



A Minute for Health & Safety

Issue #2 – October 2012

‘Supervising’ Health & Safety

Am I a *supervisor* of health & safety?

A simple answer often given is “If you are asking the question, you’re probably a supervisor”.

What is a *supervisor*?

In the Occupational Health & Safety Act (OH&S Act), a supervisor is defined as “a person who has charge of a workplace or authority over a worker”. This definition is very broad and pages could be written on its application and meaning, but we only have a minute.

To put this into perspective, some basic examples given by the Ministry of Labour are:

- ➔ If you’re left in charge of the “team” to finish off the shift and close up, you are in charge of the workplace.
- ➔ If you decide who gets hired and fired, you have authority over a worker.

Are all *supervisors* the same?

No! The person left to lock up does not bear the same health & safety responsibilities as someone that assigns work or develops a job function.

As a *supervisor*, how do I protect myself?

A supervisor must take every precaution reasonable to protect a worker and charges under the OH&S Act are offenses of strict liability. This means a supervisor must be able to prove that ‘Due Diligence’ was used in trying to prevent the incident. *Due Diligence* is the level/quality of judgment, prudence, reasoning, and actions that demonstrate best practices were followed.

Some ways to exercise your due diligence are:

- ✓ Investigate hazards/incidents
- ✓ Discuss H&S at group meetings
- ✓ Document along the way (if it’s not documented, it didn’t happen...)
- ✓ Implement and audit H&S policies and procedures
- ✓ Enforce training and wearing of protective equipment

To whom should I report a hazard?

You should notify those working in the area immediately.

You should then report the hazard to a supervisor that has the ability to address the hazard.

- i.e.
- i) The supervisor that is in the vicinity and in charge of the area
 - ii) The supervisor with authority to make the necessary change(s)