



Engineering Workshop Safety

Lesson 1: Legislation and Safety Management

Introduction

Hello and welcome to the lesson on Legislation and safety management in the workplace

In this lesson we will learn:

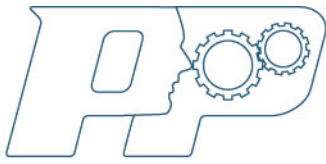
- the background to the Safety, Health and Welfare at Work Act 2005
- the duties placed on employers
- the duties placed on employees
- the need for health and safety consultation
- the need for risk assessment and a safety statement

Safety, Health and Welfare at Work Act 2005

The Health and Safety Authority (HSA) has overall responsibility for the administration and enforcement of health and safety at work in Ireland. Part of its remit includes developing new laws and standards on health and safety at work.

These health and safety laws apply to all employers, self-employed people and employees in their workplaces. This includes fixed-term employees and temporary employees.

In Ireland, the main legislation covering the health and safety of people in the workplace is the Safety, Health and Welfare at Work Act 2005 (as amended). The act is supported by a range of Safety, Health and Welfare at Work (General Application) Regulations 2007- 2020.



The Safety, Health and Welfare at Work Act 2005 sets out the rights and obligations of both employers and employees. It also provides for substantial fines and penalties for breaches of the health and safety legislation.

The Act applies to all places of work, be they temporary installations, a vehicle, aircraft, ship, office or industrial premises.

It affects all employers, all employees, the designers and suppliers of workplaces and workplace equipment, and the self-employed.

The Act overrides many of the provisions and definitions in earlier health and safety legislation.

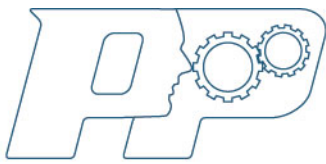
The main aspects of this legislation are:

- Places obligations on employers and employees.
- Requires a Health and Safety management system.
- Requires Health and Safety consultation
- Requires a preventative approach to health and safety
- Requires risk assessment and a safety statement to be implemented.

Employers Duties:

Employers (including self-employed persons) are primarily responsible for creating and maintaining a safe and healthy workplace. An employer's duties include:

- Managing and conducting all work activities so as to ensure the safety, health and welfare of people at work (including the prevention of improper conduct or behaviour likely to put employees at risk*).
- Designing, providing and maintaining a safe place of work that has safe access and egress, and uses plant and equipment that is safe and without risk to health.
- Prevention of risks from the use of any article or substance, or from exposure to physical agents, noise, vibration and ionising or other radiations.
- Planning, organising, performing, maintaining and, where appropriate,

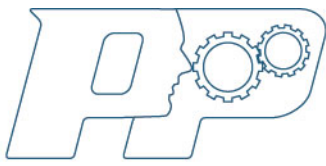


revising systems of work that are safe and without risk to health.

- Providing and maintaining welfare facilities for employees at the workplace.
- Providing information, instruction, training and supervision regarding safety and health to employees, which must be in a form, manner, and language that they are likely to understand.
- Cooperating with other employers who share the workplace so as to ensure that safety and health measures apply to all employees (including fixed-term and temporary workers) and providing employees with all relevant safety and health information.
- Providing appropriate protective equipment and clothing to the employees (and at no cost to the employees).
- Appointing one or more competent persons to specifically advise the employer on compliance with the safety and health laws.
- Preventing risks to other people at the place of work.
- Ensuring that reportable accidents and dangerous occurrences are reported to the Health and Safety Authority.

Employees Duties:

Employees (including full or part-time, permanent or temporary, regardless of any employment or contractual arrangement they may have) also have duties under the Act.

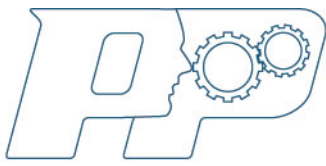


They must:

- Comply with relevant laws and protect their own safety and health, as well as the safety and health of anyone who may be affected by their acts or omissions at work.
- Ensure that they are not under the influence of any intoxicant to the extent that they could be a danger to themselves or others while at work.
- Cooperate with their employer with regard to safety, health and welfare at work.
- Not engage in any improper conduct that could endanger their safety or health or that of anyone else.
- Participate in safety and health training offered by their employer.
- Make proper use of all machinery, tools, substances, etc. and of all personal protective equipment provided for use at work.
- Report any defects in the place of work, equipment, etc. which might endanger safety and health.

Health and Safety Consultation:

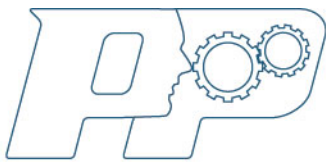
Employers must consult their employees with regard to safety, health and welfare at work and must provide them with certain information on these matters. As part of the consultation process, employees have the right to select safety representative(s).



Employers must provide certain information on safety, health and welfare at the workplace to the employees or to their safety representative(s).

These arrangements require the employer to:

- Consult with employees or their safety representative(s) (or both) on any proposed measures likely to substantially affect their safety, health or welfare at work.
- Provide employees or their safety representative(s) (or both) with the results of the risk assessment and consult with them on the preparation of the safety statement.
- Provide employees or their safety representative(s) with other relevant information, including details of any reportable accidents, illnesses or dangerous occurrences, the names of any competent persons appointed to advise on safety and health matters and the preventive and protective measures to be taken to avoid risks (i.e., a copy of the safety statement). This information has to be in a form, manner and language likely to be understood by the employees.
- Refrain from penalising any employee for acting in accordance with safety and health laws or for reporting complaints regarding safety and health matters at work.
- Recognise that safety representatives have various rights, including the right to:
 1. Inspect the place of work.
 2. Investigate accidents and dangerous occurrences (as long as this does not interfere with an investigation being carried out by an inspector
 3. Investigate complaints made by employees (after giving reasonable notice to the employer).
 4. Be given time off from work, without loss of remuneration, to receive appropriate training.
 5. Accompany an Inspector carrying out an inspection at the workplace.
 6. Make representations to the employer on safety, health and welfare.
 7. Make representations to, and receive information from, an inspector.
 8. Consult and liaise with other safety representatives in the same undertaking.



