An tÚdarás Sláinte agus Sábháilteachta
Health and Safety Authority

Safety Representatives

Resource Book

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Safety Representatives Resource Book
(Fourth Edition)

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The publishers acknowledge the permission of the British Trade Unions Congress to adapt the model of their publication 'Hazards at Work Organising for Safety and Healthy Workplaces' and to use content in this publication.

This publication is a resource providing information for guidance in the overall context of health and safety in the workplace. It does not address specific issues that may arise at a given time and on which specific advice may be required.

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British Trade Union Congress	TUC
Classification Labelling and Packaging	CLP
Electro-Technical Council of Ireland	ETCI
European Agency for Safety and Health at Work	EU-OSHA
European Court of Justice	CJEU
European Economic Community	EEC
European Union	EU
Health and Safety Authority	HSA
Health and Safety Executive Great Britain	HSE -GB
Institution of Occupational Safety and Health	IOSH
International Agency for Cancer Research	IARC
International Labour Organisation	ILO
Irish Bank Officials Association	IBOA
Irish Business and Employers Confederation	IBEC
Irish Congress of Trade Unions	ICTU
Irish Standards	IS
National Irish Safety Organisation	NISO
Occupational exposure limit values	OELVs
Occupational safety and health	OSH
Occupational Safety and Health Administration (United States)	US-OSHA
Power take-off	PTO
Project Supervisor Construction Stage	PSCS
Project Supervisor Design Process	PSDP
Registration Evaluation Authorisation Restriction of Chemicals	REACH
Residual Current Devices	RDC
Safety, Health and Welfare at Work Act 1989	SHWW Act 1989
Safety, Health and Welfare at Work Act 2005	SHWW Act 2005
Services Industrial Professional and Technical Union	SIPTU
World Health Organisation	WHO
Work Related Upper Limb Disorders	WRULDS

Resource Book Foreword

The establishment of the role of the Safety Representative was a vital element in the 1983 Barrington Report (Report of the Commission of Inquiry on Safety, Health and Welfare at Work), which was the primary driver along with forthcoming European legislation for the enactment of the 1989 Act. When the Health and Safety Authority was established under the Safety Health and Welfare at Work Act 1989, one of the first advisory committees established was the Advisory Committee on Representation and Consultation.

The advisory committee developed guidelines for safety representation and consultation on safety and health at work, which helped develop the role of Safety Representative in the industry in Ireland. The role of the Safety Representative was further reinforced in the Safety, Health and Welfare at Work Act 2005 and in the various iterations of the Safety, Health and Welfare at Work (Construction) Regulations up to and including the 2013 Regulations.

The Safety Representative is a responsible role. However, it does not come with responsibilities/duties under the 2005 Act. The role of the Safety Representative has been recognised by many as being a key contributing factor in ensuring that health and safety is managed proactively in the workplace. It is evident from inspections that where there are Safety Representatives in a workplace, there is a greater level of engagement and a positive collaborative approach between management and their employees in managing health and safety. Further, as evidenced in our 2024 national survey on consultation and safety representation, Safety Representatives play an important role in preventing accidents and ill health and are key to promoting a proactive safety culture at their organisations.

While the importance of the role and positive contribution that Safety Representatives can make in the workplace is widely known, the Authority's inspection programme has identified that there is a need to increase the focus on the role of Safety Representatives within the workplace. Inspections show that there can be a significant variance in the presence of Safety Representatives across sectors. Further, the size and the number of employees within the workplace may also be a factor in Safety Representative being elected at a workplace.

As identified in our 2024 survey, Safety Representatives are most effective when there is management support. However, the role is not always valued by management, and there is room for improvement in terms of attendance at Safety Committee meetings and the provision of training to Safety Representatives.

The requirement to have employee consultation and engagement in the workplace for the purposes of promoting and developing measures to ensure the health and safety of those in the workplace is a statutory requirement under the 2005 Act. The presence and role of a Safety Representative in a workplace will support and increase the success of management ensuring that there is proactive consultation and participation of employees, in managing health and safety in the workplace.

This fourth edition of the resource book and new eBook format reflects the ongoing commitment and collaboration of many individuals and organizations. I would like to acknowledge the valuable contributions of current Safety Representatives and members of the Irish Congress of Trade Unions (ICTU) and the Irish Business and Employers Federation (IBEC). Also, I wish to thank the many inspectors from the Health and Safety Authority (HSA) who generously shared their expertise. Special thanks to our editor Joan Cahill for her editorial guidance and dedication to the development of this edition. I would also like to recognize Herbert Mulligan for his foundational work as editor of the first three editions of this resource book.

I am hopeful that this resource book will support the role and development of Safety Representatives, and in so doing, foster meaningful communication and consultation in the workplace.It is widely known and accepted that good engagement and consultation with employees in the workplace is a key enabler to the successful management of health and safety.

Mark Cullen
Chief Executive Officer,
Health and Safety Authority
January 2026

Part 1: Introduction

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Part 1: Introduction

Chapter 1: Introduction to Occupational Safety and Health (OSH)

Introduction

This chapter provides a short introduction to the history of occupational safety and health (OSH). This history of OSH is closely bound up with industrialisation and efforts to protect the physical health of workers. The most recent developments in OSH in Europe are associated with European law and the allied work of the European Economic Community (now the European Community). In addition, the International Labour Organisation (ILO) has been influential in terms of highlighting the importance of safe and healthy working conditions.

Overview and Definition

Occupational Safety and Health (OSH) is a multidisciplinary scientific field concerned with the safety and health of people at work. It also addresses the protection of the public who may be affected by the occupational environment. The fields of occupational medicine and occupational hygiene are also related to OSH. Before providing a short overview of the history of OSH, we will look at some basic definitions relevant to understanding this discipline.

Definition

- **Safety** is the state of being "safe" - the condition of being protected from a source of danger or risk or injury.
- **Health** is a state of complete physical, mental, and social wellbeing and not merely the absence of disease or infirmity (WHO, 1946). In relation to work, this also includes the physical and mental elements affecting health, which are directly related to safety and hygiene at work.
- **Occupational health** is about how work affects a person's health and how someone's health affects their work (HSA, 2024).
- **Occupational medicine** is focused on the treatment of work-related injuries and illnesses.
- **Occupational hygiene** is the discipline of protecting worker health by controlling workplace hazards that can cause harm. (IOHA, 2024).
- **Occupational safety and health** deals with the prevention of work-related injuries and diseases as well as the protection and promotion of the health of workers. It aims at the improvement of working conditions and environment' (ILO, 2022).

Part 1: Introduction

Chapter 1: Introduction to Occupational Safety and Health (OSH)

Early History

In 1473, a German physician, Ulrich Ellenbog, wrote a short book titled 'On the Poisonous Wicked Fumes and Smokes', which focused on coal, nitric acid, lead, and mercury fumes encountered by metal workers and goldsmiths.

In 1700, the Italian physician Bernardino Ramazzini published the book 'Dissertation on Workers Diseases'. Ramazzini wrote about the impact of diseases on workers in different occupations, referring to chemicals, dust, metals, repetitive or violent motions, odd postures, and other disease-causative agents encountered by workers (Felton, 1997).

During the Industrial Revolution, governments started to enact laws to protect workers from safety and health hazards. In 1802, an Act for the 'Preservation of the Health and Morals of Apprentices' was introduced in Britain. Known as the first Factory Act, it applied only to cotton mills. Mill owners were required to clean their premises twice a year and to ensure that there were sufficient windows to admit fresh air. They were also required to supply apprentices with suitable clothing and accommodation.

In 1833, the first Factory Act became law. At this time, the first factory inspectors were appointed. Throughout the 19th century, more legislation, such as the 'Ten Hour Act' introduced in 1850, was enacted. In Germany in 1883, Otto von Bismarck introduced the first social insurance legislation. In the United States in 1893, Congress passed the Safety Appliance Act. The Act, which only applied to the railroads, required that work equipment be safe. Much of the legislation enacted was in response to sector-specific concerns.

During the later years of the 19th century and the early years of the 20th century, the courts developed the concept of the employers' duty of care, and the Workmen's Compensation Acts were passed into law. In the United States, in 1910, Congress established the Bureau of Mines to conduct research into safety at Mines. However, the Bureau had no power to regulate mines.

Post-World War I

In 1919, the International Labour Organisation (ILO) was created as part of the Treaty of Versailles that ended World War I. The founders of the ILO recognised the importance of social justice in securing peace, against a background of the exploitation of workers in the industrialising nations of that time. The ILO's constitution mandates the ILO to work for an improvement of working conditions, through for example, the regulation of working hours. This included the establishment of a maximum working day, the protection of the worker from sickness, disease and injury arising out of employment, and the protection of children, young persons, and women.

In 1922, the Irish Free State, comprising twenty-six of Ireland's thirty-two counties, left the United Kingdom. The new State formed its own factory inspectorate.

Post-World War II

In the years after World War II the political wind favoured occupational health and safety. In France, the first post-war Government, a multi-party coalition led by General Charles de Gaulle, introduced reforms and brought in legislation to provide greater health and safety protection to workers.

At the end of the Philadelphia Conference in 1944 (held to re-establish the ILO as World War II ended), it was declared that the conference recognised the obligation of the ILO to further programmes to achieve the protection of the life and health of workers in all occupations around the world. In 1946, the ILO became a specialised agency of the newly formed United Nations (UN).

In Ireland, the Government brought in the Factories Act 1955.

In America, production increased significantly during the War, and industrial accidents soared. In the two years preceding the establishment of the US Occupational Safety and Health Administration (US-OSHA) in 1971, 28,000 workers died because of workplace hazards.

In the 1970s, in Britain, a committee under the chairmanship of Lord Robens was established. The Robens Report (1972) led to the enactment of the Health and Safety at Work Act 1974, and the establishment of the Health and Safety Commission and the HSE-GB.

Post-Establishment of European Economic Community/European Union

The European Economic Community (EEC) was created in 1957 by the Treaty of Rome. Ireland joined the EEC in 1973. In the years that followed, particularly under the presidency of Jacque Delors, the Community (now the European Union) developed a comprehensive body of OSH legislation.

In 1974, the Advisory Committee on Safety, Hygiene and Health at Work was established.

In 1984, the European Commission published an action programme on safety and health at work. In 1989, the 'Framework Directive on Measures to Encourage Improvements in Safety and Health at Work' was adopted. All member States, including Ireland, were required to transpose it into national law. The directive obliges employers to take appropriate preventive measures to make work safer and healthier. The Directive 89/391/EE sets minimum standards. Member States can introduce more rigorous provisions to protect their workers. The Framework Directive is applicable to all sectors of activity, both public and private. The Safety, Health and Welfare at Work Act 1989 transposed the principles of the Framework Directive into Irish national law.

During the 1980s, the European Community developed a transnational body of health and safety law based on a Framework Directive and a series of daughter directives. The 'daughter directives' adopted under the Framework Directive were transposed into Irish law in the years that followed. These are discussed in more detail in the next chapter.

Part 1: Introduction

Chapter 1: Introduction to Occupational Safety and Health (OSH)

European Agency for Safety and Health at Work

The European Agency for Safety and Health at Work (EU-OSHA) was set up in 1994 by Council Regulation (EC) No 2062/94 of 18 July 1994. EU-OSHA work to make European workplaces safer, healthier, and more productive, for the benefit of businesses, employees, and governments. Overall, EU-OSHA promote a culture of risk prevention to improve working conditions in Europe.

International Labour Organisation

In 1998, the International Labour Organisation adopted a Declaration on the Fundamental Principles and Rights at Work. The four rights adopted were:

1. Freedom of Association and the effective recognition of the right to collective bargaining,
2. Elimination of all forms of forced or compulsory labour,
3. The effective abolition of child labour,
4. The elimination of discrimination in respect of employment and occupation.

In 2022, the ILO adopted a new resolution (and fifth right), making occupational health and safety a fundamental right.

Key Point

The ILO now define five 'Fundamental Principles and Rights at Work'. Occupational Safety and Health is the fifth principle.

Conclusions

The OSH discipline has developed since the first efforts to protect metal and gold workers in the late 1400s. The legal underpinnings of this discipline which have evolved during the twentieth century, has an impact on the development of OSH law in Ireland.

Part 1: Introduction

Chapter 2: History of OSH in Ireland

Introduction

This chapter provides an overview of the development of the field of occupational safety and health (OSH) in Ireland.

Early Beginnings

In 1922, the Irish Free State formed its own factory inspectorate. The Irish Government brought in the Factories Act in 1955, to consolidate and amend the law regulating to labour in factories.

The Barrington Commission, named after its chairman, Mr Justice Donal Barrington, was established in 1980 and reported in 1983. In its report, the Commission stated that:

- Workplaces must be safe.
- Health and safety is a management responsibility, from the managing director down.
- The health and safety system must be preventive.
- Safety must be an integral part of the management process.
- Workers are entitled to information concerning hazards and to be involved in decisions which affect their working environment.

In addition, the Barrington Commission recommended:

- A new framework Act which would be an expression of the general principles applicable to all (that became the Safety, Health, and Welfare at Work Act 1989).
- The establishment of a national authority which would be responsible for OSH matters.
- That there would be a significant and sustained exercise in training, education, and information at every level.
- That health and safety regulation, which up until then applied to only 20% of workplaces, would apply to all workplaces.

Transposition of Framework Directive

Ireland joined the then European Economic Community (EEC) in 1973. In 1987, the 'Framework Directive on Measures to Encourage Improvements in Safety and Health at Work' (Directive 89/391/EEC) was introduced. This lays down general principles concerning the prevention and protection of workers against occupational accidents and diseases.

It contains principles concerning the prevention of risks, the protection of safety and health, the assessment of risks, the elimination of risks and accident factors, and the informing, consultation and balanced participation and training of workers and their representatives. In 1989, the Safety, Health and Welfare at Work Act transposed the principles of the Framework Directive into Irish national law.

The 'daughter directives' adopted under the Framework Directive were transposed into Irish law in the years that followed. This includes the following Directives:

- Directive concerning the minimum requirements for safety and health for the use of work equipment by workers at work (Directive 89/655EEC).
- Directive concerning the minimum requirements for safety and health for the use of personal protective equipment (Directive 89/656EEC).
- Directive on the minimum health and safety requirements for the handling of loads (Directive 90/269/EEC).
- Directive on the minimum health and safety requirements for work with display screen equipment (Directive 90/270/EEC).
- Directive on the minimum requirements for the provision of safety and health signs at work (Directive 92/58/EEC).
- Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth (Directive 92/85/EEC).

Safety, Health, and Welfare at Work Act and Establishment of HSA

In 1989, the Safety, Health, and Welfare at Work Act 1989 (SHWW Act 1989) was passed by the Oireachtas. As well as setting out the general principles of health and safety law, the Act provided for the establishment of the Health and Safety Authority (HSA).

In 2005, the Safety, Health, and Welfare at Work Act 1989 was replaced by the Safety, Health, and Welfare at Work Act 2005. Additional functions have been conferred on the Authority since then under the Chemicals Act 2008 and 2010, as well as other legislation. In 2014, the Irish National Accreditation Board (INAB) was included under the Authority's functions.

The Safety, Health and Welfare at Work (General Application) Regulations 2007-2020 provide detailed requirements on various workplace safety aspects, including the use of equipment, exposure to hazardous substances, and manual handling procedures.

Promotion of Workplace Health and Wellbeing

The Irish government is actively involved in promoting workplace health and well-being through the Healthy Workplace Framework (2021). The Healthy Workplace Framework was launched in 2021 as part of the Healthy Ireland initiative. The Healthy Workplace Framework is a joint initiative by the Departments of Health and the Department of Enterprise, Trade and Employment to improve the health and well-being of Ireland's workforce. The framework highlights the need for leadership and management support as well as staff engagement when planning and implementing a healthy workplace. This initiative is aligned with WHO guidelines and EU workplace health strategies.

Conclusions

The OSH system now in place in Ireland is firmly based on the recommendations of the Barrington Commission. OSH systems follow the Framework Directive and the 2005 Safety, Health, and Welfare at Work Act. The Irish government is actively involved in promoting workplace health and well-being through the Healthy Workplace Framework.

Part 1: Introduction

Chapter 3: Introduction to Consultation and the Safety Representative Role

Introduction

This chapter provides a brief introduction to consultation in the workplace, and the Safety Representative role. The Safety Representative role will be considered in more detail in later chapters.

Introduction to Consultation

As defined in Section 26 of the 2005 Act, consultation is a legal requirement. Employers must consult their employees about establishing arrangements to secure co-operation on safety, health and welfare in the workplace.

Definition

Consultation happens with the workforce. Consultation means both (1) providing your workers with information, and (2) obtaining feedback and input before making decisions affecting worker health and safety.

If a Safety Committee exists in the workplace, it can be used for this consultation process. Not all companies will have a Safety Committee or a Safety Representative. However, employers still need to establish mechanisms for consulting with workers on safety matters. Whatever consultation procedures are used, they should be agreed between the employer and employees.

Consultation in the workplace helps to increase overall OSH compliance. It provides for issues to be resolved rather than escalated. Where there is consultation, staff feel that they are listened to and valued. Employees are often the best people to understand the risks in their workplace. Where there is good consultation, employees can influence occupational health and safety through their own actions.

Safety Representatives and Safety Representation

A Safety Representative is an employee elected by their fellow employees, whose main role is to represent them to management on all health and safety issues. Employees have the right to decide on, select and appoint a Safety Representative or, by agreement with their employer, more than one Safety Representative to represent them in consultations with the employer on matters of safety, health and welfare at the place of work. Workers may choose not to appoint a Safety Representative.

However, there are specific arrangements for the appointment of Safety Representatives in the construction sector in cases where there are more than 20 employees.

Definition

A **Safety Representative** is an employee elected by their fellow employees, whose main role is to represent them to management on all health and safety issues. The Safety Representative provides a direct link between the employer and employees on issues that may be identified through workplace inspections or through direct communication with fellow workers (Health and Safety Authority, 2023).

Safety Representatives and the Law

The Barrington Commission recognised the rights of workers to be consulted and informed. It recognised the right of workers to be "involved" in decisions which affect their working environment. That right was given statutory recognition in the SHWW Act 1989 and re-enacted in the SHWW Act 2005.

The Safety Representative is a responsible role. However, it does not come with responsibilities/duties under the Act. In law the Safety Representative is described as having a function. The overall aim of the Safety Representative is "to help achieve and influence safe and healthy workplaces to protect workers health and safety". Employers are required to consider representations made by Safety Representatives and act upon them if necessary. Employees can elect, select, and appoint their Safety Representative or, by agreement with their employer, select more than one Safety Representative. The number of Safety Representatives should be proportionate to the size of the workplace, and should ensure, diverse work activities, departments or specialised occupations are represented. The person(s) selected as a Safety Representative can represent their colleagues in consultations with their employer on matters of safety, health, and welfare at their workplace.

There are specific rules for the appointment of Safety Representatives in Construction. On construction sites where more than 20 persons are employed at any one time on a construction site, the project supervisor for the construction stage (PSCS) must facilitate the appointment of a Safety Representative. This is discussed in more detail in Chapter 16.

Key Point

A Safety Representative is not a Safety Officer or Safety Advisor.

Influencing Safety Behaviour and Behaviour Change

The Safety Representative plays an important role in relation to acting as a role model for good safety behaviour in the workplace. For example, always wearing PPE when it is required, or following safety procedures. In so doing, the Safety Representative can influence the safety behaviour of others in the workplace – supporting positive behaviour change.

Influencing behaviour can happen in different ways and often involves a mix of (1) persuasion and (2) social influence.

1. **Persuasion** is the process of influencing a person's beliefs, attitudes, or behaviours through reasoning, argument, or appeal.
2. **Social influence** involves intentional and unintentional efforts to change another person's beliefs, attitudes, or behaviour. Unlike persuasion, which is typically intentional and requires some degree of awareness on the part of the target, social influence may be inadvertent or accidental.

Key Point

Behaviour change refers to the process of modifying or adopting new actions, habits, or responses, often to improve health, safety, or well-being. People tend to adjust their behaviour, beliefs, or opinions based on the influence of their social connections or peers.

Safety Representatives: Motivations, Enablers and Barriers

Motivations

There are many reasons why a person might want to become a Safety Representative. Many people are motivated by the opportunity to promote occupational safety and health, and to protect the safety and health of workers in their company. The opportunity to play an active role in preventing accidents and ill-health is perceived as worthy and provides a sense of purpose. For some, it is an opportunity to promote better practices in their workplace, and to be involved in improving the design of 'safe systems of work'. Others like the social interaction that comes with the role, and the opportunity to meet people at all levels in their organisation (including management).

At an organisational level, there are good reasons to support the election of Safety Representative. Active worker engagement in safety and health reaps dividends for a company and ensures greater protection for all. As highlighted in the 2019 ESENER report, the presence of a Safety Representative is associated with higher levels of compliance. Further, Safety Representatives play a strong role in terms of fostering a safety culture and developing an accident prevention culture.

Safety Representatives help employers to engage workers to follow safe work procedures. A Safety Representative will ensure that workers opinions are valued and considered. Workers who are doing the jobs will have valuable insights to offer around the design of procedures, and the Safety Representative can ensure that these insights are considered.

Enablers

There are many enablers to fostering the Safety Representative role, and to ensuring success. These exist and an individual and organisational level and should be considered by employers as well as potential Safety Representatives. Enablers include:

- Management indicating that the role is valued.
- Strong safety culture at the company.
- Appointing a person who has reasonable job experience and/or service with the company.
- Providing adequate time off for training and becoming familiar with the role.
- Providing adequate time in day to perform the functions of the role/job.
- Providing facilities for the Safety Representative – for example, an office to consult with employees and to prepare any submission or reports.
- Having clearly defined process for Safety Representatives – including process for interacting with HSA inspectors.

The Consultation and Safety Representative survey administered by the HSA (2024) identified management support as a key enabler of the Safety Representative role.

Barriers

For workers, there can be perceived barriers to becoming a Safety Representative. Such barriers exist both at an individual and organisational level and can be real or perceived. It is a good idea for new Safety Representatives to talk with other employees and management at their company about any apparent barriers, and to develop a plan to address them. For example, barriers might include any of the following:

- Limited OSH experience and understanding.
- Perception that the role requires OSH expertise or understanding of risk assessment.
- Perception that role is not valued either by other employees or by management.
- Difficulty accessing training for the role.
- Little or no time to perform the functions/job.
- Fear of penalisation from employer (irrespective of the law).
- Limited OSH experience of management – lack of knowledge of role and benefits.
- Company size (that is, small organisation).

The 2024 survey identified lack of time to perform the role as the main barrier (see Figure 1 below).

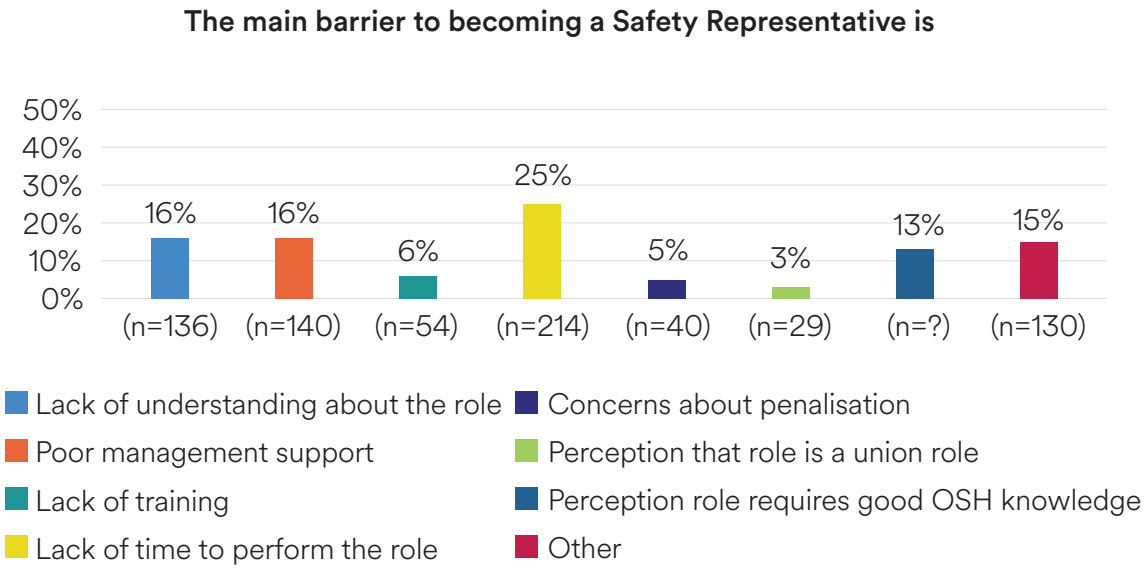

Figure 1. Barriers to becoming a Safety Representative.

Prevalence Of Safety Representatives

Not all organisations will have a Safety Representative. There can be different reasons for this. For example, employees may not have proposed/elected a Safety Representative or the enterprise may be small, and the consultation arrangements perceived as adequate. Figure 2 below provides a summary of information about the prevalence of Safety Representatives across European enterprises and in Ireland. This includes a comparison of the findings of the European Survey of New and Emerging Risks (ESENER) from 2019 and 2024, with HSA operational data and the findings of the HSA 2024 survey on consultation and safety representation. As indicated in Figure 2, the prevalence of Safety Representatives in Ireland (69%) is higher than the European average (56% in 2019, and 58% in 2024).

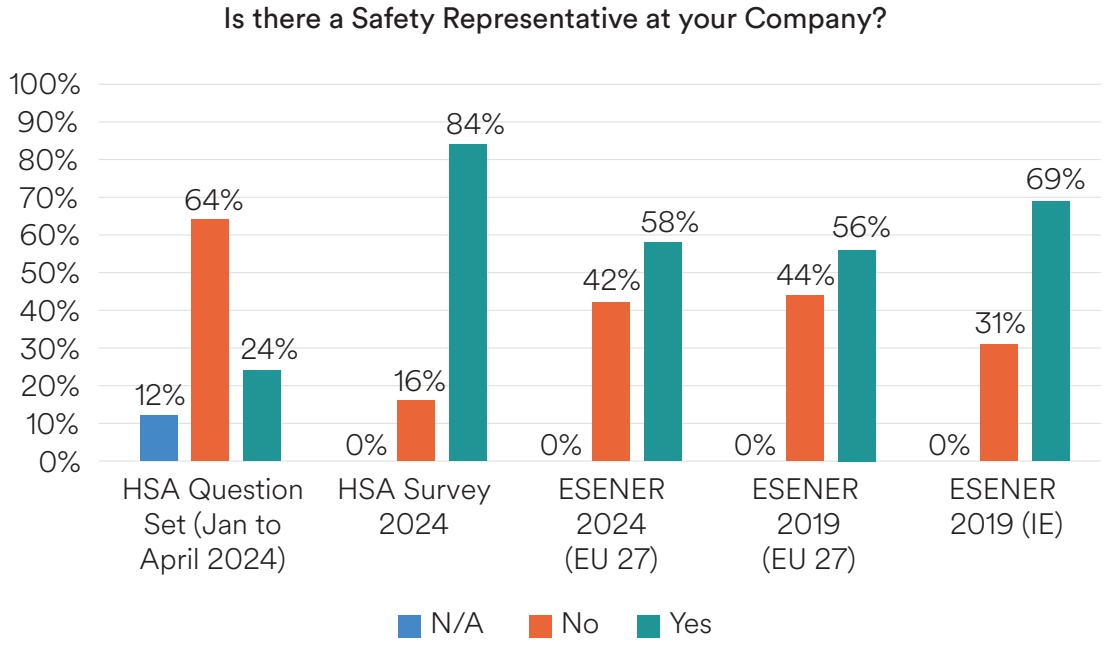

Figure 2. Prevalence of Safety Representatives.

The presence of Safety Representatives varies across different sectors. Figure 3 below outlines the top five sectors with Safety Representatives based on the feedback from the 2024 HSA survey.

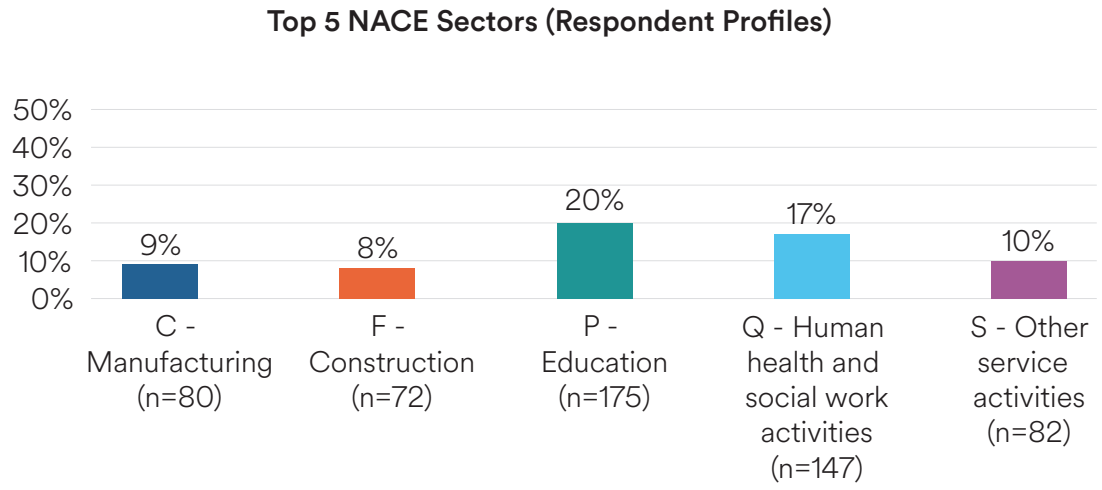

Figure 3. Sectors and Safety Representatives.

In general, Safety Representatives tend to be elected in enterprises with large numbers of staff. As evidenced in the HSA's national survey, Safety Representatives were present in 93% of organisations with over 500 employees. Figure 4 below provides a breakdown of the survey results in relation to the prevalence of Safety Representatives in companies of different sizes in Ireland.

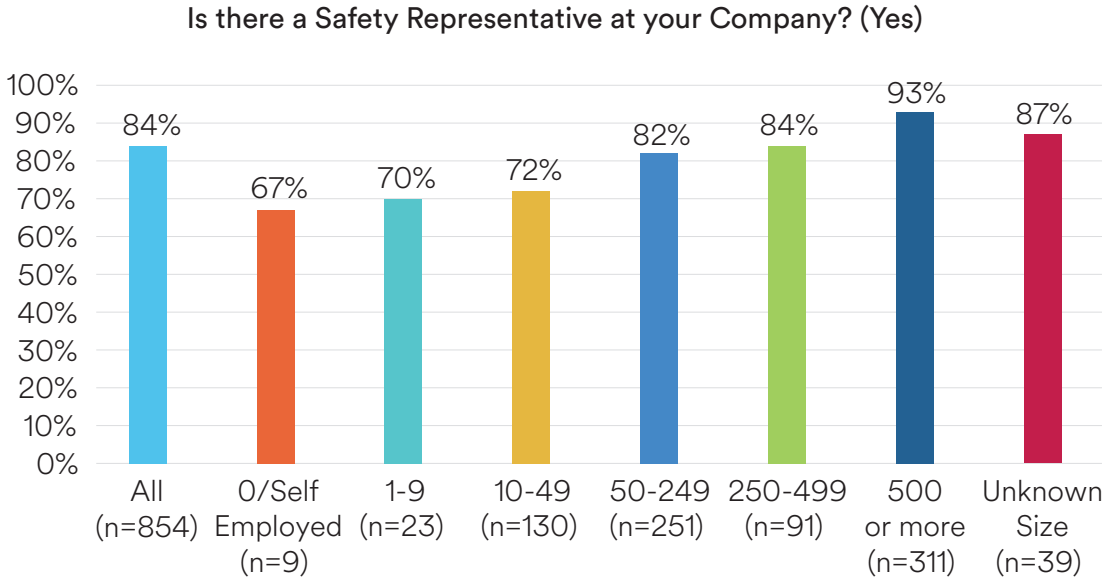

Figure 4. Company size and Safety Representatives.

As noted earlier, on construction sites where more than 20 persons are employed at any one time, the project supervisor for the construction stage (PSCS) must facilitate the appointment of a Safety Representative. As indicated in Figure 5 below, the 2024 survey findings indicate that this process is generally followed.

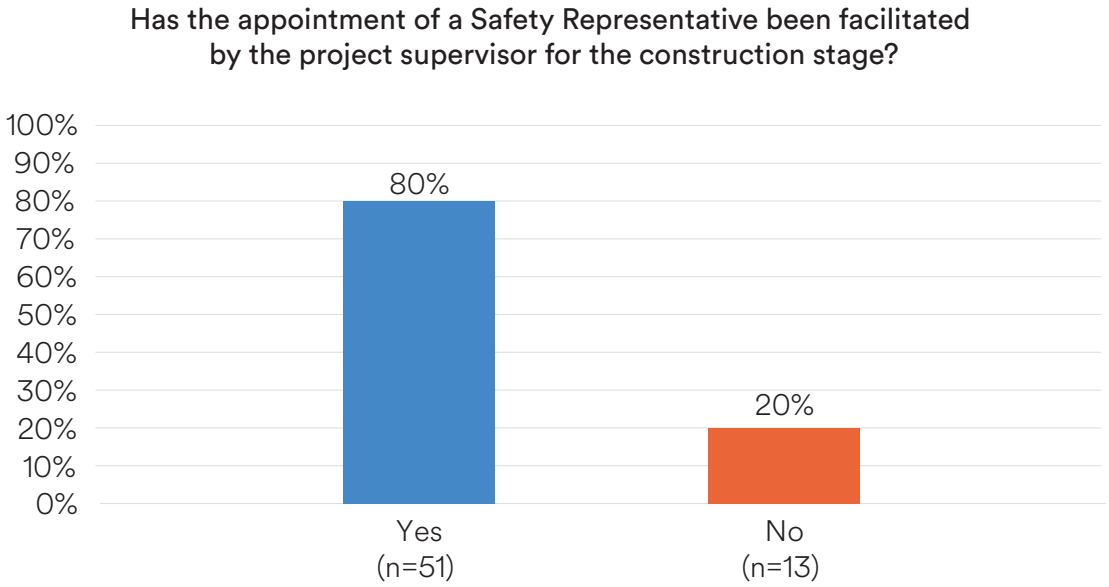

Figure 5. Project Supervisor for the Construction Stage and Safety Representative appointment.

Participation In The Safety Committee

A Safety Committee brings together management and workers to help create and maintain a safe workplace. A Safety Committee in one mechanism for consultation. Not all companies will have a Safety Committee. As indicated in the 2024 survey, Safety Committees were more likely to be present, in companies with large numbers of employees (see Figure 6 below).

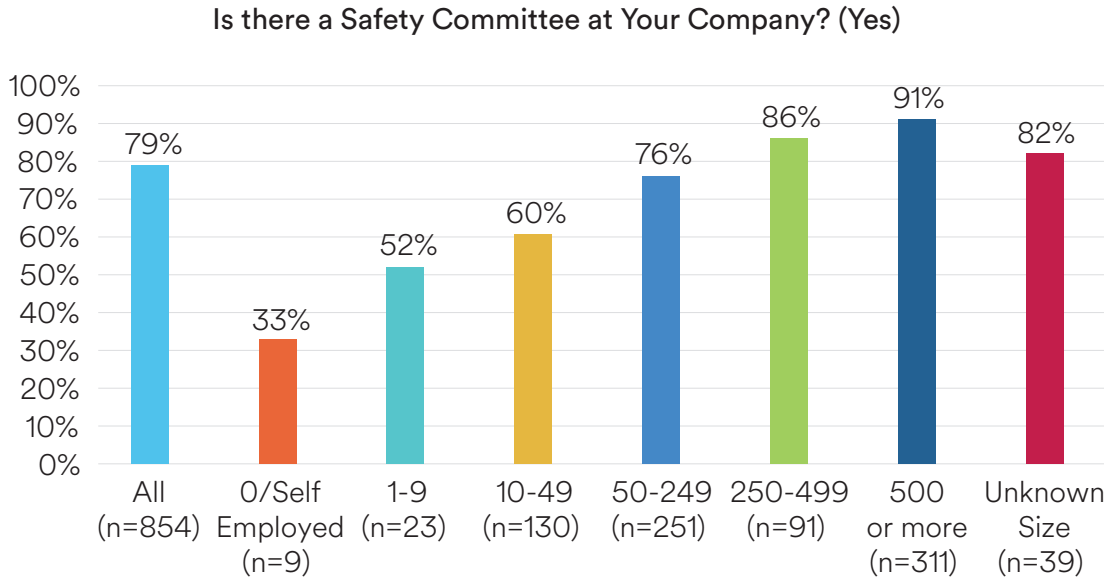

Figure 6. Prevalence of Safety Committees and company size.

Where a Safety Committee in a workplace has been agreed to by the employer, represents the employer and the employees, and is used for consultation, it can also be used for the purposes of consultation under the 2005 Act. As stated in the 2005 Act, the safety committee must keep in mind the key role that the Safety Representative plays in the consultation, and the employee participation process.

Sources of Information

In a workplace, Risk Assessments, the Safety Statement and Safety Data Sheets (SDSs) are an essential safety resource. Additionally, Health and Safety organisations, educational Institutes, professional bodies and Government Departments, all provide useful guidance and information. Safety Representatives should consult relevant resources in the workplace, along with wider resources available online. For more information on this, please see Appendix 6.

Conclusions

Active worker involvement in safety and health benefits the company and provides better protection for everyone. Having a Safety Representative demonstrates that the company is serious about promoting safety and health. Workers will be motivated to do more to ensure compliance.

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Representatives (www.hsa.ie/safetyreps)
- Safety Representative: Information Sheet (www.hsa.ie/safetyrepsinfosheet)
- Safety Representatives and Safety Consultation Guidelines (http://www.hsa.ie/consultationguidelines)
- Consultation and Safety Representatives Survey 2024 (www.hsa.ie/survey2024)

Other Resources

For further information, please see:

- Safety Representatives (https://www.ictu.ie/safety-representatives)
- Safety representation and consultation (https://healthservice.hse.ie/staff/health-and-safety/consultation-and-safety-representation/)
- The Role of the Safety Representative in the Workplace (https://www.ibec.ie/sfa/news-insights-and-events/insights/2023/03/14/the-role-of-the-safety-representative-in-the-workplace)

Part 2:
Introduction to Occupational Health and Safety

Part 2: Introduction to Occupational Health and Safety

Chapter 4: Vision Zero

Introduction

This chapter introduces the 'Vision Zero' concept, as proposed by EU-OSHA. The requirement to drive down OSH related fatalities, accidents, and ill health remains the single most important expectation of the EU strategic framework on health and safety at work 2021-2027. 'Vision Zero' represents a commitment to the continuous development of safety, health, and well-being at work. It is important for Safety Representatives to be aware of the 'Vision Zero' concept, and how to promote this at their company.

