

Joint OSHA/Health Canada Guidance on Regulatory Processes for Hazardous Products in the Workplace



U.S. Department of Labor



**Occupational Safety
and Health Administration**

Level of government or responsible party	United States	Canada
Federal	The Occupational Safety and Health Administration's (OSHA's) Hazard Communication Standard (HCS) sets the labeling, safety data sheet (SDS), and training requirements for chemical manufacturers, importers, distributors, and employers who produce, import, and use hazardous chemicals in the workplace in the United States.	The <i>Hazardous Products Act</i> (HPA) and the <i>Hazardous Products Regulations</i> (HPR) set the labelling and safety data sheet (SDS) requirements for suppliers and importers who sell or import hazardous products intended for use, handling, or storage in workplaces in Canada.
Provincial/ Territorial/State	OSHA-approved State Plan states set the requirements in their respective states or territories for manufacturers, importers, distributors, and employers who produce, import, and use hazardous chemicals in the workplace. State Plan states must have a hazard communication standard that is identical to, or at least as effective as the federal OSHA HCS, and must not unduly burden interstate commerce.	Federal, provincial, and territorial Occupational Safety and Health (OSH) legislation and regulations outline the rights and responsibilities of the employer and the worker, and the requirements for training. OSH regulations are based on a common model regulation, the Workplace Hazardous Materials Information System (WHMIS) Model OSH regulation, which is aligned with the HPA and the HPR.
Suppliers	Chemical manufacturers and importers must evaluate the hazards of the chemicals they produce or import, and prepare labels and SDSs to convey the hazard information to their downstream customers. Suppliers (distributors) who sell hazardous products must provide HCS-compliant labels and SDSs to downstream customers.	Under the HPA, manufacturers, importers, or distributors of a hazardous product are all considered suppliers. Suppliers who sell hazardous products must provide HPR-compliant labels and SDSs. Suppliers who import hazardous products must obtain or prepare HPR-compliant SDSs, and ensure that the products have HPR-compliant labels.
Employers	Employers must prepare and implement a written hazard communication program, ensure that labels are on containers, maintain and provide access to SDSs for all hazardous chemicals in their workplace, and inform and train workers on the hazards of the chemicals in their work areas, including how to identify and control hazards, and to protect themselves.	Employers must ensure that all workplace hazardous products are labelled, SDSs are available to workers, and employees are trained on WHMIS. All employees must be educated and trained to understand the hazards of each product and how to work safely with the hazardous products to ensure their own protection and the protection of their co-workers.
Workers	Workers must receive information and training provided by their employer on hazardous chemicals in their work area.	Workers must participate in WHMIS education and training programs, take necessary steps to protect themselves and their co-workers, and participate in identifying and controlling hazards.