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**SAFETY AND HEALTH AT WORK (WORKSTATION)
REGULATIONS, 2022**

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SCHEDULE

Minimum Standards for all Workstations

Safety and Health at Work Act

CAP. 356

**SAFETY AND HEALTH AT WORK (WORKSTATION)
REGULATIONS, 2022**

The Minister, in exercise of the powers conferred on him by section 108(1) (a) of the *Safety and Health at Work Act*, makes the following Regulations:

Citation

1. These Regulations may be cited as the *Safety and Health at Work (Workstation) Regulations, 2022*.

Definitions

2. In these Regulations,
“display screen equipment” means any alphanumeric or graphic screen regardless of the display process involved;
“workstation” means an assembly comprising
 - (a) display screen equipment which may be provided with software determining the interface between the equipment and its operator, a keyboard or any other input device;
 - (b) any optional accessories to the display screen equipment;
 - (c) any external memory device, telephone, modem, printer, document holder, work chair, work desk, work surface, foot rest or other item peripheral to the display screen equipment, and
 - (d) the immediate work environment around the display screen equipment.

Application

3.(1) These Regulations shall apply to employees who are assigned to a workstation and are required to use display screen equipment during their normal duties for more than

- (a) 30 hours per week; or
- (b) 6 hours per day.

(2) These Regulations shall not apply in relation to

- (a) drivers' cabs or control cabs for vehicles or machinery;
- (b) computer systems on board a means of transport;
- (c) computer systems mainly intended for public use;
- (d) portable display screen equipment in use at a workstation for less than
 - (i) 30 hours per week; or
 - (ii) 6 hours per day; or
- (e) calculators and any equipment having a small data or measurement display required for direct use of the equipment.

Analysis of workstation

4.(1) An employer shall conduct an analysis of every workstation which is used in the workplace to assess the risks to the health and safety of an employee who may be assigned to work from a workstation.

(2) The assessment referred to in paragraph (1) shall relate to the health and safety risks to an employee's

- (a) eye health;
- (b) physical health; and
- (c) mental health.

(3) Where an assessment conducted in accordance with paragraph (1) identifies that there is a risk to the health and safety of an employee, the employer shall implement controls or administrative measures to eliminate that risk.

(4) An assessment of the risks conducted in accordance with paragraph (1) shall be reviewed by the employer annually.

(5) Notwithstanding paragraph (4), an assessment of the risks conducted in accordance with paragraph (1) shall be reviewed by the employer where

(a) the employer has

- (i) introduced significant new work equipment;
- (ii) changed the equipment or technology; or
- (iii) transferred an employee to a new workstation;

(b) the employee requests a review; or

(c) the employee has suffered an injury or illness that may affect his ability to work at the workstation.

(6) Where the risk assessment has been reviewed in accordance with paragraph (4) or (5) and there is reason to suspect that the risk assessment is no longer valid because

(a) there has been a significant change in the workstation or work process to which the assessment relates; or

(b) an adverse incident or accident has occurred at the workstation,

the workstation shall be reassessed and the risk assessment shall be amended to reflect the changes to the workstation.

Workstation

5.(1) A workstation shall be constructed in a manner so that

- (a) it may be adjusted to physically accommodate any employee who is assigned to work from a workstation;

- (b) any employee who is assigned to a workstation has sufficient room to accommodate a change in their position or a variation in their movement while carrying out a task in the course of their employment;
 - (c) it is free from glare and reflection; and
 - (d) where necessary, there is appropriate task lighting which allows the employee to adjust its position and intensity.
- (2) Where an employee is required to stand at a workstation to perform his normal duties, the employer shall provide a footrest.
- (3) The *Schedule* shall set out the minimum requirements for all workstations.

Employees to be trained

6. An employer shall provide an employee who has been assigned to a workstation with the information, instruction and training in the proper use of the workstation in relation to

- (a) the correct use of the display screen equipment;
- (b) seating posture;
- (c) seating adjustment prior to the commencement of work or after the workstation has been substantially modified; and
- (d) the adjustment of furnishings and tools associated with the workstation.

Assessment of eye health

7.(1) A person who is to be employed for the first time to use a workstation shall inform the employer whether he is required to wear prescription eye glasses or contact lenses to improve his vision.

(2) Where an employer is informed in accordance with paragraph (1) that prescription eye glasses or contact lenses are required to improve the vision of a prospective employee, the employer shall advise the prospective employee that prior to assuming employment at the workstation, the prospective employee shall be examined by a medical practitioner, registered under section 9 of the *Medical*

Profession Act, 2011 (Act 2011-1) and who is trained to conduct vision examinations, to determine whether the prescription eye glasses or contact lenses are fit for the workstation.

(3) An employer shall advise an employee who experiences recurring visual problems while assigned to a workstation, whether or not he indicated at the commencement of the employment that he is required to wear prescription eye glasses or contact lenses, to be examined by a medical practitioner, registered under section 9 of the *Medical Profession Act, 2011* (Act 2011-1) and who is trained to conduct vision examination to monitor the recurring problems that the employee may experience.

