

Giving diligence its due

By Allison Markin

It's not just a buzzword. Due diligence is an important part of your occupational health and safety program. So how do you practise it?

Due diligence. You may have heard the phrase tossed about recently, but what does it mean? And why should you be practising it? Not just a couple of words to be used by lawyers, due diligence is something everyone in your workplace must practise as part of an effective occupational health and safety (OHS) program.

Taking proper precautions

"Due diligence" simply means taking reasonable care to protect the well-being of employees or co-workers. To meet the standard of due diligence, you must take all precautions that are reasonable in the circumstances so that you can carry out your work and meet your health and safety responsibilities. For example, if your employees work around toxic fumes, due diligence would likely include providing respiratory protection. In an average office setting, that same level of protection would obviously be excessive and not part of due diligence.

It all comes down to this: if you're putting your workers in unsafe circumstances without practising due diligence, you're putting your employees – and your company – at risk.

While no one can anticipate every situation, you should develop an OHS program that takes into consideration your company's particular hazards. While

each workplace has different needs, all OHS programs should be comprehensive, regularly updated, and targeted to control specific hazards. The greater the risk, the greater the need for policies and safe work practices tailored to your workplace. Not every job requires handling hazardous chemicals, for example, but there are inherent risks in every workplace and your OHS program should address them.

Here are some solid reasons for practising due diligence:

- **Prevent injuries** – Making due diligence part of your OHS program just makes sense. The time to practise due diligence is not after an accident, but before it happens.
- **Form the basis of a legal defence** – If someone is injured at your workplace and your company is prosecuted, you could prevent some legal headaches if you can prove that you took all reasonable precautions to prevent injury.
- **Avoid potential fines** – If you're written up for a safety infraction, WorkSafeBC is less likely to impose fines or penalties if your OHS program adheres to WorkSafeBC standards, as outlined in the *Workers Compensation Act* and Occupational Health and Safety Regulation. Keep proper documents, including your OHS plan, training records, and incident reports, to show that you took reasonable care to prevent injuries.

Everyone plays a role

Everyone on the job is responsible for safety, but it's up to the employer to ensure that an OHS program is in place and in practice, including training for new employees and ongoing education for the entire team to ensure they're up to speed. If you have a well-written OHS program but no one knows about it, what good will it be in preventing injuries and incidents?

A large part of due diligence is preparation, for you and your staff. Assign specific responsibilities to your managers and supervisors and make sure they're comfortable with your OHS program. After all, their safety is in their own hands as well as yours.

Online resources

For more information on how to achieve due diligence, check out the following online resources:

- *Effective Health and Safety Programs: The Key to a Safe Workplace and Due Diligence*
www.worksafebc.com/publications/health_and_safety/by_topic/assets/pdf/due_diligence.pdf
- Comprehensive due diligence checklist
www2.worksafebc.com/PDFs/common/due_dil_checklist.pdf

