

National Safety Management System Programme

Rationale

In 2001 the International Labour Organisation (ILO) developed guidelines on occupational safety and health management systems (ILO-OSH 2001). ILO-OSH 2001 consists of the following two main parts:

1. Guidance on how to establish a national framework for the promotion of occupational safety and health management systems; and
2. Guidance on how to develop, at the enterprise level, a safety and health management system.

It differs from other safety and health management standards in that it recognizes the role of the government in providing the enabling environment for the widespread adoption of safety and health management systems. In particular it encourages the setting of a national policy. According to the ILO-OSH 2001 standard, the national policy will contain programmes and procedures for the:

1. Promotion and implementation of safety and health management systems;
2. Facilitation and improvement of voluntary arrangements for the systematic identification, planning, implementation and improvement of occupational safety and health (OSH) activities;
3. Promotion of the participation of workers and their representatives; and
4. Promotion of continual improvement.

It has been noted that many organisations, particularly small and medium sized enterprises (SMEs), see OSH as an inconvenience and as driven by regulatory and legislative compliance.

Mexico has developed a national framework for the promotion of safety and health management systems within enterprises. The Safety and Health at Work Self-Management Program (PASST) was designed to promote and strengthen within enterprises the voluntary adoption of workplace safety and health management systems, and the active involvement of all workers in the management of safety and health at workplaces. The technical cooperation with Mexico was therefore intended to gain familiarity with the system used by Mexico and to adapt PASST as necessary to suit Barbados' needs.

Elements of the National Programme

The national programme is intended to encourage self- regulation through the adoption of safety and health management systems at the enterprise level. The Department is cognizant of its mandate to promote the highest standards of occupational safety and health. A number of checks and balances have, therefore, been designed into the national programme to ensure that there are no mismatches between the stated safety policies of organisations and the actual practice. It was also recognised that the provision of incentives would need to be an integral part of the programme to encourage participation. In developing the national programme the Labour Department was guided by the Mexican programme known as PASST as well as suggestions emanating from the National Consultation on the Mexican Model that was held at the Lloyd Erskine Sandiford Conference Centre on 12 July 2011.

It is proposed that the Labour Department would oversee the programme.

The main elements of the national programme would be as follows:

1. A pilot phase during which companies will be invited to participate in order to aid in the refinement of the programme.
2. Documentation from the selected companies indicating their current status on safety and health and a copy of their safety and health policy;
3. Audit of the company by the OSH section of the Labour Department;
4. Categorisation of the company based on the status of the safety and health arrangements;
5. National awards and other incentives for participating in the programme and excellence in safety and health.

Most local enterprises, by international standards, fall into the categories of Small and Medium sized and many may not have the resources needed to develop a safety and health management system. Under the Small Business Development Act (Cap 318C) an organisation is qualified as a small business if it meets any two out of following three conditions:

1. Does not have more than 1 million dollars as stated or paid up capital;
2. Does not have more than 2 million dollars in sales;
3. Does not have more than 25 employees.

For the purposes of the national programme, it is proposed that the number of employees be used as the factor which determines the size-category in which organisations are placed and organisations with less than 25 employees be regarded as a small business. This would coincide with certain requirements in the Safety and Health at Work Act 2005-12 (SHaW) which make a distinction between organisations with 25 or less employees and those with more. Organisations with more than 25 employees but 100 or less will be categorized as “medium-sized” while those with more than 100 employees will be classified as “large”.

It is anticipated that the Labour Department will develop guidance documents to enable organisations, specifically small businesses, to fully participate in the programme.

Programme Entry Requirements

1. It is proposed that companies entering the programme will provide information on the current status of their safety and health management system. This initial status review will provide information on both strengths and weaknesses in the management of safety and health in the company. Even though the company may not have a formal safety and health management system it is likely that many of the critical elements may already be in place.

There are many safety and health management systems that could be used. Part 3 of the ILO-OSH 2001 contains the ILO recommendations for safety and health management systems and should be given preference. It must however be noted that BS OHSAS 18001:2007 was developed to be compatible with ISO 9001:2000 (Quality) and ISO 14001:2004 (Environment) standards. Thus organisations which want to develop an integrated quality, environmental and occupational health and safety management system would have a clear preference for BS OHSAS 18001:2007. Also another distinct advantage is that BS OHSAS 18001: 2007 standard is certifiable (like ISO 9001:2000 and ISO 14001:2004) and organisations will receive certification that is internationally recognised and hence have marketing value. The authors of the BS OSHAS standard have however noted that no fundamental differences have been identified between ILO SMS guidelines and their standard.

2. Basic required information would be based on certain aspects of the Safety and Health at Work Act 2005-12.
3. All entrants would be required to submit a Voluntary Commitment form to the Labour Department by March 31st of the year before that in which they will formally join the programme. This form must be signed by a representative of the company's top management and will represent the management's pledge to take part in the programme and uphold the safety and health standards set out in the programme. It is proposed that the statement of general policy in the safety policy be used as the Voluntary Commitment form, similar to the practice in Mexico.
4. Entrants will also be required to submit a self-audit document. This document would serve two main purposes:
 - a. It would allow the company to assess their current safety and health standards and their compliance with the programme requirements which would be outlined in the programme guidance documents;

- b. It gives the Labour Department an idea of the safety and health standards at the company.

It is proposed that the audit form used during the Labour Department's 2011 Public Service Audit be utilised in this regard.

