

SAFETY SUPERVISION

UBC Safety & Risk Services

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LEGAL REQUIREMENTS

Who is a Supervisor at UBC?

According to UBC Policy SC1- Occupational and Research Health and Safety Policy (formerly Policy #7 - University Safety) and British Columbia's Occupational Health and Safety Regulation (OHSR), a supervisor is defined as:

OHSR

- a person (faculty or staff) who instructs, directs and controls workers in the performance of their duties

SC1

- a person who manages, instructs, directs, or controls other UBC Members acting in their UBC capacity when engaged in UBC Activities, including studying, and may include Biosafety Permit Holders, Radiation Safety Permit Holders, and Principal Investigators



LEGAL RESPONSIBILITIES

What are supervisors responsible for?

Every Supervisor must:

- Ensure the health and safety of all workers under your direct supervision
- Must be knowledgeable of the hazards your workers could be exposed to and ways to minimize the risk through effective controls
- Communicate all known and reasonably foreseeable hazards to your workers

Workers Compensation Act, Part 2 Section 23, April 6, 2020



DUE DILIGENCE

As a supervisor, you need to exercise due diligence. Due diligence is defined as:

- Taking all **reasonable** care to prevent workers from harm
- Given the circumstance, you are expected to take all precautions that a reasonable person would

Due diligence involves the following:

- Recognize the potential for harm (foreseeability)
- Develop a system to prevent the harm from occurring
- Take reasonable steps to ensure that the system is working

What do I need to remember about due diligence?

- You could be legally required to prove that you have taken all reasonable steps to protect your workers from harm (e.g. in the event your worker is involved in an incident)



DUE DILIGENCE

How do I prove due diligence?

- Documentation

Phrases like "I told my worker" will not prove due diligence. Ensure your actions are documented through:

- Orientation Records
- Risk Assessments
- Safe Work Procedures
- Training Records
- Inspection Reports
- Incident investigation reports and corrective actions

Note: Documented training and orientation is your legal proof of due diligence



LEGAL RESPONSIBILITIES

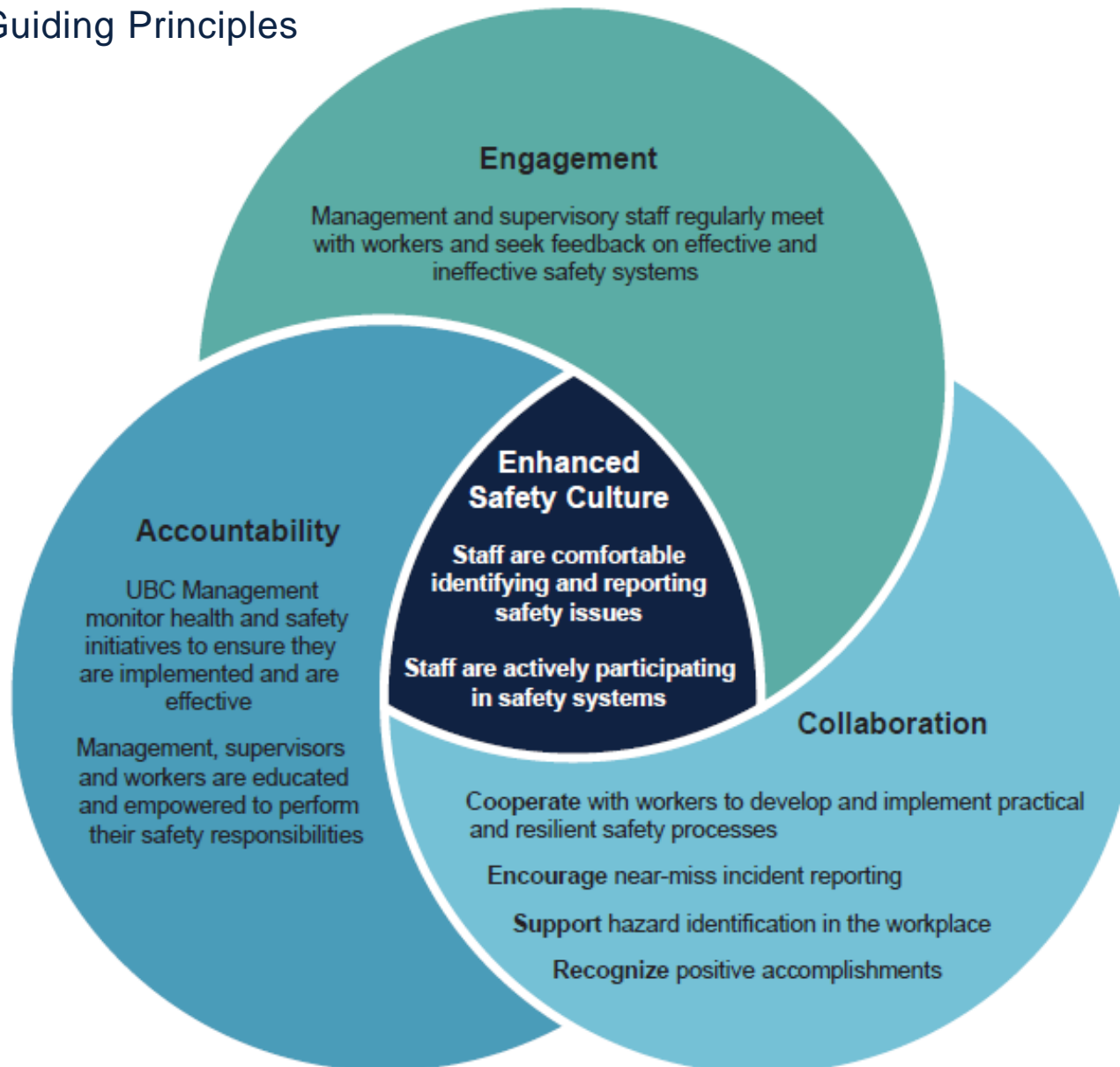
In your workplace:

- Ensure that your workers use controls to **minimize the risk** due to a hazard
- **Report and investigate** incidents
- Ensure **inspections** of work areas are conducted and corrective actions are completed in order to maintain a safe workplace
- Be knowledgeable on **legislative requirements** related to the work being supervised
- Cooperate with the **Joint Occupational Health and Safety Committee**, WorkSafeBC and anybody with health and safety duties
- **Delegate a supervisor** if you will be leaving for an extended period of time. The designated supervisor must have the authority to carry out your supervisory responsibilities during this time.



BUILDING SAFETY CULTURE

UBC Guiding Principles



LIABILITY

Faculty, staff and paid students

As a supervisor, am I liable or accountable for the health and safety of the workers they supervise?

Yes, supervisors are held accountable for the Health and Safety of their workers

Can a supervisor be sued by a worker?

No, under the Workers Compensation Act workers can not sue their employer

What happens when a serious injury occurs while conducting work activities?

WorkSafeBC will ask supervisors to prove that they have taken all reasonable care to prevent workers from harm.

If supervisors are not able to prove that they have taken reasonable care the University could receive order(s) and/or be fined.

Students and Visitors

As a leader of an UBC activity that includes unpaid students and visitors, am I liable for their health and Safety?

Yes, you are responsible for their health and safety.

Can I be sued by a student or visitor who has been injured while conducting an university activity under my direction?

Yes, you may be named in a claim, in addition to the University. The University's general liability insurance will cover all costs associated with such a claim provided you did not act or cause harm deliberately.





a place of mind
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