

# OCCUPATIONAL SAFETY & HEALTH

## REGULATIONS

## PRACTICES & PROCEDURES

Presenter:

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# OVERVIEW

- ❖ Employer and Employees rights and responsibilities
- ❖ Provisions of the Safety and Health Act of Barbados (2005)
- ❖ Procedures for reporting issues
- ❖ Procedures for resolving issues

# ILO PERSPECTIVE

- Promotes the principle of 'Decent Work'.
- Decent work is defined as productive work in conditions of freedom, equity security and dignity.
- Decent work is safe work
- Safe work – fatalities, accidents and illness at work are highly preventable

# FACTS ON SAFE WORK

- Every year two million men and women die as a result of occupational accidents and work related diseases
- Each day an average of 5,000 people die as a result of work related accidents or diseases
- There are 355,000 on the job fatalities annually
- Hazardous substance kill 340,000 workers annually

# FACTS ON SAFE WORK

- Four percent of the world's gross domestic product is lost as a consequence of the cost associated with death, injury and diseases, and through absence from work, sickness treatment and disability.
- Globally there are 270,000 million occupational accidents and 160 million occupational diseases recorded annually.

( ILO 2003)

# WHY PROMOTE SAFETY AND HEALTH AT WORK

- The safe work programme is aimed at creating nation wide awareness of the dimensions and consequences of work related accidents injuries and diseases. It promotes the goal of basic protection for all workers in conformity with international labour standards, and the design implementation of effective preventative policy programmes.

# WHY PROMOTE SAFETY AND HEALTH AT WORK

- Adequate working conditions are central to the achievement of long term sustainable growth, good living standards and social harmony.



# WHY PROMOTE SAFETY AND HEALTH AT WORK

- A work place culture comprises all values, attitudes, rules, managerial systems and practices, participatory principles and working behaviour conducive to creating a safe and healthy working environment – a place where people can produce a high degree of quality and productivity.



# DUTIES OF THE EMPLOYER

- A safe place of work
- A safe system of work
- Safe tools
- Safe fellow employees
- Adequate supervision and training

# CHECK LIST FOR EMPLOYERS

- Provide a workplace free from recognized hazards
- Provide and use means to make the the workplace safe
- Prohibit employees from entering, or being in , any workplace that is not safe
- Construct the workplace so that it is safe
- Prohibit alcohol and narcotic from your workplace
- Provide information, instruction, training and supervision as is necessary to ensure the health and safety of his / her employees

# CHECK LIST FOR EMPLOYERS

- Prohibit employees from using tools and equipment that are not safe
- Establish, supervise and enforce rules that lead to a safe and healthy work environment that are effective in the workplace
- Control chemical agents and protect employees from biological agents
- Consult with employees on any changes in the workplace that may effect their safety and health
- Allow employees time off with pay to perform functions and training courses

# Rights and Responsibilities of Employees

## Employees have the right to :

- Request an inspection of their work place;
- Have access to any report relating to work place conditions;
- Have access to Material Safety Data Sheets (MSDS), labels, equipment manuals, operations manuals or any materials relating to the safe use of a substance or equipment;
- Be represented on the occasion of any inspection visit by an inspector;

# Rights and Responsibilities of Employees

- To communicate freely with the Inspector on any matter relating to Occupational Safety and Health conditions in the work place; and
- Not to be exposed to any condition considered immediately dangerous to safety or health.

# EMPLOYEES' RESPONSIBILITY

- Report job related injury or illness to the employer and seek prompt treatment;
- Ensure reportable accidents and cases of occupational diseases are reported by the employer to the Chief Labour Officer;
- Be familiar with applicable work place rules, laws and regulations relating to Occupational Safety and Health;
- Stand for membership and participation in the safety committee;
- Cooperate fully with the employer in measures intended to promote occupational safety and health; and to



# EMPLOYEES' RESPONSIBILITY

- Use personal protective equipment (PPE) as prescribed.
- Report hazardous conditions to the employer.
- Take reasonable action within his capability to eliminate workplace hazards.
- Co-operate with the Factory Inspector on the occasions of visits to the workplace;



# EMPLOYEES' RESPONSIBILITY

- Comply with applicable rules, laws and regulations relating to occupational safety and health.
- Exercise all workplace rights in a reasonable manner and pursue responsibilities with diligence.

