

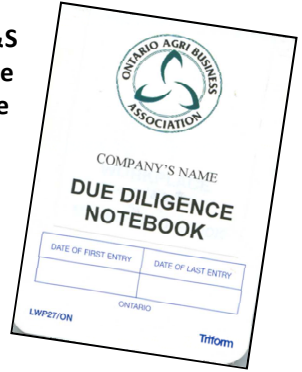


OABA'S DUE DILIGENCE NOTEBOOK

In order to have effective operations and controls of resources, in the Agri related business, the employer needs to record information on incidents, actions and problems encountered in the workplace. Drivers, Salespersons, Service and Maintenance Workers, Millwright Workers, Applicators, all employees have a duty and responsibility to record and report these incidents and activities.

Also, Managers, Supervisors, Contractors, Suppliers, H&S Committee Members and H&S Representatives must be able to identify potential or actual hazards and dangers to the worker and ensuring workers follow the regulations and procedures and work in a safe manner at all times.

When confronted with an accident or injury to a worker, especially when it can be shown that there was non-compliance to the Occupational Health and Safety law, the courts demands proof, written proof, that all reasonable precautions, were taken under the circumstances. This burden of proof, the only possible defense, lies with the employer and is called "Due Diligence".



Not only are employers required to consider every possibility that could go wrong, they must recognize, assess and control every possible event. It must also be shown that the duty and standard of care is sufficient for the risk created or encountered – the higher the risk, the higher the degree of care that is required, more demanding is the proof of "Due Diligence".

"Due Diligence means you are NOT liable where you exercised a degree of care, diligence and skill that a reasonably prudent person would have exercised in comparable circumstances. It is not a one time thing, not an attitude but a set of measurable, observable actions and a way of working everyday.

- McCarthy, Tetrault - Toronto, Ontario

As part of OABA's ongoing commitment to supply the members with cost-efficient and effective programs, we are pleased to offer the Due Diligence Notebook for recording your everyday "Due Diligence" of activities taken. This small pocket size notebook may well save you from expensive loses, better your relations with your customers, promote a beneficial corporate image and prevent accidents/injuries to your employees. For the cost, it's well worth it:

- 1 to 10 notebooks = \$6.00 each + HST + Shipping**
- 11 to 24 notebooks = \$5.50 each + HST + Shipping**
- 25 to 99 notebooks = \$5.00 each + HST + Shipping**
- + 100 notebooks = \$4.50 each + HST + Shipping**

NOTEBOOK ORDER FORM

I would like to purchase _____ copies of the **OABA Due Diligence Notebooks**.

Company: _____

Mailing Address: _____

Contact Name: _____ E-mail address: _____

Telephone: _____ Fax: _____

Please check one:

FEDERAL

PROVINCIAL

Please fax this order form to the Ontario Agri Business office at 519-822-8862.

(An invoice will be forwarded to you by mail with the number of books ordered.)

For more information or to order by phone contact:

Fred Spiro (OABA's Health & Safety Compliance Specialist) at 519-822-3004.