



CIPRIANI COLLEGE
OF LABOUR AND CO-OPERATIVE STUDIES

WORK MATTERS

COLUMN

APRIL 2023

A Safe and Healthy Working Environment

The International Labour Conference (ILC) included “a safe and healthy working environment” in the ILO’s framework of fundamental principles and rights at work in June 2022. As a result, the Occupational Safety and Health Convention, No. 155 and the Promotional Framework for Occupational Safety and Health Convention, No. 187 were declared fundamental conventions. State members of the ILO, even if they have not ratified these Conventions are obligated, because of their membership in the Organization, to adhere to the principles regarding the fundamental rights of these Conventions. Trinidad and Tobago has been a member of the International Labour Organisation (ILO) since 1963. In so doing, employers must be compliant with the following;

Duty of Care

Ensuring the fundamental right to a safe and healthy working environment is essential to prevent work related accidents and diseases and protect and promote the health and well-being of workers. Employers have a duty to protect the health, safety and welfare of employees and other people who might be affected by work activities and must do whatever is reasonably practicable to accomplish this and ensure that workers and others are protected from any risks.

Risk Assessments

Employers have a legal duty under the Occupational Safety and Health (OSH) Act Chapter 88:08 to assess the risks to the health and safety of employees (and risks to the health and safety of persons not in your employment) to which they are exposed while they are at work. This means identifying hazardous work activities that could cause injury or illness and taking action to eliminate the hazard. If this isn’t possible, control measures must be put in place to reduce the risk to an acceptable level. Further, employers are expected to eliminate all risks and must do everything that is reasonably practicable to protect persons from harm. It means doing what you are reasonably able to do to ensure the health and safety of workers and others.

Emergency Planning

Employers must ensure that employees receive immediate help if taken ill or injured at work to comply with the obligations identified in the OSH Act Chapter 88:08. An emergency plan must be in place to respond effectively to health and safety incidents and other emergencies that might occur. This plan should be based on your risk assessment.\

The plan should include the means of obtaining first aid help and transportation to a hospital if needed. In addition, employers are required to have a suitably stocked first aid kit, an appointed person or people to take charge of first aid arrangements (who are sufficiently trained in first-aid treatment) and information for all employees informing them about first aid arrangements.

Personal Protective Equipment (PPE)

In compliance with the OSH Act Chapter 88:08, employers must provide suitable personal protective equipment, based on a risk assessment, to employees who may be exposed to a risk to their health or safety while at work especially where the risk has not been adequately controlled by other means. Employers must ensure workers have sufficient information, instruction and training on PPE use. This information should include how to safely store and maintain it and its limitations.

Training and Information

Employers are legally obligated, under the OSH Act Chapter 88:08 to provide instruction and information, and adequate training for employees to be able to work safely. They must provide information to the workers about hazards and risks they may face in the workplace, the measures in place to deal with those hazards and risks and how to follow any emergency procedures. The risk assessment would identify any further training needs associated with specific risks.

Maintenance

An employer has a legal duty to ensure that the work-

places, machinery, equipment and processes under its control are safe and without risk to health. This includes ensuring that its buildings are in good repair and maintaining the workplace and any equipment so that it is safe and works efficiently. This should be done by implementing a planned preventative maintenance programme which can be designed using the manufacturer's recommendations for frequency of maintenance.

Benefits

A safe and healthy work environment should not just be seen as a legal responsibility, it is also a moral obligation to ensure workers return home safe and healthy at the end of each working day. A safe and healthy working environment is more efficient and productive as you have less workplace absences due to injury or illness. This is financially beneficial to organizations as disruption and downtime from accidents is reduced. The business is also able to save the money that it would have lost in legal breaches that could result in prosecution and fines. Investing in safety and health is a good business decision that can benefit any organization. In the long run it can save money and help build a successful and sustainable business.

Marissa Bhawanie
Adjunct Faculty, OSHE Department
CCLCS