

PROTECTING YOUNG PEOPLE AT WORK

The World of Work

Most of us work for a large proportion of our lives. Indeed, many students have even gained extensive work experience by the time they leave school. You may have worked in summer jobs or taken part in a Transition Year *work experience* programme. The world of work is a complex and interesting place. We meet many different people in different *professions, trades* or other types of work. They all bring different *skills* to the workplace and hence contribute to our economy and society.

The Organisation of Work

It is common to classify our economic activities in terms of *sectors*. You may already be familiar with the *primary, secondary* and *tertiary* sectors. Also, we often hear reference to *public sector* and the *private sector*. Within these broad divisions, there are specific sectors such as *retail, electronics, leisure, agriculture, education, health* etc. Such sectors are also referred to as *industries*. Then, within each of these sectors there are individual businesses and organisations that provide *products* or *services* to *customers*. A *civil service department* has its customers, as does the shop on the corner. All these organisations have something in common. They are all required by law to provide for the *safety, health* and *welfare* of those who work for them, and also to protect those who may be affected by their work activities.



Which Laws Apply?

The *legislation* that protects the safety, health and welfare of workers is set out in the *Safety, Health and Welfare at Work Act 2005*. Under the 2005 Act several sets of *Regulations* have been produced which set out more detailed safety and health requirements. For example, two important Regulations are the *Safety, Health and Welfare at Work (General Application) Regulations 2007*, and the *Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2007*. In effect, all these laws place a general *duty of care* on *employers*, the *self-employed* and *employees*. This is a very important point because it emphasises the fact that employees are also responsible for their own safety, health and welfare. It is

important to understand that these laws also protect people such as visitors, who might be affected by work place activities. There is also legislation which applies specifically to young persons at work. This is *The Protection of Young Persons (Employment) Act, 1996*. This Act deals with a number of issues including minimum age limits. It also defines maximum working hours and rest intervals.

Work Experience

It is not surprising, then, to learn that the Acts also apply to students on work experience. If you are doing work experience, you don't have to be an expert on the law, but it is absolutely necessary that you are aware of the basic requirements. These are as follows.

Employers Must:

- Maintain a safe and healthy workplace.
- Safeguard the safety, health and welfare of their employees.
- Provide information, training and instruction.
- Provide a written *safety statement*.



Employees Have a Duty to:

- Protect themselves and others.
- Co-operate with the employer.
- Make correct use of any article provided for their use, including *protective clothing*.
- Report anything that could increase the likelihood of an accident.
- Not be under the influence of an intoxicant or in such a state that they might be a danger to themselves or others.

It is very important that you take care of any item provided for your protection. Such items, including clothing, are called *personal protective equipment (PPE)*. You must also use these items properly. Similarly, you must make sure that you read the *safety statement*. This document describes the company's safety *policy* and identifies the *hazards* and *risks* at the work place, as well as the *precautions* taken to eliminate or minimize any danger. Some employers give each employee a copy of the safety statement while others may post it at a central location such as on the company *notice board* or on the company's *intranet* (the company's internal computer network).



Induction Training

Employers are expected to provide safety instruction and training. Your employer may provide this during an *induction programme* at which you will learn about all aspects of the organisation and the work you are to do. If the job you have is on a construction site, you must complete a one-day FÁS *Safe Pass* training programme and obtain a *Safe Pass* card to enable you to work on the site.

Your Task

Assume that you and *seven* colleagues are all going to work on site with a local *construction company*. You are organising a meeting of the group. The *objective* of the meeting is to ensure that you are all familiar with the topic of *safety, health and welfare in the workplace*. You decide to divide the work and allocate a *task* to each person, including yourself. Each of you will research a particular aspect and report your findings to the whole group. You must now identify the *eight areas* for research. For example, one such area could be *What do we expect to see in the safety statement?* Another might be *What does the law say about young people at work?*



Workplace Injuries to Young People

The *Central Statistics Office (CSO)* estimate that young people* constitute *4%* of those in employment. This figure takes account of the fact that young people are more likely to work during holiday periods. [Statisticians call this a *seasonal variation*.] However, the latest figures indicate that injuries to young people represent as much as *10%* of all reported injuries.

Where do These Injuries Happen?

Most of these injuries occur in the Construction, Manufacturing, Wholesale and Retail Trade, and in the Transport and Communication sectors. Up to 20% of the injuries were reported from the Hotel and Restaurant industry. Of course, there are a number of statistical factors that might affect the underlying figures one way or the other. Nevertheless, these findings are a cause of great concern.

* workers in the 15–19 age band

HSA, *Summary of Workplace Injury, Illness and Fatality Statistics 2006–2007*

The *Health and Safety Authority* is the national body in Ireland with responsibility for securing safety and health at work. It is an independent body operating under the Safety, Health and Welfare at Work Act, 2005 (SHWW Act) and has overall responsibility for the administration and enforcement of occupational safety and health and dangerous chemicals legislation in Irish workplaces. The Authority monitors compliance with the relevant legislation and can take enforcement action, including prosecutions, where appropriate. The key objective of the Authority is to make workplace safety, health and welfare an integral part of doing business in every workplace in Ireland.

The principal functions of the Authority are to promote workplace safety, health and welfare, to provide information and expert advice to employers, employees and the self-employed, to propose new regulations, guidelines and policies and to monitor and enforce compliance with occupational safety and health and chemical legislation. It employs over 200 people who work in eight locations throughout the country.

Health and Safety Authority
The Metropolitan Building
James Joyce Street
Dublin 1
Tel: 1890 289 389

You can find this and other Health and Safety Authority lessons on www.soe.ie.

