

# Employer Can't Blame OHS Violation on Employee



After spotting safety violations at a road closure, the OHS inspector issued a pair of orders to the contractor in charge of traffic control at the site, one ordering it to post the required Road Closed signage and the other requiring implementation of a proper Traffic Control Plan. The contractor asked the Labour Board to set both orders aside. While acknowledging the violations, the contractor blamed them on the Temporary Work Signaller employee and claimed it used due diligence to comply with the rules. But the Board didn't buy the contractor's attempts to 'shift the blame' to the employee. As employer, the contractor had 'overarching' responsibility for safety on the site. And the fact that the signage problem was present hours before the OHS inspector even happened on the scene cast doubt on its overall supervision over the workers and the site [[McLeod Safety Services Ltd. \(Re\)](#), 2018 NSLB 36 (CanLII), March 20, 2018].