

Guide to the **Workplace Safety and Health Laws**



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Foreword



This booklet is a brief guide to the Workplace Safety and Health Act (WSHA) and the Workplace Safety and Health (Incident Reporting) Regulations which came into effect on 1 March 2006 and the Workplace Safety and Health (Risk Management) Regulations which came into operation on 1 September 2006.

The Workplace Safety and Health Act is targeted at cultivating good safety habits and practices in all persons at a workplace – from top management to workers. It requires every individual at a workplace to take reasonably practicable steps to ensure the safety and health of every person at work at the workplace.

Everyone has an obligation to ensure workplace safety. Getting every person at work home safely at the end of the day does not depend on the effort of one individual, but is the result of all stakeholders working together.

The Act will be expanded to cover six additional sectors with effect from 1 March 2008 and will eventually cover all workplaces to ensure the wellbeing of all persons at work.

More Information

For more information and comprehensive guides on the Act and regulations:

Website : <http://www.mom.gov.sg/legislation/wsh.html>

E-Mail : MOM_OSHD@mom.gov.sg

Telephone : +65 6438 5122

Fax : +65 6317 1261

Website : <http://www.mom.gov.sg/oshd> and <http://www.wshc.gov.sg>

Malay and Tamil Copies : For a copy of the Malay or Tamil version of this guide to be mailed to you, please contact us at Tel: 6438 5122. Alternatively you can visit the MOM website link given above to download a copy of the guide.

Sila hubungi kami di talian: 6438 5122 untuk mendapatkan panduan ini dalam bahasa Melayu atau Tamil. Ia akan dihantar melalui pos kepada anda. Anda juga boleh memuat turun panduan ini daripada laman web MOM.

மலாய் மற்றும் தமிழ் பிரதிகள்: இந்தப் புத்தகத்தை மலாய் மற்றும் தமிழ் மொழிகளில் அஞ்சல் மூலம் பெற எங்களை தொலைபேசி எண் 6438 5122 மூலம் தொடர்புகொள்ளலாம் மற்றும் மேற்குறிப்பிட்ட மனிதவள அமைச்சின் இணையத்தளத்திற்குச் சென்று வழிகாட்டியின் ஒரு பிரதியை பெறலாம்.



An Overview of the Workplace Safety and Health Act



To which industries and workers will the Workplace Safety and Health Act apply?

From 1 March 2008, the Workplace Safety and Health Act will continue to cover the high-risk industries previously covered under the Factories Act, i.e. factories, shipyards and construction worksites. It will also be extended to cover the following six selected sectors:

- a. Services allied to the transport of goods, such as logistics, freight forwarding and cargo surveying services;
- b. Landscape care and maintenance service activities, such as grass-cutting;
- c. Water supply, sewerage and waste management, such as refuse disposal;
- d. F&B and Hotels;
- e. Healthcare activities such as hospitals; and
- f. Veterinary activities.

Eventually, this Act will be expanded to protect persons at work in all work sectors. However, the expansion of coverage will be carried out in phases, and the timing will be decided in consultation with industry partners.

Who has obligations to fulfil under the Workplace Safety and Health Act?

In general, persons who have duties and responsibilities under the Act are listed below.

Employer

Any person who employs another person to perform work under a contract of service.

Principal

Any person who engages another person or organisation to supply labour or perform work under some arrangement other than a contract of service.

Occupier

In workplaces registered as a factory, the occupier is the person who is the holder of the certificate of registration or factory permit. In all other workplaces, the occupier is the person who has control of the premises regardless of whether he is the owner of those premises.

Contractor

Any person engaged by another person or organisation under a contract of service for the supply of labour or conduct of work at the workplace.

Manufacturer or Supplier

Any person who manufactures or supplies machinery, equipment or hazardous substances used at work in the workplace.

Erector or Installer

Any person who installs or erects machinery, equipment, the building itself or any item for use in the workplace.

Person at Work

Any person at work, including an employee, i.e. one employed under a contract of service, volunteer or any other person training or working under the employer such as an industrial attachment student.

Self-Employed Person

Any person who works but is not under a



What are some of the enforcement measures to ensure compliance with the Act?

The following are some measures that may be used to ensure compliance:

- Workplace inspections
- Investigations into a workplace accident or incident
- Suspension of certificates
- Remedial Orders and Stop Work Orders
- Composition fines
- Prosecution

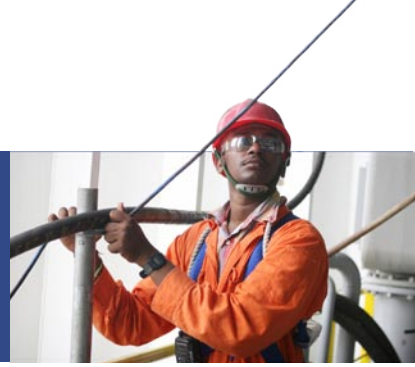
What are the penalties for failing to comply with the Workplace Safety and Health Act?

