

NL Court Looks at What Qualifies as Due Diligence for Training & Supervision



While working along a public highway, a flagger got too close to an excavator operated by a co-worker. He was run over by it and crushed to death. His employer was charged with several OHS violations, including failing to provide proper information, instruction, training and supervision to workers at the site. The court convicted the company. It concluded that although there was evidence that the company provided some instruction and supervision to workers, it was minimal and not to the extent required to prove due diligence [[R. v. Concord Paving Ltd.](#), [2012] CanLII 31899 (NL PC), June 8, 2012].