## DUTY OF PERSONS DIRECTING WORK

[Organization Name] recognizes its obligation to keep its employees safe from harm. It further understands that people who supervise or direct the work of others have a legal duty to keep those workers safe from harm. [Organization Name] will educate and train all persons directing work to ensure they understand their obligations under the law to protect fellow workers.

DEFINITION

According to the Canadian Centre for Occupational Health and Safety (CCOHS):

“Person directing work” means every one who undertakes, or has the authority, to direct how another person does work or performs a task according to section 217.1 of the *Criminal Code of Canada*. It not only applies to persons with a title of supervisor or manager, but anyone acting in that capacity, even temporarily. section 217.1 of the *Criminal Code of Canada.*

*Note: Section 217.1 of the Criminal Code of Canada applies to* “all organizations and individuals who direct the work of others, anywhere in Canada. These organizations include federal, provincial and municipal governments, corporations, private companies, charities and non-governmental organizations.”

POLICY

[Organization Name] understands that the *Criminal Code of Canada* has been amended and people who direct the work of others have a legal duty to take reasonable steps to ensure the safety of workers and the public. This means they can be held criminally responsible for failing to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task.

Employer Responsibilities

[Organization Name] will take every precaution reasonable in the circumstances for the protection of workers from illness and injury. This includes:

* Keeping a safe and well-maintained workplace
* Providing information and training about the hazards the workplace including how to handle them and what to do in emergencies
* Providing proper safety equipment and ensuring workers know how to use that equipment safely and properly
* Maintaining a joint occupational health and safety committee (JOHSC)
* Ensuring all critical injuries are reported to the appropriate government agency immediately

Further, [Organization Name] will uphold all rights all employees have under the *Occupational Health and Safety Act* (OH&SA), the *Occupational Health and Safety Regulation (OHSR),* and WorkSafeBC:

1. The right to refuse unsafe work.
2. The right to participate in the promotion, education and implementation of health and safety initiatives in the workplace.
3. The right to know or be informed about actual and potential dangers in the workplace.

Supervisor Responsibilities

The *Occupational Health and Safety Act (OH&SA)* sets out certain specific duties for workplace supervisors. A supervisor must:

* Ensure that workers use prescribed protective equipment, devices and clothing that are provided by the employer.  The supervisor must also ensure that these devices are used appropriately;
* Advise workers of potential and actual hazards that they are aware of in the workplace;
* Provide written instructions about the measures and procedures to be taken for the worker’s safety if necessary; and
* Take every precaution reasonable in the circumstances for the protection of workers

Employee Responsibilities

Employees too must comply with their duties under the OH&SA to:

* Work in compliance with the Act and regulations
* Use or wear any equipment, protective devices or clothing required/directed by the employer
* Report any hazard or contravention of the Act or regulations to the employer or supervisor (including reporting fellow co-workers if necessary)
* NOT use or operate any equipment or work in a way that may endanger any worker
* NOT participate in any inappropriate behaviours in the workplace that may pose a safety risk