SUPPLIER IDENTIFIER

Example of a supplier label for a laboratory sample

Laboratory samples produced and kept in a laboratory

If a hazardous product is produced in a laboratory solely for evaluation, analysis, or testing purposes, the employer need not apply a workplace label to the hazardous product so long as these requirements are followed:

- The hazardous product is intended only for evaluation, analysis or testing in the laboratory and is not removed from the laboratory.
- The hazardous product is clearly identified by any mode of identification understood by employees at the workplace.
- The program of employee education and training is properly conducted.
- The identification and education systems used ensure employees can readily identify and obtain either the information required on a safety data sheet, if one has been produced, or such other information as is necessary to ensure the safe use, storage, and handling of the hazardous product.

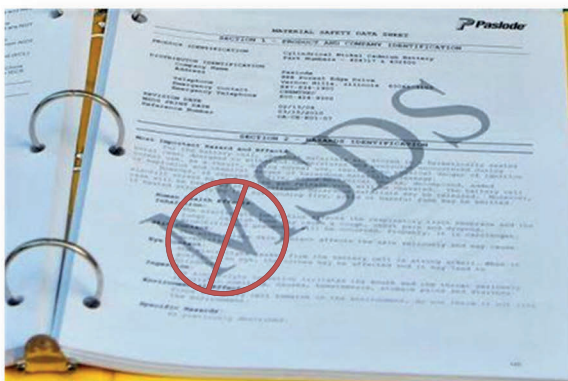
Laboratory samples produced at the workplace - decanted

If a hazardous product received in a laboratory has been transferred from the original container for use, analysis, testing, or evaluation in the laboratory, the employer must ensure all of the following:

- The contents of the second container are clearly identified by any mode of identification understood by workers at the workplace and would enable them to obtain information that would be required on a safety data sheet; and
- The workers have had education and training about the safe use, handling and storage of the hazardous product.

Part 7 – Safety Data Sheets

Safety Data Sheets (SDSs) are documents that provide information about hazardous products and advice about safety precautions. An SDS tells you what the hazards of a product are, how to use the product safely, what to expect if the recommendations are not followed, how to recognize symptoms of exposure, and what to do if emergencies occur.



SDSs provide more detailed hazard information about products than labels do. SDSs are important resources that help you learn more about the products you use. Use this information to identify:

-The hazards of the products you use

- How to protect yourself from those hazards
- Safe handling and emergency measures

SDSs are usually prepared or obtained by the manufacturer or importer of a product. SDSs are required to be accurate at the time of sale. If the manufacturer is in another country, the SDS must be developed by the Canadian importer if that importer wants to supply or distribute the product. The first section of the SDS by a supplier must identify the Canadian supplier. If the product is only for use in the importer's own workplace, however, the manufacturer's SDS is acceptable.

In some circumstances, an employer may be required to prepare the SDS (for example, when the product is produced and used only in that workplace). Every product that is classified as a hazardous product under WHMIS that is intended for use, handling, or storage in a workplace in Canada must have an SDS.

SDSs are complex and technical. SDSs have many different audiences, including occupational hygienists and safety professionals, employers, supervisors, nurses, doctors, emergency responders and workers.

While SDSs have a standard 16-section format to make it easier to quickly find the information that is needed, workers may find some of the information on an SDS difficult to understand because of language barriers or because of the level of technical wording used on an SDS. Employers must be able to explain the content of the SDS to workers in order for them to work safely with or near hazardous products, and workers must be able to demonstrate understanding of the information.

Safety Data Sheets provided by the supplier

The employer must obtain an up-to-date safety data sheet from the supplier on or before the first shipment of a hazardous product. SDSs are required to be accurate at the time of sale.

The SDSs must be updated when significant new data about the hazardous product is provided by the supplier or otherwise becomes available to the employer (previously, employers needed to ensure they were updated every 3 years). Significant new data is defined as "new data regarding the hazard presented by a hazardous product that (i) changes its classification in a category or subcategory of a hazard class, (ii) results in its classification in another hazard class, or (iii) changes the ways to protect against the hazard presented by the hazardous product."

Every SDS must provide a date of last revision in Section 16 – Other Information. You will know if an SDS has been updated by checking this date, and comparing it to the one on any previous SDS you have.

Safety Data Sheets prepared by the employer

An employer may provide an SDS in a format different from the format of the supplier SDS if:

- The employer’s SDS contains no less content than the supplier’s SDS; and
- The supplier’s SDS is available at the workplace and the employer’s SDS discloses its availability.

