

# Due Diligence – Ask the Expert



Due diligence means taking every reasonable precaution to protect workers from harm.

## QUESTION

What constitutes “due diligence” for an employer in the context of health & safety? (i.e., how do we demonstrate we’ve done what a reasonable employer would do)?

## ANSWER

In the context of occupational health and safety, due diligence means taking every reasonable precaution to protect workers from harm. It’s the legal and moral standard that employers must meet to demonstrate they’ve done what a “reasonable employer” would do under similar circumstances.

To show due diligence, an employer must be able to prove they have:

- **Established Policies and Procedures**
  - Created clear, written health and safety policies, safe work procedures, and hazard control measures.
  - Communicated these policies to all workers and ensured they are understood.

- **Provided Training and Supervision**
  - Ensured workers are properly trained in their tasks, equipment use, and emergency procedures.
  - Assigned competent supervisors to monitor compliance and correct unsafe behaviors or conditions.
- **Identified and Controlled Hazards**
  - Conducted regular inspections and risk assessments.
  - Implemented appropriate controls (engineering, administrative, or PPE) to eliminate or reduce risks.
- **Maintained Records**
  - Kept detailed documentation of training, inspections, incident investigations, and corrective actions.
  - Records serve as evidence that proactive steps were taken.
- **Responded to Issues Promptly**
  - Investigated incidents, near misses, and worker complaints thoroughly.
  - Acted quickly to prevent recurrence and communicated changes to staff.

## EXPLANATION

In short, due diligence is demonstrated through consistent action, documentation, and continuous improvement. If an incident occurs, being able to show these efforts—through written proof—demonstrates that the employer took all reasonable precautions to ensure workplace safety.