1.3 Describe the federal legislation for hazardous products.

Workplace Hazard Materials Information System (WHMIS) first became law in 1988 through federal, provincial and territorial legislation and regulations. Health Canada is the federal government body that is responsible for overall federal WHMIS related laws. The *Labour Program at Employment and Social Development Canada* is responsible for workplaces under federal jurisdiction.

Canadian federal legislation was amended on February 11, 2015 to align with the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). This legislation includes the:

- *Hazardous Products Act* (HPA)
- *Hazardous Products Regulations* (HPR)
- *Hazardous Materials Information Review Act* (HMIRA)
- *Hazardous Materials Information Review Regulations* (HMIRR)

The HPR sets out the hazard classification and hazard communication requirements. The HMIRA and its regulations allow confidential business information to be protected and sets out the process for filing a claim for exemption.

The *Hazardous Products Regulations* set out specific hazard classification criteria. If a product meets the criteria laid out in the regulations, it is classified as a **hazardous product**. All hazardous products used in the workplace are covered by WHMIS regulations.

This change in legislation resulted in the alignment of Canada's Workplace Hazardous Materials Information System (WHMIS) with the Globally Harmonized System of Classification and Labelling of Chemicals (GHS). The previous version of WHMIS is now referred to as WHMIS 1988 and the new WHMIS is WHMIS 2015. WHMIS 2015 came into full effect as of December 1, 2018. The provinces and territories were also required to update their legislation and regulations to WHMIS 2015.

A WHMIS program must be in place for any workplace where hazardous products are used. Workers must be provided education and training to understand the hazards, safe use, handing and storage of these hazardous products.

WHMIS 2015 differentiates between education and training. Education refers to the general WHMIS information and hazards of the products. Training refers to the specific worksite or job information that the worker receives to understand the workplace's procedures for safe use, handing, storage, and emergencies.

Note: The federal *Transportation of Dangerous Goods Act* (TDG) is not the same as WHMIS legislation. The TDG protects the general public from hazards associated with the transport of hazardous products on public roads, in the air, by rail or on waterways. WHMIS protects workers at workplaces from hazardous products by providing product hazard information to promote safe use, handing and storage.