EU-OSHA Strategic Framework on Safety and Health

The work of EU-OSHA contributes to the European Commission's Strategic Framework on Health and Safety at Work 2021-2027 (European Commission, 2021), along with other relevant EU strategies and programmes. The current EU strategic framework on health and safety at work 2021-2027 builds on previous strategies that have seen substantial improvements in occupational safety and health, including a reduction in occupational fatal and non-fatal accidents and occupational illnesses. Central to this strategy is the 'Vision Zero' approach.

Vision Zero

'Vision Zero' is about cultivating a prevention culture in the workplace.

Definition

Vision Zero organisations strive to prevent OSH related risks that arise from all relevant biological, chemical, physical, and psychosocial risks (EU-OSHA, 2023).

Organisations that adopt the Vision Zero strategy have a principal and underlying belief that fatalities, accidents, and ill heath at work are preventable. This belief leads to a commitment to implement those OSH related conditions and behaviours that support prevention and thereby result in the required reduction in OSH related fatalities, accidents, and ill health (EU-OSHA, 2023). This includes the implementation of risk assessment practices and adopting the hierarchy of controls. Vision Zero companies are expected to eliminate OSH risks in the first instance. Where this is not possible, companies should prioritise collective initiatives over those aimed at individual workers (EU-OSHA, 2023).

Part 2: Introduction to Occupational Health and Safety

Chapter 4: Vision Zero

Key Point

Safety Management Systems address the 'Triple Zero Target'. This target focuses on the following:

- Zero harm.
- Zero incidents.
- Zero compromise in delivering a transformational safety and health performance.

Indicators Of Vision Zero

There are different features exhibited by organisations that adopt 'Vision Zero' strategies. Ahamad et al (2022) present the most important variables for companies that have adopted this vision. These include:

- A safety management system (SMS).
- Organisational leadership.
- Safety culture.
- Safety communication.
- Risk assessment.
- Compliance with safety legislation.

Action Checklist and Questions

Questions / Action Points

- How can I promote 'Vision Zero' at my company?
- Is there a 'Vision Zero' approach at my company?
- Is everybody focussed on preventing accidents and illness at my company?

Conclusions

Vision Zero aligns with the legal requirements of the Framework Directive (EU 89/391/EEC, 1989). It is important that Safety Representatives consider how their enterprise can align with the Vision Zero objectives.

Further Information and Resources

Other Resources

For further information, please see:

– The role of Vision Zero and related occupational safety & health strategies, interventions, and tools in reducing EU work related fatalities, accidents and ill health (https://oshwiki.osha.europa.eu/en/themes/role-vision-zero-and-related-occupational-safety-health-strategies-interventions-and-tools)

Part 2: Introduction to Occupational Health and Safety

Chapter 5: Accident and Illness Trends (Ireland)

Introduction

This chapter provides a summary of key trends in relation to fatal and non-fatal accidents reported to the HSA. It also presents data from the Central Statistics Office (CSO) module on work-related injury and illness, and from The Health and Occupation Research (THOR), Republic of Ireland (ROI). Developing successful prevention policies requires an understanding of the prevalence of certain accident types and their causes. Safety Representatives should consider the key trends in relation to accidents and illness reporting (1) across all sectors, and (2) for their workplace sector.

Overview and Definition

An accident is an unplanned event resulting in death or resulting in an injury such as a severe sprain or strain (for example, manual handling injuries), a laceration, a broken bone, a concussion, or unconsciousness (HSA, 2016). A fatal accident is an accident that causes somebody to die. An occupational illness is a health condition or disorder that is caused by the work environment or related activities.

Under the Safety, Health, and Welfare at Work (General Application) Regulations 2016, all employers and self-employed persons are legally obliged to report the injury of an employee arising from an accident while at work.

Definition

As defined in the 2005 Act,

- **'accident'** means an accident arising out of or in the course of employment which, in the case of a person carrying out work, results in personal injury.
- **'personal injury'** includes – (a) any injury, disability, occupational illness or any impairment of physical or mental condition, and (b) any death, that is attributable to work.

Key Statistics 2022/2023

Each year the HSA publishes a summary report for all accidents and injuries reported to the Authority, along with CSO data relating to workdays lost to work-related injuries and illnesses. For more detailed information, please refer to the latest data available on the HSA website.

The figure below provides a summary from the 2023 report. In 2023, the HSA recorded 10,096 non-fatal injuries, an 11% increase from the previous year and 15% above the five-year average (HSA, 2024). There were 43 fatal work-related incidents in Ireland in 2023. Of these, 39 involved worker victims and four involved non-worker victims. This is an increase of 13% on the figure of 38 fatal accidents recorded in 2022.

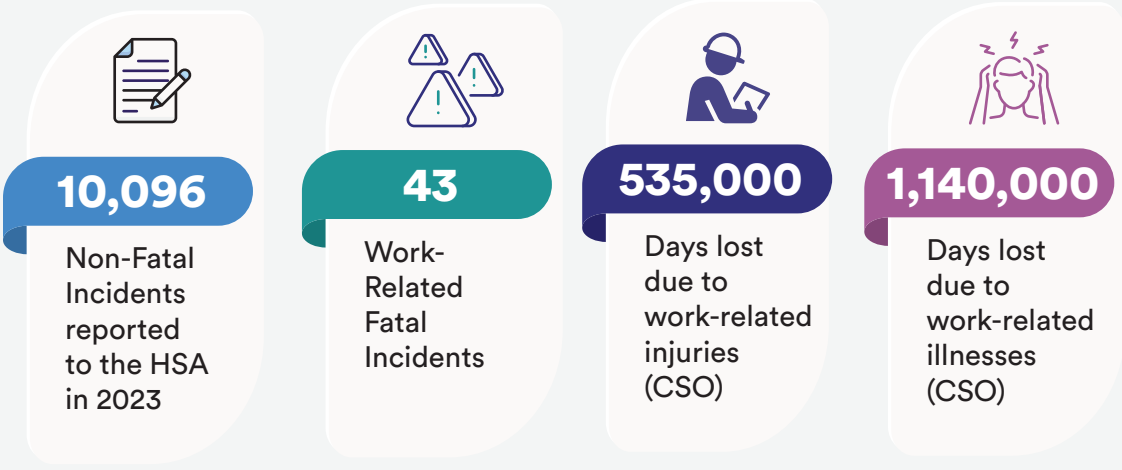

Figure 7. HSA statistics 2023.

Non-Fatal Accidents and Injuries

2023 Statistics

The latest data on non-fatal accidents and injuries pertains to 2023. In 2023, there was an increase in the number of non fatal accidents. The highest number was reported in the NACE economic sector of Human Health and Social Work Activities, which accounted for 23% of all incidents. For non-worker incidents, the highest number was reported in Education representing 31% of all non-workers injured. Manual handling and falls were the most common triggers in 2023, as they have been in all years since 2018.

NACE Sector	Employee	%	Non-worker	%	Total	%
Q Human Health and Social Work Activities	2,296	24	30	5	2,326	23
C Manufacturing	1,531	16	21	3	1,552	15
G Wholesale and Retail Trade; Repair of Motor Vehicles and Motorcycles	968	10	139	22	1,107	11
H Transportation and Storage	947	10	94	15	1,041	10
O Public Administration and Defence; Compulsory Social Security	871	9	11	2	882	9
F Construction	746	8	89	14	835	8
P Education	518	5	198	31	716	7
N Administration and Support Service Activities	541	6	6	1	547	5
E Water Supply; Sewerage Waste Management and Remediation Activities	163	2	4	1	167	2
I Accommodation and Food Service Activities	165	2	1	0	166	2
S Other Service Activities	143	2	5	1	148	1
M Professional, Scientific and Technical Activities	133	1	6	1	139	1
A Agriculture, Forestry and Fishing	96	1	12	2	108	1
J Information and Communication	92	1	1	0	93	1
K Financial and Insurance Activities	79	1	7	1	86	1
D Electricity, Gas, Steam and Air Conditioning Supply	61	1	4	1	65	1
R Arts, Entertainment and Recreation	55	1	1	0	56	1
B Mining and Quarrying	31	0	1	0	32	0
L Real Estate Activities	30	0	0	0	30	0
Total	9,466	94	630	6	10,096	100

Figure 8. Injuries reported by the economic sector 2023.

Figure 9 below details the top five reported non-fatal injuries by trigger in 2023 and the five-year average 2019–2023.

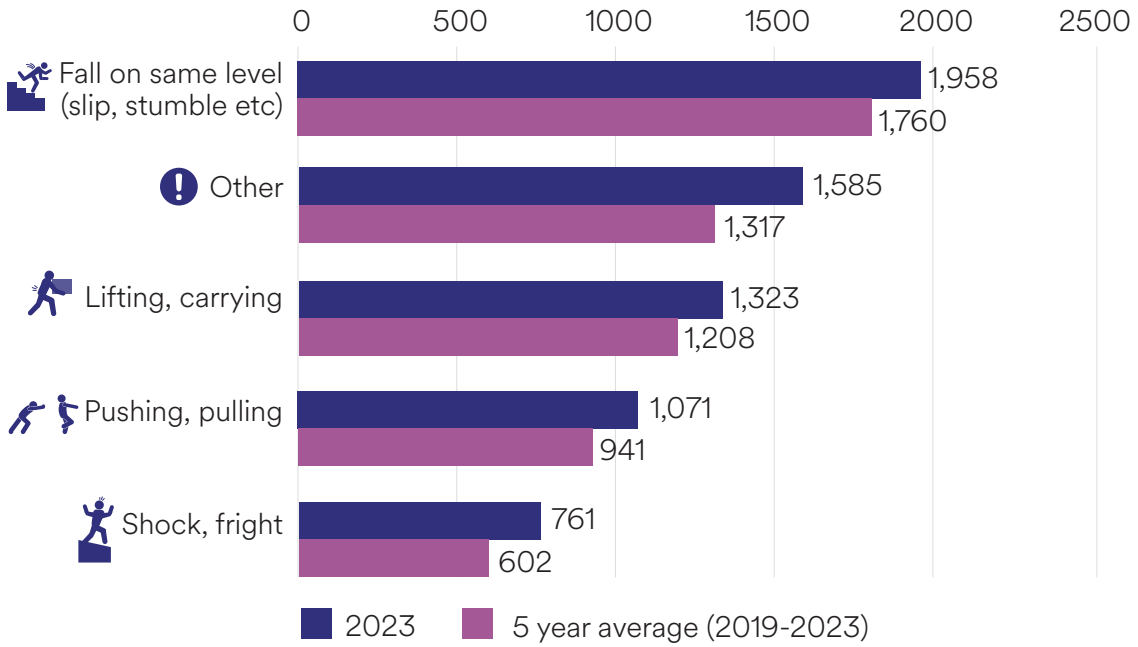

Figure 9. Top 5 reported non-fatal injuries by trigger.

Fatal Accidents

2024 Statistics

A total of thirty-three people lost their lives in work-related incidents in 2024, a reduction of almost a quarter on 2023 fatalities. The following is a summary of the reported statistics:

- Of the 33 fatalities in 2024, the self-employed accounted for 18 (55%).
- Of the 33 fatalities in 2024, 30 were male and 3 were female.
- Agriculture, forestry and fishing accounted for 12 fatalities, all of which were farming incidents representing over a third of all fatalities from a sector employing just 4% of the workforce.
- The construction sector saw a significant decline from 10 fatalities in 2023 to 5 in 2024, a decline of 50%.
- The agriculture sector saw a decline from twenty fatalities in 2023 to twelve in 2024, a decline of 40%.
- Vehicle related incidents (10 fatalities), incidents involving heavy/falling objects (6 fatalities) and falling from height (5 fatalities) were the leading causes of work-related fatalities in 2024 accounting for 64% of all fatalities.

For more information, please see the HSA website.

Part 2: Introduction to Occupational Health and Safety

Chapter 5: Accident and Illness Trends (Ireland)

2023 Statistics

43 people lost their lives in work-related incidents in 2023. HSA statistics indicate a continued high level of fatalities in farming (16 fatalities) and construction (11 fatalities), with both sectors accounting for over two-thirds of all fatalities in 2023. The work-related fatalities in these sectors relate to high-risk work, including working with vehicles and falls from height.

The following is a summary of the reported statistics:

- Fatal incidents happened to victims from all age groups; however, the highest number involved people aged 55 and over, with 22 fatalities in 2023 compared to 10 in 2022.
- Of the 43 fatalities in 2023, the self-employed accounted for 53%.
- Agriculture, forestry and fishing accounted for 20 fatalities, with farming accounting for 16 of these fatalities in 2023.
- The construction sector accounted for the second highest fatalities reported in 2023, with 11 reported work-related fatalities.
- Working with vehicles (13 fatalities) and falling from height (11 fatalities) were the leading causes of work-related fatalities in 2023.
- Of the 43 fatalities in 2023, 39 were male, and four were female.
- Co. Cork accounted for the highest records of fatalities in 2023 (7 fatalities), followed by Co. Dublin (five fatalities) and Co. Kerry (five fatalities).

General Trends

Ireland recorded its lowest ever rate of work-related fatalities in 2024 according to provisional data published by the HSA in January 2025. As indicated in Figure 10 below, the fatality rate per 100,000 workers has fallen from 2.7 to 1.2 in the ten-year period from 2015 to 2024, marking the fewest work-related deaths since the establishment of the Authority in 1989.

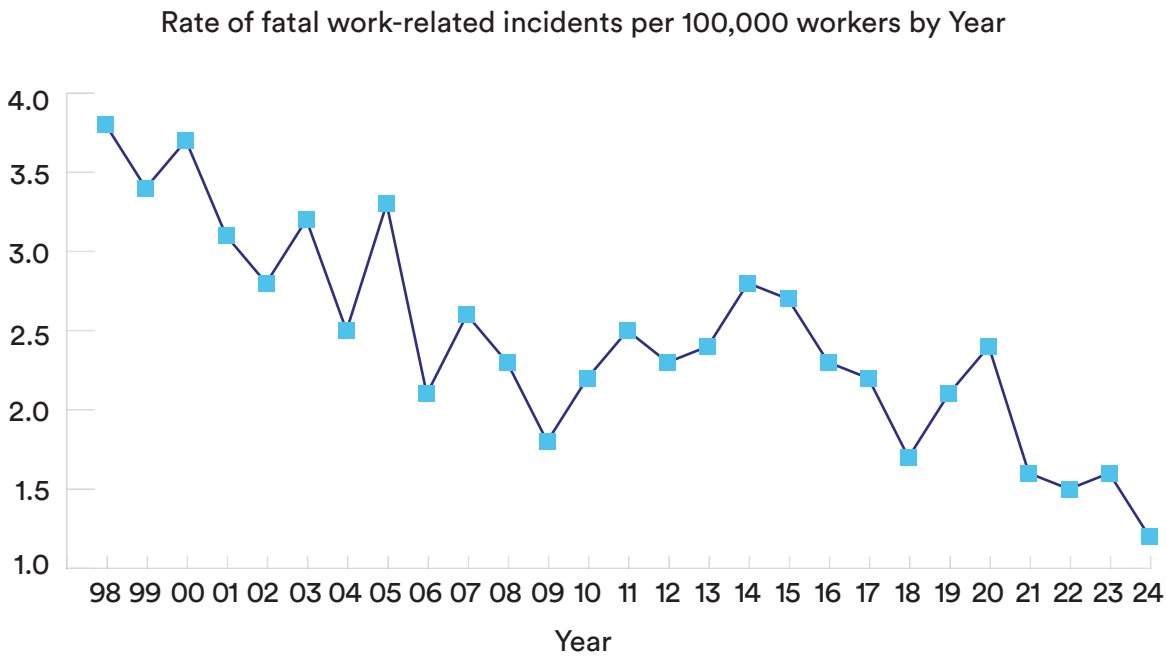

Figure 10. Rate of fatal work-related incidents per 100,000 workers.

NACE	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	Total
A-Agriculture, forestry and fishing	24	26	27	20	23	23	11	14	20	12	200
Crop and animal production, hunting and related service activities	18	21	25	15	20	20	10	14	16	12	171
Fishing and aquaculture	5	4	2	4	3	3	0	0	3	0	24
Forestry and logging	1	1	0	1	0	0	1	0	1	0	5
B-Mining and quarrying	2	1	0	0	0	0	0	0	0	1	4
C-Manufacturing	3	2	0	2	2	4	5	0	1	0	19
D-Electricity; gas, steam and air conditioning supply	0	0	0	0	0	0	0	0	0	0	0
E-Water supply, sewerage, waste management and remediation activities	3	1	1	2	2	1	2	1	2	4	19
F-Construction	11	10	6	5	12	16	10	7	10	5	92
G-Wholesale and retail trade; repair of motor vehicles and personal goods	3	2	3	2	2	4	2	11	2	5	36

H-Transportation and storage	3	1	5	8	6	2	6	1	2	2	36
I-Accommodation and food service activities	0	0	1	0	0	1	0	1	0	2	5
J-Information and communication	0	0	0	0	1	0	0	0	1	0	2
K-Financial and insurance activities	0	0	0	0	0	0	0	0	0	0	0
L-Real estate activities	0	0	0	0	0	0	0	0	0	0	0
M-Professional, scientific and technical activities	0	0	0	0	0	0	0	0	0	0	0
N-Administrative and support service activities	0	2	0	0	1	0	0	0	3	2	8
O-Public administration and defence; compulsory social security	4	1	5	0	0	1	0	2	0	0	13
P-Education	0	0	0	0	0	0	1	1	0	0	2
Q-Human health and social work activities	2	1	0	0	0	0	0	0	2	0	5
R-Arts, entertainment and recreation	1	1	0	0	0	2	1	0	0	0	5
S-Other service activities	0	0	0	0	0	0	0	0	0	0	0
Total	56	48	48	39	49	54	38	38	43	33	446

Figure 11. Fatal workplace injuries, statistics 2015 to 2024.

Work-Related Injury and Illness (CSO Data)

Each year the CSO undertakes a special module of the Labour Force Survey on work-related injuries and illnesses. The latest data available from the CSO's module on work-related injury and illness pertains to 2022. During 2022, 535,000 days were lost due to work-related injuries, close to the five-year average of 534,160. In 2022, 1,140,000 days were lost due to work-related illness. This is up from the five-year average of 994,660. In 2022, the NACE sectors with the highest rates of work-related injuries leading to four or more days of absence from work were Construction and Public Administration and Defence (18.4 per 1,000 workers) followed by Agriculture, Forestry and Fishing (17.3 per 1,000 workers in 2022 and notably higher than the five-year average of 10.1). In 2022, male workers reported more work-related injuries leading to four or more days of absence from work (10.1 per 1,000 workers) than female workers (5.5 per 1,000 workers).

This is in keeping with the five-year average for 2018–2022, in which male victims had higher rates of work-related injury. In 2022, the NACE economic sector with the highest rate of work-related illnesses leading to four or more days of absence from work was Human Health and Social Work Activities (52.4 per 1,000 workers), followed by Education (28.0 per 1,000 workers) and Construction (23.8 per 1,000 workers). In 2022, female workers had higher rates of illness (23.4 per 1,000 workers) than male workers (21.2 per 1,000 workers). This is in keeping with the five-year average for 2018–2022. The rates for both male and female workers have been steadily increasing since 2019.

Work-Related Ill Health (THOR Data)

The Health and Occupation Research (THOR) Republic of Ireland (ROI) is a report by physicians of work-related ill health in Ireland. THOR ROI comprises four surveillance schemes collecting data on work-related illness (WRI) in the ROI by occupational physicians, chest physicians, dermatologists, and general practitioners. The physicians voluntarily report online cases of WRI to the University of Manchester. The Health and Safety Authority (HSA) provided financial support to THOR ROI from 2005 to 2022. An annual summary report was produced, showing the number of cases voluntarily reported each year, along with a compiled report starting from 2005. The report provided useful information on the types of WRIs, causal agents, and the industry sectors in which they occur. It also enabled comparisons of cases between Northern Ireland and Great Britain. Summary and full reports are available on the HSA website.

The latest report by THOR is based on data collected in 2022. The following is a summary of the key findings of the 2022 report.

- A total of 57 cases were reported in 2022 (occupational physicians: 16, dermatologists: 19, chest physicians: 18, and general practitioners: 4).
- In total, the number of reported incident cases between 2005 and 2022 is 2958 (occupational physicians: 2040, dermatologists: 576, chest physicians: 298, general practitioners: 44).
- Occupational physician case reports (2007-2022) were predominantly mental ill-health (53%) and musculoskeletal (33%) with smaller proportions of skin (8%), respiratory (2%) and 'other' WRIH (4%). The majority (77%) of cases were reported in health and social care (mainly nurses and nurse auxiliaries), mostly in females (67%) with mean age (all cases) of 43 years. A significant proportion were also reported in transport (bus drivers) (11%).
- Dermatologists reported (2005-2022) predominantly contact dermatitis cases (98%), with most of all reported cases being female (57% of contact dermatitis cases) and a mean age (all contact dermatitis cases) of 38 years. Frequently reported industries/ occupations were manufacturing (process operatives), healthcare (nurses), and personal service occupations (hairdressers and beauty therapists). The most frequently reported agents were rubber, wet work, preservatives, and nickel.

- Asthma was the largest category of cases reported by chest physicians (2005-2022) (32%).
  - Most of the reported cases were male (83%), and the mean age (all cases) was 57 years.
  - Frequently reported industries/occupations were construction (labourers) and manufacturing, with isocyanates, ill-defined fumes/gases and cement/plaster/masonry dust being the most frequently reported agents.
- The 20 general practitioners participating in THOR-GP-ROI have reported 44 cases since the scheme commenced data collection in 2015. Musculoskeletal cases were reported most frequently (18 cases). Most cases were reported in females (62%) with a mean age of 42 years.

Action Checklist and Questions

Questions / Action Points

- What is the non-fatal accident rate in my work sector?
- What are the key triggers for non-fatal accidents in my work sector?
- What are the potential accident triggers in my organisation?
- What potential work-related illnesses might employees be at risk of in my organisation?

Conclusions

It is important for Safety Representatives to familiarise themselves with the causes and characteristics of injuries, illnesses, and fatalities that occur in workplaces across Ireland and in their specific work sector.

Further Information and Resources

HSA Resources

For further information, please see:

- Annual Review of Workplace Injuries, Illnesses and Fatalities 2022–2023 (www.hsa.ie/annual-review-2022-2023)

Other Resources

For further information, please see:

- The Health and Occupation Research (THOR) Republic of Ireland (ROI) (www.hsa.ie/researchreports)
- Labour Force Survey (https://www.cso.ie/en/statistics/labourmarket/labourforcesurveylfs/)

Part 2: Introduction to Occupational Health and Safety

Chapter 6: Introduction to Safety and Health Management

Introduction

This chapter presents an overview of safety and health management, safety management systems, the Safety-II approach and ISO 45001. It also introduces the field of Human Factors which is closely intertwined with safety management. A brief overview of behaviour-based safety, and the Total Worker Health approach is also provided. Safety Representatives are not required to be experts in safety and health management. However, it is useful for Safety Representatives to have a general understanding of safety management approaches and the importance of designing work systems that consider human needs, capabilities and how work is undertaken.

Overview and Definition

Safety management is the systematic approach to identifying, assessing, and controlling risks to ensure a safe and healthy working environment.

Definition

- **Safety management** is an organisational function which ensures that all safety risks have been identified, assessed, and satisfactorily mitigated. Safety management involves the application of a set of principles, framework, processes, and measures to prevent accidents, injuries, and other adverse consequences (Reason, 1997).
- A **Safety Management System** (SMS) is a collection of structured, company-wide processes that provide effective risk-based decision-making for daily business functions (Health and Safety Executive, 2013).

Safety Management Systems

Introduction

The objective of an SMS is to provide a structured management approach to control safety risks in operations. The SMS helps organisations (1) maintain safe operations and (2) offer products or services at the highest level of safety. Typically, an SMS has four components. These are outlined in the table below.

	Name	Description
1	**Policy and Objectives**	The **safety policy** is a statement of the organization's commitment to safety. Employers should make safety an integral part of company values. Safety accountability and responsibilities should be clearly defined. This includes (1) the role of the leadership team in managing safety in the same way as they oversee other areas of the business and (2) the duty of technical managers to ensure the effectiveness of safety risk controls. **Safety objectives** are specific, measurable goals that an organization sets in alignment with the safety policy.
2	**Risk Assessment and Management**	Risk assessment and management is the process of identifying, evaluating, and controlling workplace hazards to minimize risks to employees, assets, and operations. ***Note: Risk assessment concepts and processes are discussed in more detail in the Risk Assessment chapter.***
3	**Safety Assurance**	Safety Assurance (SA) is the component of a safety management system that deals with the monitoring of risk controls during operations. The performance and effectiveness of controls should be assessed. Common SA functions include internal audits, investigations, and employee reporting systems. ***Note: Reporting is discussed in more detail in the Reporting chapter.***
4	**Safety Promotion**	Safety Promotion is defined as the activities that support the SMS implementation in an organisation such, as safety training, knowledge-sharing, and communication. A key dimension of this is fostering a positive safety culture. ***Note: Safety Culture is discussed in more detail in the Safety Culture chapter.*** ***Note: See Appendix 1: OSH Training Requirements & Approach and Appendix 2: Employee OSH Training Journey.***

Part 2: Introduction to Occupational Health and Safety

Chapter 6: Introduction to Safety and Health Management

ISO 45001

Occupational Health and Safety Management System (OHSMS) / ISO 45001 is an international standard for occupational health and safety (OHandS) management systems, developed by the International Organization for Standardization (ISO). It provides a framework for organizations to proactively improve workplace safety, reduce risks, and create healthier work environments.

The key requirements for ISO 45001 are detailed in the table below.

	Name	Description
1	**Hazard Identification and Risk Assessment**	Identify and control workplace risks.
2	**Leadership and Worker Participation**	Management and employees must collaborate on safety.
3	**Legal and Compliance Obligations**	Ensure compliance with national safety regulations.
4	**Objectives and Performance Monitoring**	Set safety goals and track performance.
5	**Operational Controls**	Implement measures to manage risks effectively.
6	**Emergency Preparedness and Response**	Have plans for workplace emergencies.
7	**Incident Investigation and Continuous Improvement**	Learn from safety incidents to improve policies.

ISO 45001 is the gold standard for workplace health and safety management. It shifts safety from a reactive to a proactive approach, ensuring organizations protect workers while improving efficiency and compliance. Not all companies will have ISO 45001 certification. In the 2024 HSA survey, only 41% of respondents reported that their company was certified for ISO 45001 (see figure below). 38% of respondents did not know whether their company was certified for ISO 45001.

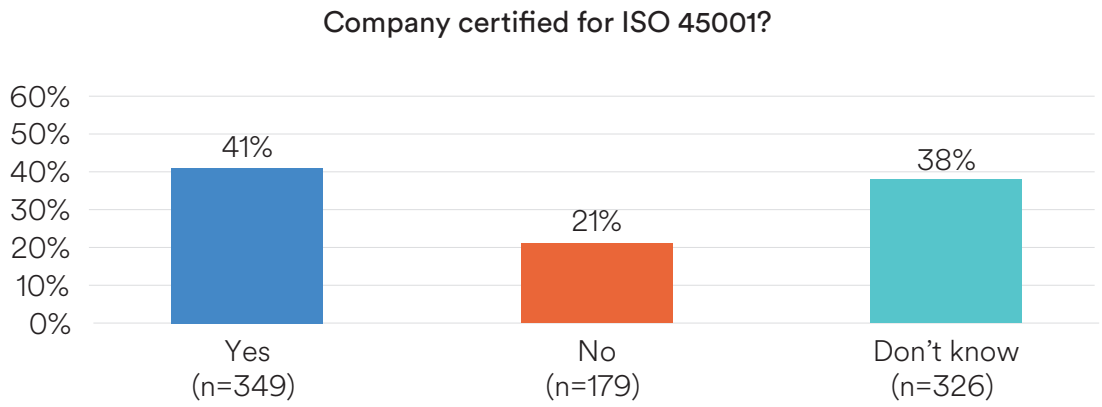

Figure 12. ISO certification.

Key Concepts in Safety Management

Human Error

Safety management theory highlights the importance of considering the potential for human error in how we design work. Human error refers to unintended actions or decisions that result in a deviation from desired outcomes, which may lead to mistakes, accidents or failures. Individual, job or organisational factors can have a positive or negative influence on performance at work and the risk of error (Reason, 1990, 2008).

Performance Influencing Factors (PIFs)

'Performance Influencing Factors' refer to the various factors that can impact on human performance either positively or negatively, in a task or environment. These include physical, cognitive, organizational, and environmental factors.

Safety Culture

'Safety Culture' refers to the shared attitudes, beliefs, values, and practices regarding safety within an organization. A good safety culture contributes to improving performance and reducing errors (The Joint Commission, 2021). This is discussed in more detail in Chapter 10: Safety Culture.

Just Culture

'Just Culture' (also referred to as a no blame culture) is a safety management concept that promotes a fair and open environment where employees feel safe to report mistakes and near misses without fear of punishment, while still holding individuals accountable for reckless behaviour (Dekker, 2012). It recognizes that human errors are inevitable and that the focus should be on learning and improving systems rather than blaming individuals.

Safety-I and Safety-II

The **Safety-I and Safety-II** approaches are two perspectives on safety management in organizations (Hollnagel, 2014). As indicated in the table below, these approach reflect different ways of thinking about human and system performance, and how to optimise system resilience.

Topic	Safety-I Approach	Safety-II Approach
Learning Approach	Investigates accidents to prevent recurrence (that is, only some events).	Consider all events - studies both failures and successes to enhance system performance. Encourages continuous learning and improvement.
Human role	Viewed as a source of error.	Viewed as a crucial part of system resilience.
Complex Systems	Assumes systems can be controlled and optimized.	Recognizes that complex systems require constant adaptation.
Errors and error management	Focuses on eliminating human errors.	Accepts that variability in human performance is natural and often beneficial.
Procedures & Rules	Strict adherence to procedures to minimize mistakes.	Encourages flexibility and adaptability in procedures.

In his book 'Safety-I and Safety-II: The Past and Future of Safety Management' (2014), Hollnagel introduces the concepts of Safety-1 and Safety-11 to rethink traditional safety management. As highlighted by Hollnagel (2014), it is important to shift the focus from simply managing risks to understanding and optimizing the conditions under which work is successful.

The Safety-I approach focuses on preventing things going wrong. In this approach, safety is defined as the absence of failures, incidents, or accidents. Humans are viewed as a risk factor and/or a source of error. Accordingly, the focus is on improving safety by examining and learning from system failures. This includes learning from near misses, safety events and serious accidents. This approach is often referred to as the 'traditional approach'.

The Safety-II approach focuses on ensuring that things go right. In this approach, safety is defined as the ability to succeed under varying conditions. Human performance is viewed as variable. Also, it is recognised that human performance helps prevent failures. In this way, humans are viewed a crucial part of system resilience. In addition, the Safety-11 approach recognises that complex systems cannot be controlled purely by rules and procedures. For this reason, the Safety-11 approach encourages flexibility and adaptability in procedures and investigates all possible outcomes involving normal performance (for example, everyday routine performance, excellent performance, near-misses, accidents, and disasters). As such, Safety-II focuses on all events (for example, the full distribution profile of safety – both good and bad). In so doing, it seeks to enhance effectiveness and build resilience while also addressing failure. In addition, it encourages continuous learning and improvement.

Importantly, Safety-I and Safety-II are complementary approaches. The field of Human Factors makes use of both Safety-I and Safety-II approaches. This is discussed in more detail below.

Key Point

Safety-I is about avoiding failure, while Safety-II is about enhancing success—both are necessary for a robust SMS and safety culture.

Human Factors and Safety Management

Introduction

Human behaviour, abilities/capabilities, and limitations play a critical role in ensuring safe operations across industries. In this way, the fields of safety management and human factors are closely intertwined. Human Factors professionals seek to design systems of work which consider human needs, abilities and limitations. In particular, they emphasize that systems should be designed to help people perform their tasks, rather than forcing people to adjust to the systems.

Definition of Human Factors

The International Ergonomics Association (IEA) defines Human Factors as the scientific discipline concerned with understanding the interactions among humans and other elements of a system, and the profession that applies theory, principles, data and methods to design, to optimise human wellbeing and overall system performance (IEA, 2000). In other definitions, Human Factors is referred to as the environmental, organisational and job factors, and human and individual characteristics, which influence behaviour at work in a way which can affect health and safety.

Understanding Why Errors Happen

Human factors practitioners study human error not to blame individuals, but to understand why errors happen, and how systems can be designed to reduce or avoid them (Reason, 1990, 2008). Overall, they seek to optimize human performance and wellbeing and reduce errors by understanding how people interact with different aspect of the work system (for example, other people and tools in their work environment) to get the job done.

Key Point

- Human error is normal.
- Addressing Human Factors in relation to health and safety is about optimising human performance and reducing the risk of human error.
- The aim is to develop error tolerant systems to prevent errors leading to workplace accidents.

Sharp and Blunt End of Complex Systems

As noted by Reason (1990, 2008), delving deeper than the errors themselves to explore their root causes is crucial for maintaining safety and preventing workplace accidents. In this regard, we can distinguish (1) the "sharp end," where errors occur, and (2) the "blunt end," where work design and management decisions shape how tasks are performed and working conditions (Reason, 2008, Woods et al., 2000). Accident investigations often find fault in those closest to the incident. That is, workers performing a task that leads to an error/safety event. However, investigation often reveals that the root cause is found in the design of the work system (Reason, 1990, 2008).

Key Point

These terms "blunt" and "sharp" ends help explain how different parts of a system contribute to errors and performance issues. Errors are often a symptom of deeper systemic issues, such as poor design, high workload, fatigue, or unclear procedures.

Job, Individual and Organisation

As indicated in Figure 13 below, a simple way to view Human Factors is to think about three aspects: (1) the job, (2) the individual and (3) the organisation and how they impact on people's health and safety-related behaviour. These factors all influence performance at work and are often referred to as performance influencing factors (PIFs).

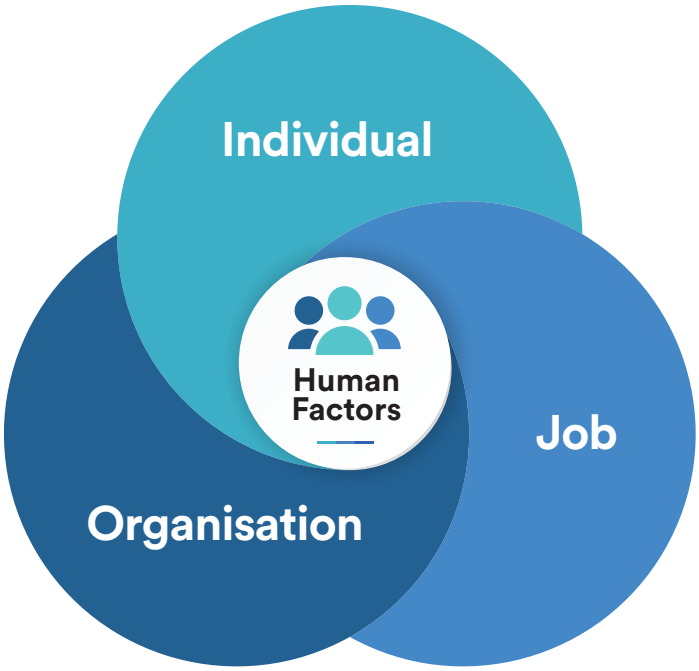

Figure 13. Human factors.

1. **Job-related factors** include procedures and workload.
2. **Individual factors** include competence and fatigue.
3. **Organisational factors** include safety culture and safety critical communications.

Work as Done and Work as Imagined

In Human Factors, the concept of "Work as Done" (WAD) versus "Work as Imagined" (WAI) highlights the gap between how work is planned or expected to happen versus how it is undertaken in real life situations (Shorrock, 2021). It also highlights how human experience and judgement have an important role to play in safety.

WAI is often based on procedures, policies, risk assessments, and management expectations. Conversely, WAD considers adaptations, workarounds, and improvisations that workers make to manage real-world constraints. This includes constraints such as time pressure, resource limitations, poor teamwork, and unexpected issues. The difference between WAI and WAD can lead to safety risks if the realities of how a task is performed in practice is not considered in planning. Further, it can lead to risk, if there is a strict reliance on procedures. If procedures fail to account for real-world conditions, worker may create workarounds which can increase variability and the potential for error. Equally, sometimes workers need to adapt work procedures to ensure safe outcomes.

Behaviour-Based Safety

Behaviour-Based Safety (BBS) focuses on human behaviour as a key factor in preventing accidents. It aims to create a safety culture by encouraging employees to take an active role in preventing accidents (Geller, 2005).

A BBS approach promotes interventions that are people-focused and often incorporate one-to-one or group observations of employees performing routine work tasks, setting goals carefully and giving timely feedback on safety-related behaviour, coaching and mentoring. The initiatives have a proactive focus, encouraging individuals and their work groups to consider the potential for incident involvement (accidents) and to assess their own behaviour as safe or unsafe.

It is important that enterprises encourage and reward safe behaviours while addressing unsafe ones. Further, enterprises should promote employee involvement in safety through training, reporting and eliciting feedback on processes and procedures. BBS should complement, not replace, traditional safety measures like risk assessments, engineering controls, and leadership commitment (Geller, 2005). Although it is important to focus on worker behaviour, systemic issues such as poor work design or inadequate training should also be considered. As such, BBS forms part of a comprehensive SMS.

Total Worker Health

Total Worker Health refers to policies, programs, and practices that integrate protection from work-related safety and health hazards, with the promotion of injury and illness prevention efforts, to advance worker wellbeing.

Traditional occupational safety and health programs primarily focus on keeping workers safe from harms that come from work. The Total Worker Health approach builds on this by recognizing that work is a social determinant of health (Tamers, 2019). Accordingly, health influences that arise from outside the workplace are considered (including interactions between work and non-work demands and circumstances).

