Extension of Workplace Safety and Health (WSH) Act

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MINISTRY OF MANPOWER

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WSH Framework & Journey **1**

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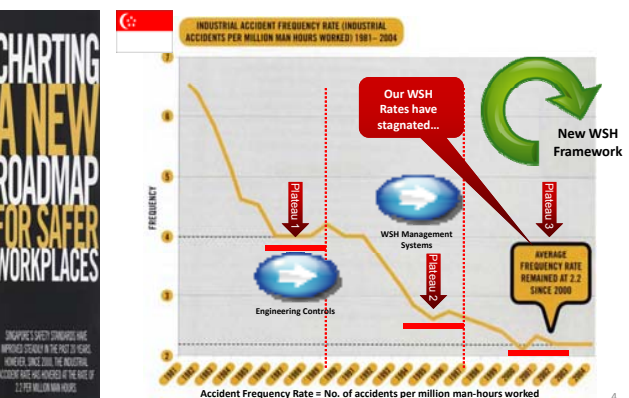A Great Workforce A Great Workplace

Outline

1. Overview of WSH Framework and Singapore's WSH Journey
2. The Workplace Safety and Health (WSH) Act
   - Coverage
   - Key Features of the WSH Act
   - Duty Holders under the WSH Act
   - Duties of employers
   - WSH (Risk Management) Regulations
   - WSH (Incident Reporting) Regulations
3. Legislation Updates
4. WSH Compliance Assistance

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WSH Reform

CHARTING A NEW ROADMAP FOR SAFER WORKPLACES

INDUSTRIAL ACCIDENT FREQUENCY RATE (INDUSTRIAL ACCIDENTS PER MILLION MAN HOURS WORKED) 1981– 2004

Our WSH Rates have stagnated...

New WSH Framework

Plateau 1

WSH Management Systems

Plateau 3

Plateau 2

Engineering Controls

AVERAGE FREQUENCY RATE REMAINED AT 2.2 SINCE 2000

Accident Frequency Rate = No. of accidents per million man-hours worked
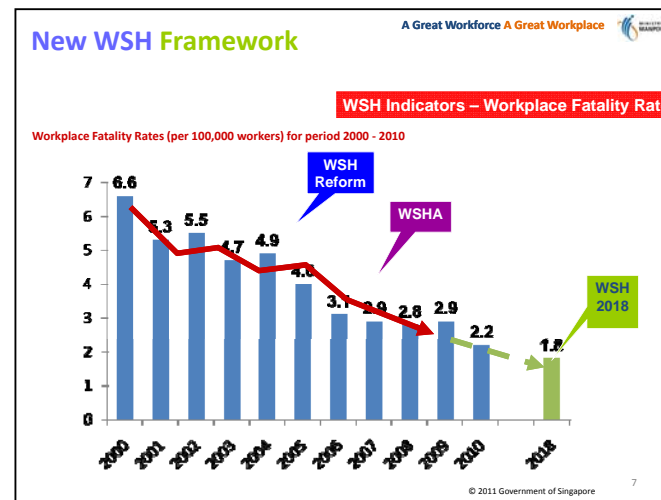
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Slide 1: WSH Reform

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WSH Reform

NEWS
So many warning signs, but…
7 killed in tanker fire at Keppel
Two die in worksite collapse

- Major workplace accidents in 2004 had shaken public's confidence in WSH
- Added further impetus to fundamentally reform WSH in Singapore
- To restore confidence, Government formulated the New WSH framework

Slide 2: New WSH Framework

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New WSH Framework

WSH Indicators – Workplace Fatality Rate

Workplace Fatality Rates (per 100,000 workers) for period 2000 - 2010

WSH Reform — WSHA — WSH 2018

6.6 5.3 5.5 4.7 4.9 4.0 3.1 2.9 2.8 2.9 2.2 1.8

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2018

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Slide 3: New WSH Framework

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New WSH Framework

MOM seeks to halve worksite fatalities

New WSH Framework

- On 10 Mar 2005, then Minister for Manpower Dr Ng Eng Hen announced in parliament the adoption of new WSH Framework
- New Framework designed to engender a paradigm shift in mindset of all individuals at the workplace and to allow industry to take greater ownership of WSH outcomes
- Set a national target to halve workplace fatality rate from **4.9 (2004) to 1.8 by 2018** so as to attain standards of the current top 10 developed countries with good WSH records.

Country / Region	2002	Latest (year of data)
Sweden	1.2	1.7[1] (2005)
United Kingdom	1.3	1.4[1] (2005)
Australia	2.0	2.0[2] (2005)
USA (2000)	2.2	1.8[3] (2006)
EU 15 Average	2.5	2.3[1] (2005)
Japan	2.6	1.9[4] (2005)
Singapore (2004)	4.9	4.0 (2005) 3.1 (2006) 2.9 (2007) 2.8 (2008)

Data Sources:
[1]Eurostat
[2]International Labour Organization (ILO) LABORSTA
[3]Estimated from data obtained from the US Department of Labor, Bureau of Labor Statistics
[4]Estimated from data obtained from the Japan International Center for Occupational Safety and Health (JICOSH)

Note
The **workplace fatality rate** is defined as the number of workplace fatalities per 100,000 workers.