An individual first-time offender can face a maximum fine of up to \$200,000 or a jail term of two years or both. A corporate body that is a first-time offender can face a maximum fine of up to \$500,000.

A low-angle photograph of a worker on a steel structure against a dramatic, cloudy sky. The worker, wearing a blue shirt, light-colored pants, and a white hard hat, is leaning against a horizontal steel beam. The structure is a complex lattice of dark steel beams. The sky is a mix of yellow and orange, with scattered white clouds. The overall mood is one of industrial scale and human effort.

Workplace Safety and Health **Risk Management**

An Overview of the Workplace Safety and Health (Risk Management) Regulations



Why is there a need for the Workplace Safety and Health (Risk Management) Regulations?

In the new framework for workplace safety and health in Singapore, one of the major means of reducing risks at the workplace is by making stakeholders accountable for managing the risks they create. Risk assessment is a key instrument to reduce risk at the workplace.

Every employer, self-employed person and principal (including contractor and sub-contractor) must conduct a risk assessment in relation to the safety and health hazards associated with any routine and non-routine work carried on at the workplace. The risk assessment may be conducted by the employers, self-employed persons or principals themselves or they may engage a risk assessment consultant to carry out the risk assessment.

These requirements are specified in the Workplace Safety and Health (Risk Management) Regulations.

How should this risk assessment be conducted?

Details of how risk assessment is to be conducted can be found in the Ministry of Manpower Guidelines on Risk Assessment which is available at the MOM website at :

http://www.mom.gov.sg/maintaining_safe_and_healthy_workplace.html

What are the duties of employer, self-employed person or principal the Workplace Safety and Health (Risk Management) Regulations?

The duties of the employer, self-employed person or principal (including contractor and sub-contractor) in the Workplace Safety and Health (Risk Management) Regulations are to:

- Conduct a risk assessment for all work in the workplace.
- Take reasonably practicable measures to eliminate or reduce safety and health risks.
- Establish safe work procedures if the risks cannot be eliminated.
- Specify the roles and responsibilities of persons involved in the implementation of risk control measures and safe work procedures.
- Keep records of risk assessment.
- Inform employees of the nature of the risks involved and any risk control measures or safe work procedures implemented.
- Review or revise risk assessment.

What are the offences and penalties related to the Workplace Safety and Health (Risk Management) Regulations?

Any employer, self-employed person or principal (including contractor and sub-contractor) who fails to comply with the duties of the Workplace Safety and Health (Risk Management) Regulations is guilty of an offence.

The penalty for the first offence is a fine of up to \$10,000. For a second or subsequent offence, the offender may be fined up to \$20,000 or jailed up to 6 months or both.

Are there any assistance for small and medium enterprises (SMEs) conducting risk assessment?

The Risk Management Assistance Fund will be extended to SMEs in all the affected sectors. Successful applicants for the Fund will receive up to \$3,500 or 70% of the cost for engaging a risk consultant to help build capability in risk assessment, whichever is lower.

For details on eligibility and application for the Fund, please access the MOM website at http://www.mom.gov.sg/maintaining_safe_and_healthy_workplace.html

Workplace Safety and Health Incident Reporting



An Overview of the Workplace Safety and Health (Incident Reporting) Regulations



What is the Workplace Safety and Health (Incident Reporting) Regulations?

The Workplace Safety and Health (Incident Reporting) Regulations specifies the responsibilities of relevant parties to report accidents, dangerous occurrences and occupational diseases at workplaces.

Who needs to report an incident?

Employers, workplace occupiers or medical practitioners are required to report incidents that occur at all workplaces, regardless of whether the workplace is defined as a factory.

What, who, when to notify and report?

For a comprehensive list of the situations in which an incident report should be made to the Commissioner for Workplace Safety and Health, please visit the MOM website at http://www.mom.gov.sg/wsh/report_incident.html

How do I notify or make a report?

For all cases, notify the Commissioner for Workplace Safety and Health within 10 days via iReport at: http://www.mom.gov.sg/report_to_mom

How should I keep records?

If you are an employer or occupier, you are required to keep a record of any notification or report made under these Regulations. Each record must be kept at your place of business for a period of at least 3 years from the time of notification or report.

What are the penalties for not following requirements under the Regulations?