This approach involves of a mix of interventions, policy changes, and practices. It often starts with an organizational focus, assessing challenges to keeping workers safe and healthy. Changes are then implemented in the work environment (and associated policies and procedures). Typically, such programmes are voluntary and participatory. They give workers a voice in the conditions of their work and a say in workplace offerings.

Action Checklist and Questions

Questions / Action Points

- Is my company certified for ISO 45001?
- Is there an integrated approach to the management of safety and health at my workplace?
- What are managers in my company doing to promote a safety and health culture?
- Is there a communications plan related to occupational safety and health?
- Is there attention to human factors in my place of work?
- What types of errors are most likely to occur in our operations?
- Are we blaming individuals for mistakes, or are we addressing system weaknesses?
- Is there a gap between how work is expected to be performed (procedures) and how it is actually done?
- Have frontline workers been consulted to understand the real-world challenges they face?

Part 2: Introduction to Occupational Health and Safety

Chapter 6: Introduction to Safety and Health Management

Conclusions

The workplace is an important setting for health protection, health promotion and accident/illness prevention. Safety management needs to be integrated with wellbeing management, as part of an integrated approach to occupational health and safety. Safety needs to be managed from the top down (leadership approach, policy, and procedures) and from the bottom up (behaviours of staff).

Human error is normal. The performance of people at work is influenced by individual, job and organisational factors. Looking beyond human error to understand why errors occur is essential to ensuring safe performance and preventing workplace accidents. The aim is to develop error tolerant systems to prevent errors leading to workplace accidents.

Further Information and Resources

HSA Resources

For further information, please see:

- Maintaining Best Practices in Safety and Health (www.hsa.ie/bestpractices)
- Introduction to Human Factors: What, Why, How? (www.hsa.ie/humanfactors)

Other Resources

For further information, please see:

- Occupational health and safety management systems — Requirements with guidance for use (ISO 45001) (https://www.iso.org/standard/63787.html)
- Total Worker Health (https://www.cdc.gov/niosh/twh/index.html)
- From Safety-I to Safety-II: A White Paper (https://www.england.nhs.uk/signuptosafety/wp-content/uploads/sites/16/2015/10/safety-1-safety-2-whte-papr.pdf)

Part 2: Introduction to Occupational Health and Safety

Chapter 7: Measuring Safety and Health Performance

Introduction

This chapter provides a brief over to measuring safety and health performance. As part of this, it explains the different approaches to safety monitoring and the use of leading and lagging indicators.

Overview

Measuring safety and health performance involves tracking key indicators to assess how well an organization is managing risks and ensuring worker well-being. Typically, this involves a mix of both reactive and active monitoring, considering both leading and lagging indicators.

Reactive and Active Monitoring

Reactive and active monitoring are two approaches to safety management.

	Type	Timeframe	Evaluation
1	**Reactive monitoring**	After things go wrong	The employer investigates injuries, cases of illness, bullying complaints, property damage and near misses - specifying in each case why safety performance was sub-standard, and what corrective actions need to be taken.
2	**Active monitoring**	Before things go wrong	The employer undertakes routine inspections and checks to see that standards are being maintained. Here the focus is on checking whether safety objectives and standards are being achieved, and if they are being effective.

Overview of Leading and Lagging Indicators

Typically, organisations use specific occupational health and safety indicators to measure workplace safety performance. These indicators are divided into leading and lagging indicators.

	Type	What Address/Focus
1	**Leading Indicators**	These are proactive and preventive measures that can shed light on the effectiveness of safety and health activities and reveal any potential issues.
2	**Lagging Indicators**	These measure the occurrence and frequency of events that occurred in the past, such as the number or rate of injuries, illnesses, and fatalities. As such, these metrics reflect the results of safety performance but do not prevent future incidents.

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Chapter 7: Measuring Safety and Health Performance

While lagging indicators can alert you to a failure in an area of your safety and health program or to the existence of a hazard, leading indicators are important because they can tell you whether your safety and health activities are effective at preventing incidents. A good safety and health program uses leading indicators to drive change and lagging indicators to measure effectiveness.

To ensure continuous safety improvement, organizations should compare performance against industry benchmarks and standards (for example, ISO 45001).

Leading Indicators

The table below provides examples of different leading indicators grouped into topic areas.

Topic	Indicator
ISO 45001 Certification	Company is certified for ISO 45001
Risk Assessment	% completion of risk assessments for all hazards
	Employee involvement in the specification of hazards and appropriate controls
	Number of updates to risk assessments
	Frequency of updates to risk assessments and company safety statement
	% of identified hazards resolved within a specified timeframe
Training & Education	% of employees received basic OSH induction training
	% of employees received training in task specific hazards and controls
	% of employees completed other mandatory OSH training relevant to context of their work
	% of managers who have completed occupational safety and health training
	% of managers who have evaluated OSH training needs for their teams
Safety Audits & Inspections	Number of safety inspections conducted
	Frequency of ergonomic audits
	Frequency of inspections in high-risk areas

Hazard Reporting	Number of hazards identified and addressed
Employee Participation	Number of workers involved in safety programs or Safety Committees Frequency of Health and Safety meetings Frequency of Safety Committee meetings
Near-Miss Reporting	Number of near misses reported that did not result in injury
PPE Compliance	% of employees consistently using protective equipment
Safety Culture	Organisation undertakes audits/surveys on safety attitudes and practices % of employees providing feedback on safety policies % of staff engaging in safety activities/programmes % of managers engaging in safety activities/programmes % of manager/leadership meetings where safety is an agenda item

Lagging Indicators

The table below provides examples of different lagging indicators grouped into topic areas.

Topic	Indicator
Injury Rate	Total Recordable Incident Rate (TRIR) Lost Time Injury Frequency Rate (LTIFR)
Workplace Fatalities	Number of deaths due to workplace hazards
Days Away from Work	Number of lost workdays - all Number of lost workdays - due to injury
Workers' Compensation Claims	Number of claims filed for work-related injuries
Cost of Incidents	Expenses related to medical treatment, legal fees, and lost productivity

Part 2: Introduction to Occupational Health and Safety

Chapter 7: Measuring Safety and Health Performance

Action Checklist and Questions

Questions / Action Points

- Are safety and health monitoring audits completed at my company?
- What metrics/indicators are used to track and monitor safety at my company?
- Are both lagging and leading safety indicators considered at my company?

Conclusions

Evaluation and ongoing monitoring are important elements of any management process and form the basis for continuous improvement. Leading and lagging indicators can be used to monitor and improve workplace health and safety. Safety Representatives should be familiar with the metrics that management use to measure workplace safety performance.

Further Information and Resources

HSA Resources

For further information, please see:

- Maintaining Best Practices in Safety and Health (www.hsa.ie/bestpracticesguide)

Part 2: Introduction to Occupational Health and Safety

Chapter 8: Risk Assessment

Introduction

This chapter introduces risk assessment and the key concepts associated with risk assessment. It also provides an overview of the steps in the risk assessment process and the principles of prevention. In addition, it explains what a Safety Statement is.

A risk assessment is a careful examination of what could cause harm to people in the workplace so that preventative measures can be taken. The aim is to reduce the risk of injury and illness associated with work. A Safety Representative is not responsible for undertaking a risk assessment or documenting a Safety Statement at their company. However, a Safety Representative should be familiar with the risk assessment process, and how risk assessments are documented and managed, as part of the company's safety management system. Further, Safety Representatives should encourage consultation in relation to risk assessment.

Prevention And Risk Assessment

Accidents and ill health can ruin lives. They can also affect a business if output is lost, machinery is damaged, insurance costs increase, or court proceedings are required. Prevention is the act of stopping something from happening or of stopping someone from doing something. A risk assessment is a careful examination of what could cause harm to people in the workplace so that preventative measures can be taken. The aim is to reduce the risk of injury and illness associated with work.

By law, employers and those who control workplaces to any extent must identify hazards in the workplaces under their control and assess the risks presented by the hazards. Employers must write down the risks and what to do about them. This is known as a risk assessment. The specific risk assessment is documented in the company's Safety Statement.

Key Concepts

Hazard

A hazard is anything workplace generated with the potential to cause harm in terms of human injury or ill health, damage to property, damage to the environment, or a combination of these. This can include work materials, equipment, work methods or practices, poor work design or exposure to harmful agents such as chemicals, noise, or vibration.

Hazards can be broadly classified into five main categories:

1. **Biological**
   Risks from bacteria, viruses, fungi, and other organisms.
2. **Chemical**
   Risks from exposure to toxic, corrosive, or flammable substances.
3. **Ergonomic**
   These are workplace conditions that strain the body due to poor design or repetitive actions (for example, manual handling of heavy loads and poor workstation design.
4. **Physical**
   These are environmental factors that can cause harm to a worker (for example, noise and vibration, poor lighting, extreme temperatures, slips, trips and falls).
5. **Psychosocial**
   These are risks that affect mental health, well-being, and workplace relationships.

Hazard Identification

Hazard identification is the process of recognising that a hazard exists and defining the characteristics of that hazard.

Risk

A risk is the likelihood that somebody will be harmed by the hazard and how serious the harm might be. When considering risk, the number of people at risk from the hazard should be considered. Risk is dependent on the likelihood that a hazard may occur, together with the severity of the harm suffered/consequences. Risk is also dependent on the number of people who might be exposed to the hazard.

Control Measures

Employers need to set effective preventative and protective measures. Control measures or controls are the precautions taken to ensure that a hazard will not injure anyone. The hierarchy of controls (see Figure 14 below) is a method of identifying and ranking safeguards to protect workers from hazards. They are arranged from the most to least effective and include elimination, substitution, engineering controls, administrative controls, and personal protective equipment. Often, different control methods are combined to best protect workers.

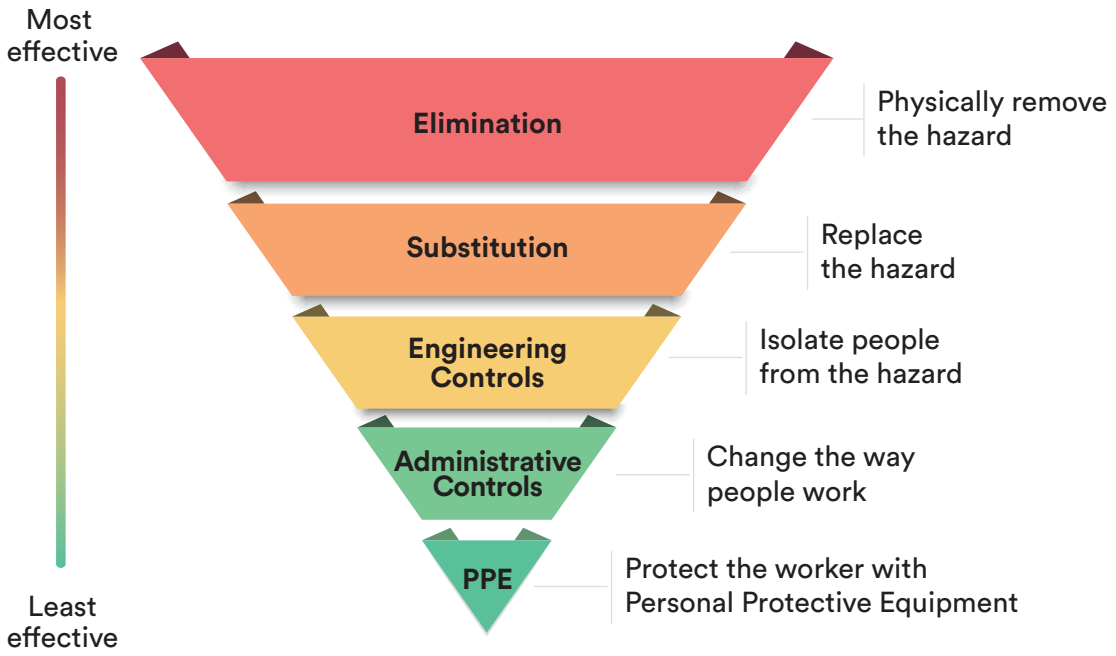

Figure 14. Hierarchy of controls (EU-OSHA).

The Principles of Prevention should be considered when applying control measures. Further it is important to check that any control measures put in place does not introduce new hazards/ risks.

Risk Assessment

The aim of Risk Assessment is to reduce the risk of injury and illness associated with work. Section 19 of the Safety, Health and Welfare at Work Act 2005 requires that employers and those who control workplaces to any extent identify the hazards in the workplaces under their control and assess the risks to safety and health at work presented by these hazards. It is necessary to estimate the magnitude of risk and decide whether the risk is acceptable or whether more precautions need to be taken to prevent harm. The results of any Risk Assessments should be included in the Safety Statement. In identifying hazards and assessing risks, employers should only consider those which are generated by work activities. Further, the employer must consider anything in the workplace that could cause harm to employees, other employees, and other people (including customers and visitors).

Reasonably Practicable

Some of the general duties placed on employers under the 2005 Act are qualified by the term "reasonably practicable". This means that the employer is taking measures to ensure safety by balancing the level of risk against the time, cost, and effort needed to reduce or eliminate it.

Competent Person

A risk assessment should be performed by a competent person. The term 'competent person' is defined in the 2005 Safety, Health and Welfare at Work Act as someone who: 'possesses sufficient training, experience and knowledge appropriate to the nature of the work to be undertaken'.

Principles of Prevention

The 2005 Act lays down a hierarchy of prevention to controlling risks known as the General Principles of Prevention. The General Principles of Prevention provide a methodology for implementing control measures. There are nine Principles of Prevention. These are:

1. **Avoidance of risk**
2. **Evaluation of risk**
3. **Combating of hazards at the source**
4. **Adaptation of work to the individual**
5. **Adaptation of place of work**
6. **Replacement**
7. **Prioritisation of collective protective measures**
8. **Development of policy**
9. **Training**

When putting control measures in place, consideration needs to be given to this hierarchy. The hierarchy requires that where the hazard cannot be avoided, for example, by elimination of the hazard, that it is reduced so far as is reasonably practicable. The further up the hierarchy you act, the better. You start at the top and work down until you have done everything reasonable to protect the safety, health, and welfare of your employees. For example, the development of policy is an example of an administrative control and is rated lower because it limits employees' exposure to hazards through rules, procedures and instructions, which can be difficult to implement and maintain. As a result, it is not as reliable a way to reduce exposure as combating a risk at source.

	Name	Description
1	**Avoidance**	The first option you must consider is avoidance of risk. If you can, remove the dangerous item or rearrange things so that the risk no longer exists.
2	**Evaluation**	When you cannot remove a risk, you must evaluate it by carrying out a risk assessment. This allows you to analyse the situation and helps you to come up with solutions.
3	**Combating**	After evaluation, try to deal with the hazard at its source.
4	**Adaption of work to the individual**	This is the principle of arranging the workplace and the tasks to consider your employees and to reduce the effect of work on health - adapting work to the employee. For example, it may mean providing a height adjustable chair for a laboratory technician working at a fixed height bench.
5	**Adaptation of place of work**	The adaptation of the place of work to technical progress means taking account of and keeping up to date with new technology, equipment, or developments.
6	**Replacement**	This involves replacing dangerous items, materials, substances, or systems of work with safer alternatives - replacing a hazard with one that has a lower level of risk, replacing the dangerous with non-dangerous.
7	**Giving of priority**	The giving of priority to collective protective measures over individual protective measures.
8	**Development of policy**	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	**Training**	The giving of appropriate training and instructions to employees.

Part 2: Introduction to Occupational Health and Safety

Chapter 8: Risk Assessment

Risk Assessment Process/Methodology

Introduction

There are **five steps** to carrying out a risk assessment:

1. Prepare an inventory of all work activities/tasks, equipment, processes, and materials, and identify the **hazards** associated with these.
2. Assess the risks.
3. Put control measures in place.
4. Document the risk assessment.
5. Ongoing review/monitoring of the risk assessment and updating documentation (as required).

Many of the employer's requirements under the Health and Safety Act are to do as much "as is reasonably practicable". For example, to manage work activities and provide a safe place of work and safe systems of work. It means balancing the degree of risk against the time, trouble, cost, and physical difficulty of taking measures to avoid the risk. So, if a risk is high, a lot must be done to eliminate or control it.

Key Point

If a new hazard is brought to the attention of a Safety Representative, you can consider conducting a preliminary risk assessment or bring it to the attention of the Safety Officer or Safety Committee at your company.

Step 1

The first step requires detailing all the hazards in the workplace. This requires (1) preparing a list of all work activities/tasks, equipment, processes, and materials, and (2) considering the hazards that relate to (1).

In relation to work methods/practices and work design, consider:

- How the work should be carried out.
- All aspects of work, including shift and night work.
- Non-routine as well as routine work tasks.
- Work carried away from the main workplace (that is, employees who work away from the main workplace).

When identifying hazards, consider the following:

- **Hazards that may present a risk during pregnancy.**
- **Any accidents or incidents.**
- **The foreseeable - what the employer could reasonably be expected to know.**
- **Remember that not all injuries are immediately obvious.**

Systematically walk around your workplace and look at what could be expected to cause harm. Review related data, such as incident reports and health and safety reports, and observe work processes. If your premises are small, you may be able to carry out the assessment. In larger premises, it is probably better to divide the risk assessments by areas, topics, or tasks.

Key Point

It is important that employers consult and involve employees and Safety Representatives in hazard identification. Employees are in a better position to notice potential hazards that may have been missed. This is also required under Section 25 of the Health and Safety Act.

Step 2

Think about the hazard, who could be harmed and how this might happen. Examine whether you have complied with the general duties under the Health and Safety Act. In so doing, you:

- **Identify what action is already being taken to prevent harm.**
- **Decide whether this is enough.**
- **If it is not, decide what more should be done.**

Risk matrices can be used to help prioritise risk and the actions required.

Step 3

If you have identified a hazard, and you decide it poses a risk, you need to act to prevent that hazard from causing an accident or harm. To do this, the relevant controls need to be identified. It is best to prioritise the significant hazards that could result in serious harm or affect several people. The following steps are suggested:

- Start with the hazards that have the greatest risk.
- Remove the hazard if reasonably practicable to do so.
- If you cannot remove the hazard, reduce the risk so far as is reasonably practicable.
- When removing or reducing the hazard or risk, you must ensure that the actions you take do not introduce another hazard or risk.
- Satisfactory control of risk is often a gradual process involving trialling and refining measures, taking account of employee feedback, changes in patient behaviour and needs and new technology.

Step 4: Document

There should be a written record of the significant findings of the risk assessment and the actions to be taken because of the assessment (for example, risk register and action plan). An action plan should detail who is responsible for implementing the action associated with a particular risk, and a timeframe for completion of the action. The date of completion of any actions should be recorded on the plan.

Step 5: Review and Monitor Effectiveness.

Risk assessments and control measures must be reviewed whenever there is:

- Evidence that the risk assessment is no longer valid, or
- An injury or illness due to a particular hazard, or
- A significant change is proposed in the workplace, either to the premises, plant and equipment, work practices or procedures.

Once a control measure has been implemented, its effectiveness should be monitored. It is essential to check that risk controls are working and that there are no new hazards.

Key Point

Safety Representatives should review all risk assessment documentation at their company. Ask employees how well the safe work procedures are working or if they are aware of any new hazards. If new hazards are identified, Safety Representatives should bring this to the attention of the Duty Holder and the Safety Committee.

Safety Statement

The Safety, Health and Welfare at Work Act 2005 requires employers to prepare a Safety Statement. The Safety Statement is based on the principle that safety can be managed because most accidents and ill-health are foreseeable and can usually be prevented. The Safety Statement is the company's written commitment to managing health and safety and how they are going to do this. It includes all risk assessments. The Safety Statement should be used to plan and control everything that is done in the workplace so that accidents don't occur. The employer must ensure that the contents of the Safety Statement, which includes the Risk Assessments, are brought to the attention of all employees and others at the workplace who may be exposed to any risks covered by the Safety Statement. All new employees must be made aware of the Safety Statement when they start work. Further, if there is an amendment to the Safety Statement, it should be brought to the attention of all employees. The Safety Statement must be in a form and language that all employees understand.

Key Point

The way in which everyone works, must reflect the safe working practices laid down in company risk assessment and Safety Statement documents. Supervisory checks and audits should be carried out to determine how well the aims set down are being achieved.

The areas that should be covered by the Safety Statement are specific and are set out in Section 20 of the Safety, Health and Welfare at Work Act 2005. The Statement should be based on the identification of the hazards and the Risk Assessments carried out under Section 19. It must:

- **Specify how the safety and health of all employees will be secured and managed.**
- **Specify the hazards identified and risks assessed.**

- Give details of how the employer is going to manage his or her safety and health responsibilities, including a commitment to comply with legal obligations, the protective and preventive measures taken, the resources provided for safety and health at the workplace and the arrangements used to fulfil these responsibilities.
- Include the plans and procedures to be used in the event of an emergency or serious danger.
- Specify the duties of employees, including the cooperation required from them on safety and health matters.
- Include the names and job titles of people appointed to be responsible for safety and health or for performing the tasks set out in the statement.
- Contain the arrangements made for appointing Safety Representatives and consulting with participating employees on safety and health matters, including the names of the Safety Representatives and the members of the Safety Committee, if appointed.
- Be written in a form, manner and language that will be understood by all.
- Include a review mechanism.
- Have regard to the relevant safety and health legislation.

BeSMART.ie

BeSMART.ie (Business Electronic Safety Management and Risk assessment Tool) is a free online resource provided by the Health and Safety Authority in Ireland, that enables small businesses and the self-employed to prepare both risk assessments and Safety Statements, in line with their statutory requirements. While BeSMART.ie aims to provide a practical, user-friendly risk assessment and Safety Statement tool solution, it may not be suitable for all businesses. The appropriateness depends on various factors, including the business activities, hazards present, specific needs, resources, and circumstances of the business. For more, please see BeSMART.ie.

Key Point

BeSMART.ie is not a safety management system. Rather, it enables risk assessment which is one of the four pillars of a safety management system. The other pillars include - safety policy and goals, safety assurance, and safety promotion.

Risk Assessment and Role of Safety Representative

A Safety Representative is not responsible for undertaking a risk assessment or documenting the Safety Statement at their company. However, a Safety Representativeshould be familiar with the risk assessment process, and how risk assessments are documented and managed, as part of the company's safety management system. Safety Representatives should encourage consultation in relation to risk assessment and the specification of the Safety Statement.

Action Checklist and Questions

Questions / Action Points

- Have risk assessments been undertaken at my place of work, and are they suitable/fit for purpose?
- Is the Safety Statement up to date?
- Are there any new hazards to consider?
- Are employees happy with the existing control measures?
- Do the risk assessments consider vulnerable workers?
- Have employees been consulted about hazards and controls?

Conclusions

Under the Safety, Health, and Welfare at Work Act 2005, an employer is required to carry out risk assessments, prepare a Safety Statement (which includes the details of all risk assessments) and implement the policies, procedures, and controls, as defined in the Safety Statement.Specifically, Section 19 of the Safety, Health and Welfare at Work Act 2005 requires employers to identify the hazards in the workplaces under their control, to assess the risk presented by the hazards and to identify appropriate preventative and protective controls, to manage the hazards and reduce the risk of these hazards causing harm. Overall, employers must ensure that the risks must be reduced to as low as 'reasonably practicable'. Employers, managers, supervisors and Safety Representatives should all ensure that workplace practices reflect the Risk Assessments and Safety Statement.

Part 2: Introduction to Occupational Health and Safety

Chapter 8: Risk Assessment

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Statement and Risk Assessment (www.hsa.ie/safetystatements-riskassessment)
- BeSMART.ie (www.besmart.ie)
- Safety, Health and Welfare at Work Act 2005 (www.hsa.ie/2005act)
- Risk Assessments and Safety Statements (https://www.hsa.ie/eng/publications_and_forms/publications/safety_and_health_management/guide_to_risk_assessments_and_safety_statements.pdf)
- An Information Pack for Managing Hazards in the Workplace (www.hsa.ie/managinghazards)

Other Resources

- Hierarchy of prevention and control measures (https://oshwiki.osha.europa.eu/en/themes/hierarchy-prevention-and-control-measures)

Part 2: Introduction to Occupational Health and Safety

Chapter 9: Reporting

Introduction

Reporting processes are central to safety assurance and form part of an organisations SMS. This chapter provides an overview of the requirements of the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016 (S.I. No. 370 of 2016). It explains why accident and dangerous occurrence reporting is required, what is reportable, what is not reportable, who should report, and how the report should be made. In addition, this chapter discusses the importance of reporting safety issues/concerns and recommendations (that is, beyond legislative requirements).

Overview and Definition

Definition

An **accident** is an unplanned event resulting in death or resulting in an injury, such as:

- a severe sprain or strain (for example, manual handling injuries),
- a laceration,
- a broken bone,
- concussion, or
- unconsciousness.

A **dangerous occurrence** is an occurrence arising from work activities in a place of work that causes or results in:

- the collapse, overturning, failure, explosion, bursting, electrical short circuit discharge or overload, or malfunction of any work equipment,
- the collapse or partial collapse of any building or structure under construction or in use as a place of work,
- the uncontrolled or accidental release, the escape or the ignition of any substance,
- a fire involving any substance; or
- any unintentional ignition or explosion of explosives.

Part 2: Introduction to Occupational Health and Safety

Chapter 9: Reporting

Reporting and the Law

It is a legal requirement for employers to report certain accidents and dangerous occurrences under the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016 (S.I. No. 370 of 2016). Failure to report accidents and dangerous occurrences outlined in these regulations is an offence.

In addition to an employer's legal duty, reporting is important as:

- the reports allow employers to assess the effectiveness of their current health and safety management system.
- it encourages employers to review and amend their risk assessments and safety statements regularly.
- it provides the HSA with trend data to focus campaigns and guidance to protect the safety, health, and welfare of workers in Ireland; and
- it allows HSA inspectors to investigate certain serious accidents and dangerous occurrences to understand their causes to help employers and the HSA prevent similar incidents in the future.

What is Reportable to the HSA?

Accidents

- All fatal workplace accidents must be reported.
- Non-fatal workplace accidents must be reported where the injury results in the employee being unable to carry out their normal work duties for more than three consecutive days, excluding the day of the accident. In calculating the days, weekends and other non-working days should be included.

Figure 15. Accident reporting timetable.

Dangerous Occurrences

A complete list of reportable dangerous occurrences can be found in Appendix 1 of "Guidance on the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016". For more information on dangerous occurrences, please see the HSA website.

What is Not Reportable Under These Regulations?

Diseases, occupational illnesses, and impairments of mental condition are not reportable under the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016. However, certain diseases and illnesses are reportable under different legislation. Directly caused mental injuries, such as shock or fright as the result of an assault, leading to an employee being unable to carry out their normal work duties for more than three consecutive days, excluding the day of the accident, are reportable by the employer.

Self-Employed Reporting

Self-employed people must also report accidents to the HSA.

- If a self-employed person is injured and unable to complete their usual work duties for more than three consecutive days, excluding the day of the accident, the self-employed person must report to the HSA.
- If a self-employed person is fatally injured, the emergency services (and usually the Gardaí), will inform the HSA.

Reporting and Non-Employees

The workplace employer must report when a person, not your employee (that is, a member of the public), who is not at work:

- dies from an accident caused by a work activity at your workplace; or
- is injured from your work activity and has to be taken from the location of the accident to receive medical treatment for the injury in a hospital or medical facility.

When to Report

Following a fatal accident, employers must immediately inform the HSA (phone: 0818 289 389) or Gardaí (phone: 999 or 112). The employer should then submit the formal report within **five working days**. Non-fatal accidents or dangerous occurrences should be reported within **ten working days**. Employers should keep a record of all accidents and dangerous occurrences **for ten years** from the date of each incident. Recording near misses is good practice, even if they are not reportable to the HSA. This will help you decide whether additional control measures are required to prevent similar or more severe incidents in the future.

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Chapter 9: Reporting

How to Report

Reporting can be undertaken in one of two ways – either online or using a Paper IR1 Form.

Online	You can report: – accidents at the HSA online accident reporting system (https://webapps.hsa.ie/Account/Login?ReturnUrl=%2f) – dangerous occurrences at Accident and Dangerous Occurrence Reporting (https://www.hsa.ie/eng/topics/accident_and_dangerous_occurrence_reporting/)
Paper IR1 Form	The paper form can be completed for accidents and sent to the HSA Contact Centre, Health and Safety Authority, The Metropolitan Building, James Joyce Street, Dublin 1. To request a hard copy of the IR1 form, please email contactus@hsa.ie or phone 0818 289 389.

The address where the accident or dangerous occurrence occurred (if different from the employer's address) should be indicated.

Additional Reporting Requirements

Whilst diseases, occupational illnesses or impairments of mental condition are not reportable under the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016, the following is important to note:

- An employer or the employer's responsible medical practitioner must notify the HSA of any disease or death of an employee resulting from workplace exposure to a biological agent using the dedicated reporting form;
- An employer or any registered medical practitioner must notify the HSA of occupational cancer and other adverse health effects resulting from exposure to carcinogenic, reprotoxic and mutagenic substances in the workplace via our contact centre; and
- A registered medical practitioner who becomes aware of a case of asbestosis or mesothelioma must notify the HSA by emailing asbestosreports@hsa.ie.

Going Beyond Compliance

While legal compliance is essential, fostering a proactive safety and learning culture involves going beyond the minimum reporting requirements as defined in the 2005 Act. In addition to reporting accidents and dangerous occurrences (that is, compliance requirements), Safety Representatives should encourage all staff to report (1) any safety concerns that they may have, and (2) safety improvement suggestions. This ensures a culture of continuous improvement and engagement in workplace safety. Employees can share concerns and improvement suggestions with Safety Representative who work with management to improve workplace safety.

Key Point

Safety reporting is about learning, not blame. In a no-blame culture, employees feel safe to report hazards, near misses, and incidents without fear of punishment. This increases the number of reports, leading to a better understanding of safety risks and what needs to be done to improve workplace safety.

Reporting and Feedback

In all cases it is important to provide feedback to (1) the reporter and (2) other interested parties (for example, relevant groups of staff or all staff), as to what is being done to address the issue and any associated learnings. In relation to non-mandatory reporting, if staff do not obtain feedback about how their safety concerns and/or recommendations are being addressed, they will be less likely to report again and/or consult with others around safety matters. When employees see that reporting leads to solutions rather than blame, they are more likely to engage with safety initiatives.

Part 2: Introduction to Occupational Health and Safety

Chapter 9: Reporting

Action Checklist and Questions

Questions / Action Points

- Is there an awareness in my organisation that certain accidents and dangerous occurrences must be reported to the HSA?
- How can I promote the reporting of accidents and dangerous occurrences in my workplace?
- Has my organisation communicated to staff what accidents or dangerous occurrences should be reported, who should report them, when to report them, and how?
- Is it understood in my workplace that certain occupational diseases/illnesses must be reported/notified to the HSA even though they don't fall within the scope of the reporting of accidents and dangerous occurrences regulations?
- Is there a culture of reporting safety issues and recommendations (that is, going beyond compliance requirements).
- Does my organisation follow with reporters and/or staff as to the key learnings from safety reporting (including mandatory and non mandatory reporting).

Conclusions

Reporting accidents and dangerous occurrences is not only a legal requirement for employers in Ireland but also an important step towards ensuring the safety, health, and welfare of workers. Reporting provides valuable data that can help employers improve their health and safety management systems, and it allows the HSA to focus its campaigns and guidance. By understanding the regulations and requirements for reporting, employers can play a critical role in preventing accidents and dangerous occurrences in the future. By encouraging open communication and a no blame culture, organizations can improve safety outcomes.

HSA Resources

For further information, please see:

- Welcome to the HSA online accident reporting system (http://www.hsa.ie/onlinereporting)
- Guidance on the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016 (www.hsa.ie/reportingaccidents)
- Annual Review of Workplace Injuries, Illnesses and Fatalities 2023–2023 (www.hsa.ie/annual-review-2022-2023)
- Accident, Incident and Disease Reporting (www.hsa.ie/diseasereporting)
- Carcinogens, Mutagens and Reprotoxic Substances Legislation (www.hsa.ie/carcinogens)

Other Resources

For further information, please see:

- S.I. No. 370/2016 - Safety, Health and Welfare at Work (General Application) (Amendment) (No. 3) Regulations 2016
- S.I. No. 386/2006 - Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006
- S.I. No. 572/2013 - Safety, Health and Welfare at Work (Biological Agents) Regulations 2013
- S.I. No. 122/2024 - Safety, Health and Welfare at Work (Carcinogens, Mutagens and Reprotoxic Substances) Regulations 2024

Part 2: Introduction to Occupational Health and Safety

Chapter 10: Safety Culture

Introduction

This chapter introduces the concept of safety culture. Safety promotion activities (which form part of an organisation's SMS) include promoting a safety culture. Safety culture is part of organisational culture. A strong safety culture fosters positive safety behaviour in the workplace.

Overview and Definition

Organisational culture is often described as "the way we do things around here" (Schein, 2010). It reflects a set of shared assumptions that guide the behaviours of an organisation's members including management and employees. Organisational culture sets the boundaries for accepted performance in the workplace by establishing norms and limits. It influences the way in which staff share information and knowledge, including staff assumptions and beliefs about what information is safe to share.

Safety culture is a component of an organisation's culture. It reflects individual, group and organisational safety attitudes, norms, and behaviours in relation to safety and how risks are managed within the organisation. It is often described as the sum of everything that an organisation does in pursuit of safety (The Joint Commission, 2021).

Definition

Safety culture is the attitudes, beliefs, perceptions, and values that employees share in relation to safety in the workplace (European Agency for Safety and Health in Work, 2022). Overall, these attitudes, behaviours and perceptions are reflected in the health and safety of the workplace.

All companies have a safety culture. However, not all companies have succeeded in achieving a positive safety culture. The implementation of occupational safety and health policies and procedures in the workplace is influenced by the safety culture of the organisation. A good safety culture has a positive effect on occupational health and safety and increases safety and health compliance.

Key Point

Safety promotion activities which form part of an organisation's SMS include promoting a safety culture. Failure by leadership to create an effective safety culture is often cited as a contributing factor to many types of adverse events and accidents.

Safety Culture and Safety Climate

The terms **safety culture** and **safety climate** are often used interchangeably. Safety culture can be considered a broader term. It refers to the overall organisational culture, values, and actions. Safety climate is a narrower term. It refers to the perceived value placed on safety in an organisation at a particular point in time (Zohar, 1980).

Key Point

Perceptions and beliefs about safety can change with time and circumstance.

Five Elements of a Safety Culture

Safety culture is associated with five elements. These include (1) an informed culture, (2) a reporting culture, (3) a learning culture, (4) a just culture and (5) a flexible culture (Reason, 1998).

1. In an **informed culture**, the organisation collects and analyses relevant data and actively disseminates safety information.
2. A **reporting culture** means cultivating an atmosphere where people have the confidence to report safety concerns without fear of blame. Employees must know that confidentiality will be maintained and that the information they submit will be acted upon. Otherwise, they may feel that reporting is pointless.
3. A **learning culture** means that an organisation learns from its mistakes and makes changes. Where there is a learning culture, workers understand the SMS processes at a personal level.
4. In a **just culture**, errors and unsafe acts will not be punished if the error is unintentional. However, those who act recklessly or take deliberate and unjustifiable risks will still be subject to disciplinary action.
5. A **flexible culture** is one where the organisation and the people in it can adapt effectively to changing demands.

Part 2: Introduction to Occupational Health and Safety

Chapter 10: Safety Culture

Just Culture, Reporting Practices and Risk Management

Reporting practices are supported by a 'just culture', which enables the reporting of problems, without the fear of punitive consequences (Dekker 2018). Just culture is the opposite of a blame culture. A just culture does not mean a no-blame culture. Individuals may still be held accountable for their misconduct or negligence. EU Regulations on data protection and embedded just culture clauses have helped make staff more comfortable with reporting safety events.

The concept of 'psychological safety' (Kahn 1990; Edmondson 1999) and 'psychological safety climate' (Edmonston, 1999; Dollard and Bakker 2010) are associated with 'just culture', and the management of risk (including psychosocial risk) in the workplace.

- **Psychological safety** is the belief that one will not be punished or humiliated for speaking up with ideas, questions, concerns, or mistakes.
- **Psychological safety climate** refers to the "shared belief held by a work team that the team is safe for interpersonal risk-taking (Edmonston, 1999).

Indicators of a Positive Safety Culture

Indicators include:

- Safety is valued by everybody.
- There is a strong management commitment to safety – management lead by example, safety priorities are visible and demonstrated in decision making.
- There is accountability for safety, with clear responsibilities assigned to both employees and management.
- Unsafe behaviours are not accepted (that is, staff hold each other to account in relation to unsafe behaviour).
- High levels of employee involvement in safety initiatives.
- Strong two-way communication and consultation around safety and health in the workplace.
- Trust in safety systems.
- High levels of reporting (including reporting of safety events, near misses and safety concerns).
- Non-punitive response to errors (that is, it is safe to speak up and safe to make mistakes).
- Reporting is encouraged.
- There is open communication about safety concerns.

- Induction OSH training is provided to all staff.
- Additional mandatory OSH training is provided to all staff as relevant to the context of their work.
- Safety training and education is tailored to specific roles and risks.
- Strong compliance with safety procedures.
- Safety committee meetings are well attended.
- PPE is available/accessible and used where appropriate.
- The company is continuously learning and changing/improving.
- Low ill health rates.
- Low or no accidents.

Key Point

In companies with a good safety culture, everybody is responsible for safety.

Safety Culture Maturity

Safety Culture Maturity refers to the developmental stages of an organization's approach to safety, reflecting how safety is perceived, prioritized, and integrated into daily operations. Safety culture maturity can be described through five levels; from a culture where safety is not prioritised to a culture where safety is given high priority (Hudson, 2007). A mature safety culture means that safety is deeply embedded in the organization's values, behaviours, and decision-making processes.

Key Point

In companies with a positive safety culture, safety is viewed as a core value and not a compliance requirement. Further, safety is integrated into every aspect of the organisation.

Part 2: Introduction to Occupational Health and Safety

Chapter 10: Safety Culture

The safety culture of an organisation cannot be created or improved overnight. It develops over time because of history, work environment, the workforce, health and safety practices, and management leadership.

Changing individual behaviour and attitudes has an impact on safety culture. Training and educating workers and employers about work-related health and safety hazards helps to identify workplace hazards. This facilitates adopting safe and healthy workplace practices. It also promotes a positive safety culture where workers and employers do not tolerate unsafe and unhealthy work practices.

