

WHMIS 1988 – General Fact Sheet



WHAT IS WHMIS?

WHMIS is a short form for Workplace Hazardous Materials Information System. It is a comprehensive plan for providing information on the safe use of hazardous materials used in Canadian workplaces. Information is provided by means of product labels, material safety data sheets (MSDS) and worker education programs.

What are the main parts of WHMIS?

The main components of WHMIS are hazard identification and product classification, labelling, material safety data sheets, and worker training and education.

Why was WHMIS created?

It was created in response to the Canadian workers' right to know about the safety and health hazards that may be associated with the materials or chemicals they use at work. Exposure to hazardous materials can cause or contribute to many serious health effects such as effects on the nervous system, kidney or lung damage, sterility, cancer, burns and rashes. Some hazardous materials are safety hazards and can cause fires or explosions. WHMIS was created to help stop the injuries, illnesses, deaths, medical costs, and fires caused by hazardous materials.

How was WHMIS developed?

WHMIS was developed by a tripartite steering committee with representatives from government, industry and labour to ensure that the best interests of everyone were considered.

Is WHMIS a law?

Yes. WHMIS became law through a series of complementary federal, provincial and territorial legislation that became effective October 31, 1988.

The majority of the "information" requirements (and exemptions) of WHMIS legislation were incorporated into the Hazardous Products Act and the Hazardous Materials Information Review Act. These apply to all of Canada. Regulations made under these acts include:

- Controlled Products Regulations,
- Ingredient Disclosure List,
- Hazardous Materials Information Review Act Appeal Board Procedures Regulations,
- Hazardous Materials Information Review Regulations.

The occupational health and safety components of WHMIS that apply to federal employees and others covered by the Canada Labour Code (CLC) are specified in the CLC and the Canadian Occupational Health and Safety Regulations (Part X).

The following acts and regulations apply to workers and employers covered by the provincial jurisdictions,

Province/Territory	Legislation
British Columbia	Workers' Compensation Act Occupational Health and Safety Regulation, Part 5
Alberta	Occupational Health and Safety Code Part 29 Workplace Hazardous Materials Information System (WHMIS), Sections 395 to 414
Saskatchewan	Occupational Health and Safety Act Occupational Health and Safety Regulations, Part XXII
Manitoba	Workplace Safety and Health Regulation, Man. Reg. 217/2006 Part 35, Workplace Hazardous Materials Information Systems Application
Ontario	Occupational Health and Safety Act Workplace Hazardous Materials Information System (WHMIS) Regulation
Quebec	Act Respecting Occupational Health and Safety Regulation Respecting Information on Controlled Products
New Brunswick	Occupational Health and Safety Act Workplace Hazardous Materials Information System Regulation
Nova Scotia	Occupational Health and Safety Act Workplace Hazardous Materials Information System (WHMIS) Regulations

Prince Edward Island	Occupational Health and Safety Act Workplace Hazardous Materials Information System Regulations
Newfoundland	Occupational Health and Safety Act Workplace Hazardous Materials Information System (WHMIS) Regulations
Yukon	Occupational Health and Safety Act Workplace Hazardous Materials Information System Regulations
Northwest Territories & Nunavut	Safety Act Work Site Hazardous Materials Information System Regulations

What are the duties under WHMIS?

Suppliers, employers and workers all have specified responsibilities in the Hazardous Products Act.

Suppliers: Canadian suppliers are those who sell or import products. When this product is considered a “controlled product” according to the WHMIS legislation, a supplier must label the product or container, and they must provide a material safety data sheet (MSDS) to their customers. The purpose of the labels is to clearly identify the contents of the hazardous material, and the MSDS is to explain what those hazards are.

Employers: Employers are required to establish education and training programs for workers exposed to hazardous products in the workplace. Employers must also make sure that the products are labelled and that an MSDS is present for each product and that they are readily available to workers.

Workers: Workers are required to participate in the training programs and to use this information to help them work safely with hazardous materials. They may also inform employers when labels on containers have been accidentally removed or if the label is no longer readable.

What are controlled products?

Controlled products is the name given to products, materials, and substances that are regulated by WHMIS legislation. All controlled products fall into one or more of six WHMIS classes.

Who enforces WHMIS?

WHMIS is enforced by the Labour Branch of Human Resources Development Canada for federal workplaces and by the provincial or territorial agencies responsible for occupational health and safety for most other workplaces.