As an employer or occupier, if you fail to make a report as required under the Regulations, you will be liable to:

- a fine of up to \$5,000 for a first offence,
- a fine of up to \$10,000, or a jail term of not more than 6 months, or both for the second and subsequent offence.

Any person who make a false notification or report of any workplace accident, dangerous occurrence or occupational disease to the Commissioner will also be liable to a fine of up to \$5,000, or a jail term of not more than 6 months, or both.



工作场所安全与 卫生法令 指南



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前言



本指南为2006年3月1日生效的工作场所安全与卫生法令及工作场所安全与卫生(事故报告)条例, 以及2006年9月1日生效的工作场所安全与卫生(风险管理)条例的内容提供概要说明。

工作场所安全与卫生法令目的在于促使所有工作场所的人员, 从最高管理层到基层工人, 培养良好的安全习惯与行为。它规定在工作场所的每个人都须采取适当的步骤, 确保在工作场所的每个工作人员的安全与卫生。

每个人都有义务确保工作场所的安全。要确保每位员工能安全回到家中, 并不能只靠一个人的力量, 而是所有相关人员共同努力的成果。

从2008年3月1日起, 此法令将扩大以包括六项额外的领域, 最终将涵盖所有工作场所, 以确保所有工作人员的健康与安全。

获取更多资讯

要获取更多资讯与有关此法令的详细指南,可通过以下管道:

网站: <http://www.mom.gov.sg/legislation/wsh.html>

电邮: MOM_OSHD@mom.gov.sg

电话: +65 6438 5122

传真: +65 6317 1261

网址: <http://www.mom.gov.sg/oshd> 和 <http://www.wshc.gov.sg>

马来文与淡米尔文手册: 如果要索取马来文与淡米尔文指南, 请拨电 6438 5122。您也可以通过人力部网站下载有关的指南。



工作场所安全与卫生法令概要



工作场所安全与卫生法令针对哪些工业与员工？

从2008年3月1日起, 工作场所安全与卫生法令将继续涵盖工厂法令下各高风险的工业: 工厂, 船厂与建筑工地。它也将扩大以涵盖下列六个遴选领域:

- a. 与运载货物有关的服务业, 如物流, 货运与货物检测服务;
- b. 园景护理与维修服务活动, 如割草;
- c. 水供, 水道与废物管理, 如垃圾处理;
- d. 餐饮业与旅店;
- e. 保健业如医院; 以及
- f. 医家畜病业务。

最终, 此法令将扩大保护在所有工作领域工作的员工。不过, 它将分阶段逐步扩大, 正式实行的时间, 将与工业利益相关者洽商后才决定。

谁有义务遵守工作场所安全与卫生法令？

一般来说, 在法令下负有责任与职责的人如下:

雇主

任何在服务合约下雇用他人从事工作的人。

主顾

在服务合约以外, 任何雇用他人或机构供应劳工或安排进行某些工作的人。

业主

在注册为工厂的场所, 业主是指拥有注册证书或工厂准证的人。在所有其他工作场所, 业主是指控制该房产的人, 无论他是否房产的拥有人。

承包商

任何在服务合约下雇用他人和机构以供应劳工或在工作场所从事工作的人。

制造商或供应商

任何从事制造和供应机械, 配备或危险物料, 以便在工作场所使用的人。

兴建者或装置者

任何从事装置或兴建机械, 配备, 建筑物本身或其他物件, 以便在工作场所使用的人。

工作人员

任何从事工作的人, 包括雇员, 即在服务合约下受雇者, 志愿人士, 或在雇主监督下受训或工作的人, 诸如进行工业实习的学生。

自雇者

任何不在服务合约下工作的人。

有哪些执法行动可确保有关人士遵守法令?

以下是一些可确保各方遵守法令的步骤:

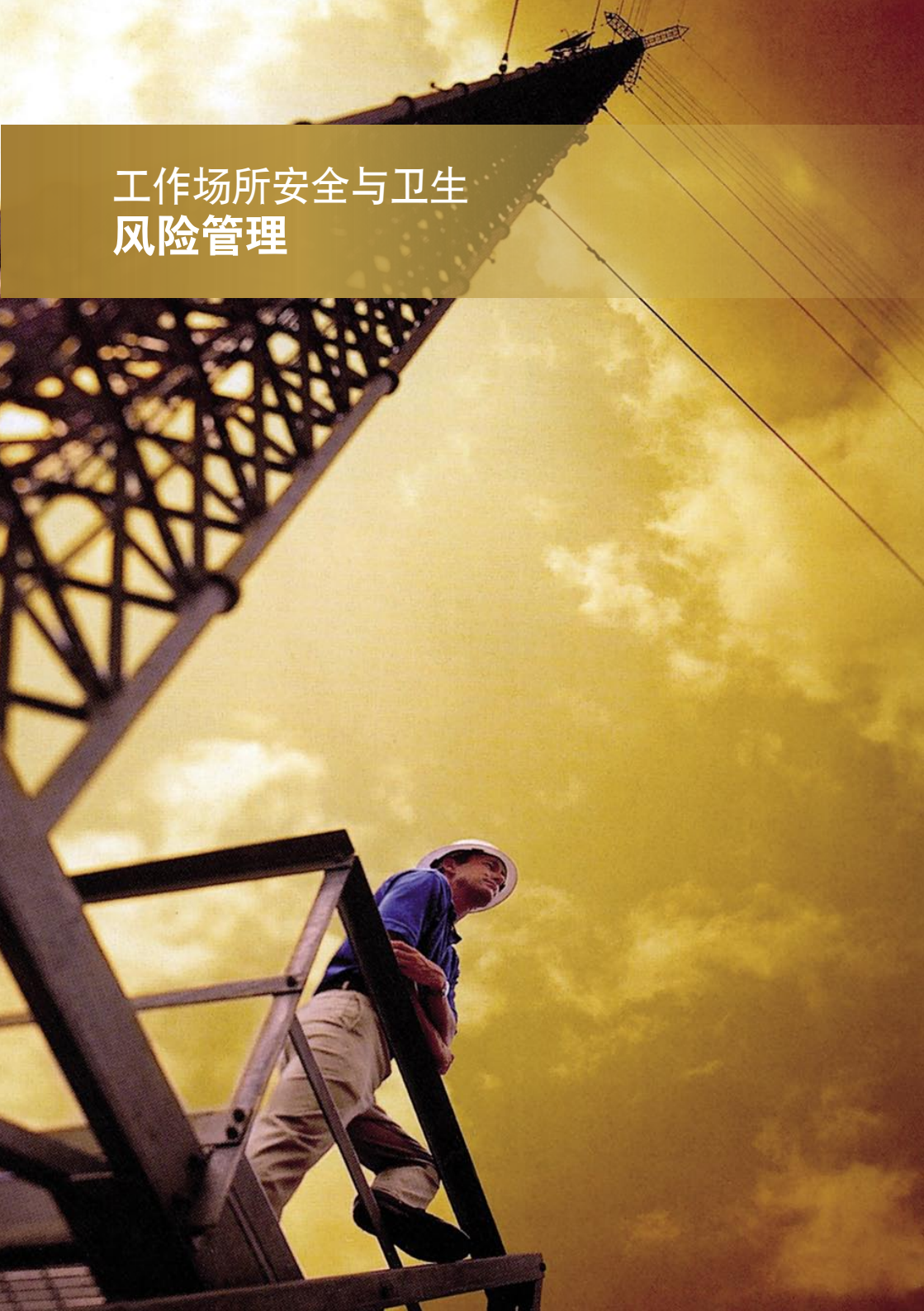
- 巡视工作场所
- 调查工作场所的意外和事故
- 吊销准证
- 纠正错误训令或停工训令
- 罚款
- 提控

违反工作场所安全与卫生法令的刑罚是什么?

个人初犯可面对罚款高达\$200,000
两年监刑或两者兼施。机构初犯可面对罚款高达\$500,000。



工作场所安全与卫生 风险管理



工作场所安全与卫生 (风险管理) 条例概要



为何需要工作场所安全与卫生(风险管理)条例?

在新加坡工作场所安全与卫生新架构下, 减少工作场所风险的一个主要方法是让利益相关者负起他们所造成的风险。风险评估是减少工作场所风险的一个重要环节。

每一位雇主, 自雇人士和主顾(包括承包商和二手承包商)在工作场所进行例常和非例常工作时, 应从事与安全与健康有关的评估。风险评估应由雇主, 自雇人士和主顾亲自进行, 或雇用风险评估顾问负责进行评估。

这些规定在工作场所安全与卫生(风险管理)条例中有明确指定。

如何进行风险评估?

风险评估如何进行, 可参阅人力部有关风险管理的指南, 详情可取自人力部的网站:

http://www.mom.gov.sg/maintaining_safe_and_healthy_workplace.html

雇主, 自雇人士与主顾在工作场所安全与卫生(风险管理)条例下的任务是什么?