(4) An employee who

- (a) is to be assigned; or
- (b) has been assigned

to a workstation may request to have a vision examination by a medical practitioner, registered under section 9 of the *Medical Profession Act, 2011* (Act 2011-1) and who is trained to conduct vision examinations to determine whether the general vision of the employee is fit for the workstation.

(5) Where an employee has made a request in accordance with paragraph (4), the employer shall facilitate the eye examination requested

- (a) in the case of an employee who is to be assigned to a workstation, prior to commencing work at the workstation; and
- (b) in the case of an employee who is assigned to a workstation, as soon as is practicable after the request is made.

(6) The employer shall be responsible for the cost of a vision examination requested by the employee under paragraph (4).

Breaks to be mandatory

8.(1) Where the work of an employee requires the use of display screen equipment for one hour continuously, the employer shall grant to an employee a

break from working at the display screen equipment for a minimum period of 5 minutes.

(2) An employee shall take a break from working at display screen equipment in accordance with paragraph (1).

(3) Where an employee takes a break in accordance with paragraph (2), the employer may assign the employee to complete an alternative task not involving the use of display screen equipment.

(4) An employee shall not take a break in accordance with paragraph (2) so that it coincides with the beginning or end of the work day.

(5) Where because of the nature of a work process paragraph (1) or (2) is impractical and cannot be implemented the employer shall develop alternative arrangements in accordance with section 103 of the Act.

Retention of records

9.(1) An employer shall keep the records of all risk assessments and all examinations and assessments relating to the health of an employee for a period of 5 years and shall make those records available for inspection by the Chief Labour Officer.

(2) An employer shall provide copies of any records of examinations and assessments relating to the health of an employee to the Chief Labour Officer where the Chief Labour Officer so requests.

(3) An employer shall allow an employee or a person authorised by the employee to inspect the individual records of risk assessments or examinations and assessments relating to the health of that employee.

(4) All records retained under paragraph (1) shall be destroyed by the employer on the expiration of the 5 year period without undue delay.

Exemptions

10.(1) The Chief Labour Officer may, by certificate in writing, exempt a workplace or category of workplace from any provision of these Regulations where by reason of the nature of the work undertaken at the workplace, plant or equipment, the provision cannot be implemented or is not necessary for the protection of the employees who work there.

(2) The Chief Labour Officer shall establish and maintain a register of exemptions and shall enter into the register such particulars relating to a workplace or category of workplace where a certificate of exemption has been

(a) granted; or

(b) revoked.

SCHEDULE

*(Regulation 5)****Minimum Standards for all Workstations***

Workstation Component	Standard
1. Display screen equipment	The following standards shall apply to display screen equipment: (a) the characters on the screen shall be well defined, clearly formed of adequate size and with adequate spacing between the characters and lines; (b) the image on the screen shall be stable, with no flickering or other forms of instability; (c) the screen shall be free of reflective glare and reflection liable to cause discomfort to the user; (d) the brightness or the contrast between the characters and the background shall be easily adjustable by the employee.
2. Keyboard	The following standards shall apply to a keyboard: (a) the keyboard shall be tiltable if it is separate from the screen; (b) the space in front of the keyboard shall be sufficient to provide support for the hands and arms of the employee; (c) the keyboard shall have a matte non-reflective surface; (d) the symbols on the keyboard shall be adequately contrasted and legible from the intended working position.

Schedule - (Cont'd)

Workstation Component	Standard
3. Work surface or work desk	The following standards shall apply to a work surface or work desk: (a) the work surface or work desk shall have a sufficiently large, low, reflectance surface which allows for a flexible arrangement of the screen, keyboard, document and related equipment; (b) a document holder shall be provided if the nature of work is such that it involves typing from documents; (c) where a document holder has been provided it shall be stable, adjustable and positioned so as to minimise the need for uncomfortable eye and head movements.
4. Work chair	The following standards shall apply to a work chair: (a) the work chair shall be stable and allows the employee to have easy freedom of movement and a comfortable position; (b) the seat shall be adjustable in height; (c) the seat back shall be adjustable in both height and tilt; (d) the work chair shall adequately support the back and thighs of the user; (e) the material from which the work chair is made shall not cause the user to slide from the work chair; (f) where a work chair has armrests, they shall be padded and maintained in good condition and not restrict the hand movement of the employee; (g) a suitable footrest shall be made available where necessary.

Schedule - (Concl'd)

Workstation Component	Standard
5. Footrest	A footrest shall measure between 15 cm and 20 cm in height.
6. Lighting	The following standards shall apply to lighting: (a) ambient lighting levels shall be adjustable where the nature of the task requires it; (b) where there is a source of natural light there shall be adjustable window coverings for employees who operate display screen equipment.

Made by the Minister this day of , 2022.

Minister responsible for Labour