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Slide 4: WSH in Singapore

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WSH 2018

A National Strategy for
WSH in Singapore

Vision
A Safe and Healthy Workplace for Everyone and a Country Renowned for Best Practices in Workplace Safety and Health

Strategic Outcome 1
Reduction in Workplace Fatality and Injury Rates

Strategic Outcome 2
WSH is an Integral Part of Business

Strategic Outcome 3
Singapore is Renowned as a Centre of Excellence for WSH

Strategic Outcome 4
A Progressive and Pervasive WSH Culture

Strategy 1
Build Strong Capabilities to Manage WSH

Strategy 2
Implement an Effective Regulatory Framework

Strategy 3
Promote Benefits of WSH and Recognise Best Practices

Strategy 4
Develop Strong Partnerships Locally and Internationally

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Slide: Formation of WSH Council

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Formation of WSH Council
Leading Industry Efforts in WSH

1 Apr 2008

Employer   Govt   Employee

Workplace Safety and Health Council

- Evolved from former WSH Advisory Committee
- Formed on **1 April 2008**
- Comprised 16 leaders from key industry sectors, the Government, unions and professionals from the legal, insurance and academic fields
- **Mission** - To lead industry efforts in strengthening capabilities and building a progressive culture in WSH
- Works closely with MOM and other government agencies, industries, unions and professional associations to develop strategies to raise WSH standards in Singapore

Main Functions

➢ Build the capabilities of industry to better manage WSH

➢ Promote safety and health at work and recognise companies with good WSH records

➢ Set acceptable WSH practices

Slide: Our WSH Journey

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Our WSH Journey

Vision
A Safe and Healthy Workplace for Everyone and a Country Renowned for Best Practices in Workplace Safety and Health

2004 2005 2006 2007 2008 **2009** 2010

Major Accidents claiming 13 lives

Stagnation of Accident Rates

New WSH Framework
3 Key Principles
Reduce Risk at Source
Greater Industry Ownership
Higher Penalties for Poor Safety Management

Minister for Manpower sets target: 2.5 fatalities per 100,000 by 2015

WSH Act
Embodiment of WSH Framework in legislation

Official Launch of WSH2015 Roadmap

Begin reviewing & enhancing Strategy
Prime Minister refreshes target: 1.8 fatalities per 100,000 by 2018
Formation Of WSH Council

Official Launch of WSH Strategy **WSH 2018**

Official Launch of New WH Strategy and Sectoral Roadmaps

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Slide: Introduction to the WSH Act

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Don't ignore everyday risks at work.

Introduction to the WSH Act   **2**

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Slide: 3 Principles of New WSH Framework

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3 Principles of New WSH Framework

Principle 1   Principle 2   Principle 3

Reduce Risk at Source
- Emphasize the importance of good Workplace Safety & Health Management System especially the need for comprehensive **Risk Assessments**
- Duties to address risks placed on those who create them. **Assign liability to those who are in control of workplace risks.**

Promote Industry Ownership of Standards & Outcomes
- Shift industry mindset from following the letter of the law to **taking responsibility of standards and outcomes**
- Moving from **compliant** mode to **ownership** mode

Higher Penalties for poor Safety Management
- Penalties must be sufficient to reflect the cost of poor safety management and to **deter risk-taking behavior**
- Moving away from stepped penalty regime based on **actual** harm done to one based on **potential** harm done

Slide 13

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WSH Act
Key Legal Instrument to support new WSH Framework

- WSHA enacted on 1 March 2006
- Key legal instrument to effect the Principles of the new WSH Framework
- Administered by Commissioner for Workplace Safety & Health

It's jail, fine for not reporting worksite accident

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WSH Act
Coverage extended in Phases

Phase 2
1st March 2008
- Healthcare Activities
- Veterinary Activities
- Hotels & Restaurants
- Water Supply, Sewerage and Waste Management
- Landscape care & Maintenance Services
- Services allied to Transportation of goods

Phase 1
1st March 2006
- Factories
- Construction
- Shipyards
- Ship in Harbour
- Airport
- Docks, Wharf, etc
- Laboratories

Phase 3
September 2011
- Education
- Public Admin
- Agriculture & Fishing
- Wholesale & Retail Trade
- Finance & Insurance Activities
- Social and Community Activities
- Information & Communications
- Arts, Entertainment & Recreation
- Real Estate, Rental and Leasing Activities
- Other Service Activities

