



Policy

Saskatoon & Area - Occupational Health & Safety

Number: 15-002

Title: Legislative Responsibilities: Due Diligence

Saskatchewan Employment Act: Part 1

OHS Regulation: 12

Date: January 1, 2017

Date Revised/Reaffirmed: March 26, 2018

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Overview

An employer as defined by the Saskatchewan Employment Act means a person, firm, association or body that has, in connection with the operation of a place of employment, one or more workers in the service of the person, firm, association or body.

The Saskatchewan Employment Act defined a supervisor (manager) as a person who is authorized by an employer to oversee or direct the work of the employer's worker. Therefore any person in SHA that oversees or directs the work of a worker is assigned the responsibility of the employer and must follow the Saskatchewan Employment Act and Occupational Health & Safety Regulations and provide due diligence.

Purpose

Employers (Managers and Supervisors) can get a sense of the state of due diligence in their department by asking the kinds of questions posed below. Although these questions are meant for employers, they can also be adapted and used by supervisors, safety leaders, occupational health committees and workers.

Principle

Do you know, understand and follow your OHS duties set out in the Saskatchewan Employment Act and OHS Regulations?

Excerpt from The Handi-Guide to the Act and Regulations

Questions:

Have you implemented an effective OHS program to identify, assess, and control hazards (following the hierarchy of controls: first, elimination of the hazard; second, use of engineering controls; third, use of administrative controls; and fourth, use of PPE)?

Are you informed on the potential sources of hazards and appropriate hazard controls from:

- The Saskatchewan Employment Act and Occupational Health & Safety Regulations?
- The experience of others (e.g. from industry standards and best practices)?

- Your own internal OHS program (e.g. from inspections, reports, investigations, and worker concerns)?
- Any previous incidents in your organization?

Are your workers encouraged to bring forward their concerns? Are those concerns treated seriously?

Do you develop appropriate systems of work within your Safety management system such as OHS objectives, policies, standards, safety processes and procedures, etc. that contribute to or are essential to safety?

Do you provide OHS information to workers including hazards, hazard controls, safety policies, rules, procedures and any applicable regulations and standards?

Do you provide direction and instruction to workers on their work tasks?

Regarding your equipment, do you:

- Use the correct equipment for the task?
- Train operators and supervisors in the safe use of the equipment?
- Document the training that has occurred?
- Ensure that equipment is properly installed?
- Ensure that equipment that is not safe removed from circulation?
- Have equipment available that enables the work to be carried out safely?
- Ensure that the equipment is properly maintained?
- Abide by manufacturer's specifications?
- Consider safety in obtaining new equipment?

Regarding equipment inspections and maintenance:

- Is your equipment inspected at suitable, regular intervals?
- Once identified, are equipment deficiencies, defects, and unsafe conditions promptly repaired or otherwise remedied?
- Is frequency of inspections based on experience, manufacturer's specifications, regulatory requirements and a hazard assessment?
- Are maintenance personnel competent to maintain equipment adequately?
- Is maintenance work planned and conducted in a safe fashion (e.g. equipment that is being serviced is locked out and safety devices are not bypassed)?
- Are preventive maintenance and regular servicing of equipment performed as appropriate and required?
- Do the maintenance systems include pre-use equipment checks, walk-arounds, identification of critical parts and items and maintenance procedures?
- Are workers empowered to refuse to use equipment that is not in good working order?

Regarding Personal Protective Equipment (PPE) and other protective devices:

- Is PPE and protective clothing appropriate to the hazard and in good repair?
- Are workers trained in the proper and safe use, care, fit-testing and maintenance of all PPE?
- Are protective devices in place and functional?
- Are protective devices secure and appropriate for the risk?
- Are guards and other safety devices adequately maintained?

Regarding training, do you:

- Provide the required training for your new or newly transferred workers?
- Use appropriate testing to verify that your training is effective?
- Provide ongoing training as needed for all workers – whether front-line or management?
- Do you document the training that has been completed with all workers?

Have you ensured that corrective and preventative actions have been taken as a result of incident investigations?

Do you take reasonable steps to ensure that your OHS program is working, committing appropriate resources toward OHS, requiring OHS accountability, and providing monitoring and correction through:

- Formal, planned observations with respect to specific tasks?
- General observation of work going on by a supervisor or manager in the field?
- Formal reports, such as near-miss and incident reports?
- Informal reports, such as verbal reports?
- Inspections of workplaces, processes and procedures?
- Regular internal and external OHS program audits?

Have you documented and kept records on all the work you do to ensure occupational health and safety?

Non-Compliance/Breach:

Non-compliance with this policy will result in a review of the incident. A review for non-compliance may result in disciplinary action, up to and including termination of employment or privileges; fines and /or prosecution of individuals under the Saskatchewan Employment Act and OHS Regulations.

Review Dates:

January 1, 2017

September 6, 2017

March 26, 2018