Where an employer *produces* a hazardous product at the workplace (except for a fugitive emission or an intermediate product undergoing a reaction using a reaction / process vessel), the employer must prepare a supplier SDS that complies with the requirements of Part 4 of the *Hazardous Products Regulations*.

The employer’s SDS must be updated as soon as possible after significant new data about the hazardous product becomes available to the employer, but not later than 90 days.

Availability of Safety Data Sheets

The employer must ensure that SDSs are **readily available*** to each worker who works with the hazardous product or who may be exposed to the hazardous product, and also to the Joint Occupational Health and Safety Committee or Health and Safety Representative.

It is common practice to print all SDSs and keep them in a binder or folder close by and accessible to the workers. It is not acceptable to keep them stored in an area that is too far from workers or in a locked area inaccessible to workers.

** Readily available means “present in physical or electronic form in an appropriate place at a workplace where it is accessible at all times.”*

In your workplace, state how your Safety Data Sheets are stored, located and updated:

If there is a contact person in your workplace who is in charge of SDSs, list his/her name and contact information below:

Employers may computerize the SDS information as long as:

- all workers have access to and are trained on how to use the computer or device,
- the computers/devices are kept in working order, and
- the employer makes a hard copy of the SDS available to the workers or Joint Occupational Health and Safety Committee or Health and Safety Representative on request.

Exposure Controls / Personal Protective Equipment

A hazardous product can affect a worker in different ways, depending on how the worker comes in contact with the product. How a chemical gets into the worker's body is the "route of entry" and includes the following:

- Inhaling the product when it is in the form of a gas, vapour, mist, dust, fume or smoke.
- Absorbing it through the skin by touching the product, usually in liquid form but can also be in other forms as well.
- Splashing it in the eyes, whether directly from the container or by having the product on your hand and touching the eyes.
- Ingesting the product either by swallowing it or by eating or smoking when the worker's hands are contaminated.

Some products can have short-term effects (rash or burn on the skin), while other effects are more long term (cancer or liver/kidney damage), depending on how toxic it is or how often or how large a dose to which a worker is exposed.

Workers need to know how to protect themselves from exposure to a hazardous product. This information can always be found in Section 8 of a Safety Data Sheet. While it is always best to control the hazard from ever reaching the worker (such as improving ventilation or putting up barriers), many times it is only possible to have the worker wear personal protective equipment (PPE).

The type of PPE needed depends on how the product is used. This information will be found on the SDS and on the label. The employer must ensure the worker is trained on the proper care, selection and use of the PPE for the hazardous products being handled.

Types of PPE

Protective clothing – this may include gloves, an apron, boots or a full body suit. It is important to know the correct type of material to use. For example, gloves can be made from neoprene, latex, nitrile, etc., which all protect your skin differently depending on the nature of the product being handled. Long sleeves may be sufficient in some cases but long gloves may be required in others. **Always check the SDS when in doubt.**

Some common PPE Symbols



Examples of different types of protective gloves



Eye protection – Depending on the hazardous product that is being handled, the worker may need different types of eye protection, ranging from chemical splash goggles to a full face shield. Workers who wear contact lenses must notify the employer especially if they are working with substances that may cause more harm to the eyes while wearing them (see s. 45.9 and 45.10 of the OHS General Regulations for PEI).

Check the First Aid measures (Section 4 of the SDS) to determine if there is a requirement to rinse the eyes (or skin) for a period of time when a worker is exposed. If workers are using a hazardous product requiring several minutes of rinsing, be sure there is a faucet on site that allows a continuous flow of water as needed.



Several different types of safety eyewear shown – always check the SDS to determine the best eyewear for the product used

Respiratory protection – Selecting the correct respirator is important – always check the SDS to be sure of the correct one for the hazardous product(s) being used. A proper respirator with a proper seal will ensure the worker is not breathing in a hazardous product. A proper sealing fit to the skin is especially important for respirators, which means workers with facial hair will need clean shaven skin in order to have a proper seal. Even a day’s growth of facial hair can be sufficient to allow a hazardous product to leak in under a good-quality respirator, rendering it ineffective.

Respirators must be maintained in good operating condition if they are to be effective. Leaving a respirator out in a dusty environment, for example, can render it ineffective for the next use. The maintenance should follow the manufacturer's instructions and include the following:

- How to clean and disinfect (unless it is a disposable product)
- How to inspect and keep in good condition
- How to store properly
- How to replace damaged/deteriorated parts and
- How to get a proper fit



Two different types of respirators shown – always check the SDS to determine the best respirator for the hazardous product used

Keep in mind that PPE protects only the user - **it does nothing to remove the hazard from the workplace.** For example, a respirator may help protect the wearer from toxic fumes, but does nothing to protect others in the vicinity.