# WHAT EMPLOYEES MUST DO

- Report promptly to their supervisor every industrial injury or occupational illness
- Not to remove, displace, damage, or destroy or carry off any safe guard, notice or warning provided to make the workplace safe
- Not to interfere with the use of any safe guard by any one in the work place
- Not to interfere with the use of any work practice designed to protect them from injury
- Do every thing reasonably necessary to protect the life and safety of employees.

# PROVISIONS OF THE SAFETY AND HEALTH AT WORK ACT

- **Section 102:** No employee shall be dismissed or discipline in any manner by reason only of his requesting an inspection of his workplace by an inspector.
- **Section 103:** (1) Every employer in a workplace shall:
  - (a) Consult with his employees on their representatives for the purpose of developing measures to promote safety and health at such workplace: and
  - (b) Make arrangements for the participation of the employees in the improvement and development of such measures.

# PROVISIONS OF THE SAFETY AND HEALTH AT WORK ACT

## Section 103:

(5)(a): Provision is made for Health and Safety Committees to meet at least once a quarter

(5)(b): The committee shall comprise an equal number of employers' and employees' representatives



# PROVISIONS OF THE SAFETY AND HEALTH AT WORK ACT

## Section 104:

Where, during the course of his employment, there is sufficient evidence to indicate that an employee's health and safety are in imminent danger that employee may refuse to carry out the task assigned to him pending consultation with his safety committee, trade union, staff association or the Chief Labour Officer. ( see ILO CONVENTION C155- Article 19(f))

# PROVISIONS OF THE SAFETY AND HEALTH AT WORK ACT

## ■ Section 9 (1)

It shall be the responsibility of every employee

- (a) To take reasonable care for the health and safety of himself and other persons who may be affected by his acts or omissions at work
  
- (c) While at work to report to his employer, any contravention under this act, or any regulations made there under, the existence of which he knows



# PROVISIONS OF THE SAFETY AND HEALTH at WORK ACT OF B'DOS

## Section 9 (1) (d)

It shall be the duty of every employee to use correctly the personal protective clothing or devices provided for that purpose.

## Section 9 (2)

A person who contravenes subsection (1) is guilty of an offence and is liable on summary conviction to a fine of \$500.00 or to imprisonment for 1 month or both.



# PROCEDURES FOR REPORTING ISSUES

(1) If an employee wishes to raise a **health and safety** issue in a **workplace** where there is a **health and safety** representative, that employee must report it to the representative.

(2) If an employee wishes to raise a **health and safety** issue in a **workplace** where there is no **health and safety** representative, that employee must report it to the employer or the management representative.

# PROCEDURE FOR REPORTING ISSUES

- (3) An employee may take all steps that are necessary, including leaving the employee's part of the **workplace**, to report an issue.
- (4) An employer or management representative who identifies a **health** and **safety** issue may report it to the **health** and **safety** representative, or if there is no representative, to the employees who work in that part of the **workplace** concerned.

# PROCEDURE FOR RESOLVING ISSUES

(1) As soon as possible after an issue has been reported, the employer or management representative and the **health and safety** representative, or any employee nominated must meet and try to resolve the issue.

(2) The resolution of the relevant issue must take into account any of the following factors that may be relevant-

(a) whether the hazard or risk can be isolated;

(b) the number and location of employees affected by it:

# PROCEDURES FOR RESOLVING ISSUES

- (2) (c) whether appropriate temporary measures are possible or desirable;
- (d) whether environmental monitoring is desirable;
- (e) the time that may elapse before the hazard or risk is permanently corrected;
- (f) who is responsible for performing and overseeing the removal of the hazard or risk.
- (3) If any party involved in the resolution of the issue makes a request for the details of the issue and all matters relating to its resolution, then the information must be set out in writing by the employer to the satisfaction of all parties.

# PROCEDURES FOR RESOLVING ISSUES

(4) As soon as possible after the resolution of an issue, details of the agreement, in a form that is approved by all parties and in the manner and in the language that is agreed by the parties to be appropriate -

(a) must be brought to the attention of the employees; and

(b) must be forwarded to the **health and safety** committee; and

(c) may be forwarded by the parties to any relevant organization of employees or of employers.



# GROUP ACTIVITY



## Case study exercise:

- Based on your understanding of the responsibility of both employer and employee in ensuring that the workplace is a safe environment, critically assess the failings on the part of both the employer and employee, that may have contributed to this tragic incident.
- Identify strategies to deal with the problem in the case study you are addressing.