➢ Additional **1.6 Million workers** (~57% of total employment as of Dec 2010)
➢ Account for some **100,000 establishments** (as estimated by DOS in Economic Surveys Series '08)
➢ Across **14 industry sectors**

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Slide (Key Features)

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WSH Act
Key Features

1 Mar 2006

- ❑ Moving to a **Performance-based Regime**
  - Imposed a general duty to take **reasonably practicable** measures to protect persons at work
- ❑ Focus on reducing risk at source through **Risk Assessment**
- ❑ Better defined **Liability Regime**
  - Assign liability to duty holders who are in control of workplace risks
- ❑ Strengthened **Personal Liability**.
- ❑ **Enhanced penalties** to reflect the cost of accidents and poor safety management.
- ❑ **Enhanced Enforcement Powers** to deal with systemic weaknesses.

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Slide (New Performance-based regime)

WSH Act
New Performance-based regime

- The Act exemplifies and upholds the 3 principles of the WSH framework.
- General duty of care " ..to take so far as **reasonably practicable** such steps to ensure the safety & health of any person"
- Requires every person (from top management to the last worker at the workplace) to take **reasonably practicable** measures to ensure the safety & health of workplaces

Safety Act to cover 2 million workers
New safety laws make owners liable to
Zero tolerance to cut worker deaths

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Duty-Holders
Under the WSHA

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Occupiers

Employers

Principals

Duty Holders
under WSHA

Erectors & Installers

Manufacturers & Suppliers

Employees

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Slide 19

Duties of Employers
Under the WSHA

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Measures that employers are required to undertake include :

- providing and maintaining a safe and healthy work environment;
- ensuring adequate safety measures are taken in respect of any machinery, equipment, etc used by workers;
- ensuring persons are not exposed to hazards arising from the workplace or areas under the employer's control;
- developing and implementing emergency procedures;
- providing adequate instructions, information, training and supervision to employees.

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Duty-Holders
Under the WSHA

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Where do You fit in?

- Depending on the role(s) that you are performing, you will assume that assigned legal responsibility
  – A person may at any one time assuming 2 or more roles,   e.g. can be both occupier and employer at the same time
- Duty holders need to exercise their prescribed duties as far as is **reasonably practicable**

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Slide 20

Strengthen Personal Accountability

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- To engender a strong safety culture, commitment of top management is critical
- WSHA holds managers and directors of companies personally accountable for safety and health practices at their workplace
- Managers and directors have to prove —
  - Offence was committed without his consent or connivance; and
  - They had exercise all such diligence

Workplace Safety and Health Act

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WSH (Risk Management) Regulations
Subsidiary Legislation

Objectives

- ❑ Requiring all employers to assess risk to safety and health of any person who may be affected by the undertaking
- ❑ Should be a genuine attempt to identify hazards and risks of injuries/accidents
- ❑ Risk Assessment is one way in which general duties will be discharged

A Guide to the
Workplace Safety and Health
(Risk Management) Regulations

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WSH (Risk Management) Regulations
Subsidiary Legislation

Key Features

- ❑ All workplaces are required to conduct Risk Assessment
- ❑ Take steps to eliminate or minimize the identified risk
- ❑ Disseminate information to employees and others
- ❑ Review & Revise (if nec.) Risk Assessment —
  - at least once every 3 years; or
  - upon occurrence of any accident; or
  - significant change in work practices /procedures

CP does not restrict the choice of matrices used

Risk Assessment guidelines available on MOM website

http://www.mom.gov.sg/Documents/safety-health/Risk-Assessment-Guidelines.pdf

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Slide 11 (Incident Reporting)

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WSH (Incident Reporting) Regulations
Subsidiary Legislation

Key Features

- The Regulations cover all workplaces.
- Specifies the responsibilities of relevant parties to report accidents, dangerous occurrences and occupational diseases (ODs) at workplaces.
- There is an online reporting portal thru' MOM website - *iReport*

www.mom.gov.sg/iReport

A Guide to the
Workplace Safety and Health
(Incident Reporting) Regulations

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Slide 12 (Incident Reporting)

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WSH (Incident Reporting) Regulations
Subsidiary Legislation

Reporting of Accident, Dangerous Occurrence & Occupational Diseases

Victim	What to report?	Who to report?
Employee	• Fatal accidents • Injured for more than 3 consecutive days of MC • Admitted to hospital for at least 24 hrs for observation or treatment	Employer
Public	• Fatal accidents • Injured as a result of work being carried out where the injured public is **taken to hospital for treatment** in respect of that injury	Occupier of workplace
—	• Dangerous occurrence	Occupier of workplace
Employee	• Occupational disease	Employer and Medical practitioner

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Legislation Updates 3

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Amendments of WSH Act
Rationale and Principles

