

Employer Alert: High Pressure Sales Tactics Providing Misleading Information About Workplace Training

KEY INFORMATION

An employer must ensure that a worker who works with a hazardous product regulated by WHMIS or performs work involving the manufacture of a WHMIS regulated product receives WHMIS training.

Alberta Labour recently received reports and complaints about aggressive, high-pressure sales tactics by commercial providers of workplace safety training for the Workplace Hazardous Materials Information System (WHMIS). When contacted, employers may be given the impression that the caller is someone who represents the government and that the training is mandatory or required/endorsed by Alberta Labour.

In Alberta, workplace health and safety legislation is governed by the *Occupational Health and Safety (OHS) Act, Regulation and Code*. Part 29 of the OHS Code addresses WHMIS training requirements. An employer must ensure that a worker who works with a hazardous product regulated by WHMIS or performs work involving the manufacture of a WHMIS regulated product receives WHMIS training. WHMIS regulated products are chemicals that fit in one or more of the hazard classes defined by the federal *Hazardous Products Act*. A worker who works with a WHMIS regulated product is any worker who stores, handles, uses or disposes of a product or who immediately supervises another worker performing these duties. "In proximity" is the

area in which the worker's health and safety could be at risk during storage, handling, use or disposal of the product, maintenance operations or in an emergency such as a spill or fire. The physical area of risk depends on the quantity of product, its form, the extent of enclosure during its use, scheduling of work activities and persistence of the product after its release.

Alberta Labour is not affiliated with commercial training providers for WHMIS. **There is no requirement for an employer to use a commercial training provider or materials created by a commercial company to conduct WHMIS training.** In fact, an employer may develop their own materials and conduct the training in-house. Further, an employer will not necessarily meet the WHMIS training requirements in the OHS Code by only using the generic training courses provided by commercial providers. The training must include site-specific information about the products and health and safety procedures used at the work site.

To file a complaint:

For those who wish to file a complaint on the tactics of a company soliciting them for training services, contact:

Canadian Anti-Fraud Centre
1-888-495-8501,
www.phonebusters.com

Competition Bureau
<http://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/home>

Contact Us

OHS Contact Centre

Throughout Alberta

- 1-866-415-8690

Edmonton & surrounding area

- 780-415-8690

Deaf or hearing impaired:

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

PSI Online Reporting Service

alberta.ca/report-potentially-serious-incidents.aspx

Website

alberta.ca/occupational-health-safety.aspx

FOR MORE INFORMATION

OHS Code

<http://www.gp.alberta.ca/ohscode.cfm>

WHMIS for Employers

<https://ohs-pubstore.labour.alberta.ca/ch008>

WHMIS for Workers

<https://ohs-pubstore.labour.alberta.ca/ch007>

Get Copies of OHS Act, Regulation and Code

Alberta Queen's Printer

qp.gov.ab.ca

Occupational Health and Safety

alberta.ca/ohs-act-regulation-code.aspx

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