The employer has responsibilities under Part 45 of the OHS General Regulations with respect to PPE. The employer:

- Must ensure the wearing of the apparel by workers is of a type and condition that will not expose the worker to unnecessary and avoidable hazards
- Must ensure PPE is maintained in good condition
- Must ensure workers who are required to wear PPE are given pre-job instruction on its use, limitations, and its maintenance requirements

Additionally, workers who are required to wear PPE are responsible for testing the equipment before each use and must not wear or use any PPE that the worker believes to be defective.

Part 8 – Confidential Business Information

From time to time, manufacturers have something they want to keep secret from their competitors, such as the exact chemical name and concentration of ingredients. “Confidential business information” refers to specific product information that suppliers or employers who are manufacturers are permitted to withhold from an SDS or label for a period of three years. In the United States, confidential business information may be called trade secrets or proprietary information.

Under WHMIS, a supplier can make a request to Health Canada to protect certain information that gives a company an economic advantage over competitors. Crucial safety information, such as health hazards, may **never** be withheld.

If someone is over-exposed to one of these hazardous products where information has been withheld, a doctor or nurse will need some of this information to treat the exposed worker. A medical professional can phone the supplier at the number listed on the SDS and obtain the details they need in order to treat the worker.

Types of information that may be granted this exemption are:

- Chemical identity
- Concentration of ingredients
- Information that can be used to identify an ingredient, such as a toxicological study
- Information that can be used to identify the hazardous product
- Information that can be used to identify the supplier of the hazardous product

For more information on what confidential business information may be withheld, please consult Section 17 of the PEI WHMIS Regulations at <http://www.wcb.pe.ca>.

Part 9 – Inventory of Toxic Substances

Reference: Section 32 of the Occupational Health and Safety Act of PEI

Under this Act, all employers are required to prepare a list of all biological, chemical or physical agents used, handled, produced or otherwise present at the workplace that may be hazardous to the occupational health or safety of workers. The list must identify all such agents by their common or generic names.

The following information must be included in the inventory:

- a) the ingredients and their common or generic names
- b) the composition and the properties
- c) the toxicological effects
- d) the effects of exposure, whether by contact, inhalation or ingestion
- e) the protective measures used or to be used in respect of the agent
- f) the emergency measures used or to be used to deal with exposure to the agent
- g) the information on the use, transport, storage and disposal of the agent

The employer must ensure the list is kept current and must provide the list to the Joint Occupational Health and Safety Committee or Health and Safety Representative and, on request, to an OHS Officer.

A chemical safety program at the workplace would include maintaining this list of all toxic substances and would document the workers' training and education on using these toxic substances. (See page 28 for a sample inventory template)

Additional Resources

Finding WHMIS information and resources

Stay updated about WHMIS workplace requirements across every jurisdiction in Canada at <http://whmis.org>. This site includes information about WHMIS 2015, including links to resources, jurisdictional news and links. The most recent PEI WHMIS Regulations can also be found on the Workers Compensation Board website at <http://wcb.pe.ca>.

Education and Training

If you are searching for WHMIS 2015 education/training for your managers and workers, you can visit the OHS Service Providers list on the WCB PEI website:

<http://wcb.pe.ca/Workplace/OHSServiceProviders>.

The purpose of this list is to provide assistance to employers in locating service providers in a specific area. The information contained on this list has been supplied by the service providers themselves and the inclusion of a service provider's name on the list does not imply an endorsement or recommendation by the Workers Compensation Board of that service provider. The WCB makes no warranty as to the accuracy or completeness of the information or to the competency of any service provider.

Aggressive Sales Tactics

Many employers have reported being contacted by a private training provider indicating their organization must take specific WHMIS training to comply with the laws. These companies may use high-pressure, aggressive sales tactics and may give the impression that the caller represents the regulator and that the training is required or endorsed by the Workers Compensation Board of PEI. There may be a threat that employers not purchasing the training will be visited by a health and safety officer. If you receive one of these calls and want to verify your legal requirements, call the OHS Division at Workers Compensation Board at 902-368-5697 or toll free 1-800-237-5049.

Employers have a choice when deciding on a WHMIS education and training provider. The goal is to provide education and work-site training that suits your workplace. Employers should include both general WHMIS education as well as work-site specific training information that you need for hazardous products and the procedures used at your workplace. WHMIS education and training may be provided by the employer or by a qualified person or agency that the employer has chosen. Regardless of who delivers the education and training, employers remain legally responsible to ensure the protection of workers.

