



The Occupational Health and Safety Act at a Glance

The Ontario Nurses' Association (ONA) believes it is the right of all its members to work in a healthy and safe work environment. It further believes in the pursuit of the highest degree of physical, mental, and social well-being of workers in all occupations.

As one of the largest health care unions in the province and in the country, ONA believes it is part of its mandate to exercise a strong leadership role in achieving progressively greater gains in the field of occupational health and safety. As a leader, you have an important role in ensuring all members have a healthy and safe work environment.

The following chart is an “at a glance” chart highlighting provisions in the *Occupational Health and Safety Act (OHSA)* designed for representatives to use when a quick reference is needed.

Section	Summary
9. (2)	When a Joint Health and Safety Committee (JHSC) is required
9. (3.2)	Designation of non-JHSC worker member to inspect workplace
9. (6-8)	Composition and selection of committee
9. (11)	Committee to be co-chaired
9. (12)	Certified members required
9. (18)	Powers of JHSC members to:
9. (18) (a)	Identify hazards,
9. (18) (b)(c)	Make recommendations,
9. (18) (d)(e)	Obtain information, and
9. (18) (f)	Be consulted about, and present at, any health and safety testing.
9. (19)	Worker member present during health and safety testing
9. (19.1)	Written recommendations by one co-chair
9. (20)	Response to recommendations
9. (22)	Minutes of JHSC meetings to be kept
9. (23-29)	Workplace inspections
9. (31)	JHSC member to investigate critical injury/fatality
9. (32)	Posting of names and work locations of JHSC members
9. (33)	JHSC meeting frequency
9. (34)	Entitlement to time from work
9. (35-36)	Entitlement to be paid
11. (1)	Consult the JHSC (HSR) for investigating industrial hygiene
12. (1)	Upon request, WSIB to send annual summary (not limited to accident fatalities, number of lost workdays, incidence of occupational illness...)
25. (1)	Duties of employers
25. (2) (e)	Employer to assist the JHSC
25. (2) (l)	Employer to provide JHSC with report respecting health and safety
27. (1)	Duties of supervisors

28. (1-2)	Duties of workers
Part III.0.1	Violence and harassment
32.0.2 (1)	Violence program
32.0.2(2)	Contents
32.0.3 (1)	Assessment of risks of violence
32.0.4	Domestic violence
32.0.5	Duties re violence
32.0.6 (1)	Harassment program
32.0.6 (2)	Contents
32.0.7 (1)	Duties re harassment
38. (1)	Material safety data sheets to be made available
Part IV	Toxic substances (biological, chemical, physical or combination)
43.(3)	Right to refuse unsafe work (limited for some health-care workers)*
43. (4)	Report of refusal to work – JHSC worker member to attend work refusal
45. (1-9)	Bilateral work stoppage
47. (1-7)	Unilateral work stoppage
48. (1-2)	JHSC certified member to investigate dangerous circumstance
50. (1)	No reprisals
51. (1)	Employer to advise JHSC of critical injury/fatality at workplace
52. (1)	Notice of accident, fire, explosion or violence causing injury
52. (2)	Notice of occupational illness
54. (3)	JHSC worker member to accompany Ministry of Labour, Immigration, Training and Skills Development (MLITSD) inspector
57. (1)	MLITSD inspector may issue orders
57. (10)	MLITSD inspector order(s) to be provided to JHSC
62. (5)	No person shall interfere with a JHSC or a committee member
63.	Confidentiality of certain information
65.	Immunity for JHSC members
Regulations	Ont. Reg. 420 / 21 – Notices and Reports under Sections 51 to 53.1 of the Act – Fatalities, Critical Injuries, Occupational Illnesses and Other Incidents
Regulations	Ont. Reg. 833 – Control of Exposure to Biological or Chemical Agents
Regulations	Ont. Reg. 1101 – First Aid Requirements (under review to transfer from WSIB to MLITSD)
Regulations	Ont. Reg. 67/93 – Health Care and Residential Facilities
Regulations	Ont. Reg. 851 – Industrial Establishments
Regulations	Ont. Reg. 474/07 – Needle Safety
Regulations	Ont. Reg. 860 – Workplace Hazardous Materials Information System (WHMIS)
Regulations	RRO 1990, Ont. Reg. 861 – X-ray Safety
Regulations	Ont. Reg. 559/22 – Naloxone Kits

*While the right to refuse unsafe work is not limited in some health-care sectors (i.e. community health), be aware there may be consequences related to regulatory body (i.e. CNO) standards. To learn more about your right to refuse, see “My Right to Refuse Unsafe Work: A Guide for ONA Members” on the ONA Website: <https://www.ona.org/my-right-to-refuse-unsafe-work-guide/>.

This is not an exhaustive list. Please speak to the servicing Labour Relations Officer if you need more guidance.