

# Competent and Qualified Worker Compliance: How to Audit, Fix, and Defend Your Organization



**Most serious occupational health and safety prosecutions do not begin with a missing policy.**

They begin with a single question:

Was the person doing the job legally competent to do it?

Across Canada, OHS legislation requires that safety-sensitive tasks be performed by a “competent” or “qualified” person. The terminology varies by jurisdiction. The expectation does not. Employers must ensure workers have the knowledge, training, experience, and legal awareness necessary to perform assigned work safely.

When that standard is not met, the consequences can include regulatory orders, six-figure fines, corporate prosecutions, and personal liability for supervisors and officers.

Many organizations believe they are compliant because they deliver training. But training alone does not equal competency. Regulators and courts evaluate whether the employer can demonstrate that:

- The task required a competent or qualified person

- The competency standard was clearly defined
- The assigned worker met that standard
- Training was validated, not merely delivered
- Experience was verified
- Supervision was appropriate
- Certifications were current
- Documentation was accessible

If those elements cannot be proven quickly and clearly, the organization's due diligence defense weakens.

This report provides a structured, defensible framework to help employers move from assumption to proof. It explains:

- What Canadian OHS laws actually require regarding competent and qualified workers
- Where organizations most frequently fail
- How to build a five-phase competency compliance framework
- How to conduct a regulator-ready competency audit
- How to implement a formal competency matrix
- How to validate supervisory and contractor qualifications
- How to integrate competency oversight into executive governance

Included in this report:

- A comprehensive Competent and Qualified Worker Compliance Audit Tool
- A ready-to-use Competency Matrix template
- Contractor and supervisor validation templates
- A jurisdictional comparison appendix
- A regulator-readiness simulation
- A management sign-off framework

Competency compliance is not administrative detail. It is a core due diligence obligation.

If a serious incident occurred tomorrow, the question would not be whether you value safety. It would be whether you can prove the right person was doing the job.

This report is designed to help you answer that question with confidence.



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