

Inspection Focus 1: Duties & Responsibilities

OWNERS, EMPLOYERS, SUPERVISORS, WORKERS AND PRIME CONTRACTORS

Clearly defining responsibilities in Performing Arts & Live Events can be complex which is why it is important to clearly identify this in contracts and written service agreements. The Workers Compensation Act (WCA), Part 2 Occupational Health and Safety (OHS), Division 4 – General Duties of Employers, Workers and Others outlines the responsibilities and general duties of Owners, Employers, Supervisors and Workers and Prime Contractors of Multiple-Employer Workplaces

The Occupational Health and Safety Regulation (OHSR) 3.20 provides additional information and requirements for prime contractors.

DUTIES AND RESPONSIBILITIES

Although it is important to clearly identify, define, understand and execute duties for the safety of all individuals and compliance with workplace safety legislation, it is also important to recognize that non-compliance with these requirements by any one group, party or stakeholder pose risks of worker or other person injuries, penalties/orders, reputational risks along with risks associated with work stoppages, event delays, cancellations, or postponements which can be costly to event organizers, venue owner/operators and all employers of a multiple-employer workplace.

It is important to review the WCA and OHSR for a full understanding of requirements for compliance and ensuring a safe workplace. In summary, [WCA 21, 23, 24, 25](#) and [OHSR 3.20](#) requires performing arts & live events to understand the responsibilities of:

CATEGORY	DUTIES AND RESPONSIBILITIES
Owners	<ul style="list-style-type: none"> • The land and premises that are being used as a workplace are provided and maintained in a manner that ensures the health and safety of persons at or near the workplace • Providing the prime contractor or employer information that is known and needed to identify and eliminate/control hazards • Compliance with the OHS provisions, the regulations and any applicable orders or inspection reports from WorkSafeBC
Prime Contractors	<p>Depending on the circumstances and written agreements, Prime Contractors may be the owner, landlord, venue/theatre, promoter, board of directors, or other, this party is responsible for ensuring:</p> <ul style="list-style-type: none"> • Activities of all persons at the workplace are coordinated with respect to health and safety • That there is a designated supervisor for each employer at that workplace • First aid requirements are in place that consider and assess all workers and persons at the workplace • Everything that is reasonably practicable is established and maintained to ensure compliance with the applicable workplace safety legislation
Employers, Workers and Supervisors	<p>Employers, Supervisors and Workers all have responsibilities, for more information see: General Health and Safety</p>

Whether or not you are aware that you are the Prime Contractor or in absence of it being clearly designated, if based on circumstances you are determined to be the prime contractor, the above requirements and responsibilities apply. Out of province contractors may not be aware of all provincial regulations and it is your responsibility to ensure they are abiding by local legislation. For more information, see: [Prime Contractor Responsibilities and Prime Contractor Questions](#)

Disclaimer: The information contained in Actsafe's products (including, but not limited to, our training materials and courses) is for educational purposes only and is not intended to provide legal or other advice to you. Actsafe's products are not a substitute for obtaining appropriate legal or other advice from legal or other professionals. Actsafe's products have been developed based on information available as at the date of preparation. Actsafe does not make any warranty or representation as to the accuracy or completeness of information contained in its products or the suitability of such information for any purpose. Neither Actsafe Safety Association nor any person or entity involved in the production of Actsafe's products shall be liable for any loss, injury, claim, liability or damages of any kind resulting from the use or reliance on the product for any purpose.