Critically, a good safety culture needs to be promoted by senior management and called out in safety policy documentation. Further, senior management needs to demonstrate their commitment to safety culture and lead by example. Management may need training in relation to developing their safety leadership skills and communicating effectively about safety values and behaviours. The board of directors also have a role (where applicable) in creating a strong safety culture.

Creating a Positive Safety Culture

Safety culture is developed (or improved/changed) by people. This is achieved through consultation and involves engaging everybody in the organisation. For a workplace to have a good safety and health culture in place, the entire workforce must share the same values about safety and health.

Key Point

For safety culture to improve, everybody needs to adopt and sustain safer behaviours. A strong safety culture drives behaviour change. In turn, safe behaviours reinforce and sustain a positive safety culture.

To improve a safety culture, management and workers must recognize the need for change and be motivated to act. Highlighting the benefits of a positive safety culture and better safety behaviour is key to encouraging this.

Creating a positive safety culture in the workplace is about:

- Developing a companywide philosophy focussed on injury and illness prevention in the workplace.
- Promoting safety.
- Ensuring the correct standards and procedures are in place and that workers follow these standards.
- Encouraging everybody to take responsibility for their safety attitudes and behaviours.
- Challenging unsafe safety behaviours.
- Embedding safety culture into training and quality improvement processes.
- Encouraging leadership to adopt behaviours that demonstrate safety values – for example, encouraging reporting of safety events, near misses and concerns.
- Engaging staff at all levels in risk management.
- Learning from what goes well and what goes wrong.

Measuring Safety Culture

There are different methods for measuring safety culture, including surveys, focus groups, behaviour observations, document reviews and audits. For more information on the different tools and techniques, please see EU-OSHA's review of the main tools and approaches for occupational safety and health culture assessment (2011).

Part 2: Introduction to Occupational Health and Safety

Chapter 10: Safety Culture

Action Checklist and Questions

Questions / Action Points

- Is there a good safety culture at my company?
- Do management promote a positive safety culture?
- Is safety afforded the right priority?
- Do staff take responsibility for their safety behaviour?
- Are positive safety attitudes and behaviours acknowledged at my company?
- What is meant by safety culture in my company?
- What are our values and beliefs on safety and health?
- What are the drivers of safety culture at my company?
- Do we promote continuous improvement and get workers engaged in making things safer?
- How do we manage contractors – do we expect them to follow the same safety and health regime?
- Are the appropriate resources assigned to safety?
- Have employees received appropriate training?
- How can the safety culture at my company be improved?

Conclusions

A good safety culture has a positive effect on occupational health and safety. Safety culture shows in how much safety is valued, prioritized, and committed to. Safety culture takes time to grow and change. Change depends on management and employee behaviour. Leadership is central to safety culture. It is important for Safety Representatives to promote a positive safety culture in which everybody in the company is responsible for safety.

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Culture (www.hsa.ie/safetyculture)
- The Benefits of Creating a Positive Safety Culture (www.hsa.ie/positivesafetyculture)
- Behaviour Based Safety Guide (www.hsa.ie/behaviourbased)
- Maintaining Best Practices in Safety and Health (www.hsa.ie/bestpracticeguide)

Other Resources

For further information, please see:

- Organisational Culture: Why is organisational culture important? (https://www.hse.gov.uk/humanfactors/topics/culture.htm)
- Occupational Safety and Health culture assessment - A review of main approaches and selected tools (https://osha.europa.eu/sites/default/files/culture_assessment_soar_en.pdf)

Part 3:
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Chapter 13: Other Enforcement Agencies

Part 3: Introduction to the HSA

Chapter 11: Introduction to the HSA

Introduction

The chapter introduces the Health and Safety Authority (HSA). It also provides an overview of the HSA's vision, mandate and strategic priorities.

Introduction to the Health and Safety Authority

The HSA is responsible for the enforcement of workplace health and safety law, the implementation of a number of chemical regulations, and accreditation (Department of Enterprise, Trade and Employment, 2024).

The Health and Safety Authority has a wide and varied mandate including acting as the national body with responsibility for protecting workers from work related incidents, injuries, and ill health. It acts as the market surveillance authority for chemicals and industrial products and protects all citizens from the risks arising from the use of chemicals. The Authority provides the national accreditation service through the Irish National Accreditation Body (INAB).

The Authority was established under the Safety, Health and Welfare at Work Act 1989, which has since been replaced by the Safety, Health and Welfare at Work Act 2005. Additional functions have been conferred on the Authority since then under the Chemicals Act 2008 and 2010, and other legislation. In 2014, the Irish National Accreditation Board (INAB) was included under the Authority's functions. The Authority reports to the Minister of State for Business, Employment and Retail under delegated authority from the Minister for Enterprise, Trade and Employment. The Authority's main legislative role is outlined in the figure below.

Principal Legislation

Occupational Safety and Health	Chemicals	Market Surveillance	Accrediation
Safety, Health and Welfare at Work Act 2005	Chemicals Acts 2008 and 2010	EU Market Surveillance Regulation 2019/1020	EU Regulation 765/2008
	Chemical Weapons Act 1997	EU Communities Act 1972 product safety regulations	
	European Communities Act 1972 Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment Regulations 2011 to 2023	Chemicals Act 2008-2010	
	Dangerous Substances Act 1972		

Part 3: Introduction to the HSA

Chapter 11: Introduction to the HSA

Legislative Role

Occupational Safety and Health	Chemicals	Market Surveillance	Accrediation
Protection of workers and those affected by a work activity from occupational injury and illness	Protection of human health and the environment	Ensuring the free movement of chemicals and industrial products on the internal market	To accredit organisations to international standards for technical competence in testing, calibration, inspection, verification and certification
	Enhance competitiveness and innovation	Protection of workers, consumers and the environment from unsafe industrial products, chemicals, detergents or articles made from chemicals	
	Act as focal point to the Technical Secretary of OPCW		
	Ensuring dangerous chemicals are transported by road safely		
	Independent body to decide appeals on flammable liquid and fuel retail store licence decisions made by the relevant (local) authority		

Figure 16. Overview of HSA legislative role.

Vision, Mission and Mandate

Vision

The HSA vision is to:

- Deliver healthy and safe working lives and contribute to productive enterprises.
- Regulate, enforce, and promote work-related safety, health, and welfare, and the safe use of chemicals and products; and to provide the national accreditation service.

Mandate

The HSA mandate is to:

- Regulate the safety, health and welfare of people at work and those affected by work activities.
- Influence improvement in the safety, health, and welfare of people at work and those affected by work activities.
- Regulate and promote the safe manufacture, use, placing on the market, trade, supply, storage, and transport of chemicals.

– Strengthen market surveillance in relation to relevant single European market legislation.

– Be the national accreditation body for Ireland.

Strategic Priorities and Goals

Three strategic priorities direct the activity of the HSA. These are indicated in the table below.

	Strategic Priority	Description
1	**Build and Support Compliance**	Embed a culture of compliance, collaboration and best practice.
2	**Influence, Educate and Collaborate**	Influence, educate and collaborate with stakeholders, to ensure appropriate expertise is developed, risks within our remit are mitigated, and society is protected.
3	**Organisational Excellence**	Ambitious, ethical, outcome-driven, innovative and data-enriched organisation, which empowers our people to deliver on our mandate.

The figure below outlines the relationship between the HSA mandates and strategic priorities.

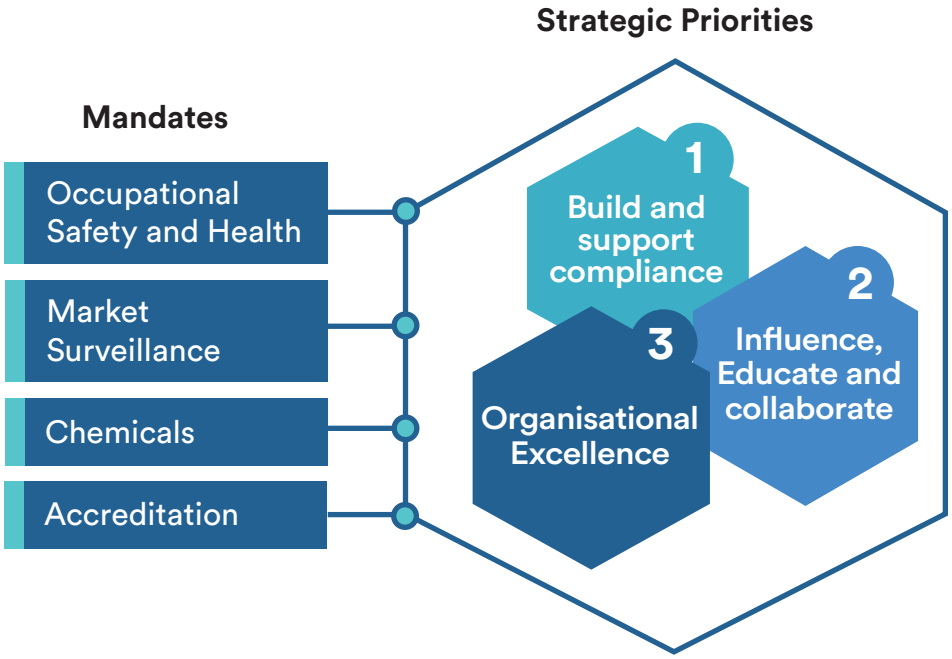


Figure 17. HSA mandates and strategic priorities.

Part 3: Introduction to the HSA

Chapter 11: Introduction to the HSA

Safety Promotion and Education

The HSA aims to build a culture of occupational safety and health in Ireland and prevent workplace accidents through targeted education programmes, awareness campaigns and stakeholder collaboration. The HSA provides a variety of online tools and resources, along with educational materials for schools and workplaces. The Authority undertakes awareness raising campaigns and initiatives to promote a greater understanding of workplace risks, particularly emerging and long latency health risks. The HSA offers guidance, advice and supports on psychosocial and occupational health hazards and risks. Within the Authority's occupational safety and health mandate, all aspects of the role of Safety Representatives are prioritised and promoted.

The HSA's education programmes span formal, non-formal and informal education. The Health and Safety Authority believes that education is the key to fostering a culture of safety and health which will heighten awareness and keep people safe and healthy in the home, school, community and the workplace. For more on OSH learner pathways and education goals, please see the HSA website.

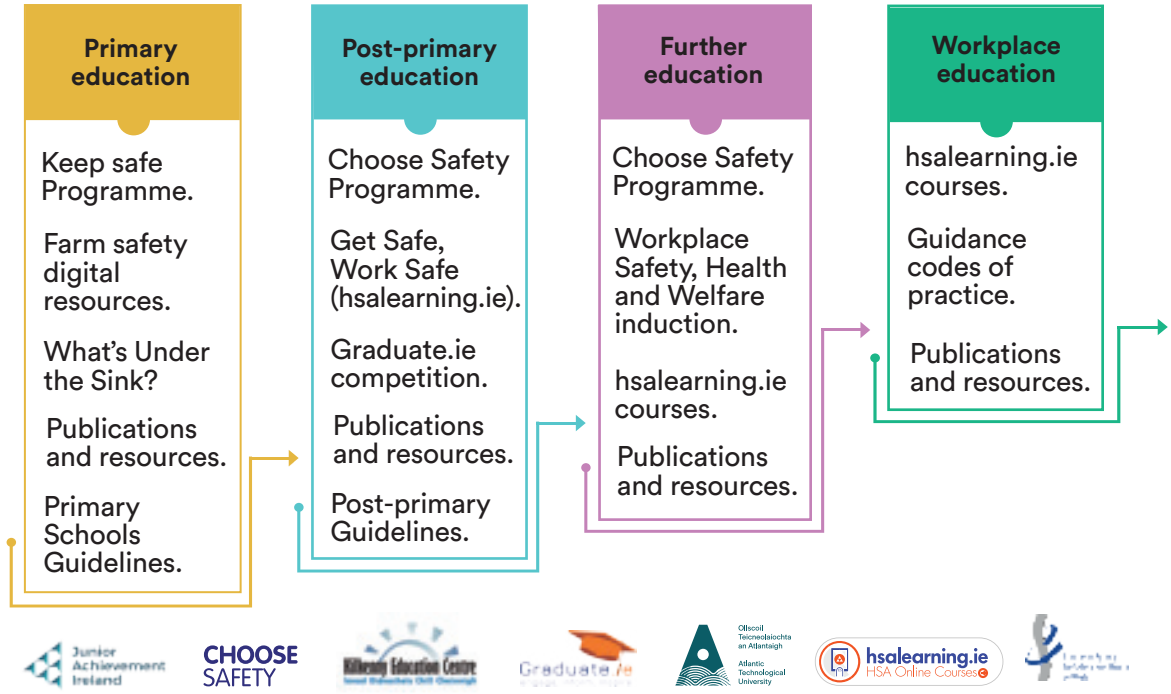


Figure 18. Lifelong learning – HSA tools and resources.

The HSA seeks to help employers address their responsibilities in relation to workplace education. For more on workplace OSH training requirements, please see the HSA website. For information on employee OSH training journey, please see the HSA website.

Action Checklist and Questions

Questions / Action Points

- Do I understand the functions of the HSA?
- Can I access the HSA's Annual Reports?
- Am I familiar with the HSA's current Strategy?
- Do I know how to contact the HSA?

Conclusions

This chapter provided a brief insight into the work and role of the Health and Safety Authority.

Further Information and Resources

HSA Resources

For further information, please see:

- Annual Report 2023 (www.hsa.ie/annualreport2023)
- Strategy Statement 2025 to 2027 (www.hsa.ie/strategy-statement-2025-2027)

Part 3: Introduction to the HSA

Chapter 12: Enforcement

Introduction

This chapter provides an overview of the enforcement approach of the HSA.

Overview and Definition

The HSA is prescribed under section 34 of the SHWW Act 2005 "to make adequate arrangements for the enforcement of the relevant statutory provisions". The HSA is also the lead authority responsible for enforcement of the provisions of the Chemicals Acts 2008-2010.

Definition

- **Enforcement** is the act of compelling observance of or compliance with a law, rule, or obligation.
- The '**Agreement Concerning the International Carriage of Dangerous Goods by Road**' (ADR) is the agreement concerning the international carriage of dangerous goods by road, which was made at Geneva in 1957 by the United Nations Economic Commission for Europe and amended in April 1985.

Enforcement Powers and Legislation

The HSA's inspectorate has enforcement powers and take actions under the:

1. Safety, Health and Welfare at Work Act (2005 Act)
2. Safety, Health & Welfare at Work (General Application) Regulations 2007 to 2023 (or as amended)
3. Chemicals Act 2008 (as amended in 2010) (Chemicals Act), and
4. European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) Regulations, 2011 (S.I. No. 349 of 2011) as amended (the ADR Regulations).

The Safety, Health & Welfare at Work Act 2005 sets down the responsibilities of employers, the self-employed, employees and various other parties in relation to safety and health at work. The Act also details the role and functions that the Authority provides for a range of enforcement measures and specifies penalties that may be applied for breach of occupational safety and health legislation.

The powers under these Acts and Regulations are broadly similar. The powers relate to places of work; to the activities and processes at the places of work; to equipment, substances and articles at the place of work; to records relating to those matters and to transport used in connection with the carriage of dangerous goods.

An inspector has the power to:

- Enter a premises if the inspector believes a premises is a workplace or that articles or substances are being kept at a premises. The inspector must have the consent of the occupier to enter the premises or be acting in accordance with a warrant issued by the District Court.
- Inspect that place of work and any work activity, installation, process or procedure at the workplace.
- Direct that the place of work, any part of the place of work or anything in the place be left undisturbed as long as reasonably necessary for any investigation.
- Require the production of records.
- Inspect and take copies of records (including electronic information systems).
- Remove records for further examination or in connection with legal proceedings.
- Require records to be kept for a reasonable time.
- Require information and assistance from the employer, employees, and the owner of the place of work.
- Summon, at a time and place specified, the employer, employees and the owner or person in charge of a place of work to give information.
- Examine any person whom the inspector believes may be able to give relevant information and, subject to the person's right not to incriminate themselves, to answer questions put by the inspector.
- Take measurements, photographs and recordings.
- Install and use monitoring instruments.
- Test, examine, analyse or remove and retain articles or substances to examine them later.
- Take samples of the atmosphere at the place of work.
- Check transport equipment used in connection with the transport of dangerous goods (an inspector carrying out a roadside inspection must be accompanied by a Garda).
- Enforce the workplace smoking ban.

Enforcement Powers

Introduction

When carrying out inspections, if the Authority's inspectors find that employers have failed to comply with safety, health and welfare at work or chemicals legislation, the Authority may take enforcement proceedings.

Part 3: Introduction to the HSA

Chapter 12: Enforcement

The Authority has a wide range of enforcement powers. It can issue/or:

- Directions for Improvement Plans.
- Improvement Notices.
- Prohibition Notices.
- Seek High Court Closure Orders.
- Prosecute for Breach of Statutory Regulations.

Improvement Plans (section 65)

If during an inspection an inspector forms the opinion that that there is an activity that is occurring or is likely to occur that involves risk to the safety, health or welfare of persons, the inspector may give a written direction to an employer, requiring the employer to submit an improvement plan. An improvement plan is a plan setting out the remedial measures the employer proposes to take to comply with the improvement direction. Where there is a Safety Representative at the place of work, the employer must give a copy of the safety direction to the Safety Representative. Within one month of receipt of the plan, the inspector must confirm if he/she is satisfied that the plan is adequate, or the inspector must direct that the plan be revised and resubmitted.

Improvement Notices (section 66)

An Improvement Notice is a notice from an inspector who is of the opinion that a person is contravening statutory provisions or has failed to submit or implement an improvement plan or, if required, a revised improvement plan. Where there is a Safety Representative in the workplace, the inspector must give him/her a copy of the notice. When the person on whom the improvement notice has been served is satisfied that it has been complied with, he/she shall write to the inspector notifying him/her that the matters specified have been remedied. He/she should also give a copy of the notification to the Safety Representative. A person who is aggrieved by a notice may appeal to the District Court within 14 days.

Prohibition Notices (section 67)

Where an inspector is of the opinion that an activity (whether by reference to any article, substance or otherwise) involves or is likely to involve the risk of serious personal injury, he/she may serve a prohibition notice on the person in control of that activity. A prohibition notice prohibits the continuance of the activity until the matters which give rise to, or are likely to give rise to, are remedied. The prohibition notice may include directions on the remedial measures to be taken.

Where there is a Safety Representative at the place of work, the inspector must give a copy of the notice to the Safety Representative. The employer or other person on whom the notice is served must bring it to the attention of the workforce and display a copy in a prominent place.

Subject to the right of appeal, the person upon whom the notice is served is required to stop the activity immediately. An aggrieved party on whom a notice is served may appeal to the District Court within seven days. An appeal does not automatically suspend the notice. The person appealing may ask the court to suspend the notice pending the outcome of the appeal. The court has discretion to suspend the notice pending the hearing of the appeal.

When the person on whom the prohibition notice has been served is satisfied that it has been complied with, he/she shall write to the inspector notifying him/her that the matters specified have been remedied. He/she should also give a copy of the notification to the Safety Representative. If the inspector is satisfied that the matters have been remedied, he/she shall, within one month, in writing, confirm to the person on whom the notice was served that he/she is satisfied.

Where an employer or other person contravenes a prohibition notice, an inspector may apply to the High Court for an order prohibiting the continuance of the activities. The application may be made without notice (ex parte) to the offending party and, the High Court may, if it thinks fit, make an order prohibiting the activities.

High Court Closure Orders (section 71)

If the HSA is concerned that if work continues, the risk is so serious that it should be restricted or stopped, it can apply to the High Court for an order to stop or restrict the work. The Court may grant the order, grant it subject to conditions, or refuse it. To permit urgent speedy action, the application may be made without notice (ex parte). The High Court may, if it thinks fit, make an order prohibiting the activities. If the person against whom the order is made applies to the court to have the order set aside or varied, the HSA is entitled to be heard by the court. Such an order should be distinguished from an order obtained because an employer or other person has contravened a prohibition notice.

Obstruction

If an inspector has reasonable cause to believe that he/she might be obstructed during an inspection, the inspector may be accompanied by a Garda or other person. Where an inspector has reasonable grounds for believing that a person has committed an offence, the inspector can require the person to give his/her name and the address where he/ she ordinarily resides.

Market Surveilance

One tool in the HSA's enforcement armoury is the Authority's powers under market surveillance regulations. The HSA is the national market surveillance authority for

- Personal Protective Equipment (PPE),
- Simple Pressure Vessels and Pressure Equipment,
- Transportable Pressure Equipment Machinery,
- Lifts,

- Equipment and Protective Systems for use in Potentially Explosive Atmospheres (ATEX),
- Chemical substances under the REACH and Classification and Labelling Regulations,
- Detergents.

The HSA will:

- Ensure relevant industrial and chemical products comply with EU harmonised legislation,
- Act as the lead national authority for relevant industrial and chemical products,
- Enforce market surveillance requirements for products sold on the Irish market, including those sold to consumers, and
- Continue to respond to national and EU impacts of the UK exit from the EU.

The HSA is the market surveillance authority for the following EU Regulations and Directives:

- Detergents - Regulation (EC) No. 648/2004,
- Machinery - Directive 2006/42/EC,
- Chemical products - REACH Regulation (Registration, Evaluation, Authorisation and Restriction of Chemicals (EC) No. 1907/2006,
- Chemical products - Classification Labelling and Packaging of chemical substances and mixtures Regulation (EC) No. 1272/2008,
- Transportable Pressure Equipment Directive (TPED) - Directive 2010/35/EU,
- Lifts and Safety Components for Lifts - Directive 2014/33/EU,
- Products for Explosive Atmospheres (ATEX) - Directive 2014/34/EU,
- Pressure Equipment Directive - 2014/68/EU,
- Personal Protective Equipment Regulation - (EU) 2016/425,
- Appliances Burning Gaseous Fuels - Regulation (EU) 2016/426.

The Authority undertakes assessments of products to determine that they comply with these various legislative instruments when they are first placed on the EU market. If products are found to be non-compliant, then appropriate enforcement action can be taken to ensure they are brought into compliance or removed from the market.

The regulations allow inspectors to serve a contravention notice if they believe an economic operator or an information society service provider is contravening regulations.

Market surveillance inspections for equipment used in potentially explosive atmospheres, on lifts, on pressure equipment, and on PPE will be carried out by inspectors from the HSA.

A practical example of how the Authority enforces compliance with regulations is when an inspector is in a premises, such as a hotel or a large office block, they may inspect lifts to ensure the Lifts Regulations are complied with. Another example is checking if new machines are CE marked, as all goods placed on the market in the EU should be CE to comply with regulations.

Conclusion

This chapter provided an overview of the Enforcement powers of the Authority.

Part 3: Introduction to the HSA

Chapter 13: Other Enforcement Agencies

Introduction

This chapter provides an overview of the other enforcement agencies that the Authority works with.

Overview of Other Enforcement Agencies

The HSA is the national agency responsible for promoting, enforcing and advising the Government on health and safety and related legislation. However, health and safety does not exist in a silo and the Authority has working relationships with several Government departments and State agencies. These arrangements are formalised in Memorandums of Understanding.

Memorandums of Understanding are intended to assist and support both agencies that are parties to a memorandum in performing their functions. Memorandums of Understanding identify areas of mutual interest and potential operational overlaps based on each agency's regulatory function. They are intended to establish systems of mutual engagement.

Definition

A **Memorandum of Understanding** (MOU) is a formal agreement between two or more parties. It outlines their mutual intentions, goals, and responsibilities for a specific project or collaboration. While an MOU is not legally binding like a contract, it serves as a framework to guide the parties' cooperation and ensure clarity about their roles and expectations.

Some aspects of the Authority's relations with other State agencies are governed by statute, such as its relations with An Garda Siochana and the Customs and Excise authorities. There are specific references to An Garda Siochana and the Customs and Excise in the SHWW Act 2005. Both have powers to assist the Authority when requested to do so.

An Garda Siochana assists the Authority's inspectors such as when to carry out their statutory duties:

- Inspectors are carrying out roadside checks on the carriage of dangerous goods by road.
- An inspector has reasonable cause to apprehend any serious obstruction in the execution of his/her duty and requests assistance.
- When a fatal accident occurs, it is often, in the first instance, reported to the Gardai, who notify the HSA.
- The Authority and the Gardai often undertake joint investigations, which in some cases have led to prosecutions by both organisations.

Conclusion

This chapter provided an overview of the other Enforcement Agencies that HSA work with.

Part 4:
The Law

Part 4: The Law

Chapter 14: Safety, Health and Welfare at Work Act 2005

Introduction

The purpose of this chapter is to provide general guidance on the Safety, Health and Welfare at Work Act 2005. It is not intended to serve as a legal interpretation of the legislation. The Act is divided into eight parts, with 89 sections and seven schedules. This chapter delves into some of the most relevant sections for a Safety Representative.

Overview

The Safety, Health and Welfare at Work Act 2005, referred to as the Act in this chapter, places duties and obligations on employers (including the self-employed) and employees. It also affects those who control workplaces and those who supply articles or substances for use at work. The Act is based on the principles of identifying hazards, assessing risks, and implementing control measures.

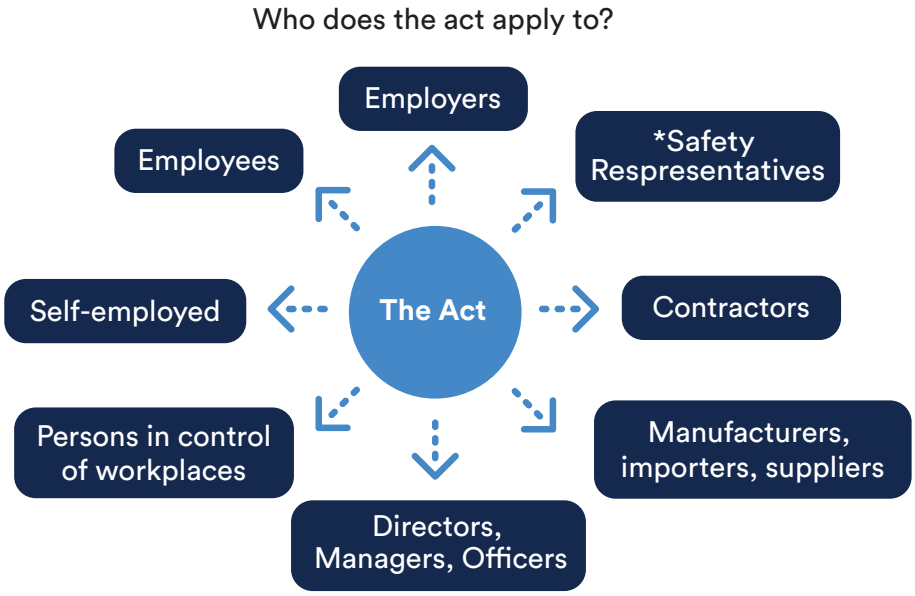


Figure 19. Safety, Health and Welfare at Work Act 2005.

Duties of Employers

Introduction

Sections 8-12 of the Act set out the duties of employers and cover aspects such as general duties, requirements for information, instruction, training, supervision, and emergency planning.

General Duties of Employers (Section 8)

Section 8 of the Act requires every employer to ensure, so far as is reasonably practicable, the safety, health, and welfare of his or her employees at work. To note reasonably practicable does not apply to four of the duties listed below (marked with *).

The duties cover:

- the management and conducting of work activities,
- preventing improper conduct or behaviour (for example, violence, bullying or horseplay at work),
- the design, provision and maintenance of (i) safe workplaces, (ii) safe means of access to and egress from the workplace and (iii) safe plant and machinery,
- the safety and the prevention of risks to the health of employees from the use of articles and substances or exposure to noise, vibration, ionising or other radiation or other physical agents,
- providing safe systems of work,
- providing adequate welfare facilities*,
- provide information, training, instruction and supervision,
- identifying hazards, completing risk assessments and putting in place preventative measures*,
- providing and maintaining Personal Protective Equipment (PPE) where risks cannot be prevented or otherwise adequately controlled,
- preparing emergency plans*,
- reporting accidents (involving over three days' absence) and dangerous occurrences to the HSA* and
- obtaining, where necessary, the services of a competent person to assist in ensuring their employees' safety, health and welfare.

The duties of the employer also apply to fixed-term or temporary contract employees. Any measures taken by the employer relating to safety, health, and welfare must not cost his or her employees financially.

Definition

- **Reasonably Practicable:** This means, in relation to the duties of an employer, that an employer has exercised all due care by putting in place the necessary protective and preventative measures, having identified the hazards and assessed the risks to safety and health likely to result in accidents or injury to health at the place of work and where the putting in place of any further measures is grossly disproportionate, having regard to the unusual, unforeseeable and exceptional nature of any circumstances or occurrence that may result in an accident at work or injury to health at that place of work.
- **Competent Person**: A person is deemed to be competent where, having regard to the task he or she is required to perform and taking account of the size or hazards (or both of them) of the undertaking or establishment in which he or she undertakes work, the person possess sufficient training, experience and knowledge appropriate to the nature of the work to be undertaken. Account shall be taken, as appropriate, of the framework of qualifications referred to in the Qualifications (Education and Training) Act 1999.

Under Section 12, employers are also required, so far as is reasonably practicable, to manage and conduct their work activities to ensure that individuals who are not employees (for example, contractors, employees of others, members of the public) are not exposed to risks to their health and safety.

Information, Instruction, Training and Supervision (Section 9-10)

Employers must provide their employees, including employees on fixed-term or temporary contracts, with information on safety, health and welfare. The information must be provided in a form, manner and language likely to be understood by employees. If employees are non-English speakers, the information must be provided in a language the employees understand. Employees of another employer working in the place of work, must also be informed of safety, health and welfare matters.

The information provided must include:

- hazards identified by the risk assessment,
- protective and preventative measures in place and
- names of emergency staff and Safety Representatives.

Safety Representatives should also have access to information on risk assessments, accidents, dangerous occurrences, and protective and preventative measures to carry out their functions.

Employers are required to provide instruction, training, and supervision to employees. This must also be provided in a form, manner, and language that the employees understand. Employees must receive time off for training without loss of remuneration.

The Act defines several contexts where training must be given to employees. This includes:

- When they start employment.
- When they change or transfer tasks.
- When they are introduced to new equipment, technology or systems of work.
- When changes are made to existing equipment, technology or systems of work.
- Periodically to ensure that employees maintain their competency in carrying out their roles.

For more information on this, please see Appendix 1: OSH Training Requirements and Appendix 2: Employee OSH Training Journey.

Emergencies and Serious and Imminent Dangers (Section 11)

Employers must devise plans to deal with emergencies and serious and imminent dangers. Employers should set out measures for first aid, firefighting and evacuation and designate the employees required to implement them. In the event of a serious or imminent danger, an employer must inform all employees of the risks and the steps taken to protect them, including stopping work and proceeding to a safe place. Employers must ensure employees are not penalised for stopping or leaving work due to serious, unavoidable dangers.

Employees Duties

Employees are required (under Section 13), while at work, to:

- comply with the health and safety law,
- take reasonable care to protect their own safety, health and welfare and that of others who may be affected by their acts or omissions at work,
- not to be under the influence of drugs and/or alcohol to the extent that they endanger their own safety, health and welfare at work or that of any other person,
- if required, undergo appropriate, reasonable and proportionate tests for intoxicants by or under the supervision of a registered medical practitioner who is a competent person. Regulations to give effect to this have yet to be enacted,
- cooperate with their employer or any other person, as necessary, to assist that person in complying with safety and health legislation as appropriate,

- not engage in improper conduct or other behaviour such as violence, bullying or horseplay, which could endanger their own safety, health and welfare or that of any other person,
- attend training and, as appropriate, undergo assessments as may reasonably be required,
- taking account of the training and instructions given by the employer, correctly use any article or substance (including PPE) provided for their use or protection at work,
- report any defect in the place of work, the systems of work or in any article or substance likely to endanger them or another person; and
- not misrepresent their level of training when entering into a contract of employment.

Duties of Others

Introduction

In addition to the duties for employers and employees, duties also apply to other people in the workplace.

Interference or Misuse (Section 14)

Prohibits any person (including members of the public) from intentionally, recklessly or without reasonable cause:

- interfering with, misusing or damaging anything provided under safety and health legislation or provided to protect the safety, health and welfare of persons at work; or
- risking the safety, health or welfare of persons in connection with work activities.

Duty of Persons in Control of a Place of Work (Section 15)

A person who is in control of a non-domestic place of work, where people other than his/her employees are working, shall ensure, in so far as reasonably practicable, that the place of work, the means of access or egress or any article or substance provided for use at the place of work, are safe and without risk to health.

For example, an employee working at a premises not controlled by their employer, such as a visiting window cleaner to an office. The person in control of the office would have to ensure that the window cleaner was provided with safe access and egress, and that any permanent window cleaning equipment was safe so far as was reasonably practicable. To note, the employer of the window cleaner would also have general duties under Section 8.

Where a person has a contract, tenancy, or license that places an obligation to maintain or repair the workplace, equipment, access or egress, or provide articles or substances for use at the workplace, this section applies to that person and has a duty to people other than their employees, for example, a maintenance contractor.

Duties of Designers, Manufacturers, Importers and Suppliers (Section 16)

A person who designs, manufactures, imports or supplies any article or substance for use at work has a duty to ensure, in so far as reasonably practicable, that it is safe and without risk to health when properly used and complies with European Directives. Those being supplied must be provided with information on safe use and dangers if they become known.

Duties Relating Construction Work (Section 17)

A person who commissions or procures a project for construction work shall appoint competent people to ensure, in so far as reasonably practicable, that the project complies with relevant legislation and is safe and without risk to health.

Protective and Preventative Measures

Employers are required to identify hazards in the workplace, assess the risks presented by the hazards, and put in place measures to eliminate the hazard or, if not, reduce the risk to the lowest practicable level. The hazards identified, the risk assessment, and the measures being taken should be outlined in the employer's Safety Statement, which should be specific to the place of work.

Employers must appoint competent people to assist them in complying with health and safety legislation. The number of people required will depend on the size of the workplace, the risks and the distribution of the risks in the workplace. The employer shall also ensure adequate cooperation between the competent persons and Safety Representatives.

Hazard Identification and Risk Assessment (Section 19)

Employers are required to identify the hazards of the place of work and to assess the risks, along with control measures and record in a risk assessment. Risk assessments must be reviewed and amended where there has been a 'significant' change in the workplace or work activity or if it is no longer valid.

Safety Statement (Section 20)

Employers must have a Safety Statement outlining how health and safety will be managed. It should be based on the risk assessment process. The safety statement should be brought to employees' attention on commencement of employment, following any amendments and, at least annually. It should also be brought to the attention of other people at the place of work who may be exposed to the risks outlined.

The Safety Statement should outline the protective and preventive measures taken and the resources provided to protect employees' health and safety. It should include details of the plans and procedures to be followed in an emergency or serious and imminent danger. Also, it should set out the duties of employees and names and job titles (if applicable) of people with health and safety responsibilities. If an employer contracts another employer to provide services, that employer shall require the employer providing the services to have an up-to-date Safety Statement.

Duty of Employers to Cooperate (Section 21)

Where employers share a place of work, they are required to cooperate in complying with and implementing health and safety legislation. In doing so, they should consider the nature of the work carried out, coordinate their activities and inform each other and their respective employees/Safety Representatives of risks from their work activities. They should exchange Safety Statements or relevant extracts relating to hazards and risks.

Health Surveillance (Section 22)

Employers have a duty to ensure that employees have access to health surveillance appropriate to the risks that may be present at the workplace.

Safety Representatives and Safety Consultation

Safety Representatives (Section 25)

Employees have a right to select a Safety Representative, or more than one, if the employer agrees. Employers are bound to consider representations made by Safety Representatives. Safety Representatives are entitled to time off work, without loss of remuneration, to discharge their functions and to be trained for the role. Employers must inform the Safety Representatives if a HSA inspector is carrying out an inspection. Safety Representatives are entitled to copies of notices issued by HSA inspectors.

Safety Representatives may:

- inspect the whole or part of the workplace, following a frequency or schedule agreed with the employer,
- investigate accidents and dangerous occurrences in the workplace; however, they must not interfere with anything at the accident scene,
- after giving notice to the employer, investigate health and safety complaints,
- make representations to their employer and HSA inspectors,
- consult and liaise with other Safety Representatives in the undertaking concerned, whether or not they work in the same place of work or different places under the control of the same employer; and
- accompany HSA inspectors (however, following an accident, the inspector may decide not to allow the Safety Representative to accompany them).

Consultation and Participation of Employees, Safety Committees (Section 26)

Employers must consult with their employees to make and maintain arrangements to cooperate on health and safety matters and monitor the effectiveness of those measures. With the employer's agreement, employees may appoint a Safety Committee, which may make representations and engage in consultation on behalf of the workers it represents. A Safety Committee can support the employer in fulfilling their duty to consult employees. Employees involved in consultation shall be given, without loss of remuneration, the time necessary to gain the required knowledge and training, and to discharge their functions. Employers are obliged to consider any representations made.

Safety Committees should have at least three members and no more than one member for every 20 employees or ten, whichever is lower. The number of members an employer can select depends on the overall committee size and is outlined in Schedule 4 of the act (see table below).

Committee size (members)	Employer selects (members)
3-4	1
5-8	2
9+	3

Protection Against Dismissal and Penalisation

Employers are prohibited under Section 27 from penalising (defined as dismissal, demotion, transfer, imposition of duties, coercion/intimidation) or threatening to penalise employees performing any duty, exercising rights, making complaints relating to health and safety, or giving evidence in enforcement proceedings. An employee who claims he/she is being penalised may make a complaint to the Director General of the Workplace Relations Commission under Section 28.

The Health and Safety Authority (HSA)

Sections 32 to 56 are concerned with the functions and running of the HSA.

The HSA's functions are to:

- advise the Government on health and safety issues and legislation,
- enforce health and safety legislation; and
- promote awareness of health and safety.

Powers of Inspectors, Enforcement, Offences and Penalties

Powers of Inspectors (Section 64)

The Act grants inspectors a wide range of powers, including the powers to:

- enter premises,
- examine records,
- require people to give information, and
- take measurements, photos and samples.

Types of Enforcement (Sections 65-67)

The Act provides four different types of enforcement that inspectors can use, depending on the nature and severity of the breach in health and safety legislation.

