

The Labour Department, through its Occupational Safety and Health Section, has responsibility for the administration of statutory provisions and the promotion of 'best practice' towards achieving acceptable working conditions. The Department pursues this goal by working with employers and workers through a range of safety programmes which include:

- Routine Workplace Inspections
- Accident Investigations
- Consultancy
- Investigation of Complaints
- Public Awareness Training

## ROUTINE WORKPLACE INSPECTIONS

As prescribed under the Safety & Health at Work Act, Cap. 356, random, unannounced visits are made to workplaces which fit the definition of a workplace. The inspection is done to assess working conditions and determine compliance with this legislation.

The following persons may be invited to participate in the walk-through inspection:

- the most senior officer (or delegate)
- the employees' representative e.g. union delegate
- other relevant personnel e.g. maintenance officer

The Inspection has three (3) phases:

- Opening conference
- Walk-through
- Closing conference

During the opening conference the following information should be made available:

- Examination reports for pressure vessels and lifting equipment
- Accident records
- Reports of safety committee meetings
- Personnel statistics

During the closing conference, the employer is reminded of the matters requiring attention. These may be conditions that breach

the legislation or that are not in-keeping with best practice. At a later date, follow-up visits are made to ensure that unacceptable conditions are rectified.

## ACCIDENT INVESTIGATIONS

Section 3 of the Accident and Occupational Diseases (Notification) Act, Cap. 338, requires all employers to notify the Chief Labour Officer of accidents arising from employment, that result in injury to employees, causing them to be away from their normal duties for more than 3 days.

Section 5 of this Act requires the employer or medical practitioner to notify the Chief Labour Officer of any suspected case of Occupational Disease.

Section 101(3) of the Safety & Health at Work Act demands that the scene of an accident not be disturbed unless authorised by the Chief Labour Officer.

The Safety & Health at Work Act allows for the release of accident reports. The Accident Investigation Report can be made available to the following persons, on payment of a fee:

- The injured person or authorised representative
- The Trade Union representing the workers
- The occupier of the workplace or the attorney-at-Law representing the occupier

The objective of accident investigation is to determine the root causes of the accident and to ensure that measures are implemented to prevent any recurrence. Criteria used to select accidents for investigation include

- The severity of the injury
- The number of persons involved
- The frequency of occurrence
- The potential risk involved

## CONSULTATIONS

The expertise of the OSH Section is available to any employer or employee. Consultation can be sought on general or specific

matters including:

- Plant layout
- The introduction of new processes
- The introduction of new equipment or hazardous substances
- The formulation of safety and health management systems
- Workplace audits

## COMPLAINTS

The Labour Department Act, Cap. 23, and the Safety & Health at Work Act, Cap. 356, mandate the Department to investigate all representation made to the Chief Labour Officer, whether brought by employer or employee. The source of such information is not disclosed.

Under the Safety & Health at Work Act, it is an offence to penalise an employee because he/she requests a visit from the Labour Department.

## TRAINING & AWARENESS

Fully informed employers and employees are crucial to the achievement of our mission of promoting and maintaining desirable occupational safety and health standards. The Inspectorate is committed to heightening the awareness of all employers and workers through formal training programs. Training is done for:

- Workplaces of all categories
- Trade unions and employer organisations
- Educational and training institutions
- Safety committees
- General public

Rights and responsibilities of employers and workers are outlined under statutory legislation such as the Safety & Health at Work Act, however, other duties are imposed on both parties under Common Law, which is also legally binding.

## Common Law Duties of Employers

- To provide a safe place of work
- To provide a safe system of work
- To provide safe tools
- To provide safe fellow employees
- To provide adequate supervision and training

## Common Law Duties of Employees

- To do nothing to endanger self or others
- To use means provided for safeguarding health and safety
- To participate in occupational safety and health activities
- Report job related injury or illness and seek prompt treatment
- Be familiar with and adhere to workplace policy relating to occupational safety and health
- To take reasonable action within their capability to eliminate workplace hazards
- To co-operate with the Factory Inspector

## Other Employee Rights

- To request an inspection of their workplace
- To have access to any report relating to workplace conditions
- To have access to any information relating to the safe use of substances and equipment
- To communicate freely with the Inspector on occupational safety and health matters
- Not be exposed to any conditions considered dangerous to safety or health
- To ensure that employers report notifiable accidents or diseases to the Chief Labour Officer

Promoting workplace health and safety is everybody's job!

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## LABOUR DEPARTMENT

# Functions & Services

of the

## Occupational Safety and Health Section

*Our Mission:*

*Promoting the Attainment and Maintenance of Desirable Standards of Occupational Safety and Health Practice in Barbados*

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