Rationale for Amendments

- **All workplaces** will be brought under the WSH Act wef 1 Sep 2011.
- MOM is reviewing the Act to:
  - A) Ensure **comprehensive but reasonable coverage**;
  - B) **Enhance duties of stakeholders** under the Act; and

Principles of Review

- Ensure that all workers are provided with safe and healthy workplaces as far as is **reasonably practicable**;
- Ensure **duties and responsibilities of stakeholders** correspond to the level of risk posed; and
- **Deter irresponsible and errant** duty holders

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Amendments of WSH Act
Key Amendments

1 - Coverage	→	**All workplaces**.	NEW!
2 –Introduction of "Workplaces" and re-defining "Factories"	→	Redefine "factories" to refer to those workplaces whose activities present a higher potential for **serious accidents**	NEW!
3 – Expand definition of "Occupational Disease"	→	To include diseases resulting from **chemical or biological** agents	NEW!
4 - Duties of persons at work	→	Workers can be liable for **negligence.**	NEW!

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Amendments of WSH Act
Key Amendments

4 – Duties of Principal	→	• All principals to ensure that any contractor they engage is able to carry out the work safely, **whether these contractors work under their direction or not**	NEW!

Rationale:

- To strengthen the principal's duty and **increased accountability** so as they take a proactive role in ensuring safety and health of their contractors

Additional Duties include:

- To ensure competency of contractors and their workers

- To ensure that the contractors conduct risk assessment

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Other Regulations
Subsidiary Legislation

Transitional Amendments
(from Factories Regulations)

WSH (**Noise**) Regulations
WSH (**Medical Examinations**) Regulations
WSH (**Operation of Cranes**) Regulations
WSH (**Scaffolds**) Regulations

Current Amendments
(from WSH Act/Regulations)

Workplace Safety & Health Act (WSHA)
WSH (**General Provisions**) Regulations
WSH (**First-Aid**) Regulations

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WSH Compliance Assistance **4**

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bizSAFE

- Launched in April 2007
- National programme, by industry for industry
- Step-by-step approach to building RM capability
- Recognition and privileges for WSH efforts

Star* — Implement WSH Management System

L4 — Build Capability in Managing WSH
(WSHMS Champion attends *WSHMS course*)

L3 — Implement Risk Management

L2 — Build Capability in Risk Management
(RM Champion attends *RM Course*)

L1 — Demonstrate Management Commitment
(CEO/Top Mgt attends *Workshop*)

Recognition

Involvement

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Risk Management Assistance Fund (RMAF)

*Designed to help **Small & Medium Enterprises (SMEs) build risk management capabilities and** implement risk management in their operations*

- Defrays the cost of engaging an approved risk consultant to build in-house capability
- Co-funds **90% of the consultancy & training fees,** up to **$6,000**
- Additional to $400 to offset the administrative fees of engaging an RMAF agent and up to $600 to offset an approved WSH auditor to audit the fully implemented risk management plan.

Risk Management Assistance Fund

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WSH Industry Engagement

NWSH Campaign

NWSA 2011
National Workplace Safety and Health Campaign

20 April to 27 July 2011
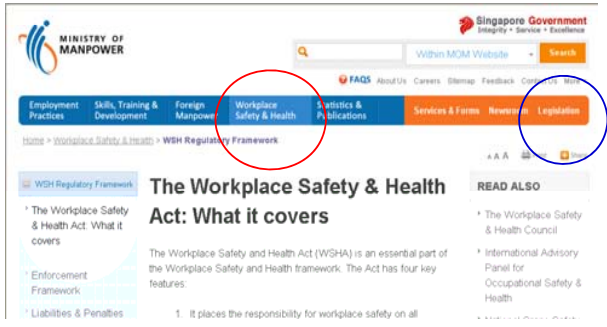
- Campaign Theme:
  - **Say NO to risks at work**
- Over 100 activities will take place during the three-month-long Campaign
- The Campaign launch roadshow took place at Chevron House and was graced by Minister of Manpower, Mr Gan Kim Yong

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MOM Website

You can access more information on MOM's new initiatives and programmes by visiting our webpage at www.mom.gov.sg/oshd

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Media and Outreach

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WSH Council Website

You can access to more information on WSH Council's new WSH initiatives and programmes by visiting its webpage at www.wshc.gov.sg

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WSH Resources

Guidelines & Collaterals

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WSH Resources

Recent Publications

WSH Guideline:
Common Hazards

Code of Practice on
Risk Management

WSH Guideline:
Safeguarding Against
Falling Objects

WSH Resources

Further Help?

Companies can engage 3rd-party WSH professionals if they lack the capabilities to manage their workplace safety and health

Thank You

For more info:

Ministry of Manpower Singapore
www.mom.gov.sg

Workplace Safety and Health Council
www.wshc.gov.sg

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A Shared Vision:
TOWARDS
A SAFE & HEALTHY WORKPLACE
FOR EVERYONE

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