1. **Improvement plan:** requires the employer to submit a plan to the HSA outlining how the work activity(s) will be changed to reduce the risk to health and safety.
2. **Improvement notice:** This notice requires the person to take action and fix the issue(s) if an inspector believes someone is not complying with health and safety law or did not comply with an improvement plan. This notice can be appealed to the District Court within 14 days.
3. **Prohibition notice:** An inspector can issue a prohibition notice if they believe an activity is likely to cause a serious injury. If you receive a prohibition notice, you must immediately stop the activity mentioned in it, even if you disagree. You may appeal a prohibition notice to the District Court within seven days.
4. **High Court Closure Order:** The HSA can ask the High Court to stop or restrict work in a workplace or part of a workplace if it poses a serious risk to employees' safety, health, and welfare. Work can resume after specific corrective measures are taken to minimise the risk.

Offences and Penalties (Section 77-78)

The Act divides offences into two categories: serious and less serious.

Less serious offences include:

- not considering representations made by Safety Representatives,
- not informing a Safety Representative that an inspector is carrying out an inspection,
- not consulting with employees on safety arrangements; or
- not allowing Safety Representatives time off to get the knowledge and training needed to perform their duties and the time off to carry out their duties.

Serious offences include:

- an employer failing to carry out their duties under section 8 (general duties),
- an employer failing to provide information, instruction, training and supervision for employees,
- obstructing an HSA inspector; or
- recklessly or knowingly making false statements to an HSA inspector.

Penalties depend on the seriousness of the offence, the court and the type of proceeding: summary or indictment. A summary proceeding takes place in the district court without a jury. Indictment proceedings take place with a judge and jury. As indicated in the table below, penalties can be a fine and/or imprisonment.

Court	Proceeding	Max fine/prison sentence
District	Summary	€5,000 / 12 months
Circuit	Indictment	€3m / 2 years

Liability of Directors and Officers (Section 80)

Irish directors have a legal duty to ensure their company complies with health and safety laws. The definition of director includes a 'director' as defined and normally used, and the equivalent roles in organisations that have governance structures other than boards and directors. It is also intended to include the owners or managers of small businesses and sole traders. Directors may be prosecuted under Section 80 of the 2005 Act for failing to manage safety and health in the undertaking.

If it is proven that an offence has been committed with the consent or connivance of a director, manager, or officer of a company, or if the offence can be linked to any neglect on their part, then that person, as well as the company, will be held guilty of the offence and can be prosecuted. For example, ignoring a safety and health issue could constitute neglect. It is for the director or the manager to show that he/she did all that could be reasonably expected under the 2005 Act and was not negligent. Anyone convicted of a serious breach of safety and health law could be fined up to 3 months or face going to prison for up to two years. For more information on this please see information the HSA website.

Key Point

In accepting corporate responsibility for safety and health, directors need to be proactive in developing a positive safety and health culture for the workplace(s) they control. The effectiveness of safety programs, procedures, and practices should be regularly assessed. Leaders should foster a culture of continuous learning and improvement in relation to safety.

Action Checklist and Questions

Questions / Action Points

- Does my employer know their duties to employees and others at my workplace?
- Do employees know they are responsible for protecting themselves and others at work?
- Have the hazards in my workplace been risk-assessed and included in a Safety Statement?
- Are risk assessments updated regularly, including after accidents or changes in work practices?
- Is there a means for staff to communicate safety concerns and report accidents to management?
- Are managers, colleagues and others clear about the role and rights of a Safety Representative ?
- What can I do to promote the role of the Safety Representative?
- Is there consultation with staff on health and safety matters at work? How might this be improved?
- Does my employer provide OSH induction training to all employees?
- Does my employer provide relevant mandatory OSH training to all staff as required under the 2005 Act?
- Does my employer understand that information and training needs to be provided in an accessible language?
- Does my workplace understand the enforcement powers of an inspector and the consequences of non-compliance?

Part 4: The Law

Chapter 14: Safety, Health and Welfare at Work Act 2005

Conclusions

This chapter provides an overview of the key sections of the Safety, Health and Welfare at Work Act 2005. The Act is an important piece of legislation that lays out duties and responsibilities for employers, employees, suppliers, and those in control of workplaces. These obligations are in place to ensure that people who work or may be affected by work are safe and healthy. A core principle of the Act is hazard identification, risk assessment and the putting in place of control measures. The act also outlines the role and rights of the Safety Representative.

Further Information and Resources

HSA Resources

For further information, please see:

- Guide to the Safety, Health and Welfare at Work Act 2005 (www.hsa.ie/2005actguide)

Other Resources

For further information, please see:

- Safety, Health and Welfare at Work Act 2005 (https://www.irishstatutebook.ie/eli/2005/act/10/enacted/en/print)

Part 4: The Law

Chapter 15: Safety, Health and Welfare at Work (General Application) Regulations 2007

Introduction

This chapter provides an overview of the Safety, Health and Welfare at Work (General Application) Regulations 2007. It provides an overview of some of the key aspects of these regulations. However, this is not intended as a legal interpretation of the legislation.

Overview

Aside from the Safety, Health and Welfare at Work Act 2005, the Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2023, commonly referred to as the 'General Application Regulations 2007', are the most significant set of rules governing the management of workplace and work-related health and safety. Since 2007, the regulations have been amended several times. Most recently, they were amended in 2023 and have 14 parts and 15 schedules. These cover:

- the workplace,
- work equipment,
- personal protective equipment (PPE),
- manual handling,
- display screen equipment (VDUs),
- electricity,
- work at height,
- noise,
- vibration,
- the protection of sensitive risk groups (children and young persons; pregnant and post-natal employees; night workers and shift workers),
- safety signs,
- first aid,
- explosive atmospheres,
- artificial optical radiation,
- pressure systems,
- woodworking machines,
- abrasive blasting of surfaces, and
- reporting accidents and dangerous occurrences.

Amendments include, for example, new regulations for artificial optical radiation, pressure systems, woodworking machines, abrasive blasting, and accident and incident reporting. Amendments are often not included in the original legislation and appear as stand-alone documents under the format Safety, Health and Welfare at Work (General Application) (Amendment) Regulations followed by the year the amendments occurred. Amendments can be found at Irish Statute Book (http://www.irishstatutebook.ie). The Law Reform Commission has also consolidated amendments up to 2018.

Interpretation and General (Regulations 1-3)

This section includes definitions (interpretations) for lifting equipment, public road, road authority, and work equipment. Interpretations that apply to a specific part of the regulations can be found at the beginning of that part or chapter.

Workplace (Regulations 4-26)

The Workplace Regulations concern workplace conditions, such as stability, solidity, and room temperature. The essence of the regulations is that workplaces should:

- be of suitable size and condition, stable, kept clean and tidy, suitably maintained and comfortable to work in,
- have adequate ventilation, with ventilation systems (if used) that are appropriately maintained and avoid draughts,
- have lighting and room temperatures (17.5 °C/16 °C minimum for sedentary office work/ other sedentary work) appropriate to the work being carried on,
- ensure traffic routes, entrances and exits are kept clear,
- allow pedestrians and vehicles to circulate safely,
- provide safe floors, walls, ceilings, roofs, doors, windows, gates, loading bays and ramps,
- provide firefighting equipment and, as necessary, fire detectors and alarm systems,
- ensure emergency routes and exits are kept clear (see also Fire Services Acts 1981 and 2003),
- supply adequate toilet, washing and welfare facilities,
- protect employees working outdoors against adverse weather, noise, slippery conditions, harmful gases, vapors, dust, etc and
- arrangements for pregnant and breastfeeding employees to lie down must be available, and where necessary, the workplace must be organised to take account of workers with disabilities.

Use of Work Equipment (Regulations 27-61, Schedule 1)

Introduction

Part 2 - Chapter 2 covers the use of work equipment including lifting equipment. These regulations only apply to equipment in use. The regulations do not cover the duties of those placing equipment on the market for the first time.

Definition

Use of Work Equipment: This means any activity involving work equipment, including, its use, transport, repair, modification, maintenance, servicing, cleaning, and the starting or stopping of the equipment.

Work Equipment (Regulations 27-41)

Employers have a duty to ensure work equipment is:

- suitable to use for the work task and working environment (for example, flammable, noisy and dusty),
- properly adapted for the work to be carried out,
- without risk to the health and safety of employees, where this is not possible, risks should be minimised (for example, using fixed guards, interlocks or other control measures),
- located in an area with sufficient space to avoid contact with moving machine parts,
- operated by employees who have been provided with sufficient instruction and training in its safe use, and manufacturer manuals/instructions are available; where a specific health or safety risk is identified, the equipment is only to be used by those who are assigned to use it,
- repaired and maintained by competent people during planned/unplanned maintenance, the equipment should - if possible, be shut down, or appropriate isolation procedures must be implemented,
- used in a way that takes account of the working posture and position of employees to protect their safety and health,

- fixed with warnings and markings to ensure health and safety,
- inspected post-installation and before use and if the equipment is exposed to conditions which may cause deterioration,
- fitted with control devices that are visible and located outside the dangerous area,
- set up to ensure nobody is in a dangerous area; if this is impracticable, audible or visual warning signs should operate when machinery is about to start,
- fitted with a stop control system that brings moving parts to a complete rest, overrides any start controls and enables energy supply cut-off,
- fitted with an emergency stop, depending on hazards present and normal stopping time; and
- provided with guards and protection devices for risks such as falling, projecting into walkways, hot and cold temperatures, dust, gas, vapors, liquids, fumes, overheating, fire or explosion.

Due to an amendment in 2021, which came into effect in 2023, operators of all-terrain vehicles (ATVs) must now complete training to QQI standard or equivalent and wear suitable head protection.

Lifting Equipment (Regulations 42-61, Schedule 1)

These regulations concern lifts and lifting equipment, chains, cranes, ropes, and hoists used for lifting operations in all workplaces.

Equipment used for lifting purposes should be of good construction, have sound materials, be of adequate strength, and be free from defects. Where appropriate, there should be a gate; it should be fenced and marked to show a safe load and when persons can be carried. All such equipment is subject to periodic examination (for example, every six months for equipment used to lift people). A register of examinations shall be kept detailing the date, machine identification, and defects.

When a machine operator cannot see a load, a person over 18 must give signals. No person under 18 shall be employed to operate a mechanical lifting machine unless adequately supervised and only for training purposes.

Lifting equipment in all workplaces must be checked to assess condition and monitored for deterioration. Competent persons must carry out inspections, and records must be kept for five years. Inspections are specifically required if the equipment is exposed to conditions that may cause deterioration.

For a complete breakdown of work equipment requirements, see “Guide to the Safety, Health and Welfare at Work (General Application) Regulations Chapter 2 of Part 2: Use of Work Equipment”, available from the HSA website.

Personal Protective Equipment (Ppe) (Regulations 62-67, Schedule 2)

PPE should only be used as a last resort. Employers must provide PPE if they cannot protect workers by eliminating hazards or reducing the risk by technical or organisational means (for example, substituting a hazardous chemical) or by providing collective protection (for example, scaffolding instead of a harness).

PPE must be:

- paid for and maintained by the employer,
- CE marked,
- suitable to the hazard,
- appropriate to the workplace conditions, ergonomics, and the user's health,
- suitable to fit the user and
- worn by employees who have received information and training on its use.

Schedule 2, updated in 2021, outlines the risks to each body part and a non-exhaustive list of PPE and the risks they protect against. It also outlines examples of work activities and sectors where certain PPE may be necessary. Body areas that may require protection are the head, feet, eyes, face, ears, trunk, arms, legs, skin, and respiratory system.

For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 3 of Part 2: Personal Protective Equipment" available from the HSA website. Please note that due to the amendment of Schedule 2 in 2021, updated information on this schedule can be found under "S.I. No. 610/2021 - Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2021" at the Irish Statute Book (http://www.irishstatutebook.ie).

Manual Handling of Loads (Regulations 68, 69, Schedule 3)

The law requires workplaces to avoid manual handling of loads whenever feasible. If this is not possible, employees should not be required to lift, carry, or move a load that is likely to cause injury. Employers should instead take measures to reduce the risk.

Definition

Manual Handling of Loads: Manual handling of loads is defined as transporting or supporting a load - which includes lifting, putting down, pushing, pulling, carrying it or moving it - where risk, particularly of back injury, is involved because of the characteristics of the load or unfavorable ergonomic conditions.

If manual handling cannot be eliminated, it should be reduced by organising work and workstations to take load characteristics into account. Employees should receive information on the weight of each load and its centre of gravity on the heaviest side when eccentrically loaded.

Risk factors to be considered concerning the manual handling of loads include:

- characteristics of the load: too large, heavy, unwieldy, unstable,
- physical effort: the effort required to move it may be too strenuous, achieved by twisting the body's trunk,
- working environment: not enough room, uneven or slippery floors,
- requirements: may require over frequent or prolonged activity, insufficient rest, excessive lifting; and
- individual risk factors include being unsuited to the task, wearing unsuitable clothing, and having inadequate knowledge or training.

Risk assessment is the key to prevention and enables decisions on what tasks can be avoided, which cannot be avoided, and where risk needs to be reduced. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 4 of Part 2: Manual Handling of Loads".

Display Screen Equipment (Regulations 70-73, Schedule 4)

Definition

According to the Regulations, **Display Screen Equipment** (DSE) covers not only the display screen or computer but also the workstation. This includes screens, keyboards, diskette drives, phones, modems, printers, work chairs, desks, document holders, work surface, and the immediate working environment. DSE is sometimes referred to as a Visual Display Unit (VDU).

Certain equipment is not covered, such as typewriters, computer systems on board a means of transport, computer systems for public use, calculators and cash registers, and portable DSE not in prolonged use at a workstation.

Under the regulations, employers must:

- carry out an analysis or risk assessment of employee workstations, taking particularly into account physical factors, eyesight and mental stress,
- remedy any risks found,
- provide information to employees on measures implemented,
- provide training to employees on the use of workstations,
- make an appropriate eye and eyesight test available to employees; and
- organise work to allow for breaks or changes of activity.

Schedule 4 outlines the minimum requirements employers must consider when conducting a workstation assessment for DSE workstations.

This Schedule covers a range of elements, which include the following:

- screen,
- keyboard,
- work desk or work surface,
- work chair,
- environment (space requirements, lighting, radiation, noise, heat and humidity), and
- employee computer interface (software).

Part 4: The Law

Chapter 15: Safety, Health and Welfare at Work (General Application) Regulations 2007

For further information, see Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - "Chapter 3 of Part 2: Personal Protective Equipment".

Electricity (Regulations 74-93)

Definition

- **Electrical equipment** is defined as including any conductor, cable, machine, appliance, apparatus used or intended to be used for generation and transformation of electrical energy. Employers have a duty to ensure electrical installations are designed and constructed to prevent danger.
- **Danger** means a risk of death or personal injury or danger to health from electric shock, burn, explosion, arching, or fire caused by the use of electricity or the mechanical movement of electrically driven equipment.

All electrical equipment and installations must be constructed, installed, maintained, protected, and used in a way that prevents danger, including those located in adverse or hazardous environments. They should be labelled to prevent danger, display ratings, and show the maker's name.

Work activities should be carried out in such a manner that prevents danger. Where danger may be caused, only persons with the necessary knowledge or experience or those under their supervision may do the work. They may only work near live parts in restricted circumstances and must have adequate space, light, and means of access and egress. To protect against shock, in normal conditions, all live parts should be covered with insulating material and protected, including being suitably placed to prevent danger. In faulty conditions where an exposed conductive part may become live, earthing or automatic disconnecting precautions should be taken. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Part 3 Electricity".

Work at Height (Regulations 94-119)

Definition

Work at height is work in any place, including a place above or below ground level, where a person could be injured if they fell from that place. Access and egress to a place of work can also be work at height.

Employers must avoid risks from work at heights by:

- not carrying out work at height unless it is reasonably safe to do so,
- preventing anyone falling a distance likely to cause injury,
- ensuring it is appropriately planned (including emergencies/rescues), risk assessed and supervised,
- taking account of weather conditions and fragile surfaces,
- selecting appropriate work equipment or other measures to prevent falls,
- giving collective protection priority over personal protection when selecting equipment,
- visually checking fall protection measures before use and periodically,
- providing employees with training on the safe use of work equipment,
- inspecting work equipment, and
- preventing objects from falling.

For further information, see “Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Part 4: Work at Height”.

Physical Agents: (Regulations 120-142)

Control of Noise (Regulations 120-132)

The regulations set out exposure action values for noise. This means the level of daily noise exposure or peak pressure for any worker, which, if exceeded, requires specified action to reduce risk. There are also exposure limit values, which outline the level of daily exposure or peak sound pressure that must not be exceeded for any worker. These are:

- lower exposure action values LEX.8h = 80dB(A) and peak = 135dB(C)
- upper exposure action values LEX.8h = 85dB(A) and peak =137dB(C)
- exposure limit values LEX 8h= 87dB(A) and peak = 140dB(C)

The table below shows the actions an employer must take if the upper or lower action values are exceeded.

	Lower exposure action value is exceeded	Upper exposure action value is exceeded
Complete a noise risk assessment to identify the sources of the noise and how to control it.	✓	✓
Implement a programme to reduce exposure to noise.	✓	✓
Display mandatory warning signs on the noise level.		✓
Provide hearing protection.	✓	✓
Ensure hearing protection is worn.		✓
Segregate the areas where noise levels are exceeded and restrict access.		✓
Make hearing checks available to employees by a registered medical practitioner.		✓
Make preventive audiometric testing available to employees.	✓	
Provide information and training on noise risks and the correct use of hearing protection.	✓	✓

For further information, see “Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 1 of Part 5”.

Control of Vibration (Regulations 133-142 and Schedule 6)

Employers must assess the risks where employees are likely to be exposed to health and safety risks from vibration. The vibration regulations set daily exposure action values for both hand-arm and whole-body vibration, which, if exceeded, require specified action to reduce risk. The daily exposure limit values mean the level of daily vibration exposure, which cannot be exceeded for any employee for both hand-arm and whole-body vibration. Employers must take immediate action to reduce the exposure below this limit.

Daily exposure action value:

- hand-arm vibration = 2.5m/s2
- whole-body vibration= 0.5/ms2

Daily exposure limit value:

- hand-arm vibration= 5m/s2
- whole-body vibration= 1.15m/s2

If the risk assessment indicates that an exposure action value is exceeded, the employer must reduce the exposure by implementing a programme of controls to eliminate or reduce the risk to the lowest level reasonably practicable.

These include:

- using alternative work methods that eliminate or reduce exposure to vibration,
- selecting suitable low-vibration work equipment,
- introducing equipment maintenance programmes,
- providing training and information on the correct use of work equipment,
- limiting the use of high-vibration work equipment,
- creating work schedules with adequate rest periods; and
- providing clothing to protect employees from cold and damp conditions.

Where employees may be exposed to risk from vibration, employers must also:

- consult with employees and their representatives,
- provide information and training on health risks and controls,
- review and update risk assessments regularly, and
- make health surveillance available and keep records.

For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 2 of Part 5: Control of Vibration at Work".

Sensitive Risk Groups (Regulations 143-158, Schedules 7-8)

Under the regulations, sensitive risk groups include:

- Children and young people,
- Pregnant, post-natal and breastfeeding employees, and
- Night and shift workers.

Protection of Children and Young Persons (Regulations 143 – 146 Schedule 7)

A child is defined as a person under the age of 16, while a young person is a person aged either 16 or 17. Employers are required to carry out a risk assessment before employing a child or young person. The risk assessment should consider the child or young person's experience, awareness of risks, maturity, and physical, biological, and chemical hazards in the workplace. Parents or guardians of children should be informed of the risks.

When carrying out the risk assessment, take account of:

- fit-out and layout of the workplace,
- exposure to physical, biological and chemical agents,
- the use of work equipment,
- the arrangement of work processes and operations, and
- training and supervision.

A child or young person shall not be employed where a risk assessment reveals risk that the work is beyond the capacity of a child or young person, involves exposure to harmful agents or radiation, or involves a risk of accidents in which it may be assumed a child or young person would not recognise. Health surveillance must be made available if the risk assessment reveals a risk to safety and health and before assignment to nightwork. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 1 of Part 6: Protection of Children and Young Persons".

Protection of Pregnant, Post Natal and Breastfeeding Employees (Regulations 147-152, Schedule 8)

Once an employee becomes aware of her pregnancy, she must promptly inform her employer and submit a medical certificate confirming her condition. Following this notification, the employer must assess potential risks to the employee's health and potential effects on her pregnancy or breastfeeding.

If the risk assessment reveals a risk and it is not practicable to ensure the health and safety of the employee through preventive or protective measures, the employer is required to temporarily adjust the working conditions, working hours, or both so that the exposure to such risk is avoided. If that is not possible, the employer must take measures to provide different work that does not present a risk.

If you are pregnant, post-natal, or breastfeeding, working between 11pm and 6am is considered night work. This applies if you work at least three hours during that time or at least 25% of your monthly working hours are during that period. However, if a registered medical practitioner believes that night work could harm your health or safety during pregnancy or 14 weeks following childbirth, your employer must move you to daytime work. If that's not possible, they can provide leave or extend maternity leave. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 2 of Part 6: Protection of Pregnant, Post Natal and Breastfeeding Employees".

Night Work and Shift Work (Regulations 153-157)

Nightwork refers to work done between midnight and 7 am. A night worker is someone who usually works at least three hours during this time and for whom the number of hours worked at night is equal to or more than 50% of their total annual work hours. This definition comes from the Organisation of Working Time Act 1997.

Employers must take appropriate steps to protect the safety and health of night and shift workers. This includes assessing the health and safety risks associated with night work to determine whether it involves special hazards or heavy physical or mental strain.

Before employing a person as a night worker, the employer must make available an assessment of the health effects of such work. Such assessments must also be made available at regular intervals while a person is doing night work. The assessment must be carried out by a registered medical practitioner or a person operating under their supervision. If an employee becomes ill or exhibits symptoms of ill-health that are recognised as being connected with nightwork, the employee must, if possible, be transferred to day work. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 3 of Part 6: Night Work and Shift Work".

Safety Signs and First Aid (Regulations 158-166, Schedule 9)

Introduction

Part 7 is divided into two chapters. Chapter 1 provides information about the regulations for safety signs. Chapter 2 focuses on regulations related to first aid.

Safety Signs (Regulation 158-162, Schedule 9)

There are many forms of safety signs: acoustic, hand signals or signboards. Employers must provide safety or health signs where hazards cannot be avoided or adequately controlled. Safety signs may no longer contain words. Employers must ensure that signs only include information authorised by these regulations. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 1 of Part 7: Safety Signs at Places of Work".

First-Aid (Regulations 163-166)

Definition

First-aid is defined as a case where a person requires treatment from a registered medical practitioner or a registered general nurse for the purpose of preserving life or minimising the consequences of injury or illness, until the services of such a person are available. It also includes treatment for a minor injury which would not require the services of such a person.

Those who give first-aid should be recognised as occupational first-aiders who are trained and qualified in occupational first-aid. The number of occupational first-aiders will depend on the workplace size and hazards. The safety statement shall include details of the arrangements made for first-aid, including the names of occupational first aiders and the location of equipment, rooms, and facilities.

Employers are obligated to provide and maintain first-aid equipment. Different work activities involve different hazards, so different first-aid equipment is necessary. Requirements will also depend on factors, including the size of the undertaking and the number of employees. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Chapter 2 of Part 7: First-Aid".

Explosive Atmospheres at Places of Work (Regulations 167-175, Schedule 10)

Employers are required to carry out a risk assessment in areas where there is or is likely to be an explosive atmosphere. The risk assessment should have regard to the following:

- the likelihood that explosive atmospheres will occur and their persistence,
- ignition sources,
- installations, substances, work processes and their likely interaction,
- the scale of anticipated effects,
- places which are connected to areas where explosive atmospheres may occur; and
- additional information that the employer may need.

Considering the risk assessment, employers must prepare an explosion protection document that specifies the measures that have been and will be taken, revise it where necessary, and include or reference it in the employer's safety statement. The employer must also make the explosion protection document available to employees. For further information, see "Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 - Part 8: Explosive Atmospheres at Places of Work".

Control of Artificial Optical Radiation (Regulations 176-182 Schedule 11)

Employers' overriding duty is to ensure that employees are not exposed to artificial optical radiation above exposure limit values. Employers are required to identify the hazards, assess the risks, and eliminate or, if that is not possible, reduce the risks to the lowest practicable level. They must also provide information, training, and, where appropriate, health surveillance.

Employers must provide employees who have been exposed to artificial optical radiation or have experienced illness or health effects caused by such artificial optical radiation at work access to a registered medical practitioner who can conduct a medical examination. In such circumstances, the employer must review the risk assessment, review the protection measures, take account of the advice of the registered medical practitioner, and arrange continued health surveillance.

For further information, see "Guidance for Employers on the Control of Artificial Optical Radiation at Work Regulations 2010".

Pressure Systems (Regulations 183-194, Schedule 12)

Employers are required to ensure:

- pressure systems or parts are of good construction, sound material, adequate strength, suitable quality and free from patent defect,
- pressure systems are correctly installed and maintained by a competent person, and a maintenance file is kept,
- pressure systems are depressurised before maintenance work so far as reasonably practicable (if not practicable, protection measures are taken),
- safe operating limits have been established, and adequate information on the limits is available,
- vessels are marked with information, such as the manufacturer's name, serial number, date of manufacture, the standard to which it was built, the maximum/minimum allowable pressure,
- employees have adequate information, such as on safe operation, abnormal situations, and action to be taken in an emergency,
- pressure equipment or systems are operated in accordance with information or instructions; and
- employees located near but do not operate pressure systems are aware of the health and safety risks.

Generally, pressure equipment and systems must be inspected:

- **if new and being installed for the first time, and**
- **if it was previously used but installed at a new location.**

A distinction is made between "inspection" and "examination", and in the context of these Regulations, "examination" should be understood as a more thorough process.

Pressure vessels, protective devices and pressure accessories must be examined (and recorded in a report):

- **every 14 months or 26 months, depending on the type of equipment, or at a different interval if instructed by a competent person; and**
- **if modified or significantly repaired.**

If a report says to stop using a pressure vessel immediately:

- **the employer, user or owner shall immediately ensure it is not used until the repairs or modifications have been carried out; and**
- **the competent person who examined must send a copy of the report to the HSA within 20 days.**

For further information, see "Guide to the Safety, Health and Welfare at Work - Pressure Systems".

Woodworking Machines (Regulations 195-207, Schedule 13)

A woodworking machine is defined as any one of 12 types listed in Schedule 13 of the regulations intended for use on wood, cork, fibre board, or material composed partly of any of those materials. The regulations apply to the use of any woodworking machine at a place of work for which an employer has responsibility. The regulations set out the employer's duties in relation to space around machines, providing training, instruction and information, guarding and protection, maintenance and the emission of dust.

Abrasive Wheels (Regulations 208-214, Schedule 14)

Abrasive wheels must be suitable for the work, be used in accordance with the manufacturer's instructions on speed, be appropriately mounted, and not be used by an employee unless they have been trained. The names of authorised persons must be entered in the employer's safety statement. Guards must be provided and kept in place when wheels are in motion.

Abrasive Blasting of Surfaces (Regulations 215-223)

Employers are required to ensure:

- blasting apparatus, enclosures and ventilating plant are installed, equipped and maintained to minimise the risk to employees and others,
- no sand or substance containing silica is used as an abrasive,
- all reasonably practicable measures are taken to prevent employees/ other people inhaling dust,
- vacuum cleaners with HEPA filters are used for removing dust,
- no people under 18 are employed (except for training) in blasting operations,
- PPE is provided and worn; and
- blasting is only carried out in a blasting enclosure.

Reporting of Accidents and Dangerous Occurrences (Regulations 224-229, Schedule 15)

Under these regulations, employers are legally required to report certain accidents and dangerous occurrences to the HSA.

The following must be reported to the HSA:

- fatal accidents in which employees die either at the workplace or while carrying out work at another location,
- accidents at places of work or in the course of work, where an employee is out of work for more than three consecutive days, excluding the date of the accident,
- accidents involving persons who are not at work but, as a result of an accident related to a place of work or work activity, die within one year of the accident,
- accidents involving persons not at work but who, as a result of an accident related to a place of work or work activity, suffer any injury or condition that results in the person being taken to receive medical treatment in a hospital or medical facility; and
- dangerous occurrences (reportable dangerous occurrences are listed in Schedule 15 of the Regulations).

Fatal accidents should be reported as soon as possible by the quickest practical means, and a written report should be sent to the HSA within five days. Non-fatal accidents and dangerous occurrences should be reported within ten days.

For further information, see “Guidance on the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016”.

Action Checklist and Questions

Questions / Action Points

- Is there an awareness of the general application regulations in my workplace?
- Is my organisation aware of the hazards and topics outlined in the general application regulations?
- Are the requirements to report accidents and dangerous occurrences to the HSA communicated and implemented in my organisation?
- What can I do to promote accident and dangerous occurrence reporting?

Conclusion

The Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2023 cover a wide range of topics. These regulations lay down a basis for managing safety and health at the workplace. Further, they ensure that employers consult with employees on safety and health matters.

Further Information and Resources

HSA Resources

For further information, please see:

- Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2012 – Unofficial consolidation (www.hsa.ie/unofficial)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 1 of Part 2: Workplace (www.hsa.ie/workplace)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 2 of Part 2: Use of Work Equipment (www.hsa.ie/workequipment)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 3 of Part 2: Personal Protective Equipment (www.hsa.ie/ppe)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 4 of Part 2: Manual Handling of Loads (www.hsa.ie/manualhandlingloads)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 5 of Part 2: Display Screen Equipment (www.hsa.ie/displayscreenequipment)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Part 3: Electricity (www.hsa.ie/electricity-guide)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Part 4: Work at Height (www.hsa.ie/workatheight)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 1 of Part 5: Control of Noise at Work (www.hsa.ie/noiseatwork)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 2 of Part 5: Control of Vibration at Work (www.hsa.ie/vibration)

HSA Resources

- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 1 of Part 6: Protection of Children and Young Persons (www.hsa.ie/protectionofchildren)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 3 of Part 6: Night Work and Shift Work (www.hsa.ie/night-shift-work)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 1 of Part 7: Safety Signs at Places of Work (www.hsa.ie/safetysigns)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 2 of Part 7: First-Aid (www.hsa.ie/first-aid)
- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Part 8: Explosive Atmospheres at Places of Work (www.hsa.ie/explosive)
- Guidance for Employers on the Control of Artificial Optical Radiation at Work Regulations 2010 (www.hsa.ie/artificial-optical-radiation)
- Guide to the Safety, Health and Welfare at Work (General Application)(Amendment) Regulations 2012 (S.I. No. 445 of 2012) Pressure Systems (www.hsa.ie/pressure-systems)
- Guidance on the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016 (www.hsa.ie/reporting-regulations)

Other Resources

For further information, please see:

- Safety, Health and Welfare at Work (General Application) Regulations 2007 (https://www.irishstatutebook.ie/eli/2007/si/299/made/en/print)
- Law Reform Commission administrative consolidation of Safety, Health and Welfare at Work (General Application) Regulations 2007 to 2018 (https://revisedacts.lawreform.ie/eli/2007/si/299/revised/en/html)
- S.I. No. 255/2023 - Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2023 (https://www.irishstatutebook.ie/eli/2023/si/255/made/en/print)
- S.I. No. 2/2020 - Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2020 (https://www.irishstatutebook.ie/eli/2020/si/2/made/en/print)
- S.I. No. 619/2021 - Safety, Health and Welfare at Work (General Application) (Amendment) (No. 2) Regulations 2021 (https://www.irishstatutebook.ie/eli/2021/si/619/made/en/print)
- S.I. No. 610/2021 - Safety, Health and Welfare at Work (General Application) (Amendment) Regulations 2021 (https://www.irishstatutebook.ie/eli/2021/si/610/made/en/print)

Part 4: The Law

Chapter 16: Safety, Health and Welfare at Work (Construction) Regulations 2013

Introduction

This chapter provides an overview of the Construction Regulations 2013. This includes a description of the different roles involved in the design and management of construction work, as defined in the Construction Regulations 2013.

Overview

Introduction

The Construction Regulations 2013 which were first enacted in 1995 are set out in 14 parts and seven schedules. The 14 parts fall into three broad categories:

- Parts 1-3: Management Duties
- Part 4: General Safety Provisions
- Parts 5-14: Technical Safety Provisions, including Health and Welfare, and

The 7 Schedules provide more detail about the various parts of the regulations.

Parts 1-14

1 - Interpretation and General

2 - Design and Management

3 - General Duties of Contractors and others

4 - General Safety Provisions

5 - Excavations, shafts, earthworks, underground works and tunnels

6 - Cofferdams and Caissons

7 - Compressed Air

8 - Explosives

9 - General Health Hazards

10 - Construction Work on or Adjacent to Water

11 - Transport, Earthmoving and Materials Handling, Machinery and Locomotives

12 - Demolition

13 - Roads

14 - Construction Site Welfare Facilities

Schedules 1-7

1 - Non-Exhaustive List of Works Involving Particular Risk

2 - Non-Exhaustive List in Relation to General Principles of Prevention

3 - Minimum particulars to be notified by the PSCS to the HSA before construction work begins

4 - Safety Awareness Scheme (Safe Pass)

5 - Construction Skills Certification Scheme

6 - Procedure for Selection of Site Safety Representatives

7 - List of Vehicles Requiring Auxiliary Devices/Visual Aids

The regulations also contain detailed requirements for all stakeholders that may be involved in the design and management of construction work.

Client Requirements

A client is a person for whom a project is carried out. A project supervisor must be appointed in writing by the client if the work involves a particular risk, where:

- more than one contractor is involved, or
- or if the construction work is planned to last longer than 30 days,
- or is scheduled to exceed 500 working days.

When this criterion is met, a client must appoint in writing a Project Supervisor for the Design Process (PSDP) and a Project Supervisor of the Construction Stage (PSCS).

The client:

- must also appoint competent designers and contractors to design and carry out construction work on a project, and
- If construction work is planned to last longer than 30 working days or is scheduled to exceed 500 person days, clients are required to notify the HSA with details of what is known about those appointed as project supervisors.

The persons appointed must be:

- competent,
- have sufficient resources,
- must be appointed in writing, and
- must confirm acceptance of their appointments in writing.

Key Point

The PSDP must be appointed before the design process starts. The PSCS must be appointed before construction work commences.

Project Supervisor Design Process (PSDP)

A Project Supervisor Design Process (PSDP) is a person or company appointed in writing by a Client under Regulation 6 of the Safety, Health and Welfare at Work Regulations 2013. Under the regulations, they have various duties relating to the design of the project. In most construction projects, the architect or engineer will undertake this role. The following are some of the duties of the project supervisor:

- Identify hazards arising from the design or from the technical, organisational, planning or time-related aspects of the project,
- Where possible, eliminate the hazards or reduce the risks,
- Communicate necessary control measures, design assumptions or remaining risks to the PSCS so that these can be dealt with in the Safety and Health Plan,
- Ensure that the work of designers is coordinated to ensure safety,
- Organise cooperation between designers,
- Prepare a written Safety and Health Plan on a preliminary basis for any project where construction will take more than 500 person days or 30 working days, or where there is a Particular Risk, and deliver it to the client,
- Prepare a safety file for the completed structure and give it to the client, and
- The PSDP may issue directions to designers, contractors or others where they feel safety is being compromised.

Project Supervisor Construction Stage (PSCS)

A Project Supervisor Construction Stage (PSCS) is a person or company appointed in writing by a Client under Regulation 6 of the Safety, Health and Welfare at Work Regulations 2013. They have various duties under the regulations relating to coordinating health and safety on site, such as:

- Develop the Safety and Health Plan provided by the PSDP prior to commencing construction work,
- Coordinate the implementation of the construction regulations by contractors,

- Organise cooperation between contractors and the provision of information,
- Coordinate the reporting of accidents to the Health and Safety Authority,
- Notify the Authority before construction commences where construction is planned to take more than 500 person days or 30 working days using form AF2. This can be completed online (https://webapps.hsa.ie/Account/LoginConstruction),
- When there are more than 20 workers on site, facilitate the appointment of a Safety Representative and provide the necessary information to the site Safety Representative to fulfil their role,
- Coordinate the checking of safe working procedures,
- Coordinate measures to restrict entry onto the site,
- Coordinate the provision and maintenance of welfare facilities,
- Coordinate arrangements to ensure that craft, general construction workers and security workers have a Safety Awareness card (for example, Safe Pass and a Construction Skills card where required),
- Provide all necessary safety file information to the PSDP,
- Monitor the compliance of contractors and others and take corrective action where necessary,
- The PSCS may issue directions to designers or contractors where they feel safety is being compromised, and
- Ensure that traffic and pedestrian routes are in place to ensure safety when construction vehicles are in operation.

Designers

Designers are organisations or individuals who undertake design work for a project, including the design of temporary works. They often make decisions that can significantly reduce the risks to safety and health during the construction stage and during subsequent use and maintenance.

Designers must:

- Identify any hazards that your design may present during construction and subsequent maintenance,
- Where possible, eliminate the hazards or reduce the risk. For example, can roof-mounted equipment be placed at ground level, or can guard-rails be provided to protect workers from falling?

- Communicate necessary control measures, design assumptions or remaining risks to the PSDP so they can be dealt with in the Safety and Health Plan,
- Cooperate with other designers and the PSDP or PSCS,
- Take account of any existing safety and health plan or safety file,
- Comply with directions issued by the PSDP or PSCS,
- Where no PSDP has been appointed, inform the client that a PSDP must be appointed,
- The Safety, Health and Welfare at Work Act 2005 requires designers to ensure that the project is capable of being designed and constructed to be safe and without risk to health, can be maintained safely and complies with all relevant health and safety legislation, and
- If design work is being undertaken on a person's domestic dwelling, then the designer must demonstrate to the Client that they are competent to carry out the work and have allocated or will allocate the adequate resources to complete the project in a safe manner.

Contractors

You are a contractor if you are an employer whose employees carry out or manage construction work. Local Authorities, manufacturers and self-employed persons may also be "contractors" under these regulations. The contractor has significant duties, some of which are summarised below.

