

DUE DILIGENCE CHECKLIST

What is the *standard* of due diligence?

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

What is the *defence* of due diligence?

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 has been implemented.
- 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?

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.

WORKPLACE (specify) _____

Part 1: Does the employer keep the following types of documents?

<input type="checkbox"/> Worker Orientation records	<input type="checkbox"/> Records of worker/supervisor training showing the date, names of attendees and topics covered (e.g. Lockout, WHMIS)
<input type="checkbox"/> Inspection reports and records of corrective actions taken to solve problems	<input type="checkbox"/> Incident/accident investigation reports and records of corrective actions taken to solve problems
<input type="checkbox"/> Records of meetings and crew talks where safety issues were discussed	<input type="checkbox"/> Supervisor's notes and logs of safety contacts with workers
<input type="checkbox"/> Records showing use of progressive discipline to enforce safety rules and written safe work procedures	<input type="checkbox"/> Joint OH&S Committee meeting reports showing steps taken to address health and safety issues
<input type="checkbox"/> Subcontractor pre-qualification documents	<input type="checkbox"/> Equipment log books and maintenance records
<input type="checkbox"/> First aid records, medical certificate, hearing tests	<input type="checkbox"/> Forms and checklists showing the employer requires workers to follow safe work procedures (e.g. confined space entry permits)
<input type="checkbox"/> Sampling and monitoring records of exposures to harmful substances	<input type="checkbox"/> Emergency response plan and record of drills and any resulting improvements
<input type="checkbox"/> OH&S related budget items and purchase orders	<input type="checkbox"/> Statistics of the frequency and severity of accident

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	<input type="checkbox"/> YES		<input type="checkbox"/> NO
2	Assign responsibility and resources for implementing OS&H Program to identified person	<input type="checkbox"/> YES		<input type="checkbox"/> NO
3	Include workplace OH&S issues on management meeting agendas	<input type="checkbox"/> YES		<input type="checkbox"/> NO
4	Require contractors to conform to OH&S regulations	<input type="checkbox"/> YES		<input type="checkbox"/> NO
5	Ensure records are maintained (see Part I)	<input type="checkbox"/> YES		<input type="checkbox"/> NO
6	Review statistics on the frequency and severity of accidents, as well as injury and illness trends over time	<input type="checkbox"/> YES		<input type="checkbox"/> NO
7	Assign responsibility for identifying hazards and conducting risk assessments	<input type="checkbox"/> YES		<input type="checkbox"/> NO
8	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.)	<input type="checkbox"/> YES		<input type="checkbox"/> NO
9	Implement a preventative maintenance schedule as required by manufacturer's and industry recommendations and standards	<input type="checkbox"/> YES		<input type="checkbox"/> NO
10	Address Joint Health & Safety Committee or health & safety representative recommendations	<input type="checkbox"/> YES		<input type="checkbox"/> NO
11	Review OH&S Program activities (e.g. once a year) and make improvements as needed	<input type="checkbox"/> YES		<input type="checkbox"/> NO

DUE DILIGENCE CHECKLIST - CONT'D

Do records/documents indicate that supervisors:		
12	Receive training to perform their safety and health responsibilities	<input type="checkbox"/> YES <input type="checkbox"/> NO
13	Give crew talks/conduct safety meetings	<input type="checkbox"/> YES <input type="checkbox"/> NO
14	Participate in inspections	<input type="checkbox"/> YES <input type="checkbox"/> NO
15	Conduct incident/accident investigations	<input type="checkbox"/> YES <input type="checkbox"/> NO
16	Take action to correct reported hazards	<input type="checkbox"/> YES <input type="checkbox"/> NO
17	Conduct orientation	<input type="checkbox"/> YES <input type="checkbox"/> NO
18	Conduct on-the-job training	<input type="checkbox"/> YES <input type="checkbox"/> NO
19	Evaluate training to ensure that it is effective	<input type="checkbox"/> YES <input type="checkbox"/> NO
20	Monitor work conditions and practices in areas where they have responsibility	<input type="checkbox"/> YES <input type="checkbox"/> NO
21	Correct employees not following rules and procedures	<input type="checkbox"/> YES <input type="checkbox"/> NO
22	Keep records of progressive discipline	<input type="checkbox"/> YES <input type="checkbox"/> NO
23	Have OH&S considered as an element in their performance evaluation	<input type="checkbox"/> YES <input type="checkbox"/> NO

Do records/documents indicate that workers:		
24	Receive orientation	<input type="checkbox"/> YES <input type="checkbox"/> NO
25	Receive specific job instruction	<input type="checkbox"/> YES <input type="checkbox"/> NO
26	Receive health and safety training (e.g. responsibilities, hazards, engineering controls, written safe work procedures, use of PPE)	<input type="checkbox"/> YES <input type="checkbox"/> NO
27	Demonstrate the skills/knowledge necessary to perform their jobs safely	<input type="checkbox"/> YES <input type="checkbox"/> NO
28	Report injuries and hazards	<input type="checkbox"/> YES <input type="checkbox"/> NO
29	Participate in inspections	<input type="checkbox"/> YES <input type="checkbox"/> NO
30	Participate in incident/accident investigations	<input type="checkbox"/> YES <input type="checkbox"/> NO

When dealing with disciplinary procedures for workers, supervisors and managers who don't follow safety rules or safe work procedures:		
31	Are there disciplinary procedures in place?	<input type="checkbox"/> YES <input type="checkbox"/> NO
32	Are workers/supervisors/manager aware of them?	<input type="checkbox"/> YES <input type="checkbox"/> NO
33	Are disciplinary procedures used effectively?	<input type="checkbox"/> YES <input type="checkbox"/> NO
34	Are they monitored by the Joint Committee or health and safety representative?	<input type="checkbox"/> YES <input type="checkbox"/> NO
35	Are good records kept of progressive discipline used to enforce safety rules and written safe work procedures?	<input type="checkbox"/> YES <input type="checkbox"/> NO

CHECKLIST COMPLETED BY (name): _____ DATE: _____

Employer's Action Plan				
Item #	Action Required (specify)	Action by (Name)	Target Date	Completed
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

For more information on OH&S Programs or answers to other health and safety questions, contact your location WCB Officer of the Prevention Information Line at 1-888-621-SAFE (7233) or 604-276-3100.