5. The company would also be required to submit a copy of its safety policy. The policy will have the following format as mandated by the Safety and Health at Work Act 2005:
 - Statement of policy;
 - Arrangements; and
 - Organisation in place to implement the policy.

It is expected that the Arrangements would also include procedures for ensuring that the policy is communicated to employees and periodically reviewed.

It may be necessary for guidance to be provided by the Labour Department to assist companies with the development of a safety policy where none exists or where it is inadequate. The guidance will include how to use information gathered from the initial status review to help refine or develop the policy document.

6. Companies entering the programme must also be able to show that there are provisions for safety consultation as outlined in section 103 of the Safety and Health at Work Act 2005-12.
7. A description of the processes and a layout of the building should also be submitted.
8. After applications are submitted, it is proposed that applicants undergo a probationary period of 30 days during which a walk-through of the company would be undertaken by the Labour Department to confirm the information submitted in the self-audit form.

Monitoring Criteria

These are the proposed criteria on which entrants will be assessed during the programme.

(1) Risk Assessments:

As risk assessment is one of the main requirements of the Safety and Health at Work Act 2005-12 and one of the fundamental components of all Safety and Health Management Systems, the degree to which the following arrangements are in place will need to be assessed:

1. Identifying hazards;
2. Evaluating risks;
3. Controlling risks; and
4. Monitoring risk controls.

(2) Accident, incident and illness statistics:

All workplaces are required to keep an accident book. The relevant provisions can be found in Section 3 (2A) of the Accident and Occupational Diseases (Notification) Act (Cap 338). This information would give insight into the prevalence of accidents, near misses and occupational illnesses in the work place. In addition to getting baseline data on the prevalence of workplace accidents, information on the presence of procedures for reporting and investigating these phenomena would also be obtained. Companies will be required to submit statistics on the aforementioned criteria for the two years prior to the one in which they apply to join the programme.

(3) SHaW Compliance

Information on the level of compliance to applicable provisions of the Safety and Health at Work Act 2005 -12 would be needed. A guidance document containing a checklist which will capture this information would need to be developed. (The public service audit form or the BS&T checklist can be adapted for this purpose).

Organisations will be expected, for the duration of the programme, to provide the Labour Department with the following information on an annual basis:

- Risk assessments
- Accident, incident and illness statistics
- SHaW compliance

(4) Management Commitment & Employee Involvement

The commitment from Management and involvement of employees are integral to the success of any safety management system. Information should be provided on the methods used to involve employees in safety and health-related activities. The development, communication and enforcement of a safety policy are some ways in which Management's commitment to safety and health can be demonstrated.

Audit by the Occupational Safety and Health Section

Upon receipt of the initial status review and company policy, the regulatory agency would, within 60 days, make arrangements for an audit of the company. Standardized checklists would need to be developed. The Singapore checklist can be adapted for this purpose.

The audit procedure would consist of an opening conference followed by a walkthrough inspection. A closing conference would be held at the end of the audit.

In the opening conference, reference would be made to the purpose of the audit and process. Arrangements will be made for interviewing workers, and viewing any necessary documents.

The walkthrough would consist of representatives from government, management and the workers. Depending on the size of the workplace and the nature of the hazards, departments or areas may be selected for special attention during the audit. For enterprises of small size a walkthrough of the entire enterprise would be conducted.

At the closing conference, the preliminary results of the audit would be discussed. Guidance would be given on additional gaps, and/or weaknesses found and corrective action needed. The timeframe given to address these gaps would depend on the risk presented and the complexity of the works involved and would be left at the discretion of the officer conducting the audit.

Similar inspections will be conducted annually at these companies throughout their involvement in the programme to ensure that the standards of the programme are continually being met and that improvements are being made in relation to safety and health.

Penalties and Rewards

To encourage participation in the programme and to ensure that all entrants meet the required standards, it is necessary to have a system of rewarding and penalizing companies where applicable.

The rewards portion of the programme will be facilitated by the National Safety Awards and is expected to contain both tangible and intangible rewards. Awards will be given to those companies which demonstrate continual improvements in the management of safety and health.

It is expected that penalties will be given where safety and health standards within the company have declined and/or do not align with the principles set in the programme. Some of the penalties to be issued include warnings, probation, temporary and permanent removal from the programme. Where breaches are found, companies would first be given a warning and a period of time to rectify the situation commensurate with the breach found. If the breach persists, the severity of the penalty would be increased.

In addition to the above it is proposed that the following incentives be part of the programme:

- The development of a logo indicating that the organisation is part of the programme and their current level in the programme. This official logo/image can be used by the company on items such as promotional material and letterheads; and
- A reduced inspection schedule where companies that have achieved gold standard will have a detailed inspection once every four years.

Organisations which participate in the programme will not be exempt from being prosecuted for offences committed under the SHaW.

Programme Levels

It is proposed that the system will have at least four levels.

- (1) Bronze would be the first level in the programme. The company will be expected to demonstrate at least 80% compliance with the Safety and Health at Work Act (2005). It is not expected that the company will have a well-developed safety and health management system at this stage. Their safety and health management system should however be at least 30% operational.
- (2) Silver would be the second level. The company is expected to have at least 85% compliance with the Safety and Health at Work (2005). They should have a functional safety and health at work management system which would be at least 70% operational.
- (3) Gold would be the third level and correspond to at least 95% compliance with the Safety and Health at Work Act (2005) and at least 95% operability of their safety and health management system.
- (4) Platinum is the fourth level. The difference between platinum and gold is the promotion of safety and health amongst persons who conduct business with the company such as the suppliers, contractors etc.