As a contractor, you must:

- Cooperate with the Project Supervisor Construction Stage (PSCS),
- Provide a copy of your safety statement and relevant information to the PSCS,
- Promptly provide the PSCS with the information required for the safety file,
- Comply with directions of Project Supervisors,
- Report accidents to the Authority and to the PSCS where an employee cannot perform their normal work for more than three days (not including the day of the accident),
- Comply with site rules and the safety and health plan and ensure that your employees comply,
- Identify hazards, eliminate the hazards or reduce risks during construction,
- Facilitate the Site Safety Representative,

- Ensure that relevant workers have a SOLAS safety awareness card and a SOLAS construction skills card (CSCS) where required,
- Provide workers on-site with a specific induction,
- Appoint a safety officer where there are more than 20 on-site or 30 employed,
- Consult with workers and Safety Representatives,
- Monitor compliance and take corrective action, and
- Where no PSCS has been appointed, inform the client that a PSCS must be appointed.

Duties of Employees and Others

Everybody working on a site is required to comply with the:

- Construction regulations,
- Cooperate, report defects in plant and equipment,
- Comply with the rules in the safety and health plan,
- Make proper use of equipment and PPE, and
- Show SOLAS Safe Pass and CSCS cards when requested.

Welfare Requirements on Construction Sites

The Project Supervisor Construction Stage (PSCS) should coordinate and monitor welfare facilities and make sure that suitable welfare facilities are provided from the start and are maintained throughout the construction phase.

Contractors responsible for construction sites are required to provide:

- One suitable toilet, which is not a urinal. This should be provided for every 20 persons at work on site. Chemical toilets should only be used as a temporary measure. Separate toilets should be provided for men and women.
- Suitable heated accommodation has been provided to take shelter from bad weather.
- Where there are fewer than five people working on-site, suitable alternative arrangements can be made.
- Changing room(s) with the means for drying wet clothing have been provided. This should include the storage and drying, where necessary, of protective clothing. Where there are less than 5 people working on site suitable alternative arrangements can be made.

- Suitable accommodation has been provided to take meals. Tables with impermeable surfaces must be provided along with seats with backs.
- Drinking water and the facilities to boil water and heat food are available.
- Washing facilities, including hot and cold or warm running water, have been provided, including soap, and a supply of clean towels or a hand dryer should be provided.
- Arrangements are in place to make sure welfare facilities are ventilated, well-lit and kept clean.
- Welfare accommodation is not used for the storage of building materials.

Solas Safe Pass and Construction Skills Certification Scheme (CSCS)

Workers are required to hold a valid safety awareness registration card (Safe Pass) and, if applicable, a valid construction skills registration card (CSCS). The Project Supervisor Construction Stage and contractors are required to ensure workers possess such cards and that employees receive a site-specific induction.

Mandatory Construction Skills Certification Scheme Cards (CSCS)	
180° Excavator	Site Dumper
Telescopic Handler	Tower Crane
Tractor/Dozer	Roof and Wall Sheeting/Cladding
Mobile Crane	Built-Up Roof Felting
360° Excavator	Scaffolding Basic
Slinger/Signaller	Scaffolding Advanced
Articulated Dumper	Mobile Tower Scaffold
Crawler Crane	Locating Underground Services
Mini Excavator	Signing, Lighting & Guarding at Roadworks
Self-Erecting Tower Crane	Health and Safety Roadworks
180° Excavator	Shot Firing
Telescopic Handler	

Safety Representatives In Construction

Where there are more than 20 people employed at any one time on a construction site, the PSCS must facilitate the appointment of a site Safety Representative, from among the employees working on the construction project.

Key Point

A Safety Representative is not a Safety Officer or Safety Advisor. Safety Representatives are protected against penalisation (Section 27 of the Safety, Health and Welfare at Work Act 2005).

The PSCS will:

- Ensure that the site Safety Representative has access to the risk assessment, information on accidents and dangerous occurrences, information on protective and prevention measures, is informed when an HSA inspector enters the site and when site safety meetings are being held,
- Facilitate the site Safety Representatives' attendance at such meetings.

The site Safety Representative may:

- Inspect the whole or any part of the site on giving reasonable notice to the PSCS and his employer or, in the event of an accident or dangerous occurrence or if there is an imminent danger,
- Investigate accidents and dangerous occurrences, provided they do not interfere with or obstruct the performance of any statutory obligation,
- Investigate complaints relating to health and safety after giving reasonable notice to the PSCS and the contractor,
- Accompany an inspector on a site visit, unless the visit involves investigating an accident or dangerous event, in which case it's up to the inspector to decide. Again, at the inspector's discretion, where an employee is being interviewed concerning an accident or dangerous occurrence the site Safety Representative may, if the employee requests, attend the interview,
- Make representations to HSA inspectors, receive advice and information from inspectors, and consult with other Safety Representatives at the site.

Key Point

- Project supervisors and contractors are required to take account of representations made by site Safety Representatives.
- Employers are required to afford Safety Representatives time off, without loss of remuneration, to enable them to acquire the skills and knowledge they need to discharge their functions.

Action Checklist and Questions

Questions / Action Points

- Where applicable, has the client appointed in writing a PSDP at or before the design process begins?
- Where applicable, has the client appointed a PSCS before construction work commences?
- Are appropriate staff (that is, all craft, general construction workers and on-site security personnel) in possession of a SOLAS Safe Pass card?

Conclusion

This chapter provides an overview of the construction regulations. It is important to note that a client (when requirements are met) must appoint in writing a PSDS and a PSCS. Training is key to ensuring good practices occur on site. Workers must be possession of a valid SOLAS Safe Pass card and hold a Construction Skills Certification Scheme (CSCS) card if carrying out any of the activities listed above. Welfare facilities must be provided and maintained. Most importantly the appointment of a Safety Representatives must be facilitated where there are more than 20 workers employed on a construction site.

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Representatives in Construction Information Sheet (www.hsa.ie/construction-info-sheet)
- Requirements for Construction Site Welfare Facilities (www.hsa.ie/construction-welfare-requirements)
- Summary of Key Duties under the Procurement, Design and Site Management Requirements of the Safety Health and Welfare at Work (Construction) Regulations, 2013 (www.hsa.ie/construction-regulations-summary)

Part 4: The Law

Chapter 17: Chemicals Legislation

Introduction

This chapter summarises the main laws on chemical safety under the Health and Safety Authority's mandate, focusing on European and Irish chemical regulations.

Overview

The legal framework of European and Irish chemicals legislation includes the following:

- The Registration, Evaluation, Authorisation and Restriction of Chemicals Regulation (REACH)
- Classification, Labelling and Packaging (CLP) Regulation (EC 1272/2008)
- Chemicals Acts 2008-2010
- Safety, Health and Welfare at Work (Carcinogens) Regulations 2024
- Safety, Health and Welfare at Work (Chemicals Agents) Regulations 2001-2021
- Detergents Regulation (EC 648/2004)
- The Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015 (COMAH)

Reach

Definition

The Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation 1907/2006 is concerned with the protection of human health and the environment from harmful chemicals. It is also a single market measure, placing duties on manufacturers, importers, suppliers and downstream users of chemicals to register and seek authorisation to use and place chemicals on the market.

Companies manufacturing chemical substances or importing them into the EU in volumes of one tonne or more per annum are obliged to register with the European Chemicals Agency (ECHA). Companies may also be required to seek authorisation to use or place chemical substances of very high concern (such as carcinogens, mutagens or reproductive toxins) on the market for a stated use.

Chemicals which have been deemed as posing an unacceptable risk to human health or the environment may be limited or banned (restricted) from being placed on the market or used.

Key Point

- 106,071 chemical registrations have been lodged with ECHA as of April 2024.
- These registrations span 22,684 chemical substances and 17,574 companies across the EU.

The Classification, Labelling and Packaging Regulation

The Classification, Labelling and Packaging (CLP) Regulation is a key piece of legislation in the European Union designed to ensure the safe use of chemicals. It aligns the EU's system of chemical classification with the Globally Harmonised System (GHS) developed by the United Nations. The CLP Regulation mandates that companies appropriately classify, label, and package hazardous chemicals before they are placed on the market. This includes providing clear information on the hazards associated with chemical substances and mixtures, which helps to protect human health and the environment. By standardising these requirements, the CLP Regulation facilitates international trade and improves the communication of chemical hazards globally.

CLP aims to protect workers, consumers and the environment by communicating physical, human health and environmental hazards through classification and labelling. The regulation places duties on manufacturers, importers, downstream users and distributors or producers of articles to ensure that hazard information is communicated by the information on the label.

Chemical Acts 2008 – 2010

The Chemicals Acts 2008 and 2010 are legislative frameworks established to regulate the use and management of chemicals in order to protect human health and the environment. These acts implement various European Union regulations, including the REACH and the CLP Regulation. The Chemicals Act establishes enforcement measures and assigns responsibilities to authorities for monitoring and compliance, thus promoting the safe and sustainable use of chemicals within Ireland.

Under the Acts the Authority is given a wide range of enforcement powers, similar to those granted to the Authority under the Safety, Health and Welfare at Work Act 2005. The HSA has the power to issue prohibition notices and contravention notices to individuals who breach legal requirements or fail to follow instructions to provide an improvement plan.

Part 4: The Law

Chapter 17: Chemicals Legislation

The Safety, Health and Welfare at Work (Carcinogens, Mutagens and Reprotoxic Substances) Regulations 2024

The Safety, Health and Welfare at Work (Carcinogens, Mutagens and Reprotoxic Substances) Regulations 2024 is a comprehensive regulatory framework designed to protect workers from exposure to substances that can cause cancer, genetic mutations, or reproductive toxicity. These regulations require employers to identify and assess the risks associated with these hazardous substances in the workplace and implement stringent control measures to minimise exposure. Key provisions include the substitution of dangerous substances with safer alternatives where feasible, the use of closed systems to prevent exposure, and the provision of adequate personal protective equipment (PPE) and training for workers. The regulations also mandate regular health surveillance for workers exposed to these substances, detailed record-keeping of exposure levels, and stringent monitoring and reporting requirements to ensure compliance. By enforcing these measures, the regulations aim to enhance occupational health and safety, thereby reducing the risk of serious health conditions among workers.

Chemical Agents Legislation

Introduction

The Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001, and (Amendment) Regulations 2015 and 2021 (collectively known as the Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 to 2021) apply to any enterprise where hazardous chemical agents are used or generated and safeguard workers from the risks associated with chemical agents in the workplace. These regulations require employers to assess and manage the risks posed by hazardous chemicals, ensuring a safe working environment. Key requirements include identifying hazardous chemical agents, evaluating their risks, and implementing appropriate control measures to minimise exposure. Employers must also provide information, instruction, and training to workers about the dangers and safe handling of chemical agents and ensure the availability of safety data sheets (SDS). Additionally, these regulations mandate health surveillance for workers exposed to certain chemicals, maintenance of exposure records, and the establishment of emergency procedures to deal with accidental exposures. By enforcing these measures, the regulations aim to protect workers' health and ensure a high standard of safety in workplaces dealing with chemical agents.

The Detergents Regulation EC No. (648/2004)

This Regulation is designed to control the adverse effects of detergents on the environment. The objective is to harmonise the rules relating to the biodegradability of surfactants in detergents by applying requirements relating to restrictions or bans on surfactants on the grounds of biodegradability.

The Detergents Regulation covers the manufacturing, placing and making available on the market, as well as the use of detergents. Any natural or legal person responsible for placing a detergent or a surfactant for a detergent on the market must comply with this regulation.

The Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015 (COMAH)

The Control of Major Accident Hazards (COMAH) involving Dangerous Substances is a regulatory framework in the European Union designed to prevent and mitigate the consequences of major industrial accidents involving hazardous substances. The COMAH regulations require operators of industrial sites where significant quantities of dangerous substances are present to take all necessary measures to prevent major accidents and limit their impact on people and the environment.

Key aspects of the COMAH regulations include:

- **Risk Assessment:** Operators must conduct thorough risk assessments to identify potential accident scenarios and evaluate the risks associated with their hazardous substances.
- **Safety Management Systems:** Implementation of robust safety management systems to ensure ongoing control of major accident hazards. This includes regular maintenance, operational controls, and staff training.
- **Major Accident Prevention Policy (MAPP):** Operators must establish and implement a MAPP, outlining the company's overall approach to preventing major accidents, including safety objectives and roles and responsibilities.
- **Safety Reports:** Facilities handling large quantities of dangerous substances are required to produce detailed safety reports demonstrating compliance with the regulations and the effectiveness of their safety management systems.
- **Emergency Plans:** Development of on-site and off-site emergency plans to respond effectively in the event of a major accident, ensuring coordination with local emergency services and authorities.
- **Public Information:** Providing information to the public and relevant stakeholders about the potential risks and safety measures in place to address major accident hazards.
- **Inspections and Enforcement:** Regulatory authorities conduct regular inspections to ensure compliance with COMAH regulations and have the power to enforce actions to rectify any deficiencies identified.

By enforcing these measures, the COMAH regulations aim to reduce the likelihood and impact of major industrial accidents, thereby protecting workers, the public, and the environment from serious harm.

Conclusions

This chapter summarises key Irish and European laws on chemical safety under the Health and Safety Authority's responsibility.

Further Information and Resources

HSA Resources

For further information, please see:

- Chemicals (www.hsa.ie/chemicals)

Other Resources

For further information, please see:

- European Chemicals Agency (https://echa.europa.eu/)
- European Commission – Chemicals (https://environment.ec.europa.eu/topics/chemicals_en)
- EU-OHSA – Dangerous Substances (https://osha.europa.eu/en/themes/dangerous-substances)

Part 4: The Law

Chapter 18: ADR Transport of Dangerous Goods

Introduction

This chapter explains ADR - which is the agreement on transporting dangerous goods by road internationally.

Overview and Definition

The ADR has been adopted by more than 50 countries worldwide and Ireland has been a contracting party since 2006. It is implemented in Ireland by national regulations which are amended at least once every two years.

Definition

Dangerous goods are substances and, articles, which, have been identified as hazardous for transport and present a risk to people, property and the environment.

The ADR sets out the responsibilities of different participants (duty holders) regarding the transport of dangerous goods, such as the consignor, carrier, driver and vehicle crew, packer, filler, loader, unloader and consignee (the person who takes charge of the dangerous goods at the place of unloading).

Participants are required to take all necessary actions to reduce the risk of an incident involving dangerous goods, including:

- Ensuring that employees with duties concerning the carriage of dangerous goods have received the appropriate training.
- Keeping records of such training.
- Complying with specified legal duties.
- Taking appropriate measures to avoid damage or injury.
- Notifying emergency services of an immediate risk to public safety.

There are generally several participants in a transport chain and a person or company can be one, or may assume the responsibility of several participants, depending on the activity.

Dangerous Goods Safety Adviser (DGSA)

Companies involved in the consignment, carriage or the related packing, loading, filling or unloading, of dangerous goods must appoint a safety adviser, commonly referred to as a DGSA. There are some exemptions to this. However, a company may still require support from a DGSA from time to time.

A **DGSA** is a competent person who can advise on the safe transport of dangerous goods.

The main duties of a DGSA include:

- **Monitoring compliance with the requirements governing the carriage of dangerous goods.**
- **Advising on the carriage of dangerous goods.**
- **Preparing an annual report on the undertaking's activities in the carriage of dangerous goods. Annual reports must be preserved for five years and made available to the competent authority on request.**

DGSAs generally complete training and must pass the relevant examinations to gain the DGSA qualification, which must be renewed every five years.

Training

Vehicle drivers and other participants, such as the filler, packer, loader, unloader and administrative staff involved in the transport of dangerous goods must be trained in line with their role and responsibilities.

In addition, drivers must have a training certificate, which is obtained by completing a training course with an approved training provider and passing the relevant examination(s). The training comprises basic training for all drivers, with additional specialised training for drivers of vehicles carrying tanks and drivers carrying explosives or radioactive material. Specific training and examinations are also available for drivers transporting fuels such as diesel, petrol and kerosene in tank vehicles.

The training certificate is valid for five years and drivers need to do refresher training and re-sit the examination to renew the certificate.

Dangerous Goods

Dangerous goods are classified into one of nine main hazard classification groups (see Figure 20 below), with a corresponding class or hazard label, and have a unique identifier known as the "UN" number. They are further classified according to "packing group" or "PG" indicating degree of danger (PG I - high danger, PG II - medium danger, PG III - low danger).

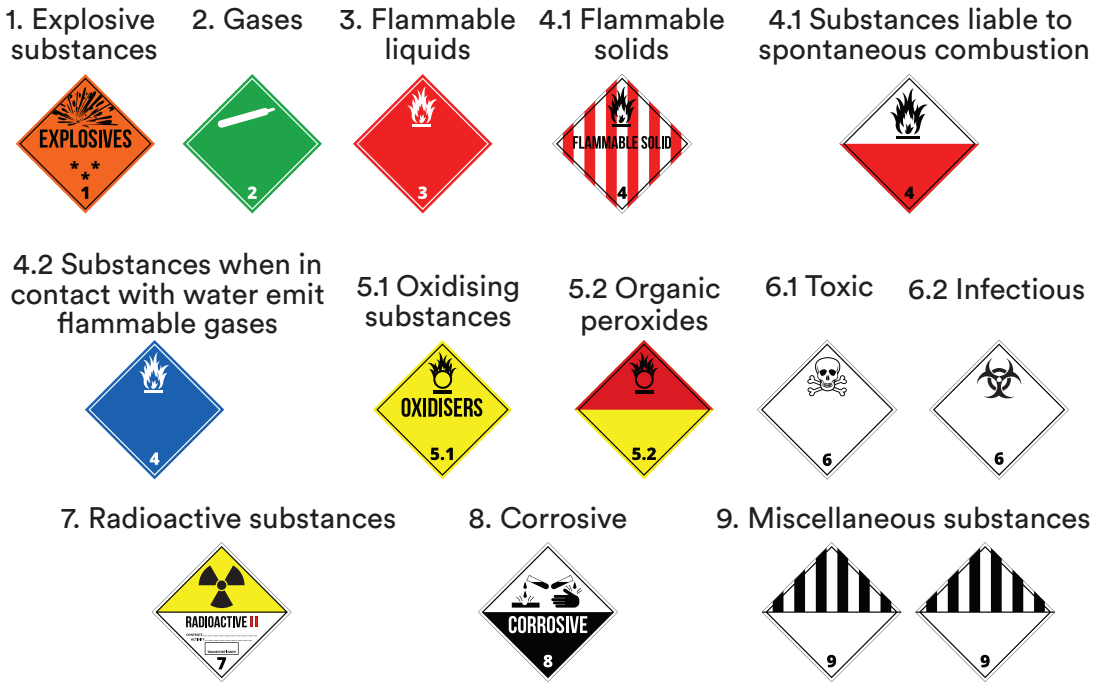


Figure 20. Dangerous goods main hazard classification group.

Petrol, for example, is a flammable liquid, "Class 3" with UN number, "UN 1203" and is allocated to "PG II" and is described on a transport document as "UN 1203, Petrol, 3, PG II".

Vehicle Safety Equipment and Personal Protective Equipment

ADR specifies the safety equipment, including fire extinguishers, to be carried on vehicles for use by the vehicle drivers and crew, and the personal protective equipment (PPE) for the drivers and crew. The driver should also carry a first aid kit and any other safety items identified in the risk assessment, such as a chemical spill kit.

The instructions in writing document contains emergency action information for crew members, and a list of mandatory personal and vehicle safety equipment.

Documentation

The following documentation must be carried on vehicles used to transport dangerous goods:

- Transport document (with information regarding the dangerous goods carried).
- ADR driver training certificate.
- Instructions in writing (in a language that the driver and each crew member can understand).
- Annual vehicle certificate of approval.
- Competent authority authorisations.
- Means of identification of all members of the vehicle crew (including photograph).

Emergency Action

Companies that consign, store and/or carry dangerous goods must have procedures as appropriate to deal with the following:

- Chemical spills.
- Fire or explosion.
- Road traffic incidents involving dangerous goods.
- Personal contamination.
- Environmental contamination.
- Security incidents.
- Loss of dangerous goods.

Such businesses must notify the emergency services of any immediate risk to public safety, property or the environment.

Action Checklist and Questions

Questions / Action Points

- Is my company involved in the transport of dangerous goods?
- If yes, have all employees received adequate training in line with their roles and responsibilities?

Conclusions

This chapter provides an overview of some of the requirements for people involved in the transport of dangerous goods. It is important for Safety Representatives to have a high-level understanding of these requirements.

Further Information and Resources

HSA Resources

For further information, please see:

- Carriage of Dangerous Goods by Road (www.hsa.ie/dangerous-goods-road)
- ADR Quick Reference Guide (www.hsa.ie/adr-guide)
- ADR Carriage of Dangerous Goods by Road (www.hsa.ie/adr-carriage)
- ADR Legislation (www.hsa.ie/adr-legislation)

Other Resources

For further information, please see:

- United Nations Economic Commission for Europe (https://unece.org/transport/dangerous-goods)

Part 5:
OSH Roles & Responsibilities

Part 5: OSH Roles & Responsibilities

Chapter 19: Employers

Introduction

In this chapter, the role and responsibilities of employers in relation to safety, health and welfare in work is discussed.

Overview

The basis of the employer's role is set out in the Barrington Commission Report (1983). Employers (including self-employed persons) are primarily responsible for creating and maintaining a safe and healthy workplace. Employers are required to manage the workplace to ensure, in so far as reasonably practicable, the safety, health and welfare of employees. The Safety, Health and Welfare at Work Act 2005 clarifies the extensive responsibilities and duties of employers. The different requirements are described under the following headings:

1. General Duties of Employers
2. Information to Employees
3. Instruction, Training & Supervision of Employees
4. Emergencies and serious and imminent dangers
5. Protective and Preventive Measures
6. Hazard Identification & Risk Assessment
7. Safety Statement
8. Cooperation
9. Health Surveillance & Medical fitness to work
10. Safety Representative
11. Employee Consultation
12. Penalisation

General Duties of Employers

General duties of the employer (Part 2, section 8) include:

- To ensure the safety, health and welfare of their employees at work.
- To manage and conduct work activities in such a way as to ensure the safety, health and welfare at work of all employees.
- To manage and conduct work activities in such a way as to prevent any improper conduct or behaviour likely to endanger employees.

- To ensure the design, provision and maintenance of:
  - a safe, risk-free place of work,
  - safe means access to and egress from it, and
  - plant and machinery that are safe and without risk to health.
- To ensure safety and the prevention of risk arising from the use of articles or substances or the exposure to noise, vibration, radiation or any other ionising agent.
- To provide systems of work that are planned, organised, performed, maintained and revised as appropriate so as to be safe and risk-free.

  Safe System of Work Plan (SSWP) identifies the major hazards associated with construction work activities and helps to ensure that appropriate controls are in place before work commences. It communicates through the use of pictograms so that everyone on site, including persons who possess little or no English can understand what they need to do. The SSWP complements the Safety Statement required under the Safety, Health and Welfare at Work Act; it does not replace the requirements for a Safety Statement.
- To provide and maintain facilities and arrangements for the welfare of employees at work.

  Welfare has been described as being primarily concerned with "comfort" items, such as sanitary and washing facilities. What is meant by welfare is specified in more detail in the SHWW Act 2005 (Schedule 7, paragraph 31). Welfare facilities include the supply of hot water, sanitary conveniences, washing and bathing facilities, ambulance and first-aid arrangements, cloakroom facilities, seating, and refreshing facilities, including places for the taking of meals.

  The HSA recommendations in relation to general welfare requirements (General Application Regulations, regulation 18) are concerned with:
  - Cleaning: workplaces should be kept clean and clear of refuse.
  - Where a job can be carried out while seated, or where there may be opportunities for workers to sit down between tasks without detriment to their work, seating (chair with a back), or if that is not practicable, some other form of support should be provided.
  - Drinking water should be provided at accessible locations.
  - There should be facilities to boil water.
  - Table surfaces should be easy to clean.
  - Rest rooms should be provided where work involves arduous physical activity or is conducted in a hostile atmosphere (for example, where employees are exposed to dust or fumes).
- To provide information, instruction, training and supervision, where necessary. Employers are required to provide training during working hours and without loss of remuneration to employees attending training.

Induction training should cover health and safety policy, personal responsibilities, fire procedures, emergency procedures, first-aid arrangements, accident and incident reporting procedures, basic manual handling techniques and information on PPE and washing, eating and changing facilities, where these apply in the workplace. For more information on OSH induction training, please see Appendix 2: Employee OSH Training Journey.

Training should be provided to staff:

- When they start employment.
- When they change or transfer tasks.
- When they are introduced to new equipment, technology or systems of work.
- When changes are made to existing equipment, technology or systems of work.
- Periodically to ensure that employees maintain their competency in carrying out their roles.

Good training arrangements should include:

- Systems to identify health and safety training needs.
- Training documentation that is appropriate to the size and activity of the organisation.
- Refresher training.
- Proper supervision to ensure the development and maintenance of competence.
- How to implement the safety, health and welfare measures necessary for the protection of employees, as identified through risk assessments.

The employer is required to assess the hazards of the workplace in order to identify the correct type of PPE to be provided. The employer should consider the following:

- Is the PPE appropriate to the risks involved and the condition of the workplace?
- Does the PPE adequately prevent or control the risks?
- Can it be adjusted to fit the wearer correctly?
- Is the employer aware of medical conditions of the wearer that have to be taken into account?
- Does the PPE cause discomfort?
- If more than one item of PPE is being worn, are the items compatible?

Under the Safety, Health and Welfare at Work (General Application) Regulations 2016 all employers and self-employed persons are legally obliged to report the injury of an employee as a result of an accident while at work. Injuries must be reported if your employee is unable to carry out their normal work for **more than three consecutive days,** excluding the day of the accident.

- The employer is required to obtain, where necessary, the services of a competent person for the purpose of ensuring safety and health at work.

Information to Employees (Part 2, Section 9)

When giving information to employees, employers must:

- Ensure that it is given in such appropriate form, manner and language that it is likely to be understood by the employees concerned.
- Ensure that the information includes the workplace hazards and risks identified, the protective and preventive measures taken, and the names of the Safety Representative and all other persons named in evacuation procedures.
- Ensure that the person's employer receives the above information where persons from other employment are engaged in work activities in an employer's undertaking.
- Ensure that the Safety Representative (section 25) and designated competent persons (section 18) have access to:
  - The risk assessment,
  - Information relating to reportable incidents and accidents, and
  - Information arising from protective or preventative measures.
- Provide information relating to the following before a fixed term or temporary employee commences work:
  - Any potential risks,
  - Health surveillance,
  - Any special occupational qualifications or skills required, and
  - Any increased specific risks which the work may involve.

Instruction, Training, and Supervision and Supervision of Employees (Part 2, Section 10)

- All instruction, training and supervision is provided in a manner, form and language that is reasonably likely to be understood.
- Employees receive, during time off from their work but without loss of pay, adequate health, safety and welfare training including information and instruction relating to the specific task to be performed and measures to be taken in an emergency.
- The employee's capabilities in relation to safety, health and welfare are considered.
- In the case of a class or classes of sensitive employees or groups of employees exposed to risks expressly provided for in the relevant statutory provisions, the employees are protected against the dangers that specifically affect them.
- Training must be adapted to take account of new or changed risks in the workplace.
- Training must be provided:
  - on recruitment,
  - when an employee is transferred, or tasks change,
  - on the introduction of new or changed work equipment or work systems, and
  - on the introduction of new technology.
  - All contractors, etc, carrying out work on the employer's premises must receive relevant safety instructions.

Emergencies and Serious and Imminent Dangers (Part 2, Section 11)

The employer must provide adequate plans and procedures to be followed and measures to be taken in the case of emergency or serious and imminent danger.

These plans should:

- Provide measures for first aid, firefighting and premises evacuation taking into account of the nature of the work being carried out and the size of the place of work.
- Arrange necessary contacts with appropriate emergency services (first aid, emergency medical care, rescue work and firefighting).
- Designate employees who are required to implement these plans and procedures.
- Ensure that all designated employees have adequate training and equipment available to them.

In the event of an emergency or serious and imminent danger, the employer must:

- Inform all employees of the risk and steps taken to protect them.
- Refrain from requiring employees to carry out or resume work where there is still a threat to their safety.
- Ensure that, in the absence of appropriate guidance or instruction, based on the employees' knowledge and technical means at his or her disposal, the employee must take appropriate steps to avoid the consequences of the danger.
- Take action and give instruction for employees to stop work and remove themselves to a safe place.
- Ensure that an employee who leaves the place of work in the case of an emergency is not penalised because of such action.
- Ensure that access to specifically hazardous areas is restricted only to employees who have received appropriate training.

Protective and Preventive Measures (Part 3, Section 18)

The employer must:

- Appoint an adequate number of competent persons to perform the functions relating to the protection of employees and give them adequate time and means to perform those functions.
- Make arrangements for cooperation between the competent person and the Safety Representative.
- Give preference to competent persons within their employment when appointing a competent person.

A person is deemed to be competent where the person has the training, experience and knowledge appropriate to the work to be done, considering the size and the hazards of the workplace or the undertaking.

Hazard Identification and Risk Assessment (Part 3, Section 19)

The employer must:

- Identify all hazards in the workplace.
- Keep a written assessment of the risks associated with each hazard (known as a Risk Assessment).

- Review the Risk Assessment if:
  - There is a significant change to the matters it relates to, or
  - There is any other reason to believe that it is no longer valid.
- Implement any control measures or improvements which are identified by the Risk Assessment.

Further, when deciding what control measures to put in place, employers should have regard to the 'General Principles of Prevention'.

Safety Statement (Part 3, Section 20)

Employers must have a written Safety Statement, based on the hazard identification and Risk Assessment carried out, which specifies how they are going to manage and secure the safety, health and welfare of all employees at work. As with risk assessments, the Safety Statement should be reviewed regularly and if there are significant changes to work practices.

The Safety Statement should specify:

- The hazards identified and risks assessed,
- The protective and preventive measures taken, and the resources provided,
- The emergency plans and procedures,
- The duties of the employees, and
- The names, job titles and positions of anyone assigned with safety responsibilities, including Safety Representatives.

The Safety Statement should be brought to the attention of:

- Employees at least annually or when there are any changes,
- Newly recruited employees upon the commencement of employment, and
- Other persons at the place of work who may be exposed to any specific risk.

When the Safety Statement is being brought to the attention of employees, it must be in a form, language and manner that they understand.

The employer must review the Safety Statement if:

- There is a significant change to the matters it relates to,
- There is any other reason to believe that it is no longer valid,
- An inspector directs the Statement to be amended.

Every employer must ensure that:

- All contractors providing services to the employer have an up-to-date Safety Statement.
- A copy of the Safety Statement is kept available for inspection at or near the place of work.

If an employer who employs 3 or fewer employees is engaged in an activity for which there is a Code of Practice for that type of activity, they can fulfil their duty in relation to Safety Statements by complying with such Code of Practice. For more information about Codes of Practice, please see Appendix 8: List of HSA Codes of Practice.

Duty of Employers to Cooperate (Part 3, Section 21)

Where employers share a place of work, they must:

- Cooperate in complying with and implementing the relevant statutory provisions.
- Coordinate their actions in relation to the prevention and protection of employees.
- Inform each other, respective employees and Safety Representatives, of all risks (including sharing the Safety Statement and relevant extracts relating to hazards and risks).

Health Surveillance and Medical Fitness to Work (Part 3, Sections 22 & 23)

Employers are required to ensure that health surveillance appropriate to the risks that may be incurred in the place of work is available to all employees. The Act requires an assessment of the medical fitness to work of employees involved in certain work activities or occupations.

These activities and occupations will be detailed in Regulations. Employees are required to inform their Employer or their Employer's Registered Medical Practitioner if they are unfit to carry out a prescribed work activity. If an employer is notified of the unfitness of the employee, they must immediately take appropriate action to comply with the general duties of employers to ensure the safety, health and welfare of all employees at work.

Safety Representative (Part 4, Section 25)

The Employer must:

- Agree with the Safety Representative the frequency of inspections to take place.
- Consider any representations made to him or her by the Safety Representative and, so far as reasonably practicable, take any action that he or she considers necessary or appropriate with regard to those representations.
- Allow the Safety Representativesuch time off from their work, without loss of pay, as is reasonable to enable the Safety Representative to acquire the knowledge and training and time to discharge their functions.

- Inform the Safety Representative when an inspection is taking place.
- Give the Safety Representative a copy of the written confirmation, required under the Act and sent to the inspector, that an Improvement or Prohibition Notice has been complied with.

Consultation and Participation with Employees (Part 4, Section 26)

Employers are required to:

- Consult with employees for the purpose of making and maintaining safety arrangements
- Consult with their employees and Safety Representatives in good time regarding:
  - protective measures proposed,
  - the designation of employees with safety responsibilities,
  - activities arising from or relating to the protection from and the prevention of risks,
  - the hazard identification and risk assessment,
  - the Safety Statement,
  - the information to be provided to employees (as outlined above),
  - the information required to be kept or notified to the Authority in respect of accidents or dangerous occurrences,
  - the appointment of competent persons,
  - the planning and organisation of training, and
  - the planning and organisation of new technologies particularly in relation to the choice of equipment, working conditions and the work environment.

Penalisation (Part 4, Section 27)

Employers are prohibited from penalising (defined as dismissal, demotion, transfer, imposition of duties, coercion or intimidation) or threatening to penalise employees, who are performing any duty, exercising rights or who make any complaints relating to safety and health or who give evidence in enforcement proceedings.

The dismissal or penalisation in such manner can be deemed to be an unfair dismissal within the meaning of the Unfair Dismissals Acts of 1997 and 2001 and employees may also complain to the Rights Commissioner that their employer has penalised them for exercising their rights under the safety and health legislation.

Action Checklist and Questions

Questions / Action Points

- Does my employer ensure the safety, health and welfare at work of their employees?
- Does my employer have Safe Systems of Work Plans in place?
- Does my employer report workplace accidents to the HSA?
- Does my employer provide adequate training?
- Does my employer have plans and procedures to be followed in the case of an emergency?
- Does my employer have a written Risk Assessment and Safety Statement?
  - Are these documents communicated and provided to employees adequately?
- Does my employer consult with employees for the purpose of making and maintaining safety arrangements?
  - Do they consider representations made to them by the Safety Representative?

Conclusion

The chapter provided an overview of the role and responsibilities of employers in relation to safety, health and welfare in work. As indicated, employers (including self-employed persons) play a key role in creating and maintaining a safe and healthy workplace. The general duties of the employers set out in the Safety, Health and Welfare at Work Act 2005 were discussed. This includes employers' obligations such as providing information to employees, including Risk Assessment and Safety Statements, emergency procedures, training requirements, consultation requirements and penalisation.

HSA Resources

For further information, please see:

- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 (www.hsa.ie/2007-regulations-guide)
- Practical Guidelines on the Implementation and Maintenance of an Occupational Safety, Health and Welfare Management System (www.hsa.ie/osh-management-guidelines)

Part 5: OSH Roles & Responsibilities

Chapter 20: Employees

Introduction

In this chapter, the role and responsibilities of employees in relation to safety, health and welfare in work is discussed.

Overview

The Safety, Health and Welfare at Work Act 2005 imposes duties and obligations on employees and confers employee rights. The duty is on the employee to protect themselves and others. Under the law, Sections 13-15, employees have a range of duties, including those that have part-time or temporary roles, regardless of any employment or contractual arrangement that they may have. These duties are described under three headings in the 2005 Act:

1. Duties of employee.
2. Interference and misuse.
3. General duties of persons in control of place of work.

Definition

According to the Workplace Relations Commission (2024), an individual could be employed;

- Full-time
- Part-time
- As a fixed-term employee
- As an agency worker

These **types of employment** are depending on the needs of the employer or the purpose of employment.

Duties of Employees

An employee, while at work (Part 2, Section 13) must:

- Comply with all relevant statutory provisions.
- Take reasonable care to protect the safety of themselves and others who might be affected by their acts and omissions.
- Ensure they are not under the influence of an intoxicant or in such a state that they might be a danger to themselves or others.

- Submit to reasonable, appropriate testing if required by the employer. The Act gives scope for regulations to be made that require employees to undergo tests for intoxicants to be carried out by or under the supervision of a registered medical practitioner. Such Regulations are yet to be developed and until they are made, an employer may not require such testing although local agreements may apply. The employer may, however, prevent an employee from working if it is apparent that he or she would be a danger to themselves or others.
- Cooperate with their employer as much as necessary to enable compliance with the relevant statutory provisions.
- Not engage in any improper conduct or dangerous behaviour.
- Attend training and undergo such assessment as may be necessary.
- Make correct use of any article or substance provided for use or for the protection of the employee, including protective clothing and equipment.
- Report to their employer as soon as practicable:
  - any work being carried out which might endanger themselves or others,
  - any defects in the place of work, the system of work, any article or substance which might endanger themselves or others,
  - any contravention of the relevant statutory provisions of which they are aware.
- Notify the employer or the employer's nominated registered practitioner if they become aware that they are suffering from any disease or physical or mental impairment which affects their performance of work activities that could give rise to risks to the safety, health and welfare of persons at work.
- Not misrepresent their level of training to an employer when entering a contract of employment.

Interference and Misuse

An employee (Part 2, Section 14) shall not intentionally, recklessly or without reasonable cause:

- interfere, misuse or damage anything provided for the safety, health and welfare of employees, and
- place at risk the safety, health and welfare of persons in connection with work activities.

Part 5: OSH Roles & Responsibilities

Chapter 20: Employees

General Duties of Persons in Control of Place of Work

A person who is in control of a non-domestic place of work (Part 2, Section 15) shall ensure:

- As far as reasonably practicable, the place of work, the means of access or egress, or any article or substance provided for use at the place of work are safe and without risk to health.
- Where a person has by virtue of any contract, tenancy, license or other interest an obligation to maintain or repair the place or access or egress or has an obligation as regards articles or substances, this section applies to that person.

Action Checklist and Questions

Questions / Action Points

- Do employees understand their duties under the Safety, Health and Welfare at Work Act 2005?
- Do employees take occupational health and safety seriously in my workplace?

Conclusions

This chapter provided an overview of the role and responsibilities of employees in relation to safety, health and welfare in work. All employees have a range of duties, including those that have part-time or temporary roles, regardless of any employment or contractual arrangement that they may have.

Further Information and Resources

Other Resources

For further information, please see:

- Code of Practice on Determining Employment Status (https://www.gov.ie/pdf/?file=https://assets.gov.ie/34185/fcfac49276914907b939f64fad110ae8.pdf#page=null)

Part 5: OSH Roles & Responsibilities

Chapter 21: Professional Roles

Introduction

Managing safety, health and welfare in the workplace and in relation to work activities is the responsibility of management. It is, however, a responsibility in which management is advised and supported by a range of professionals and others with specialist skills.

