## What is the standard of due diligence?

Taking all reasonable care to protect the well-being of employees or co-workers.

#### What is the defense of due diligence?

to follow safe work procedures (e.g. confined space entry

☐ Emergency response plan and record of drills and any resulting

☐ Statistics on the frequency and severity of accidents

All reasonable precautions to comply were taken in the circumstances.

## What is the test of due diligence?

Documentation of an effective OH&S program; an effective OH&S program includes:

☑ A written OHS program that has been implemented.

☐ Sampling and monitoring records of exposures to harmful

☐ OH&S related budget items and purchase orders

- ☑ An employer who takes steps to control or eliminate specific hazards.
- ☑ Written safe work procedures that are understood and followed by workers.
- Workers who are provided with adequate instruction, training, supervision and discipline to work safely.

#### How can this checklist help?

Workplace (specify):

The following checklist is intended to help employers determine if they have sufficient documentation of an effective OH&S program. Other due diligence factors to consider include health and safety performance in the workplace, the employer's history of compliance with the Workers Compensation Act and OH&S Regulation, the degree of hazard associated with violations, etc. This checklist is only a guideline.

Part 1: Does the employer keep the following types of records or documents?							
☐ Worker orientation records	Records of worker/supervisor training showing the date, names of attendees and topics covered (e.g. Lockout, WHMIS)						
☐ Inspection reports and records of corrective actions taken to solve problems	☐ Incident/accident investigation reports and records of corrective actions taken to solve problems						
☐ Records of meetings and crew talks where safety issues were discussed	☐ Supervisor's notes and logs of safety contacts with workers						
Records showing use of progressive discipline to enforce safety rules and written safe work procedures	☐ Joint OH&S Committee meeting reports showing steps taken to address health and safety issues						
☐ Subcontractor pre-qualification documents	☐ Equipment log books and maintenance records						
☐ First aid records, medical certificates, hearing tests	☐ Forms and checklists showing the employer requires workers						

permits)

improvements

# Part 2: Do the employer's records or documents show an effective OH&S Program?

Do records/documents indicate that the employer/management:							
1.	State and communicate a clear workplace OH&S policy		Yes		No		
2.	Assign responsibility and resources for implementing OSH Program to identified person(s)		Yes		No		
3.	Include workplace OH&S issues on management meeting agendas		Yes		No		
4.	Require contractors to conform to OH&S regulations		Yes		No		
5.	Ensure records are maintained (See Part 1)		Yes		No		
6.	Review statistics on the frequency and severity of accidents, as well as injury and illness trends		Yes		No		
	over time						
7.	Assign responsibility for identifying hazards and conducting risk assessments		Yes		No		
7. 8.	Assign responsibility for identifying hazards and conducting risk assessments  Implement appropriate controls (engineering, work practice/administrative, PPE) for identified		Yes Yes	_=	No No		
7. 8.				_=			
7. 8.	Implement appropriate controls (engineering, work practice/administrative, PPE) for identified			_=			
7. 8. 9.	Implement appropriate controls (engineering, work practice/administrative, PPE) for identified hazards (e.g. machine guarding, lockout, bloodborne pathogens, confined space, falls from						
	Implement appropriate controls (engineering, work practice/administrative, PPE) for identified hazards (e.g. machine guarding, lockout, bloodborne pathogens, confined space, falls from elevation, chemical hazards, repetitive strain injury, etc.)		Yes		No		
9.	Implement appropriate controls (engineering, work practice/administrative, PPE) for identified hazards (e.g. machine guarding, lockout, bloodborne pathogens, confined space, falls from elevation, chemical hazards, repetitive strain injury, etc.)  Implement a preventative maintenance schedule as required by manufacturers' and industry		Yes		No		

D												
	rds/documents indicate that supervi		*1*.*				_					
	eive training to perform their safety an	d health responsib	ilities			es		No				
13. Give crew talks/conduct safety meetings						z'es		No				
14. Participate in inspections						es _		No				
15. Conduct incident/accident investigations						/es		No				
16. Take action to correct reported hazards						'es		No				
17. Conduct orientation						es		No				
18. Conduct on-the-job training						Zes		No				
19. Evaluate training to ensure that it is effective						es		No				
20. Monitor work conditions and practices in areas where they have responsibility						es es		No				
21. Correct employees not following rules and procedures						es .		No				
22. Kee	p records of progressive discipline				□ Y	es		No				
23. Hav	e OH&S considered as an element in t	heir performance	evaluation			Zes		No				
Do records/documents indicate that workers:												
	eive orientation					z'es		No				
	eive specific job instruction					es es		No				
	eive health and safety training (e.g. res	nonsihilities haza	rds engineering controls	written	ļ	zes		No				
	work procedures, use of PPE)	ponsionities, naza	rus, engineering controls,	WIIttell	- 1	CS	_	110				
	nonstrate the skills/knowledge necessar	v to perform their	iobs safely			z'es		No				
	ort injuries and hazards	y to perioriii then	Joos sarely			zes z		No				
	icipate in inspections					es es		No				
	icipate in incident/accident investigation	one				es es		No				
30. Tare	icipate in incident/accident investigation	)IIS			ו עו	CS		110				
When dealing with disciplinary procedures for workers, supervisors and managers who don't												
follow s	afety rules or safe work procedures:											
31. Are	there disciplinary procedures in place's				□ Y	es es		No				
32. Are	workers/supervisors/managers aware of	of them?			□ Y	'es		No				
33. Are	disciplinary procedures used effective	ly?			□ Y	Zes .		No				
34. Are they monitored by the Joint Health & Safety Committee or health and safety representative?						Zes –		No				
35. Are good records kept of progressive discipline used to enforce safety rules and written safe						Zes Z		No				
work procedures?												
Checkl	ist completed by (name):		Date	<del>)</del> :								
Emplo	yer's Action Plan											
Item #	Action Required (specify)		Action by (name)	Target	Date	Con	nplet	ed				
			• • • • • • • • • • • • • • • • • • • •									
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For more information on OH&S Programs or answers to other health and safety questions, contact your local WCB officer or the Prevention Information Line at 1 888 621-SAFE (7233) or 604 276-3100.