

OHS Insider's 2016 Due Diligence Scorecard



For the 12th year, the annual OHS Insider's Due Diligence Scorecard Special Report includes reported safety cases from across Canada that involve the due diligence defence. This year's edition includes nine cases decided since Sept. 2015.

First, we'll give you a brief review of some basic facts about due diligence. Then, we'll tell you in detail what happened in each of these cases, including whether the company or individual won or lost and how the court, board or tribunal analyzed the due diligence defence. Lastly, we'll spell out the 13 lessons we've drawn from these cases.

Bottom line: Applying the lessons from the Due Diligence Scorecard to your workplace and OHS program can help you ensure compliance with the OHS laws and provide proof, if necessary, that you exercised due diligence. But don't forget that the priority is protecting workers from injuries and preventing safety violations and incidents from ever happening. And if you do so by exercising due diligence, you'll also be protecting the company from liability and fines.

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