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## Guide to the Occupational Health and Safety Act

The *Occupational Health and Safety Act* sets out the rights and duties of all parties in the workplace, as well as the procedures for dealing with workplace hazards and for enforcement as needed.

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### Foreword

This guide does not constitute legal advice. To determine your rights and obligations under the *Occupational Health and Safety Act* (<https://www.ontario.ca/laws/statute/90o01>) (OHSA) and its regulations, please contact your legal counsel or refer to the legislation.

For further information on the OHSA and its requirements you may wish to refer to the relevant health and safety association:

- [Health & Safety Ontario](http://www.healthandsafetyontario.ca/HSO/Home.aspx) (<http://www.healthandsafetyontario.ca/HSO/Home.aspx>)
- [Workers Health & Safety Centre](https://www.whsc.on.ca/Home) (<https://www.whsc.on.ca/Home>)

### Introduction

We all share the goal of making Ontario's workplaces safe and healthy.

The *Occupational Health and Safety Act* <sup>[1]</sup> provides us with the legal framework and the tools to achieve this goal. It sets out the rights and duties of all parties in the workplace. It establishes procedures for dealing with workplace hazards and it provides for enforcement of the law where compliance has not been achieved voluntarily by workplace parties.

The Act came into force in 1979. Changes to the Act in 1990 and subsequent years continued the evolution of occupational health and safety legislation since its original enactment. These changes have strengthened the requirements for occupational health and safety in Ontario workplaces and have reinforced the internal responsibility system (IRS) and the workplace structures, in particular the joint health and safety committees.

Employers should note that the Act makes it clear that the employers have the greatest responsibilities with respect to health and safety in the workplace. However all workplace parties have a role to play to ensure that health and safety requirements are met in the workplace. All workplace parties have a responsibility for promoting health and safety in the workplace and a role to play to help the workplace be in compliance with the statutory requirements set out under the Act. The respective roles and responsibilities for all workplace parties are detailed in the Act. This is the basis for the internal responsibility system.

Every improvement in occupational health and safety benefits all of us. Through cooperation and commitment, we can make Ontario a safer and healthier place in which to work.

It's worth working for.

## About this guide

This **guide does not replace** the *Occupational Health and Safety Act* (OHSA) and its regulations, and **should not be used as or considered legal advice**. Health and safety inspectors apply the law based on the facts in the workplace.

This guide can assist you in understanding how to have a healthy and safe workplace. It explains what every worker, supervisor, employer, constructor and workplace owner needs to know about the *Occupational Health and Safety Act*. It describes workplace parties' rights and responsibilities in the workplace and answers, in plain language, the questions that are most commonly asked about the Act.

This guide is intended to provide an overview of the Act. It is not a legal document. The guide does not cover every situation or answer every question about the legal requirements concerning occupational health and safety in Ontario. In order to understand your legal rights and duties, you must read the Act and the regulations. But if you read this guide beforehand, you may find the technical language of the legislation easier to understand. Throughout the guide, the relevant section numbers of the *Occupational Health and Safety Act* have been inserted in the text for ease of reference.

The Ministry of Labour, Training and Skills Development issues guidance documents to assist with the application and interpretation of sections of the Act that relate to occupational health and safety. Guidance documents are intended to assist workplace parties with compliance, but, are not intended to provide interpretations of the law. This guidance document is designed to provide all workplace parties with guidance on the requirements of the OHSA.

Current versions of Ontario law can be viewed at or downloaded and printed from [e-Laws](https://www.ontario.ca/laws/) (<https://www.ontario.ca/laws/>).

If you need help in answering questions about the Act or the regulations, you have a number of options. You may:

- Visit the Ministry of Labour, Training and Skills Development's website
- Call the Ministry's toll-free health and safety information line at 1-877-202-0008 between 8:30 a.m. and 5:00 p.m. Monday-Friday for general inquiries about workplace health and safety
- Seek legal advice.

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## Footnotes

- [1] ^ The *Occupational Health and Safety Act* (<https://www.ontario.ca/laws/statute/90o01>) is amended from time to time.