In this chapter, the role of competent workplace safety and health advisors is discussed. Membership of recognised professional safety and health bodies is explained. In addition, the IOSH competency framework for Occupational Safety and Health is presented.

Role of the Safety and Health Advisor

Safety and health advisers should have the status and competence to advise management and employees with authority and independence. By virtue of the definition of 'competent person' under the 2005 Act, they must possess sufficient training, experience and knowledge appropriate to the work to be done. They should be capable of advising on:

- Formulating and developing safety and health policies, not just for existing activities but also with respect to new acquisitions or processes,
- Promoting a positive safety and health culture in the organisation and securing the effective implementation of safety and health policy,
- Planning for safety and health, including the setting of realistic short-term and long-term objectives, deciding priorities and establishing adequate systems and performance standards, and
- Day-to-day implementation and monitoring of policy and plans, including accident and incident investigation, reporting and analysis of the companies SMS.

To do this properly, safety and health advisers should:

- Be properly trained by reputable organisations or be individuals who are suitably qualified; having membership of recognised professional safety and health bodies such as Institute of Occupational Safety and Health (IOSH) or British Occupational Hygiene Society (BOHS) and having a qualification to at least Diploma level in a recognised third-level safety and health course will offer routes for demonstrating competence,
- Maintain adequate information systems on topics including safety and health law, safety and health management and technical advances,
- Demonstrate the ability to interpret the law in the context of the organisation,
- Be involved in establishing organisational arrangements, systems and risk-control standards relating to hardware and human performance by advising line management on matters such as legal and technical standards,

- Establish and maintain procedures for reporting, investigating, recording and analysing accidents and incidents,
- Establish and maintain procedures, including monitoring and other means such as review and auditing, to ensure that senior managers get a true picture of how well safety and health is being managed (where a benchmarking role may be especially valuable), and
- Present their advice independently and effectively.

Membership of Recognised Professional Safety and Health Bodies

Introduction

Professional safety and health bodies set their own standard for competency and contain different levels of membership based on the member's experience. For example, IOSH has 6 levels of membership. The table below provides a breakdown of the different levels.

	Name	Description
1	**Student**	Students studying for an IOSH qualification, an IOSH-accredited qualification or a safety, health and environment (SHE) technician apprenticeship.
2	**Affiliate**	Affiliate members are actively engaged in or considering a career in occupational health and safety.
3	**Technical (TechIOSH)**	Technical members are moving into or working in an operational health and safety role. They will have an appropriate level 3 qualification (or equivalent) plus one year's relevant experience. This is the minimum requirement by IOSH standards to be a health and safety training provider.
4	**Certified (CertIOSH)**	Certified members have an accredited level 6 qualification (or equivalent) plus two years relevant experience, or five to 10 years of relevant health and safety leadership experience.
5	**Chartered (CMIOSH)**	Chartered members align with chartered status in other professions. IOSH is the only organisation in the world that offers chartered status to health and safety professionals. They are ideal for senior manager or board-level roles and can typically demonstrate: – Certified status or five to 10 years relevant health and safety leadership experience, – Progression via an IOSH professional development route, and – Up-to-date CPD record and IOSH ethical practice in OSH e-learning and assessment. CMIOSH is also a requirement to be included on the Occupational Safety and Health Consultants Register.

	Name	Description
6	**Chartered Fellow (CFIOSH)**	Chartered Fellows are the foremost role models for other members, their organisations and communities. They offer outstanding dedication to the profession and should be able to demonstrate: – IOSH Chartered status for five years plus a minimum of five years' relevant senior health and safety leadership. – Progression through an IOSH professional development route up-to-date CPD record and IOSH ethical practice in OSH e-learning and assessment. – Chartered Fellows are suitable for senior manager, director or consultant roles.

IOSH Competency Framework

The IOSH competency framework mirrors best practice in occupational safety and health (OSH). It sets the standards for the skills, knowledge and behaviours that OSH professionals need.

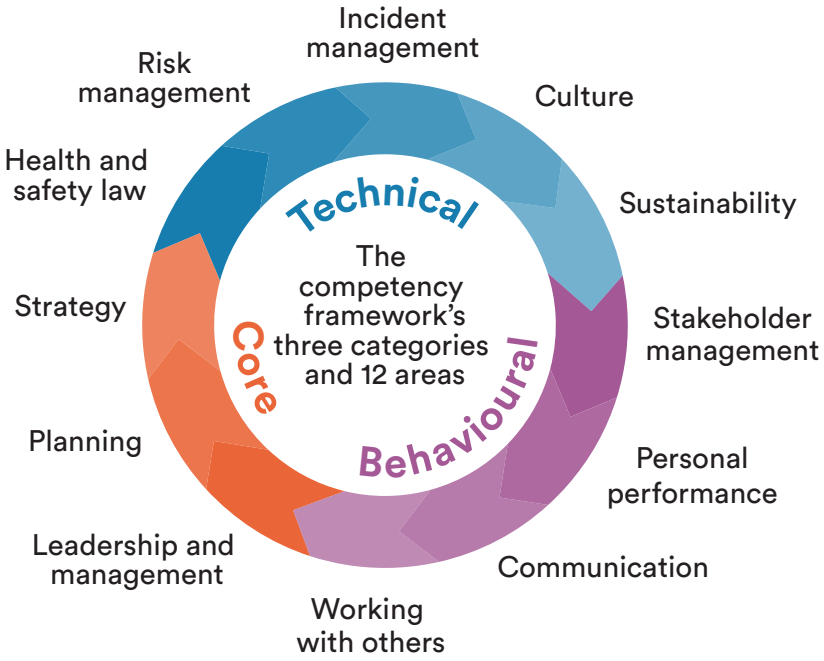


Figure 21. IOSH competency framework.

Other Professional and Specialist Roles

Health and safety professionals are generalist advisors on the broad spectrum of health and safety in the workplace.

Among the professions and those with specialist skills who employers call upon for advice and guidance in relation to health and safety are:

- Occupational physicians.
- Occupational health nurses.
- Occupational hygienists.
- Ergonomists.
- Physiotherapists.
- Audiologists.
- First aiders.
- Manual handling instructors.

Action Checklist and Questions

Questions / Action Points

- Are there professional safety and health advisors in my workplace?
- Does the Safety Representative consult with the professional safety and health advisor regularly?

Conclusions

The role of managing safety, health and welfare in the workplace is the responsibility of management but can be supported by a range of professionals and others with specialist skills.

Further Information and Resources

HSA Resources

For further information, please see:

- Health and Safety in Education & Training Providers (www.hsa.ie/training-providers)

Other Resources

For further information, please see:

- IOSH (https://iosh.com/)
- BOHS (https://www.bohs.org/)
- IOSH Competency Framework (https://iosh.com/media/upxd12go/competency-framework.pdf)

Part 5: OSH Roles & Responsibilities

Chapter 22: Safety Committee and Consultation

Introduction

This chapter provides an overview of Safety Committees and how employees including Safety Representatives may engage with Safety Committees.

Overview and Definition

A Safety Committee is a group within an organization that is tasked with promoting, maintaining, and improving workplace health and safety. It typically involves representatives from both management and employees, ensuring a collaborative approach to identifying and addressing workplace hazards, enhancing safety policies, and fostering a strong safety culture.

Definition

A **Safety Committee** is a group of employees and management representatives within a workplace who collaborate to identify, assess, and address workplace health and safety concerns.

While employees are entitled to select a Safety Representative, the establishment of a Safety Committee is a matter for agreement between employers and employees. Where agreement has been reached, and a Safety Committee has been established, employees are entitled to select and appoint members from among their colleagues.

Key Point

Employees have a right to make representations to and consult their employer on matters relating to their safety, health and welfare at work. If a Safety Committee is set up under Section 26 (3), employees can become members of that committee.

Members of Safety Committees

The number of members of a committee shall be not less than three and shall not exceed more than one member for every 20 persons employed in a workplace, provided that the maximum number of members shall not exceed ten.

Where the committee consists of:

- **Four or less members:** the employer shall appoint one, the others being appointed by the employees.
- **Between five and eight members:** two shall be appointed by the employer and the remaining numbers by the employees.

– **More than eight members:** three shall be appointed by the employer and the remaining members shall be appointed by the employees.

Where there is a Safety Representative or there are Safety Representatives, at least one shall be selected and appointed to the Safety Committee by the employees.

Where a Safety Committee is appointed under Section 26 the following provisions shall have effect:

– The Safety Committee shall assist the employer and employees concerned in relation to the relevant statutory provisions.

– The minimum number of members for a meeting of a Safety Committee shall be such number, being not less than 3, as shall for the time being, be fixed by the committee.

– Where a member of a Safety Committee ceases to be employed in the place of work concerned, he or she shall at the same time cease to be a member of the committee.

– The employer shall be entitled to attend personally, or to nominate a person or persons to attend on his or her behalf at each meeting of the Safety Committee.

– The employer or their nominee or nominees shall attend the first meeting of the safety committee and shall, as soon as may be after it is available, present to the members of the Safety Committee the statement required under Section 20.

– The Safety Committee shall consider any representations made to it by the employer on matters affecting the safety, health and welfare of persons employed in the place of work.

Based on a request from the Safety Committee, the employer shall consult with the Safety Committee concerning:

1. Facilities for holding meetings of the Safety Committee.
2. The frequency, duration and times of meetings of the Safety Committee.

Subject to the terms of any agreement between the employer and a Safety Committee, meetings of the Safety Committee shall be held from time to time on such days as the committee shall decide. Such meetings may be held during normal working hours, without loss of remuneration to the members of the committee if the following conditions are satisfied, namely:

– Except in the case of an emergency, such meeting shall not be held more frequently than once every three months.

– The duration of each such meeting shall not exceed one hour.

– The number of members of the Safety Committee attending such a meeting shall be at least as required to form a quorum.

– The times at which the meetings of the Safety Committee are held shall be compatible with the efficient operation of the place of work.

Training for Safety Committee Members

Employees involved in the safety consultation arrangements (for example, Safety Committee members) are also entitled to time off for training, without loss of earnings, so that they can acquire the knowledge to discharge their functions. The following topics should be considered for inclusion in a training course for Safety Representatives and Safety Committee members:

1. Safety and health legal system and legislation.
2. Role of Safety Representative and Safety Committee members in the safety consultation and participation process.
3. Communication skills for Safety Representatives and Safety Committee members.
4. Hazard identification and carrying out risk assessments.
5. Preparing and implementing the Safety Statement.
6. Accident investigation, recording and analysis.
7. Sources of safety and health information.
8. Risk-control and safety and health management at work.
9. Protection of Vulnerable Workers.
10. Managing different hazard types (including psychosocial hazards).
11. Overview of Occupational Health.
12. OSH training and education.
13. Engaging employees in safety awareness initiatives.
14. Safety culture and safety leadership.
15. Role of the HSA.
16. HSA resources and tools.

Guidelines for an Efficient Safety Committee

The Safety Committee will operate more efficiently by following the guidelines below:

- The composition and number of representatives on the Safety Committee will depend on the range and type of work activities and the nature and the range of hazards and risks. All major activities, especially in a large organisation, should be represented. Influential senior managers should also be involved, to emphasise the organisation's commitment to employee participation in the safety and health effort.
- The committee must keep in mind the key role the Safety Representative plays in the consultation and employee participation process. At least one Safety Representative must be a member.

- The officers (chairperson and secretary) should be able to ensure that the committee functions effectively. Business should be conducted in an ordered and structured fashion. Minutes, reports and submissions should be precise and clear to help decision-making.
- There should be regular meetings under a specific agenda, which could include items such as the following:
  - Any representations made to the employer on any matters relating to safety, health and welfare.
  - The review of safety and health audit reports (including feedback from an inspector).
  - Seeking solutions to safety and health issues which arise.
  - The study of information relating to accidents, dangerous occurrences and instances of occupational ill-health at the place of work.
  - Developing and implementing safe systems of work.
  - Reviewing communication and employee training procedures relating to safety and health.
  - Considering reports presented by a Safety Representative.
  - A progress report on implementing risk assessments and the safety statement.
  - The provision and use of protective clothing equipment.
  - Special promotional activities on safety and health at work including general fitness and wellbeing programmes, stress reduction or 'work positive' initiatives.
  - Safety and health training needs and reports on safety training courses attended by management or employees.
  - Any of the other items arising under Section 26 (1)(b) above.

Effective Consultation and Employee Participation

Some additional points for effective safety consultation and employee participation are:

- The employer must commit the necessary financial and staff resources and facilities such as meeting rooms, access to up-to-date safety and health information and Health and Safety Authority guidance,
- The employer or senior managers and employees should be encouraged to participate,
- Workers are encouraged to communicate their views or complaints,
- Sensible recommendations are implemented without delay,
- Line managers and supervisors do not ignore recommendations,
- Committee members are adequately trained and informed on safety and health matters,
- Meetings are held regularly,
- The agenda for meetings is varied and relevant, and
- Committee members are prepared to consider new options or approaches to problems.

Action Checklist and Questions

Questions / Action Points

- Is there a Safety Committee in my workplace?
- Is there a Safety Representative appointed as a member of the Safety Committee?
- How often does the Safety Committee meet?
- Did all Safety Committee members receive training?
- Does effective consulatation and employee particaption occur in my workplace?
- Does the Safety Committee drive a positive health and safety culture at my workplace?

Conclusions

If a Safety Committee is set up under Section 26 (3), employees can become members of that committee. It is recommended where there are Safety Representatives in a workplace, at least one shall be selected and appointed to the Safety Committee by the employees. Employees have a right to make representations to and consult their employer on matters relating to their safety, health and welfare at work.

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Representatives and Safety Consultation Guidelines (www.hsa.ie/safetyrepsinfosheet)

Part 6:
Safety Representatives

Chapter 23: Consultation and Safety Representation

Chapter 24: Functions and Responsibilities of Safety Representatives

Chapter 25: Communication Skills

Part 6: Safety Representatives

Chapter 23: Consultation and Safety Representation

Introduction

This chapter provides an overview of consultation and safety representation. It also outlines best practice when making representations and carrying out inspections and investigations. Working and negotiating with employers is also discussed, along with working with inspectors and liaising with other Safety Representatives.

Overview and Definition

Definition

- **Consultation** with employees involves listening to their views and taking them into account as part of the decision-making process.
- **Representation** is the action of speaking or acting on behalf of employees to their employer and/or management.

Consultation

Section 26 of the SHWW Act 2005 requires that employers consult with employees and their Safety Representatives on matters relating to safety, health and welfare (Government of Ireland, 2005a).

Employees should be consulted in advance and in good time in relation to:

- Measures that would substantially affect safety, health, and welfare.
- The designation of employees to deal with emergencies.
- The preparation of the Safety Statement.
- Hazard identification and risk assessment.
- Information to be notified to the HSA in respect of accidents and dangerous occurrences.
- Appointment of competent people to perform health and safety functions.
- The planning and organisation of training.
- The planning and introduction of new technologies.

Employers are required to consider any representations made by their employees. In so far as is reasonably practicable, employers are required to take such action as the employer considers necessary with regard to the representations.

Part 6: Safety Representatives

Chapter 23: Consultation and Safety Representation

Employers are required by section 26(5) of the SHWW Act 2005 to give employees involved in arrangements for consultations such time off from their duties as is reasonable to enable the employees to acquire the knowledge necessary and time off to discharge their functions as is necessary. Employees are entitled to the time off without loss of remuneration.

Apart from the rights to be consulted and make representations conferred by section 26, employees have rights to be consulted under the following Acts and regulations:

- **Safety, Health and Welfare at Work (Offshore Installations) Act 1987, Sections 23, 24 and 25.**
- **Carcinogens Regulations 2001, Regulation 11.**
- **Quarries Regulations 2008, Regulation 17.**
- **Construction Regulations 2013, Regulation 28.**

Representation

Overview

The Safety Representative's role or it's "function", is to consult and make representations to the employer on safety, health and welfare matters relating to employees in the place of work. The Safety Representative is elected by their colleagues to be their representative and to voice their concerns about matters that affect their safety, health and welfare. The employer must consider these representations, and act on them if necessary.

Key Point

- Employees have the right to select Safety Representative (Section 25 of the 2005 Act).
- The employer cannot block the appoint of a Safety Representative – if this is what their employees choose.

The Safety Representative is not a Safety Officer or Safety Advisor. Safety Representatives should not be asked to act as a Safety Advisor, and if they are asked, they should refuse to do so. This does not prevent a Safety Representative from giving an opinion about safety, health, and welfare matters.

A Safety Representative does not have any duties, as opposed to functions, under the 2005 Act other than those that apply to employees generally. Therefore, a Safety Representative who accepts a management proposal to deal with a safety or health issue could not be held legally accountable for putting that proposal into effect and is protected against penalisation.

Safety Representatives should ensure that they are provided with a copy of the organisation's grievance/disciplinary procedures. When raising an issue with an employer, always consult the procedural agreement. Safety Representatives should keep a written record of agreements reached concerning issues and, through the Safety Representatives' network, should inform other Safety Representatives of how issues were resolved in their workplace.

Making Representations

When making representations, Safety Representatives should:

1. Assemble the facts,
2. Check the facts, and
3. Having assembled the facts, decide on the action to be taken.

Safety Representatives should make notes and keep written records of representations made.

Employees should first discuss their concerns at local level with their line manager or with the person in charge of health and safety in their workplace. It is also recommended that the employee make the Safety Representative for the workplace aware of any concerns. If necessary, a formal safety inspection can be arranged. In this way, the issue may be brought to the attention of the appropriate people and resolved at local level.

Safety, health and welfare at work should be a priority for the employer. In most cases, it should be possible to resolve any issues speedily at local level. If this is not possible, you can refer the issue to the employee's trade union or representative organisation to raise the matter with your employer at a higher level.

If the matter remains unresolved contact the HSA, which is the statutory body responsible for enforcing health and safety in your workplace. HSA inspectors have the power to enforce the law. If such action is necessary, your employer is not allowed to discipline you or take any discriminatory action against you.

Inspections

Safety Representatives are entitled, on giving reasonable notice to their employer, to inspect workplaces. In workplaces where employers adhere to good safety, health and welfare standards, employers and Safety Representatives often agree on a schedule of regular inspections. The frequency of inspections must be agreed with the employer. It may not be practical to conduct a single inspection of a large workplace or for one Safety Representative to carry out the entire inspection.

There is no standard duration for how long an inspection should take to complete. The time required will vary according to the circumstances. A place of work with relatively low-level risks may be inspected adequately in a single session, while a place with a high-risk level will take longer. Risk factors may vary in different locations in the same workplace. Therefore, different locations may require inspections of different frequencies and durations.

Inspections can take various forms. Some common types of inspections are:

- **Safety tours:** general inspection of the whole workplace.
- **Safety sampling:** a systematic sampling of particularly dangerous activities, processes or work areas.
- **Targeted safety inspections:** general inspections of particularly dangerous activities, processes or areas, for example, the office, production department, or stores.
- **Reviews of safety and health documents:** risk assessments, parts of the safety statement or safe operating procedures.

These types of inspections can be carried out either separately or in any combination. The Safety Representative can consult the employer on the most suitable method when deciding on the form of inspection.

The appropriate frequency will depend on various factors. These include:

- size of the workplace,
- nature and range of work activities and locations,
- nature and range of hazards, and
- changing hazards and risks.

If it continues to prove difficult to reach agreement with employers on inspections, the Safety Representative should, if they are a member of a trade union, refer the dispute to their union branch for resolution.

Where there has been an accident, a dangerous occurrence, or there is an imminent danger or risk to safety, health or welfare, the Safety Representative is entitled to carry out an inspection.

When carrying out inspections, Safety Representatives should record their findings in writing.

Investigations

The Safety Representative may investigate accidents and dangerous occurrences in the workplace to find out the causes and help identify any remedial or preventive measures necessary. A Safety Representative must not interfere with anything at the scene of an accident. They must not obstruct any person with statutory obligations, including a Health and Safety Authority inspector.

Investigations may include visual examinations and speaking to people who have relevant information, but physical evidence must not be disturbed.

As well as keeping records of agreements reached, Safety Representatives should keep records of inspections. Safety Representatives should make written notes and records and take photographs if that would be helpful.

Working with Employers

The Safety Representative is selected to enable employees to voice their concerns over matters relating to safety, health and welfare at work.

Safety Representatives should be allowed time off for training, without loss of earnings, so that they can acquire the knowledge to carry out the role. Safety Representatives and members of Safety Committees have two distinct training needs:

1. training on the general Safety Representatives' function.
2. training on specific hazards and safe systems in their own workplaces.

The whole organisation will benefit from the contributions that a well-trained Safety Representative can make. They should have training costs, whether provided by a commercial training organisation or trade unions, paid for by the employer.

Also, Safety Representatives are entitled to time off to discharge their functions. Again, they should not lose pay or other remuneration.

A Safety Representativeshould be provided with reasonable facilities in the workplace, such as:

- A meeting room or access to up-to-date safety and health information and published guidance,
- A room to consult with employees or to prepare any submission or reports, and
- Be given time to undertake their role as a Safety Representative in the workplace.

Safety Representatives should be afforded these facilities and be entitled to expect management cooperation.

Working with Inspectors

Safety Representatives must be told by their employer, when a HSA inspector visits a workplace, to carry out an inspection. They are, unless the inspection is an accident investigation or dangerous occurrence inspection, entitled to accompany the inspector carrying out the inspection. They may make written or verbal representations to inspectors and receive advice and information from them.

When an inspector visits a workplace to carry out an inspection, the inspector should ask the employer to let the Safety Representative know the inspector is there and proposes carrying out an inspection.

Liaising with other Safety Representatives

Safety Representatives have the right to consult and liaise on matters relating to safety, health and welfare at work with other Safety Representatives, whether or not those Safety Representatives work in the same workplace, in different workplaces under the control of the employer or at different times at the place of work. However, the Safety Representatives must work for the same organisation. This does not apply to construction sites, where different employers will have their own Safety Representatives. On construction sites, there will be a site Safety Representative with whom other Safety Representatives can and should liaise.

Common Workplace Problems & Checklists

While the issues will be different across the range of workplaces, many of the problems facing Safety Representatives are similar. The "General Inspection Checklist for Safety Representatives" available on the HSA website is just a sample list of common problems. This checklist can be used as an aide memoir when developing a checklist for your own workplace. For examples of different checklists please see Appendix 10: Example OSH Checklists.

Negotiating with Employers

Many of the representations a Safety Representative makes are unlikely to result in negotiation. However, even if the representation is informal, it is always best to keep a written record.

In most large companies there will be a Safety Officer and the Safety Representative will work closely with them. There will be regular meetings, both of a formal and informal nature, and the Safety Representative is often likely to accompany the Safety Officer on a safety inspection tour. There is likely to be a Safety Committee, and the Safety Representative is usually a member.

However, even in well-run companies with progressive safety policies, there will occasionally be differences regarding actions required to ensure the safety, health and welfare of employees. If the Safety Representative finds that matters that have been raised are not being dealt with, the Safety Representative should:

1. Prepare a written memo setting out the facts,
2. List the action requested, and
3. Record whether the employer's inaction is a result of a considered decision or due to oversight.

If the inaction is the result of an oversight, consider if a further reminder will lead to satisfactory action being taken. If so, raise the issue again. If it is the considered view that further representations will not result in action, then advice on the issues in dispute should be sought from representative organisations and the HSA.

Safety Representatives should maintain records of any matter found to be unsatisfactory, whether discovered during an inspection or otherwise. A Safety Representative is entitled to contact the HSA and make representations to an inspector. Where it becomes necessary because of an employer's inaction, the Safety Representative can advise the employer that the Authority is going to be contacted.

Action Checklist and Questions

Questions / Action Points

- Has the Safety Representative adequate time to perform their role?
- Does my employer consult with employees and/or the Safety Representative on workplace health, safety and welfare matters?
- Are representations made to the employer on safety, health and welfare matters relating to employees at my company?
- Does my employer consider representations made by their employees?
- Are regular inspections carried out by the Safety Representative?
- Are accidents and dangerous occurrences investigated by the Safety Representative?
- Does my employer provide training for the Safety Representative?
- Is the Safety Representative informed when a HSA inspector visits my company to carry out an inspection?
- Does my company's Safety Representative liaise with other Safety Representatives?

Conclusions

This chapter explains the rights to consultation for all employees. As outlined, employees also have the right to make representations to their employer on measures to ensure safety, health and welfare at work. Section 27 of the 2005 Act prohibits an employer from penalizing or threatening to penalize an employee when they are making a complaint or a representation about an issue related to safety, health or welfare at work.

Part 6: Safety Representatives

Chapter 23: Consultation and Safety Representation

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Representatives (www.hsa.ie/safetyreps)
- Safety Representative: Information Sheet (www.hsa.ie/safetyrepsinfosheet)
- Safety Representatives and Safety Consultation Guidelines (https://www.hsa.ie/eng/enterprise_and_employee_supports/safety_representatives/safety_representatives_and_safety_consultation_guidelines.pdf)
- A Short Course for Safety Representatives (www.hsa.ie/safety-reps-short-course)
- General Inspection Checklist for Safety Representatives (www.hsa.ie/inspection-checklist)

Other Resources

For further information, please see:

- Worker representation and consultation on health and safety (https://osha.europa.eu/sites/default/files/2022-03/esener-workers_en.pdf)

Part 6: Safety Representatives

Chapter 24: Functions & Responsibilities of Safety Representatives

Introduction

In this chapter the functions and responsibilities of the Safety Representative are listed. This chapter also includes information on how Safety Representatives are protected against penalisation.

The Functions and Rights of the Safety Representative

A Safety Representative does not have any duties, under the 2005 Act other than those that apply to employees generally. However, Safety Representatives have specific rights. Safety Representatives have the right:

- To Inspect Workplaces (Section 25.2a)

  Safety Representatives, after giving reasonable notice to the employer, have the right to inspect the whole or part of a workplace that they represent at a frequency or on a schedule agreed between them and the employer.

- To Investigate Accidents/Dangerous Occurrences (Section 25.2.a.ii.b)

  A Safety Representative may investigate accidents and dangerous occurrences in the workplace to find out the causes and help identify any necessary remedial or preventive measures. However, a Safety Representative must not interfere with anything at the scene of an accident.

- To Investigate Complaints (Section 25.2.c)

  A Safety Representative has the right, after giving reasonable notice to the employer, to investigate complaints relating to safety, health, and welfare at work made by any employee they represent.

- To Make Representations to Employer (Section 25.2.g)

  A Safety Representative has the right to make representations to the employer on any matter relating to safety, health and welfare in the workplace.

- To be Informed of an HSA Inspection (Section 25.6)

  When an inspector visits a workplace to carry out an inspection, the employer is required to inform the Safety Representative that the inspection is taking place.

- To Accompany an Inspector (Section 25.2.d&e)

  Unless an inspector is investigating an accident or a dangerous occurrence, a Safety Representative has the right to accompany an inspector who is carrying out an inspection. At the discretion of the inspector, a Safety Representative may accompany an inspector investigating an accident or dangerous occurrence.

- To make Representations to an Inspector (Section 25.2.h)

  A Safety Representative has the right to make representations to inspectors on matters relating to safety, health and welfare at their workplace.

- To Receive Advice and Information from an Inspector (Section 25.2.i)

  A Safety Representative may receive advice from inspectors on matters relating to safety, health and welfare at their workplace.

- To Consult and Liaise with other Safety Representatives (Section 25.2.j)

  A Safety Representative can consult and liaise with other Safety Representatives appointed in the same workplace, whether they work in the same place or in different places under the control of the employer or at different times at the workplace (for example, Safety Representatives on different shifts)

- To Time Off Work to Learn Role (Section 25.5.a)

  A Safety Representative is entitled to have reasonable time off work, without loss of remuneration, to enable him/her to acquire the knowledge and training necessary to discharge his/her function.

- To Time Off to Discharge Functions (Section 25.5.b):

  A Safety Representative is entitled to have reasonable time off work, without loss of remuneration, to discharge his/her function.

Apart from rights, Safety Representatives have certain entitlements, such the entitlement to receive from an HSA inspector copies of improvement directions and notices and prohibition notices.

Protection Against Penalisation

A Safety Representative is protected against penalisation (Section 27 of the Safety, Health and Welfare at Work Act 2005). Section 27 protects employees against actions taken by employers to penalise them for acting in compliance with health and safety legislation.

Definition

Penalisation is defined in the Employment (Miscellaneous Provisions) Act 2018 to mean any detriment to the employee's terms and conditions of employment, including:

- suspension, lay-off or dismissal or the threat of suspension, lay-off or dismissal,
- demotion or loss of opportunity for promotion,
- transfer of duties, change of location of place of work, reduction in wages or change in working hours,
- imposition or the administering of any discipline, reprimand or other penalty (including a financial penalty), and
- coercion or intimidation.

If a Safety Representative or any other employee believes that they have been penalised, in any of the ways specified in the legislation, they may present a complaint to Workplace Relations Commission. The complaint should be addressed to the Director General of the Workplace Relations Commission. The following points should be noted:

- Complaints must be made within six months of the date of penalisation.
- If the Adjudication Office of the Workplace Relations Commission considers it reasonable, they may extend this period by another six months.
- Appeals against an Adjudication Officer's decision must be taken withing six weeks from the date the decision was communicated to the party appealing.

Part 6: Safety Representatives

Chapter 24: Functions & Responsibilities of Safety Representatives

Action Checklist and Questions

Questions / Action Points

- Do I understand the functions and rights of a Safety Representative?
- Am I being penalised in my role as Safety Representative?
- Who do I contact if I believe I'm being penalised?

Conclusions

This chapter listed the functions and rights of the Safety Representative. Further, this chapter outlined how Safety Representatives are protected against penalisation.

Further Information and Resources

HSA Resources

For further information, please see:

- Safety Representative: Information Sheet (www.hsa.ie/safetyrepsinfosheet)

Other Resources

For further information, please see:

- How to Make a Complaint/Refer a Dispute (https://www.workplacerelations.ie/en/e-complaint_form/)
- Employment (Miscellaneous Provisions) Act 2018 (https://www.irishstatutebook.ie/eli/2018/act/38/section/11/enacted/en/html#sec11)

Part 6: Safety Representatives

Chapter 25: Communication Skills

Introduction

This chapter discusses the importance of communication for Safety Representatives. Communication is a key skill for all Safety Representatives. Safety Representatives are required to communicate with people at all levels in their organisation, including fellow employees and management.

Overview and Definition

Communication is the process of sharing information through speaking, writing, or other methods. Every communication has three components: (1) the sender, (2) the message, and (3) the receiver. For communication to happen, the message must be sent and received.

Definition

- **Verbal communication** involves the exchange of information using spoken language (that is, in oral form).
- **Tone of voice** refers to how you say what you say.
- **Non-verbal communication (NVC)** is the transmission of messages through a nonverbal platform such as eye contact, facial expressions, body movements and gestures, touch, and the use of objects.
- **Body language** refers to the conscious and unconscious movements, gestures, and postures by which attitudes and feelings are communicated.
- **Interpersonal communication** refers to communication between two or more people.
- **Face to face communication** refers to the two or more parties who are involved in the conversation having the ability to see each other (and therefore pickup on body language).
- **Active listening** is listening to understand. It's more than just hearing words—it's engaging with the speaker and confirming understanding.

Part 6: Safety Representatives

Chapter 25: Communication Skills

Types Of Communication

It is important for Safety Representatives to consider what form of communication is most appropriate for the message that they need to send. Interpersonal communication can be synchronous or asynchronous. For asynchronous communication, the people involved take turns when sending and receiving messages. Sending an email is an example of asynchronous communication. For synchronous communication, both parties send messages at the same time. This happens when one person is talking with another person. While one person is talking, the other person sends non-verbal messages indicating their level of agreement with what is being said or their overall response to what is being said.

Key Point

If the message is important and/or sensitive, face to face communication can be better than an email, text or letter.

Effective Communication

To be effective, communication requires the active participation of more than one party. Active participation enables the message to be understood correctly. Receivers can also provide useful feedback to the sender.

The following are some tips to help you communicate effectively with your audience (for example, members of the Safety Committee, management and other employees).

- Decide what form of communication is most suitable – face to face, or written communication (that is, email, text or letter).
- Use simple and clear language to convey your point.
- If in person, keep a suitable distance – not too far away or too close.
- Smile.
- Lean forward while listening.
- Keep your message brief.
- Keep your body language relaxed and open.
- Have empathy – consider how your message may be received/understood and try to communicate the message in a way that you want it to be understood.
- Communicate in an environment where there is minimal background noise or minimal interruptions.

- Be receptive to what others say.
- Be aware of cultural differences – people from different cultures have their own way of conveying messages.
- Wait for the other person to finish.
- Ask checking questions to see if your message has been understood.

Barriers to Good Communication

Communication barriers refer to those factors that render interpersonal communication ineffective. Knowing the barriers to communication and how to overcome them, can help you become a better communicator. Also, it can help you work more effectively as a Safety Representative.

The following are some examples of barriers to good communication:

- **Lack of trust:** when there is a lack of trust, it becomes harder to convey information.
- **Workplace conflict:** unresolved workplace conflicts can hinder effective communication.
- **Language difference:** the receiver of your message may not be fluent in the language you are using to communicate with them.
- **Emotional state:** either the sender or the receiver may be upset or experiencing negative emotions which may impact on their ability to communicate effectively and/or decode a message.
- **Certain physiological issues:** may also limit effective communication. For example, a person having hearing difficulties.
- **Rambling:** if you ramble or rephrase your message, it can get confusing for your audience/ the other person, and you risk your message losing its impact.
- **Be careful not to send negative messages:** particularly in relation to body language. For example, standing too close (invading body space/perceived as aggressive), looking at your watch (I don't have time to talk), shuffling from one foot to another (nervousness or anxiety), tapping toes or fingers (impatience), yawning (boredom), looking the other way when spoken to (superiority/off-hand).
- **Physical distance:** over 4 feet is too far away if in person.

Active Listening

It is important that a Safety Representative listens to the information imparted to them by others. Active listening refers to (1) the intentional practice of preparing to listen, (2) observing what verbal and non-verbal messages are being sent, and (3) providing appropriate feedback to demonstrate your attentiveness to the message being communicated, and your understanding of it. This requires you to be fully engaged while the other person is communicating with you.

Tips for active listening include:

- Stay present - keep your attention on the message/what is being communicated to you.
- Be aware of preexisting biases.
- Look interested.
- Do not think about your own response to what is being said while the person is talking.
- Use eye contact.
- Observe the other person's non-verbal messages.
- Stay neutral – do not allow emotive responses to inhibit your listening.
- Avoid interrupting the speaker/other person.
- Avoid nitpicking/getting distracted with trivial points.
- Ensure you understand what has been said by asking questions and seeking clarification if necessary.

Action Checklist and Questions

Questions / Action Points

- How am I communicating with the different groups of people in my organisation (that is, other employees, management and Safety Committee members).
- Have I picked an appropriate communication medium and format?
- Am I aware of my body language?
- Have I listened to what the other person is saying?

Conclusions

It is important that Safety Representatives practice good communication techniques and communicate effectively with their audience. Some employees may not have good English and/or may find raising issues difficult. Safety Representatives should be aware of the challenges in communicating for others, as well as for themselves.

Part 7:
Vulnerable Workers and Sensitive Risk Groups

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 26: Introduction to Vulnerable Workers

Introduction

There are some people in the workplace who are more likely to be hurt or made sick by the job (in comparison to the general working population), and these people need to be considered. This chapter introduces the topic of vulnerable workers. More detailed information about specific groups of vulnerable workers is provided in the next two chapters.

Overview and Definition

Vulnerable workers are people who may be particularly sensitive or overexposed to potential health and safety risks in comparison to the general working population.

Definition

The European Agency for Safety and Health at Work defines **vulnerable workers** as 'certain groups who may be more at risk from occupational accidents or ill-health than others or those that have special considerations that may need to be taken account of in a health and safety context' (2022).

Vulnerable workers can be exposed to similar hazards in the workplace as other workers. As such, they have similar exposure across the profile of hazards (that is, physical, chemical, ergonomic, biological, and psychosocial hazards). However, the risk may be higher due to certain personal factors (for example, language or age), or job factors.

Examples of vulnerable workers include:

- Young people at work*
- New and expectant mothers*
- Night and shift workers*
- Older workers
- Workers who are new to the job (short-tenure workers)
- Inexperienced workers including apprentices
- Migrant workers
- Gig/platform workers
- Agency and temporary workers

- Workers with disabilities
- Workers with underlying health issues
- Lone workers
- Low qualified workers
- Workers for whom English is not a first language

* Sensitive risk groups

Locating Vulnerable Workers

In general, vulnerable workers can be found in all work sectors spanning different business types and sizes. However, some people work in environments that are by their very nature more hazardous (for example, construction, mining, agriculture, and fishing). In addition, certain groups of vulnerable workers are associated with particular sectors. For example:

- Gig workers in transport and logistics (such as delivery workers/last mile drivers).
- Young workers in retail and hospitality.
- Migrant workers in health and social care, construction and agriculture.

Vulnerablity and Vulnerable Workers

The concept of vulnerability frames how EU- OSHA and the HSA approach the topic of protecting vulnerable workers in the workplace. In the context of occupational safety and health (OSH), vulnerability refers to the increased risk of harm, injury, or adverse health outcomes faced by workers due to their specific characteristics or working conditions. All people reflect a spectrum of vulnerability. Vulnerable workers have higher levels of vulnerability and require additional consideration from an OSH perspective.

Key Point

All workers reflect a **spectrum of vulnerability** – with some workers having higher or lower levels of vulnerability.

It is important to remember that a person's 'vulnerability' is dynamic. People can be vulnerable before they start work, or they may become vulnerable during their working life. Further, a person may have several different vulnerabilities linked to particular personal and job factors. These personal and job factors are also dynamic.

Vulnerable Workers and Sensitive Risk Groups

The definition of Vulnerable Workers includes a subset of workers termed 'Sensitive Risk Groups'.