雇主, 自雇人士与主顾(包括承包商与二手承包商)在工作场所安全与卫生(风险管理)条例下的任务如下:

- 在工作场所为所有运作进行风险评估。
- 采取实际可行的措施消除或减低安全与卫生的风险。
- 如果风险不能消除, 则设立安全工作的程序。
- 为负责执行风险控制措施的人员指定他们应扮演的角色以及应负起的责任。
- 保存风险评估的记录。
- 通知雇员有关风险的性质以及所实行的任何控制风险措施或安全操作程序。
- 重新检讨或调整风险评估。

工作场所安全与卫生(风险管理)条例下有关的违规与惩罚是什么?

雇主, 自雇人士与主顾(包括承包商与二手承包商) 若违背工作场所安全与卫生(风险管理)条例下的任务, 属于犯罪行为。

初犯者可罚款高达\$10,000, 再犯者可罚款高达\$20,000或高达6个月监刑, 或两者兼施。

中小型企业是否可获得任何协助以进行风险评估?

风险援助管理基金将扩大以包括所有受影响的中小型企业。申请援助获准者可获高达\$3,500的援助, 或70%聘请风险顾问协助设立风险评估机制的费用, 视何者较低为准。

有关申请基金资格与申请基金详情,可浏览人力部网站:

http://www.mom.gov.sg/maintaining_safe_and_healthy_workplace.html

工作场所安全与卫生 事故报告



工作场所安全与卫生 (事故报告) 条例概要



什么是工作场所安全与卫生(事故报告)条例?

工作场所安全与卫生(事故报告)条例明确规定有关的负责人员须呈报工作场所发生的意外事件, 危险事故与职业病症。

谁须负责报告有关事故?

雇主, 工作场所业主或医生都须呈报工作场所发生的事故, 无论该场所是否被指定为工厂。

谁, 何时及如何提呈通知与报告?

在什么情况下应向工作场所安全与卫生总监提呈事故报告的细节,
可浏览人力部网站: http://www.mom.gov.sg/wsh/report_incident.html

我该如何通知或呈报?

所有个案, 可在10天内通过以下网站向工作场所安全与卫生总监提呈报告: http://www.mom.gov.sg/report_to_mom

如何保存事故记录？

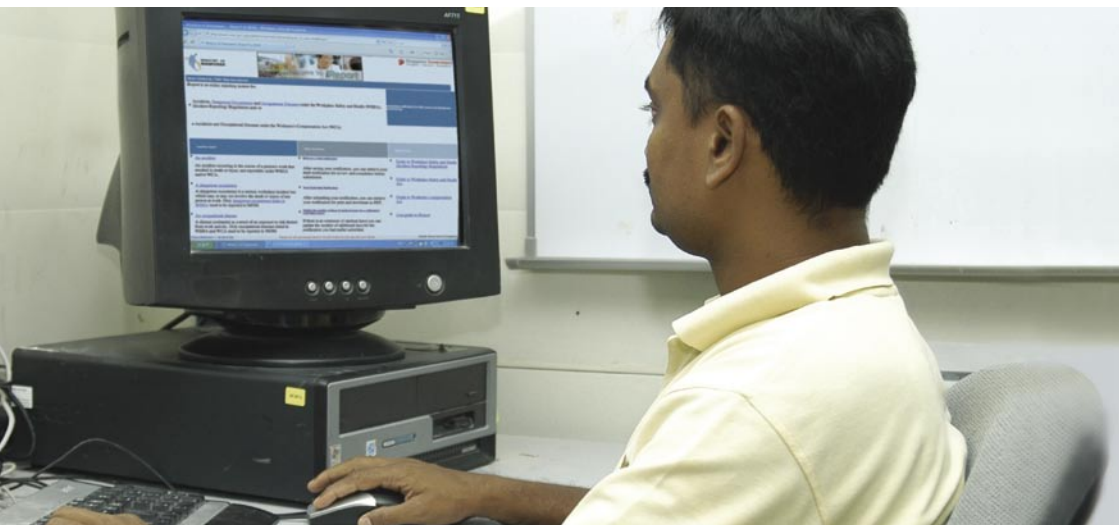
如果你是雇主或业主，你须保存所有在条例下所作的通知或报告。每项报告都应保存在业务地点，从通知或报告当天算起保存为期至少3年。

未遵循条例规定的惩罚是什么？

作为雇主和业主，如果你没有遵循条例规定提呈报告，将面对以下惩罚：

- 初犯罚款可高达\$5,000。
- 第二次或持续再犯者，可罚款高达\$10,000，或不超过6个月的监刑，或两者兼施。

任何人向工作场所安全与卫生总监提呈虚假报告有关工作场所事故，危险事故或职业病，可被罚款高达\$5,000，或不超过6个月的监刑，或两者兼施。



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Email: contact@wshc.gov.sg

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