You can find out more about the Health and Safety Authority (HSA) at www.hsa.ie.

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Case Summary

The case deals with the legislation applying to safety, health and welfare in the workplace with emphasis on young people at work. It relates particularly to those students who work part time or are engaging in work experience programmes.

The student is required to set information research tasks for a group of students about to commence work with a construction company.

Syllabus links

Leaving Certificate Business

Unit 4: Human Resource Management

Unit 6: Social and Ethical Responsibilities of Business – Safety and Health in the Workplace

LCVP

Preparation for the World of Work: Unit 1 – Introduction to Working Life; Unit 4 – Health and Safety in the Workplace

The case can also be used for related topics in *Junior Certificate Business Studies* and *Leaving Certificate Applied* and during relevant activities in *Transition Year*.

Health and Safety in the Curriculum

The HSA have published a teachers' guide titled *Health and safety matters for students embarking on work experience*. This guide is designed to assist teachers when preparing students for the health and safety aspect of a work experience programme. It is available for download at www.hsa.ie.

Learning Outcomes

Having studied the lesson and carried out the related exercises, students should be able to:

- Outline the purpose of safety, health and welfare at work legislation.
- Describe the duties of employers and employees.
- Debate the relevance of the legislation to young persons on work experience.
- Discuss the purpose of the safety statement.
- Describe the functions of the HSA.

Building on the Case

The following points can be used to provide additional information and stimulate group discussion around the case.

Terminology

The case provides the opportunity to revise some of the terms associated with safety in the workplace.

Hazard: anything that has the potential to cause harm.

Risk: the likelihood that harm could occur from a particular hazard and its consequences.

Control: anything done to eliminate or reduce the risk.

Risk Assessment: the process of evaluating the risks in the workplace and putting in place the most appropriate controls/precautions in order to prevent work related accidents and ill-health.

Safety Statement: *The Safety, Health and Welfare at Work Act, 2005*, requires employers to produce a written programme called a Safety Statement, which describes how the employer ensures the safety, health and welfare of employees and also the safety and health of those who may be affected by the work activities being undertaken, for example visitors to the workplace. The HSA cases in previous editions of *Spirit of Enterprise* deal with the terminology in detail.

Legislation

It is useful for students to appreciate that Acts are in fact *Acts of the Oireachtas*, the National Parliament. Acts are passed by both houses, the *Dáil* and the *Seanad* and then signed by the *President*. Acts are *primary legislation*. *Regulations* are called *delegated* or *secondary* legislation.

Young Persons

The Protection of Young Persons (Employment) Act, 1996 protects the health of young workers, and is designed to ensure that work done during school years does not put their education at risk. Information on this is available at www.employmentrights.ie, the website of the *National Employment Rights Authority (NERA)*.

The World of Work

Discussions on various work roles or job types, for instance during a *Career Investigation* or *Human Resource Management* exercise, offer an opportunity to contrast the safety and health aspects associated with particular jobs. For example, a restaurant job can be compared with an office job, a construction role etc.

Student Exercises

The following student activities can be undertaken by *individuals*, *pairs* or *group* assignments requiring written reports, discussion or presentations. Most of the exercises can also be used to assess learning following a class session.

The Case Analysis

The task posed at the end of the case will stimulate an analysis of the case material and exercise the ability to use judgment and make rational decisions. Essentially, it is a desk research and communications exercise. It is suitable for use as a *cooperative learning* intervention using the *jigsaw* learning approach.

Student Reflection

What have we learned from the case?

This exercise is particularly effective when done individually, followed by group discussion. It aids *understanding*, *retention* and *recall*.

Possible reflection questions include:

- Do I appreciate the importance and scope of workplace safety, health and welfare legislation?
- Could I discuss the key requirements of this legislation?
- Can I describe the duties of the employer with respect to safety, health and welfare at work?
- Can I outline the duties of the employee?
- Can I describe the purpose of a Safety Statement?
- Do I understand risk assessment?
- How does the information in this case relate to what I already know about safety, health and welfare at work?
- Can I describe the functions of the HSA?

Applied Business Question (LC Business)

- Identify a business sector and outline the hazards that might exist in that sector.
- Describe the general purpose of the Safety, Health and Welfare at Work Act, 2005.
- Outline some of the employer and the employee duties in relation to safety and health in the workplace.
- Outline the role of the HSA.

Case Study (LCVP)

- Outline three types of work experience you know about and identify the risks to safety and health that might be associated with each.
- Identify three hazards you might find on a construction site and suggest what could be done about them.
- Explain what PPE is, why it is provided and who is responsible for providing it.
- Who has overall responsibility for safety and health in the workplace?

Business Terms

The following can be used as a quiz to engage in a review of terminology.

True or False?

- Visitors to a workplace are not protected by the legislation dealing with safety, health and welfare at work.
- Employers have a duty of care to protect the safety, health and welfare of their employees.
- A Regulation is for guidance only and has no legal standing.
- There is no legislation in the area of workplace safety and health that applies specifically to young people.
- Safety, health and welfare legislation does not apply to the public service.
- Employers are required to provide PPE for their employees where necessary.
- If protective clothing is necessary, employees are required, by law, to wear it.
- Self employed people are not subject to the legislation discussed in this case.
- Employees are required, by law, to be familiar with the Safety Statement.
- A Safe Pass card is issued on successful completion of a FÁS Safe Pass training programme.

Case Synopsis

Students can be asked to read the case and then prepare a 200 word synopsis. This is an exercise in the isolation of key ideas, requiring judgment and decision making.