Preventative Approach to Health and Safety:

The Act emphasises the need for employers (including the self-employed) to manage safety and health in order to prevent workplace injuries and ill health. The basis for the management of safety and health is the written safety statement. This document sets out an action programme for safeguarding the safety, health and welfare of your employees while they are at work.

It should be prepared after you have risk assessed the workplace.

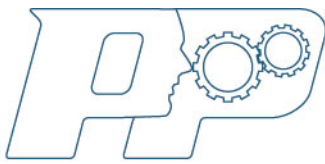
Managing risks to health and safety involves examining the potential risks, assessing their impact and likelihood, and then putting in place mitigating measures to deal with the risks.

The following steps should be followed:

Step 1: IDENTIFY THE HAZARDS

Examples of these hazards include:

- Slips, trips and falls.
- Falls of persons from height.
- Falls of material from height.
- Hazards associated with the manual handling of loads.
- Hazards from plant and machinery (for example, exposure to dangerous moving parts).
- Mechanical handling.
- The movement of vehicles and site transport.
- Fire and explosion.
- The use of hazardous substances (e.g. toxic, corrosive).
- The use of compressed air.
- Exposure to harmful levels of noise.
- Exposure to radiation.
- Hazards associated with electricity.
- Exposure to harmful vibration.



- Entry into confined spaces.
- Unsuitable lighting levels in the workroom.
- Inadequate thermal environment (i.e. too hot or too cold).
- Work with visual display screens.
- Exposure to chemicals
- Exposure to biological hazards e.g. viruses
- Human factors (for example, violence to staff, stress, bullying at work).

Step 2: ASSESS THE RISKS

Having identified the hazards, you now have to assess any risks (the likelihood of the harm occurring, and the severity/impact of the consequences if it does) arising from those hazards.

Categorising the risks (for example, a high risk of injury from manual handling, a medium risk of exposure to chemicals or a low risk of contact with moving parts of machinery) allows you to prioritise the measures necessary to ensure safety, health and welfare at your workplace.

In assessing risks, a risk matrix is often used where the impact and likelihood are each scored on a numeric scale. This may be a scale of 1 to 4 or a scale of 1 to 5.

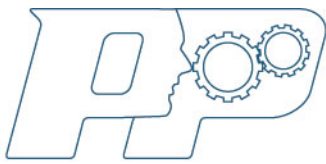
On a 1 to 4 scale model:

Impact is scored as :

Low Impact	1
Medium Impact	2
High Impact	3
Extreme Impact	4

Likelihood of occurrence is scored as:

Unlikely (less than 10% chance)	1
Possible (10 to 60% chance)	2
Likely (60 to 90% chance)	3
Almost Certain (greater than 90% chance)	4



The impact and likelihood factors are multiplied together to give the risk rating or risk priority number RPN.

This will give the priority for the risks that need to be addressed. The higher the rating the greater the need to address the risk.

Step 3: SELECT THE CONTROL MEASURES

You must now select the appropriate control measures to eliminate the hazards and, where that cannot be done, to reduce the risks.

When following this process, you must take into account the General Principles of Prevention as set out in Schedule 3 to the Safety, Health and Welfare at Work Act 2005.

General Principles of Prevention.

1. The avoidance of risks.
2. The evaluation of unavoidable risks.
3. The combating of risks at source.
4. The adoption of work to the individual, especially as regards the design of places of work, the choice of work equipment and the choice of systems of work, with a view, in particular, to alleviating monotonous work and work at a predetermined work rate and to reducing the effect of this work on health.
5. The adaptation of the place of work to technical progress.
6. The replacement of dangerous articles, substances or systems of work by safe or less dangerous articles, substances or systems of work.
7. The giving of priority to collective protective measures over individual protective measures.
8. The development of an adequate prevention policy in relation to safety, health and welfare at work, which takes account of technology, organisation of work, working conditions, social factors and the influence of factors related to the working environment.
9. The giving of appropriate training and instructions to employees.

Step 4: WRITE THE SAFETY STATEMENT

Having gone through the above steps, you will now be in a position to write your safety statement. The document must:

- List the control measures to be taken to avoid the risks.
- Name those responsible for implementing and maintaining the
- measures.



- Contain plans to deal with an emergency or any serious and imminent
- risks.
- List the names of the safety representatives (if any).

The safety statement must be reviewed and, if necessary, amended when there has been a significant change in work practices (for example, the introduction of new equipment or substances) or when there is reason to believe that it is no longer valid (an accident, dangerous occurrence or a “near miss” may prompt such a review).

The safety statement must also be revised, within 30 days, if directed by an Inspector.

Employers are required to bring the safety statement to the attention of your employees (and to other persons at the place of work who might be exposed to the specific risks outlined in the safety statement).

When bringing the Safety Statement to the attention of employees it must be a form, manner and, if necessary, in a language that can be understood by employees.

This should be done at least annually, on recruitment and when there is a change made to the safety statement.

Summary

In this lesson we will learnt about:

- the background to the Safety, Health and Welfare Act 2005
- the duties placed on employers
- the duties placed on employees
- the need for health and safety consultation
- the need for risk assessment and a safety statement