Canadian Centre for Occupational Health and Safety

You may also wish to contact the Canadian Centre for Occupational Health and Safety (CCOHS), who offer many WHMIS products, including:

- Online educational courses for supervisors and workers (\$)
- Instructor and participant training kits (\$)
- Software to help employers who need to write SDSs (\$)
- Service to manage and maintain all your SDSs (\$)

Visit <http://www.ccohs.ca> or call toll free 1-800-668-4284 for more information.

CCOHS also publishes many fact sheets on WHMIS 2015. Browse their fact sheets at https://www.ccohs.ca/products/publications/whmis_ghs/ to see additional information for Suppliers/Importers, Employers, and more.

Hazardous Products Inventory / Checklist

Workplace Name/Location: _____

Date Last Updated: _____

Hazardous products in your workplace	Who is the Canadian supplier?	Are the labels in WHMIS 2015 format?*	Is there an updated SDS for this product?
List any consumer products in your workplace:			Do you have an updated SDS for each consumer product?

* Remember, the employer must be using only the WHMIS 2015 system by December 1, 2018











SAMPLE INVENTORY OF ALL TOXIC SUBSTANCES as per Section 32 of the OHS Act

Chemical Agents						
Name / Ingredients	Composition and Properties	Toxicological Effects	Effects of Exposure	Protective Measures	Emergency Measures	Use, transport, etc.
Biological Agents						
Name / Ingredients	Composition and Properties	Toxicological Effects	Effects of Exposure	Protective Measures	Emergency Measures	Use, transport, etc.
Physical Agents						
Name / Ingredients	Composition and Properties	Toxicological Effects	Effects of Exposure	Protective Measures	Emergency Measures	Use, transport, etc.

Sample WHMIS program checklist

Activity	Assigned to	Date completed
WHMIS Program Development		
Consult the Joint Occupational Health and Safety Committee or Safety Representative on the development, implementation, and review of the program		
Prepare and maintain a list of all toxic substances used, handled, produced or otherwise present at the workplace as required under s. 32 of the OHS Act		
Prepare and maintain a list of all suppliers		
Maintain a binder and/or electronic database of Safety Data Sheets for all hazardous products at the workplace – ensure they are provided in a manner that is readily available to the workers who need them		
Identify WHMIS instructors, either from internal or external sources (evaluate instructor qualifications)		
Identify workers to be educated and trained – those who work with or may be exposed to hazardous products – maintain training records		
Establish a process to identify new workers and contractors who require education and training		
Evaluate labels and SDSs to be used in the education and training program (check for clarity, accuracy, and completeness)		
Evaluate safe work and emergency procedures to be used in the WHMIS education and training program		
Education and Training		
<i>Education</i>		
Ensure workers receive general introduction to WHMIS (for example, responsibilities, labels and SDSs, etc.)		
Ensure workers are informed about all hazard information received from a supplier concerning the products the worker is using		
<i>Training</i>		
Provide workplace-specific instruction on accessing information on hazardous products		
Provide workplace-specific training to workers whenever new products are received or new hazard information becomes available		
Provide training on workplace-specific safe work procedures and control measures		
Provide training on workplace-specific emergency procedures		
Evaluate the need for additional or specialized instruction to workers (for example, to those with language barriers or learning difficulties) and provide this instruction where required		
Follow up Activities		
Evaluate workers' understanding of WHMIS using suitable means such as written tests, practical demonstrations, or other suitable means. Provide further education and training as required.		
Review the effectiveness of the education and training program EACH YEAR – Reviews must be done in consultation with the Joint Occupational Health and Safety Committee or the Safety Representative		

Overview of WHMIS 2015 Pictograms

	Exploding bomb (for explosion or reactivity hazards)		Flame (for fire hazards)
	Flame over circle (for oxidizing hazards)		Gas cylinder (for gases under pressure)
	Corrosion (for corrosive damage to metals, as well as skin, eyes)		Skull and crossbones (can cause death or toxicity with short exposure to small amounts)
	Health hazard (may cause or suspected of causing serious health effects)		Exclamation mark (may cause less serious health effects or damage the ozone layer)
	Environment* (may cause damage to the aquatic environment)		Biohazardous infectious materials** (for organisms or toxins that can cause diseases in people or animals)

*An environmental hazards group exists in GHS. This group (and its classes) was not adopted in WHMIS 2015. However, you may see the environmental classes listed on labels and SDSs. Including information about environmental hazards is allowed by WHMIS 2015.

**The “Biohazardous infectious materials” hazard class is included in WHMIS 1988 but is not part of GHS. This class has been retained in WHMIS 2015 to maintain worker protection.



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