# 3M Be Safer Be Seen!

The publication that highlights relevant safety issues and offers industry insight and solutions.

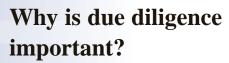
# Due Diligence in the Workplace

## What is meant by due diligence?

Due diligence is the level of judgment, care, prudence, determination, and activity that a person would reasonably be expected to do under particular circumstances.

Applied to occupational health and safety, due diligence means that employers shall take all reasonable precautions, under the particular circumstances, to prevent injuries or accidents in the workplace. This duty applies to situations that are not addressed elsewhere in the occupational health and safety legislation.

To exercise due diligence, an employer must implement a plan to identify possible workplace hazards and carry out the appropriate corrective action to prevent accidents or injuries arising from these hazards.



Due diligence is important as a legal defence which can be employed to defend companies, directors and employees who could otherwise be found liable under the *Occupational Health and Safety Act*. However, it can also be employed as a management tool to encourage the careful and systematic assessment of specific workplace hazards and the specific actions required (the "reasonable steps") to avoid the occurrence of an accident or injury.



## What practical steps can be taken to implement due diligence?

#### Be aware

- Make sure you know the Act and regulations governing your workplace; keep up-to-date with changes in the law by actively seeking such information.
- Ensure that others are made aware of their responsibilities under the Act through a systematic and documented system of distribution of memos, notices, newsletters, etc.
- Make sure you know the standard practice of care in your industry/profession or trade.

### Due Diligence in the Workplace

 Ensure that practices at your workplace reflect that standard (but beware—even this standard of care may not be sufficient if the circumstances warrant increased care).

#### Be objective

In order to see the problems of the workplace, it is necessary to make sure that you are being objective. Ways to achieve the necessary level of objectivity may include inviting someone from a safety committee to participate in a workplace hazard analysis or conducting a professional audit through a consultant. Actively reviewing accident and injury data and comparing your workplace policies with industry standards can provide objective insights.

#### Be (pro) active

It is the obligation of the workplace to exercise "all reasonable care" in accordance with the Act, which means taking (pro) *active* steps to ensure compliance. Due diligence requires that you:

 Develop <u>specific</u> policies, procedures and practices aimed at specific hazards.

Your 3M Personal Safety Products Representative can help you write a high visibility specification for your workplace.

- Train employees in safe policies, procedures and practices.
   Employees should receive training to reinforce the adoption of all policies, practices and procedures. Ask your 3M representative about conducting safety seminars or high visibility demonstrations for your organization.
- Monitor adherence to safe policies, practices and procedures. Such monitoring should occur as part of a manager's and/or supervisor's job responsibility. While most monitoring often happens informally, there should also be a formal component which details a schedule for specific regular safety inspections and which documents the findings of those inspections and the actions taken to resolve problems.

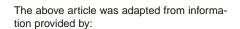


• Enforce compliance with regulatory requirements and internal procedures.

The internal responsibility system of occupational health and safety administration requires that companies, managers and employees play a role in actively enforcing compliance with regulations and internal policies, practices and procedures.

Communicate policies, practices and procedures.

Communication should take place not just once, but on an ongoing basis—for example, when a new employee is hired, when a new piece of equipment is introduced, when an employee is transferred, or when there is a change in policies, practices and procedures.



The Canadian Centre for Occupational Health and Safety (CCOHS) 250 Main St. E, Hamilton, ON, L8N 1H6 PH 905-572-4400 or 1-800-263-8466; FAX 905-572-4500 Email: inquiries@ccohs.ca

The Environment Health and Safety Reporter. For information on how to subscribe to their newsletter call Templegate Information services Inc. at 1-905-873-6424.



### CSA- Z96 High-Visibility Safety Apparel Project Status Summary

October, 2001

CSA has continued to receive requests for information on the progress of our proposed Z96 Standard on High-Visibility Safety Apparel. In order to continue to ensure that our members and other interested parties disseminate accurate information, we are releasing an updated summary of the project and its progress to date (this summary supersedes the previous version dated July, 2001).

Last year CSA began a project to develop Canada's first national standard on High-Visibility Safety Apparel (work clothing), as part of its series on personal protection equipment standards for the workplace. This proposed new standard was given the designation; CSA-Z96. It was to be based on other existing national standards (e.g. ANSI/ISEA 107 in the U.S. and EN 471 in Europe), while incorporating criteria designed to meet specific safety needs in Canada. As part of the development process, 14 occupational sectors, numerous OH&S regulatory bodies, many product manufacturers, safety groups, and research institutions were involved in the Technical Committee charged with the task of writing the draft standard.

To date, the Z96 Technical Committee has held four 2-day meetings. These meetings have allowed the Committee to review background information, receive reports and recommendations from working groups, and make decisions on the specific criteria that will appear in the final draft document. The latest meeting, held in October 2001 saw the majority of work on a consensus draft being completed. After some additional input from the Technical Committee CSA plans to put the finishing touches on the draft standard before it is made available for public review and the Committee ballots on its technical acceptance. Once accepted, it will be edited and translated into French in preparation for its publication early next year.

Again, it should be noted that, at this point in time, no final version of the CSA-Z96 Standard has been published. The proposed standard is only in a consensus draft stage and is still very much under development. The completed draft will be made available for review outside the Technical Committee once it is in a final form. As such, any claims of product compliance with CSA-Z96, at this stage, should be considered as premature and invalid. Similarly, any copies of early drafts should be discarded as incomplete and potentially misleading.

If you wish to receive a copy of the final draft during the public review stage, please contact Z96 Project Manager, Dave Shanahan, at CSA in Toronto, ON: dave.shanahan@csa-international.org, or fax 416-747-2473.

This Project Status Summary is approved by CSA for immediate distribution among its members and interested parties.

Learn more
about the ANSI
standard and other
visibility issues at the
following
safety conferences

 CSSE 2001 Professional Development Conference, Nov. 18-20,
 Westin Bayshore Hotel, Vancouver, BC

 Saskatchewan Safety Council Industrial Safety Seminar, Feb. 4-6, 2002, Centennial Auditorium, Saskatoon, SK



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### 3M Personal Safety Products : Now on the Web

Solutions for all your personal safety products needs are now just a click away with the launch of 3M's newest internet site www.mmm.com/ca/besaferbeseen. This site features product applications, video demonstrations, the latest information on standards, frequently asked questions, and much more in order to assist you with all of your high visibility needs. You'll also want to visit this site to find out about upcoming trade shows, view electronic versions of our latest newsletters, and to obtain information on where to buy 3M<sup>TM</sup> Scotchlite<sup>TM</sup> Reflective Material. Acquire all the tools you need to keep current with the latest news in the industry - all conveniently located on one page!

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