Changes to WHMIS are coming

After many years of discussion and proposed implementation timelines, it seems as though the Globally Harmonized System (GHS) for hazardous materials in the workplace will finally arrive in Canada and Ontario.

For some 25 years, Ontario workplaces have used the Workplace Hazardous Materials Information System (WHMIS) to inform workers about the dangers of controlled products. WHMIS is fundamental to a worker's right to know about hazards in the workplace.

Problems with WHMIS

Canada's WHMIS standard came into effect in 1988. Since then, our trade with countries that don't have systems like WHMIS has increased, and new products (and hazards) have been introduced. There are differences in how other countries classify chemicals, develop Material Safety Data Sheets (MSDSs), and organize their labels. This can cause confusion and make it difficult to enforce and to comply with the WHMIS standard. Ultimately, this confusion threatens the health and safety of workers both here and abroad.

What is GHS?

In 1992, the United Nations created an international system for classifying and identifying workplace chemical hazards in a consistent way. This system came to be known as the Globally Harmonized System for Classification and Labelling of Chemicals, or GHS.

GHS has three main elements:

1. **Classification of Chemicals**
   GHS sets out standard rules for classifying chemicals. Chemicals are classified into one of three hazard groups: health, physical, or environmental. However, Canada is not expected to adopt the environmental hazard group. Within the hazard groups, new classes of hazards are expected, such as explosives, combustible dusts, and simple asphyxiants. Although GHS does not recognize biohazardous materials (currently Class D3 under WHMIS), this category will likely be retained by Canada.

2. **Safety Data Sheets**
   GHS will also require the use of newly designed Safety Data Sheets (SDSs), which will replace the current MSDSs. Although the differences are not expected to be extreme, there are some. The SDS will have 16 sections, whereas WHMS has 9. Much of the information for the SDS is already contained in the MSDS, but it is better organized and clearer. The SDS must also list the sections in a specified order, use the words "Danger" or "Warning", post or describe hazard symbols, and include hazard statements.

3. **Labels**
   GHS-compliant labels contain hazard symbols and signal words and list hazardous ingredients. Some of the symbols such as those that stand for skin irritation, cancer/germ cell, aspiration hazard, and explosives are different from those used in WHMIS. (See next page for pictograms.) Perhaps the most notable change, however, will be the removal of the distinctive hatched border.

GHS in Canada

Many countries have already adopted GHS into their existing legislation. In fact, the United States has started incorporating GHS into its Hazard Communication standard. At the federal level in Canada, amendments will have to be made to the *Hazardous Products Act* and the Controlled Products Regulation, which set out requirements for suppliers of controlled products. At the provincial level, the WHMIS legislation must also be amended to require that proper hazard information be obtained by employers and given to workers in a way that is consistent with GHS.

When will the new system take effect?

Health Canada, which is in charge of managing GHS implementation, has expressed a strong interest in aligning and synchronizing the implementation of GHS in Canada with the United States. The following tentative schedule has been proposed.

Proposed changes to *Hazardous Products Act* and Controlled Products Regulation published in the *Canada Gazette*, Part I. This gives various interested parties a final opportunity to review and comment on the proposed changes to the legislation before it is enacted.

Spring 2013

Final amendments to the federal legislation to be published in the *Gazette*, Part II before receiving Royal Assent and becoming law.

Early 2014

Amendment to *Hazardous Products Act* and Controlled Products Regulation come into force.

June 2015

After GHS comes into force in 2015, there will likely be a transition period to allow workplaces time to convert from WHMIS to GHS. In addition, provincial WHMIS legislation will also have to be amended to incorporate the GHS requirements.

What can workplaces do to prepare for GHS?

Workplaces in Ontario should continue complying with the current WHMIS legislation. This includes training workers and providing labels and MSDSs.

GHS Safety Data Sheets: Workplaces in Ontario may already be receiving GHS-compliant Safety Data Sheets from their suppliers. Although the use of the sheets is permitted, employers must ensure that workers are trained to understand the new style of SDS.

GHS labels: Some workplaces may already be receiving GHS labels; however, the use of these labels in place of WHMIS labels in the workplace is not yet permitted.

Review inventory: With the expected implementation of GHS in Canada likely to be only a few years away, workplaces should consider reviewing their inventory and minimizing unnecessary chemicals in the workplace. This can help them make the transition from WHMIS to GHS.

The transition to GHS is expected to result in much activity in the coming year. Check back with IHSA for more updates as new information becomes available.