

Designers, Manufacturers, Importers and Suppliers have a duty:

- To ensure that any technology, machinery, plant, equipment or material for use in an industrial establishment is safe and without risks when properly used.

THE OCCUPATIONAL SAFETY AND HEALTH (OSH) AUTHORITY

The OSH Authority is made up of representatives from governmental, non-governmental organizations (NGOs), labour and industry who are charged with:

- Enforcement of the provisions of the OSH Act through the OSH Agency.
- Assisting and encouraging persons to further purposes related to the OSH Act.
- Facilitating and publishing research that improves occupational safety and health.
- Provision of information and advice to government, employers, employees and other organisations.

FUNCTIONS OF THE OSH AGENCY

Regulatory

To conduct site safety and health inspections and audits to ensure compliance with Occupational Safety and Health Legislation.

Investigative

Investigation of workplace accidents and complaints.

(continues on the back cover)



Preventive

To ensure that proactive measures are taken by duty holders to prevent mishaps.

Advisory

Provides advice on Safety and Health issues to all stakeholders as requested.

Informational

To promote awareness of the legislative framework for safety and health and to provide information on safety and health issues at the workplace.

The Inspector has considerable authority including:

- Entering, inspecting, taking photographs, and examining at any time, any premises to which the OSH Act applies.
- Investigating work related accidents.
- Issuing Improvement and Prohibition Notices.
- Taking for analysis, samples of any materials or air contaminants in the workplace.

Offences:

- Under the OSH Act, there are safety and health offences which are dealt with at the Industrial Court and summary offences that are dealt with by the Magistrate's Court.



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For further information:

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OSHA HOTLINE: 623-OSHA (6742)

www.osha.gov.tt

Copies of the OSH Act Chapter 88:08 can be purchased at the Government Printery or downloaded from the following website: www.osha.gov.tt
OSHA IS A STATUTORY AGENCY of the Ministry of Labour and Small and Micro Enterprise Development

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A Short Guide for Employees

TO THE OCCUPATIONAL SAFETY & HEALTH ACT

Chap. 88:08



This leaflet is a brief guide to the OSH Act Chap. 88:08. It does not describe the law in detail, but it does list the key points.

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OCCUPATIONAL SAFETY & HEALTH ACT

What you should know

- Your safety, health and welfare at work are protected by law.
- Your employer has a duty to keep you informed about safety and health.
- Your employer has a legal duty to ensure, so far as is reasonably practicable, your safety, health and welfare at work.
- You have a responsibility to look after yourself and others.
- If there is a problem, discuss it with your employer, safety and health committee or safety representative.
- Safety and Health Inspectors can give advice on how to comply with the law. They also have powers to enforce it.

In general, your employer's duties include:

- Making your workplace safe and without risks to health.
- Ensuring plant and systems of work are safe and without risk to health.
- Ensuring articles, substances, machinery and equipment are moved, stored and used safely.
- Providing adequate welfare facilities.
- Giving you the information, instruction, training and supervision necessary for your safety and health.
- Providing protective clothing or equipment where necessary at no cost.

In general, your employer must:

- Assess the risks to your safety and health.
- Make arrangements for implementing the safety and health measures identified as being necessary by the risk assessment.
- If there are twenty-five or more employees:
- Record the significant findings of the risk assessment.



- Prepare a safety and health policy, that shows the organisation and arrangements for your safety and health, and bring it to your attention.
- Your employer must consult you in the preparation of the safety and health policy and on the appointment of the safety committee.
- Appoint someone competent to assist with safety and health responsibilities if requested to do so by the Chief Inspector.
- Co-operate on safety and health issues with other employers sharing the same workplace.
- Set up emergency response procedures.
- Provide adequate first-aid facilities.
- Ensure that the workplace satisfies safety, health and welfare requirements, for example, ventilation, temperature, lighting, sanitary conveniences, washing and rest facilities.
- Ensure that work equipment is suitable for its intended use, so far as safety and health is concerned and that it is properly maintained and used.
- Prevent or adequately control exposure to substances that may impair your health.
- Take precautions against danger from flammable or explosive hazards, electrical equipment, noise and vibration.
- Provide health surveillance as appropriate.
- Report certain injuries, diseases and dangerous occurrences to the Occupational Safety and Health Agency.

Risk Assessment

The Act provides for the assessment of risks to be done annually. This is to enable the employer to methodically identify and evaluate all the safety and health risks associated with the undertaking that must be managed. Such an assessment is vital to the development and implementation of the arrangements required in the Safety and Health Policy.

In general, employees' legal duties include:

- Taking reasonable care for your own safety and health and that of others who may be affected by what you do or do not do.
- Co-operating with your employer on safety and health issues.
- Correctly using work items provided by your employer including personal protective equipment, in accordance with training or instructions.
- Not interfering with or misusing anything provided for your safety, health or welfare.
- Ensuring that you are not under the influence of an intoxicant so as to endanger your own safety, health or welfare or that of any other person.

As an employee, you have the right to refuse unsafe work

- If you are exposed to imminent danger, you have a right to refuse work.
- If you think there is a risk of imminent danger in your workplace, you should first discuss it with your employer, supervisor or manager. You may also wish to discuss it with your safety and health committee or safety representative, if there is one.
- If you are concerned that your employer is exposing you to imminent danger and you have pointed this out without getting a satisfactory resolution, you should contact the Occupational Safety and Health Agency.

**Telephone contact:
623-OSHA-(6742)**



Safety matters