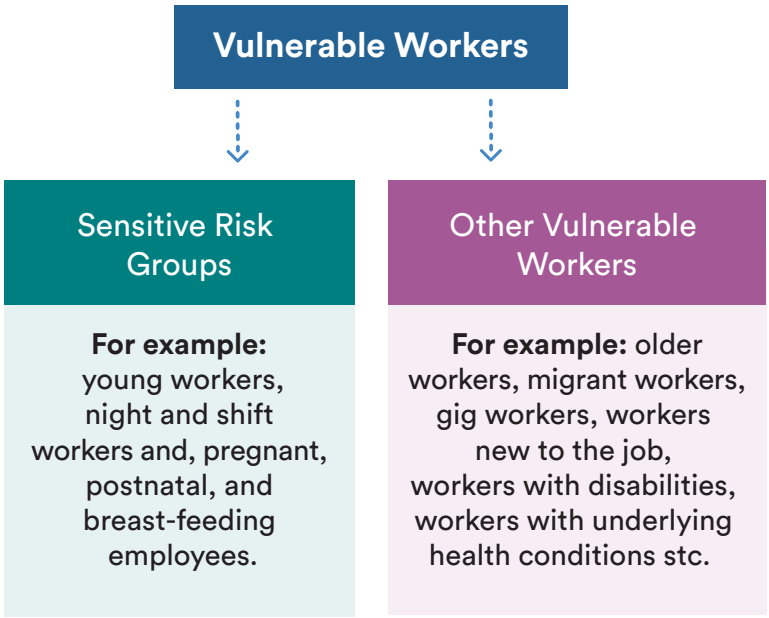


Figure 22. Vulnerable workers.

As detailed in the Safety, Health, and Welfare at Work (General Application) Regulations 2007 and the associated guidance provided by the HSA, 'Sensitive Risk Groups' include:

1. young workers,
2. night and shift workers and,
3. pregnant, postnatal, and breast-feeding workers.

There is growing awareness of the importance of supporting 'Sensitive Risk Groups'. However, there is less awareness of occupational safety and health issues for other groups of workers. This includes older workers, gig workers, migrant workers, workers with disabilities and others. The next two chapters provide more detailed information about these different groups of vulnerable workers.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 26: Introduction to Vulnerable Workers

Data and Statistics

Vulnerable workers are more likely to be hurt or made sick by the job.

Key Point

The following statistics reflect HSA incident data for the period 2013 to 2022:

- Male workers account for 95% of fatalities but represent 53% of the workforce.
- Self-employed workers account for 43% of fatalities but account for approx. 15% of the workforce.
- Non-nationals represent 20% of all non-fatal injuries reported (workforce participation for non-nationals is also approx. 20%).
- Workers over the age of 35 years are almost twice as likely to experience a workplace non-fatal injury than younger workers.
- Workers over the age of 65 years are three times more likely to experience a workplace fatality than younger workers.

Risk Assessment and the Law

Health and safety legislation requires the employer to assess the risks to safety and health at work for all workers to avoid workplace accidents, injury, and ill health. Risk assessment is the first step in the prevention of occupational accidents and ill health. A risk assessment looks at what can cause harm to people. It identifies if control measures are adequate, or if additional measures are required, to reduce injury and ill health. Employers are required to develop a safety statement detailing how the safety, health and welfare of employees is protected. The safety statement includes all risk assessments and should be produced in consultation with employees and their representatives.

- **Employees, whether they are Irish nationals or migrant workers, have equal rights under Irish health and safety law.**
- **Temporary or casual workers, whether they are Irish nationals or migrants, have equal rights under Irish health and safety law as full-time permanent employees.**
- **Employers have a specific obligation to 'Sensitive Risk Groups' as defined in the Safety, Health, and Welfare at Work (General Application) Regulations 2007.**

– Employers have specific obligation for persons with disabilities as defined in the Safety, Health, and Welfare at Work (General Application) Regulations 2007.

– Workers have a legal right to be represented by Safety Representatives / Trade Unions on Health and Safety issues in the workplace, and these representations must be acted upon.

Understanding Vulnerability

Introduction

Vulnerable workers are more susceptible to injury or ill health because of specific personal or job factors.

Personal Factors

Personal factors include biological, social, and cultural characteristics. The figure below provides some examples. This includes age, gender, health, disability, education, language, nationality, and others.

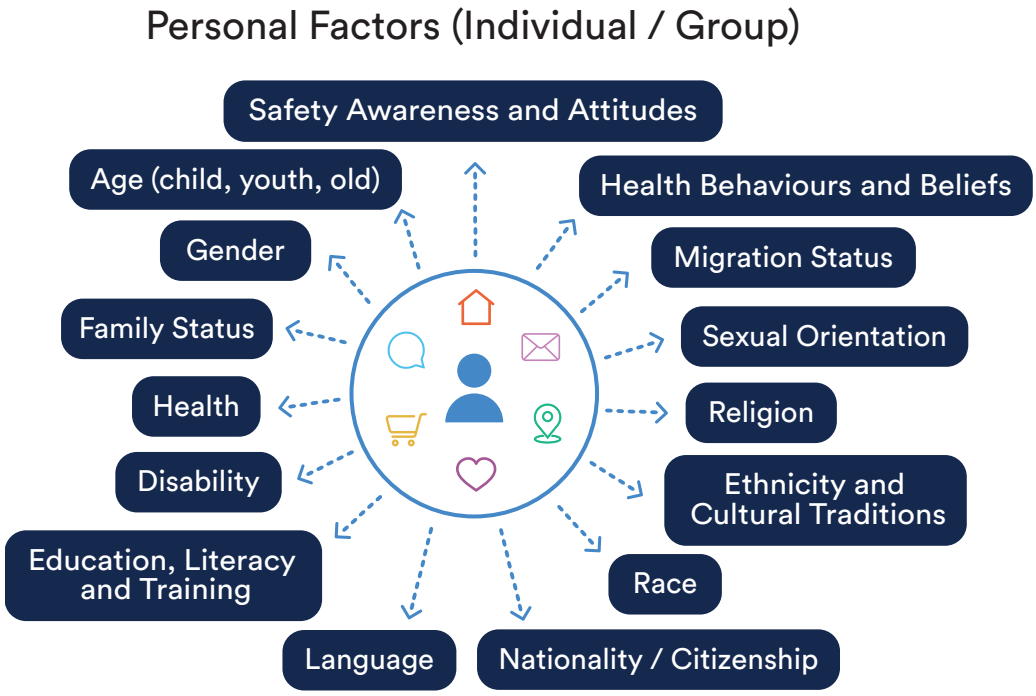


Figure 23. Personal factors.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 26: Introduction to Vulnerable Workers

Job Factors

Job factors are associated with the person's status in the enterprise and their work contract, the nature of the work, and certain characteristics of the organisational they work for. The figure below provides and overview of these.

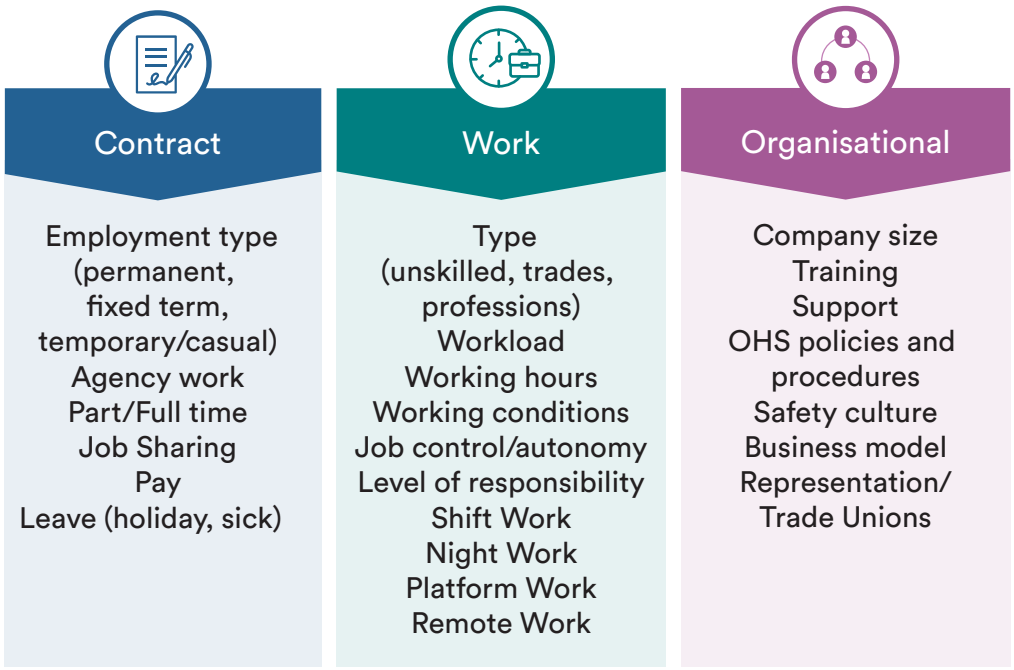


Figure 24. Job factors.

Understanding Risk Factors

A combination of personal and job factors can lead to specific risk factors that increase the chance of unsafe behaviour, occupational injury, and occupational illness.

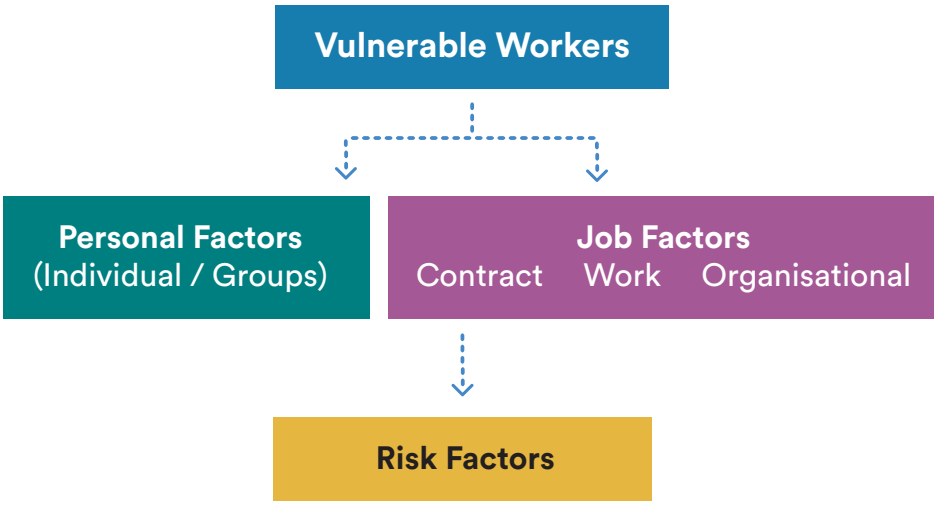


Figure 25. Factors which contribute to risk.

Risk factors include:

- Lack of experience/newness to the job.
- Poor safety awareness.
- Stress.
- Lone working.
- Presenteeism.
- Job/income insecurity.
- Job dissatisfaction.
- Low job engagement.
- Fatigue and overwork.
- Poor mental health.
- Social isolation.
- Bullying, harassment, exploitation, and abuse.
- Physically demanding and repetitive work.
- Violence and aggression.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 26: Introduction to Vulnerable Workers

Vulnerable Workers and Reporting

Accident/incident reporting is a key component of effective safety and risk management programs. Employers should make vulnerable workers aware of their rights to protection. Also, employers should encourage reporting (including reporting of near misses) to managers and/or those in charge. Vulnerable workers may be less aware of their rights. Or, if they are aware of their rights, they may be reluctant to report health and safety incidents/accidents/concerns because they fear losing their job. Induction training should highlight the importance of reporting for all workers.

Employers are legally obliged to report the injury of an employee arising from an accident while at work, where the injury results in the employee being unable to carry out their normal work for more than three consecutive days, excluding the day of the accident.

Key Point

Vulnerable workers such as migrant workers, young workers and temporary employees often face higher safety risks, discrimination, and workplace exploitation. Effective reporting mechanisms are crucial for protecting their safety and health, and preventing workplace accidents.

Vulnerable Workers Checklist

The following checklist can be used by Safety Representatives to ensure adequate protections and supports for vulnerable workers in the workplace. The checklist is divided into a series of topics. Each topic is associated with one or more checklist items.

	Topic	Checklist Item
1	**Risk Assessment**	– Ensure risk assessment is age-sensitive and considers gender, equality, and cultural issues. – Ensure risk assessment takes account of the risks for workers with disabilities and those with underlying health conditions. – Ensure that the risks to younger and older workers, workers with disabilities, and workers with underlying health conditions are adequately addressed. – Consult with all staff about the risks that pertain to vulnerable workers.

2	**Design of Work and Working Conditions/ Environment**	– Ensure that the design of work considers vulnerable workers – adapting the design of work to the person. – Ensure that the design of the working environment and working conditions meets the needs of all workers, including workers with disabilities or underlying health conditions.
3	**Safety Culture**	– Foster a workplace culture that makes everybody responsible for safety. – Encourage everybody to speak up about occupational safety and health concerns.
4	**Reporting**	– Ensure workers understand how to raise occupational safety and health concerns and report safety events. – Ensure that all workers are aware of mandatory reporting requirements. – Encourage all workers to report safety concerns or issues. – Encourage all workers to suggest safety improvements.
5	**Training**	– Ensure access to induction training and specialist training (where appropriate) for all workers, including those new to the job. – Check that training material is tailored to workers' needs and specificities. – Ensure training includes simple information about the hazards workers may be exposed to and the precautions they will need to take to avoid them, including how to use safety equipment and PPE. – Ensure workers fully understand the information and training they are given to ensure that they can work safely. – Check that training and safety toolbox talks are provided in an accessible format and provide translation (if required).

6	**Supervision**	– Ensure workers are adequately supervised and can communicate effectively with their supervisors. – Ensure that there are appropriate policies in place for lone workers and their health and safety is monitored.
7	**Consultation**	– Ensure issues affecting vulnerable workers are brought up and addressed at Safety Committee meetings. – Ensure that Safety Committee meetings consider occupational safety and health issues for different workers including vulnerable workers.

Action Checklist and Questions

Questions / Action Points

- Are there vulnerable workers in my organisation?
- Is there awareness of vulnerable workers at my organisation?
- What workers have higher levels of vulnerability?
- What can I do to promote reporting for vulnerable workers (including migrant workers)?
- Have the hazards that apply to all workers, including vulnerable workers, been documented in the Safety Statement?
- Is induction training provided to all workers, including vulnerable workers?
- Is it necessary to translate occupational safety and health information to take into account potential language barriers for certain workers (for example, migrant workers)?

Conclusions

Every person has the right to a safe workplace where any risks to their health and safety are properly controlled. Some people are more vulnerable to occupational safety and health (OSH) risks due to a variety of personal and job factors. It is important that duty holders/employers recognise these vulnerabilities and take steps to protect their employees from occupational safety and health hazards. Further, it is important that employees/workers are informed about how to protect their safety and health at work, and to report any issues arising.

Safety Representatives should promote awareness of vulnerable workers at their organisation. Specifically, they should ensure that risk assessments consider vulnerable workers, and that induction training and safety documentation is accessible to vulnerable workers.

Further Information and Resources

HSA Resources

For further information, please see:

- Vulnerable Workers (www.hsa.ie/vulnerable-workers)
- Occupational Safety and Health Guidance on Vulnerable Workers in the Workplace (www.hsa.ie/osh-guidance-vulnerable-workers)
- Protecting Vulnerable Workers – Information Sheet for Employers, Managers and Supervisors (www.hsa.ie/protecting-vulnerable-workers)
- Vulnerable Workers Awareness Raising Courses on hsalearning.ie (www.hsa.ie/vulnerable-workers-courses)

Other Resources

For further information, please see:

- OSH Vulnerability Measure (https://www.iwh.on.ca/sites/iwh/files/iwh/tools/ohs_vulnerability_measure_guide_2017.pdf)
- Protection of Young People in the Workplace Fact Sheet (https://osha.europa.eu/en/publications/factsheets-64-protection-young-people-workplace)

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 27: Sensitive Risk Groups

Introduction

This chapter provides a short overview 'Sensitive Risk Groups'. As detailed in the Safety, Health, and Welfare at Work (General Application) Regulations 2007 and the guidance provided by the HSA, 'Sensitive Risk Groups' include:

1. young workers,

2. night and shift workers, and,

3. pregnant, postnatal, and breast-feeding workers.

'Sensitive Risk Groups' may face higher risks in the workplace. Safety Representatives should ensure that these workers receive appropriate protections and accommodations.

By addressing the needs of sensitive risk groups, safety representatives foster a more comprehensive and supportive safety culture that benefits all workers.

Young Workers

Definition

Children are people under the age of 16.

A **young person** is a person who has reached 16 years of age or the school-leaving age (whichever is higher) but is less than 18 years of age. Young workers may be more at risk because:

- They may lack maturity,
- They are continuing to develop physically and psychologically,
- They may lack the confidence to speak out about unsafe systems of work.

There are restrictions on the hours that young persons and children can work, and on the types of work they can undertake. Young persons and children are not allowed to do work that:

- Exceeds their physical or mental capacities.
- Exposes them to toxic substances.
- Exposes them to radiation.
- Involves extremes of heat or cold.
- Involves risks that they are unlikely to recognise or avoid because of their lack of experience or training.

The Protection of Young Persons (Employment) Act 1996 gives effect to the EU health and safety directive on the protection of young workers. The Act, which concerns workers under 18 years of age, places limits on the hours they may work.

- Those under 18 may not be employed for more than 40 hours per week or eight hours per day.
- Those aged 14 may not work during school term time, nor may they work more than 35 hours a week at other times. However, if they are on a work experience programme, they may work 40 hours a week.
- Fifteen-year-olds may, during term time, work eight hours a week and otherwise the same hours as 14-year-olds.

There are also limits on night, early morning and evening work. Those under 16 may not start work until 8am, while if over 16, they may start at 6am. They may not work later than 8pm (or 10pm if over 16) when there is school the next morning. Or 10pm (11pm if over 16) if there is no school. Rest breaks must be provided: after 4 hours for workers under 16, and after 4.5 hours for those over 16. All young employees are entitled to two days off every week and 12 hours off between work periods, or 14 hours if they are under 16. A young person who is employed on a fishing vessel between 10pm one day and 6am the next day must be allowed equivalent compensatory rest time. The regulations permit a full-time bar apprentice, who is a young person, to work up to midnight, provided he/she is not required to work before 8am the following morning. Young people working on general bar duties may work until 11pm, provided the following day is not a school day and/or the young person is not required to work before 7am the next day.

It is important that training and supervision are provided for all young people at work. For more information on this, please see Appendix 1: OSH Training Requirements and Approach and Appendix 2: Employee OSH Learner Journey.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 27: Sensitive Risk Groups

Night and Shift Workers

Many workers undertake shift and night work as part of their work contract.

Definition

- **Night work** refers to work carried out during night-time (that is, between 12 midnight and 7am on the following day).
- **Night workers** are people who normally work at least 3 hours of their normal working day between midnight and 7am the following day for at least 50% of their annual working time.
- **Shift work** refers to any method of organising work in shifts whereby workers succeed each other at the same workstations according to a certain pattern.
- A **shift worker** is any worker whose work schedule is part of shift work. There are many different types of shift work, with variations in shift duration, number of shifts, shift rotation, rest periods between shifts, and days off. Typically, shift work requires workers to work at different times over a given period of days or weeks, with hours of work that can be outside or partly outside normal working hours (that is, 9 to 5pm).

Employers must ensure protection from and prevention of risks to night and shift workers. Shifts, particularly night and early morning shifts, can lead to disruption of the internal body clock, sleeping difficulties and fatigue. This can have a negative effect on performance and increase the likelihood of errors and accidents at work. In addition, it can have a potential negative impact on health and wellbeing. It is important that fatigue risk is removed and/or addressed by organising and planning night and shift work arrangements.

People vary in how they cope with shift work depending on their health, fitness, age, lifestyle, and other responsibilities (that is, home/domestic responsibilities). Some people adapt well, while others do not. All employees should take steps to manage sleep, diet, and exercise.

Key Point

Night and shift workers should be aware of the signs of fatigue. For example:

- losing focus and forgetting things
- lacking energy and motivation
- increased risk-taking
- slower reactions
- feeling irritable
- tiredness even after sleep

There are two aspects to the law protecting workers from the effects of shift work and night work. There are the limits on hours as set out in the Organisation of Working Time Act and regulations made under the Act and the protection afforded by the provisions of the General Application (Night Work and Shift Work) Regulations 2007 (Part 6, Chapter 3).

Before employing a person as a night worker, employers must make available an assessment of the health effects of such work. Such assessments must also be made available at regular intervals while a person is doing night work. The assessment must be carried out by a registered medical practitioner or a person operating under his/her supervision. Day work must be offered wherever possible in case of illness due to night work.

Pregnant, Postnatal And Breastfeeding Employees

Pregnancy is a part of normal everyday life; it is not an illness.

Definition

- A **pregnant employee** means an employee who is pregnant.
- A **post-natal employee** means an employee who has given birth not more than 14 weeks preceding.
- An **employee who is breastfeeding** means an employee who has given birth not more than 26 weeks previously and is breastfeeding.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 27: Sensitive Risk Groups

There are hazards in the workplace which may affect either the health of the woman or her developing child. When an employee knows she is pregnant, she should notify her employer as soon as is practicable. The employer must then assess any risks to the health and safety of the woman and the unborn child. Employers must identify the type, quantity, and duration of exposure to any agent, process or working condition that may cause harm. An employer's Safety Statement should already have identified the hazards and risks at the workplace that might affect pregnant employees. Therefore, the risk assessment specifically required by the Pregnancy Regulations should be a reappraisal of the hazards as they affect the given employee. Schedule 8 of the General Application Regulations (2007) lists physical, biological, and chemical agents, as well as processes and working conditions known to endanger pregnant or breastfeeding employees and the developing child. Special attention must be paid to night work.

If the assessment reveals a risk, then the employer must inform the employee of the risk. The employer must see if the work or hours of work can be adjusted to eliminate the risk. If this cannot be done, then the employer must, if possible, next offer the employee suitable alternative work. If this option is not possible, then the employer must grant health and safety leave. Health and safety leave must also be granted to employees who are breastfeeding if there is a risk to the mother or child. Employees who are pregnant or mothers who are nursing are entitled to time off, without loss of pay, to attend ante or post-natal care. Regulation 24 of the General Application Regulations requires employers to ensure that pregnant, post-natal and breastfeeding employees can lie down to rest in appropriate conditions.

As stated in the HSA's Guide to the Pregnant Employees Regulations, the risks to pregnant employees are part of the routine risk assessments at workplaces and should not be left until pregnancy is notified. The risk assessment should cover the general hazards, hazards specific to the pregnancy and hazards specific to breastfeeding. The general hazards are described in Schedule 8 of the Regulations as physical agents. This refers to agents causing foetal lesions or likely to disturb placental attachment or both. Physical agents include noise and vibration, extremes of cold and heat, handling of loads entailing risks, shocks, ionising and non-ionising radiation, movements and postures travelling inside or outside the workplace, mental or physical fatigue and other physical burdens connected with the activity of the employee.

The hazards specific to pregnancy are pressurisation chambers, rubella (unless adequately immunised), toxoplasma, lead and lead substances, underground mine work, and certain physically demanding tasks, such as heavy lifting. The hazards specific to breastfeeding are lead, lead substances and underground work in mines.

Work with non-ionising radiation presents no greater risk for expectant or breastfeeding mothers. However, ionising radiation is harmful to the foetus. Work practices should be designed to keep exposure below the statutory dose limit for pregnant employees. Biological agents are known to cause abortion of the foetus, so reference needs to be made to the Biological Agents Regulations 2013. The agents which can cause harm are agents in groups 2, 3 and 4.

Action Checklist and Questions

Questions / Action Points

- Am I aware of the different occupational and safety health risks that apply to sensitive risk groups?
- Have I checked that all risk assessments consider the needs of sensitive risk groups?
- Have I highlighted the importance of being aware of fatigue to all workers - including night and shift workers.
- Have I highlighted the importance of self-care and having a healthy lifestyle to all workers - including night and shift workers.
- Are night workers provided with free health assessments before they start work and at regular intervals?
- If young persons are employed, have I ensured that no young person (under 18) are operating equipment.
- Has a risk assessment of any activity likely to expose workers (including pregnant women) to Carcinogens, Mutagens and Reprotoxic Substances (CMRS) been undertaken?

Conclusions

It is essential that work tasks, working conditions and the work environment do not adversely affect the health and safety of sensitive risk groups. Understanding the unique risks faced by sensitive risks groups helps in designing tailored safety measures that address their specific needs, ensuring a safer environment for everyone.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 27: Sensitive Risk Groups

Further Information and Resources

HSA Resources

For further information, please see:

- Sensitive Risk Groups (www.hsa.ie/sensitive-risk-groups)
- Protection and Children and Young Persons – General Application Regulations 2007 (www.hsa.ie/protectionofchildren)
- Night and Shift Work - General Application Regulations 2007 (www.hsa.ie/night-shift-work)
- Pregnancy Risk Assessment Template (www.hsa.ie/pregnancy-risk-assessment)
- Pregnancy at Work (www.hsa.ie/pregnancy-at-work)
- Carcinogens, Mutagens and Reprotoxic Substances Directive (https://osha.europa.eu/en/legislation/directive/directive-200437ec-carcinogens-or-mutagens-work)

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 28: Other Vulnerable Workers

Introduction

This chapter provides a short overview of the 'other vulnerable workers' group referred to in Chapter 26. This includes older workers, migrant workers, gig workers, those new to the job, workers with disabilities and workers with underlying health conditions.

Older Workers

Definition

There is no single definition of '**older workers**', but many European and international organisations define them as people aged 55 to 64 (EU-OSHA, 2016).

HSA accident data indicates that older workers are less likely to have accidents than other workers. However, they are more likely to experience a workplace fatality than other workers. Job experience, job knowledge and good judgement compensate for the different potential changes in worker ability arising from the natural ageing process. This includes changes in physical ability (that is, mobility, muscular strength, and range of joint movement) and changes in sensory ability (that is, sight and hearing). It is important that employers and managers consult and involve older workers in the design of control measures, so that health and safety is managed in a collaborative way.

Migrant Workers

Migrant workers are important to Irish society, helping the economy grow and filling job shortages in many industries. According to current estimates, 15.5% of our population are citizens of other countries (CSO, 2024), Further, 20% of the Irish workforce are migrant workers (CSO, 2024).

Definition

- A **migrant worker** is a person who is engaged or has been engaged in a remunerated activity in a state of which he or she is not a national. This includes documented and undocumented workers.
- A **seasonal worker** is an employee who is hired for a specific period of time to perform work that is dependent on a particular season or time of the year. Seasonal workers are employed in sectors such as agriculture, hospitality and retail. Seasonal workers are considered short-term migrants.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 28: Other Vulnerable Workers

Migrant workers include works from inside and outside the European Economic Area (EEA). Many migrant workers from outside the EEA are employed under the employment permits system. There are two types of permits – 'General Work Permits' and 'Critical Skills Permits'. Migrants employed on General Work Permits are tied to their job for a set period. There are different rules for holders of Critical Skills Permits. For more on this, please see the Employment Permits Act (2024). According to figures provided by the Department of Trade, Industry and Employment, the health and social care sector had the largest share of General Work Permits issued in both 2023 and 2024 (DETE, 2025).

Key Point

Many migrant workers undertake work that is considered dirty, difficult and/or dangerous.

Typically, holders of General Work Permits can find it more difficult to speak out about unsafe work practices. This is often due to fear that they might lose their job.

For some migrant workers, literacy levels may be low both in their native language and in English. According to CSO data (2024), of the 751,507 people who reported speaking another language at home (that is, not English), 57% indicated that they spoke English very well, 11% indicated that they did not speak English well, and 2% did not speak it at all. For some migrant workers, language barriers can make accessing information about their rights and safe working practices more difficult.

Key Point

Occupational safety and health induction training and information should be accessible for all persons and presented in a user-friendly format. Use simple language and include pictures (where possible).

Migrant workers are more likely than the general workforce to face discrimination. Discrimination can cause stress and negatively impact mental health. Employers should address this in their workplaces. This can be achieved in different ways – including promoting an inclusive workplace culture and a zero-tolerance policy on discrimination, bullying, and harassment. In addition, the provision of diversity and inclusion training is beneficial.

Gig and Platform Workers

Definition

- A **gig worker** is a person who works in the gig economy. They are also known as a freelancer or independent contractor. Typically gig work covers short-term, informal working relationships where work is on demand and delivered on a task-by-task basis.
- A **platform worker** is someone who provides services through a digital platform that connects them with customers or clients.
- The **gig economy** refers to a situation where a person (gig worker) is hired through an app or website to undertake a role for a third party. The app or website is produced and managed by an organisation called a platform. The gig economy is also referred to as the platform economy.
- **Algorithmic management** refers to the use of algorithms and data-driven systems to make decisions, allocate tasks, direct work, and manage workflows in organisations.

Gig workers are exposed to similar hazards in the workplace as other workers. However, the risk may be higher due to the way work is organized (for example, social isolation), and/or specific features of their work contract (for example, job insecurity arising from contract or temporary work). In addition, risks linked to algorithmic management for gig workers need to be considered.

In Ireland and across the EU, there is an increasing focus on improving working conditions for platform workers. Many platform workers lack basic employment protections such as minimum wage, sick pay, or job security. On 11 March 2024, the 'Directive of the European Parliament and the Council on Improving Working Conditions in Platform Work' was approved. This Directive aims at improving working conditions in platform work. The Directive includes measures to determine the employment status of people working through digital labour platforms - enabling them to benefit from any labour rights that they are entitled to. It also includes measures to improve the protection of the personal data of people performing platform work. In addition, the Directive details new rights for both workers and self-employed people regarding algorithmic management. This includes the right to contest automated decisions.

Part 7: Vulnerable Workers and Sensitive Risk Groups

Chapter 28: Other Vulnerable Workers

Key Point

The question of employment status for platform workers will be determined by each EU member state. Enterprises using services performed by self-employed persons through digital platforms will need to consider how this directive is transposed in Irish legislation.

New to the Job

The European Agency for Safety and Health at Work does not provide a specific definition for "workers new to the job." However, the term generally refers to individuals who are either entering the workforce for the first time or starting a new role within an organization. This group can include young workers, employees changing positions, or those re-entering the workforce after a period of absence.

Workers are more likely to have an accident in their first six months at work. This increased risk may be because of:

- lack of experience of the new workplace and/or industry,
- being unfamiliar with the job,
- being unfamiliar with the work environment,
- being eager to impress managers and colleagues, or
- not wanting to raise concerns and/or not knowing how to raise concerns.

It is crucial for employers to provide comprehensive induction programs, ongoing training, and adequate supervision to ensure that new workers can perform their duties safely. It is very important that all workers who are new to the job access information and training about the risks they may be exposed to, as well as the precautions they will need to take to avoid them. For more information on this, please see Appendix 1: OSH Training Requirements and Approach and Appendix 2: Employee OSH Learner Journey.

Workers with Underlying Health Conditions

Definition

- An **underlying health condition** refers to a pre-existing medical condition or chronic illness that affects a person's overall health and may increase their susceptibility to other health issues or complications.
- **Chronic conditions** are defined as conditions that last one year or more and require ongoing medical attention or limit activities of daily living.

Certain health conditions can be associated with symptoms and disabilities that affect a person's ability to carry out their work. For example, a heart condition can mean that someone can no longer carry out certain physical tasks. Employees are not required to be in perfect health to be considered fit for work. With the right accommodations and support, people can continue to work or return to work after a period of illness. It is good practice to train line managers to take a proactive approach to the management of health and wellbeing. Training should include enabling quality conversations and trust between managers and employees about working with a health condition. This can set the scene for optimal worker health and productivity.

Workers with Disabilities

Definition

The UN Convention on the Rights of Persons with Disabilities (CRPD) defines **persons with disabilities** as: "Those who have long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others" (UN, 2006).

There are many types of disability. The definition of disability includes, physical, intellectual, learning, cognitive, emotional, and medical conditions. Some employees may have a disability, while others may acquire a disability in the future. Some people may have more than one disability. About four out of five people with disabilities acquire their disability in adulthood. Some forms of disability are not immediately visible. For example, epilepsy or mental health conditions like depression or anxiety. Employees with a 'hidden disability' may choose not to disclose it because they are concerned that their employer will focus on their disability rather than their ability.

It is important to be sensitive and discrete when managing any risk assessment or accommodations for persons with a disability. Persons with a 'hidden disability' may choose not to disclose it because they are concerned that their employer (or other employees) will focus on their disability rather than their ability. Under the Safety, Health and Welfare at Work Act 2005, employees are not generally required to disclose a hidden disability unless it affects their ability to perform their job safely or could pose a risk to themselves or others. However, under the Employment Equality Acts (1998-2015), if an employee requires workplace adjustments (for example, flexible hours, special equipment), they must disclose their condition to request support. Employees have a right to privacy, and employers must handle disability information carefully and follow data protection laws, including General Data Protection Regulation (GDPR).

Employers have a legal and moral obligation to ensure the health and safety of workers with disabilities. By creating an inclusive and accessible workplace, employers not only comply with regulations but also foster a supportive environment where all workers can thrive. It is good practice for a company to plan and manage for health and safety on an inclusive basis and to

have a Disability Policy in place. This will ensure that issues can be managed appropriately and that all employees are aware of workplace requirements. When assessing hazards, employers should consider persons with physical, sensory, cognitive, and psychosocial disabilities.

Action Checklist and Questions

Questions / Action Points

- Am I aware of the different occupational and safety health risks that apply to vulnerable workers?
- What can I do to promote reporting for workers who have either language or literacy barriers?
- If young persons are employed, have I ensured that no young person (under 18) is operating equipment?
- Do risk assessments consider workers with disabilities or underling health conditions?

Conclusions

It is essential that work tasks, working conditions and the work environment do not adversely affect the health of vulnerable workers. Health and safety should be managed in a collaborative way. This is particularly important in relation to the design of control measures for vulnerable workers.

Further Information and Resources

HSA Resources

For further information, please see:

- Vulnerable Workers (www.hsa.ie/vulnerable-workers)
- Occupational Safety and Health Guidance on Vulnerable Workers in the Workplace (https://www.hsa.ie/eng/publications_and_forms/publications/safety_and_health_management/occupational_safety_and_health_guidance_on_vulnerable_workers_in_the_workplace.pdf)

HSA Resources

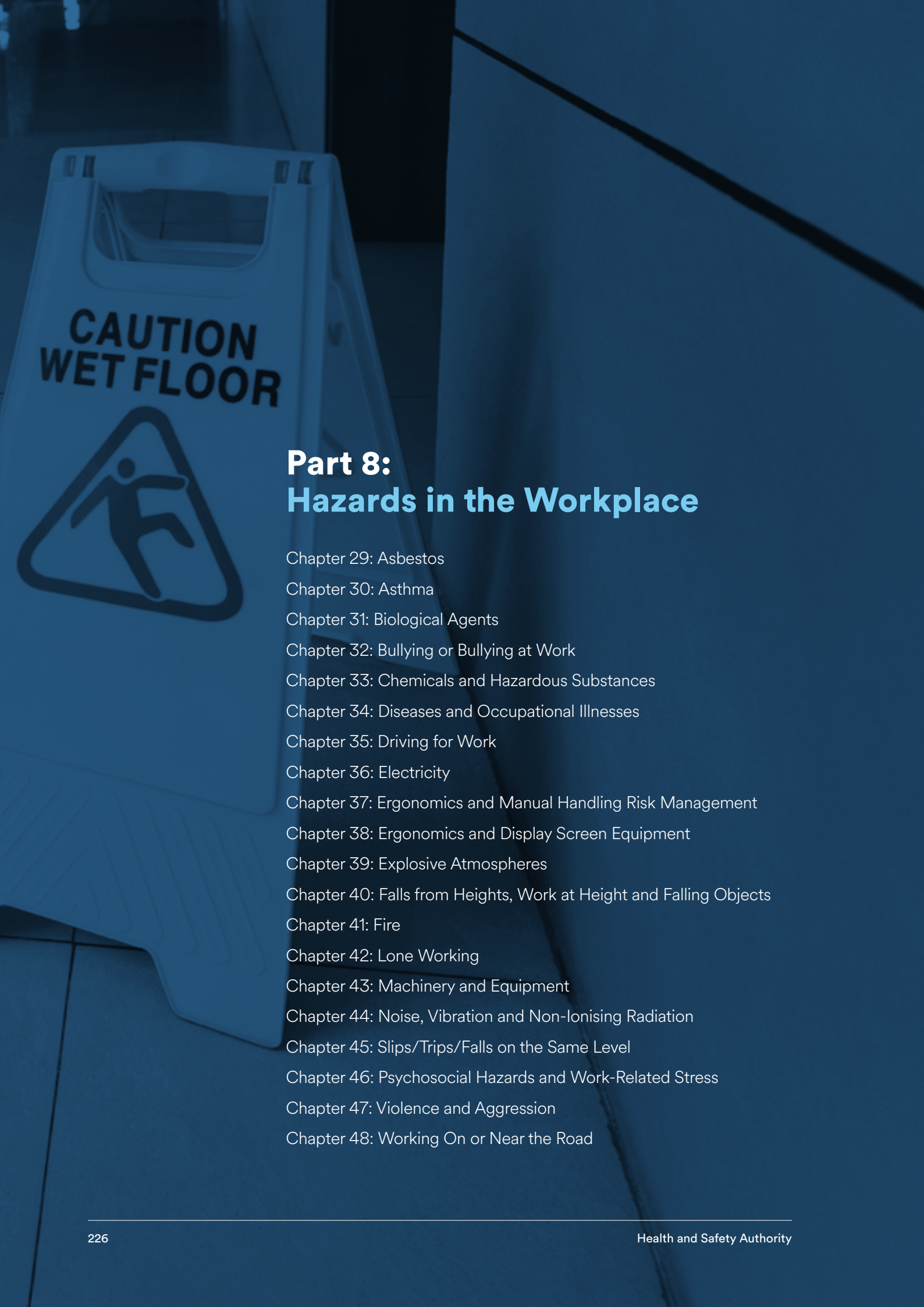
For further information, please see:

- Protecting Vulnerable Workers – Information Sheet for Employers, Managers and Supervisors (https://www.hsa.ie/eng/publications_and_forms/publications/safety_and_health_management/vulnerable_workers_information_sheet_2024.pdf)
- Protecting Vulnerable Workers in the Workplace (Employers) (https://hsalearning.ie/mod/page/view.php?id=1549)
- Vulnerable Workers - A Short Course for Employees (https://hsalearning.ie/mod/page/view.php?id=1549)

Other Resources

For further information, please see:

- Retaining Employees who Acquire a Disability: A Guide for Employers (https://nda.ie/publications/retaining-employees-who-acquire-a-disability-a-guide-for-employers)https://osha.europa.eu/en/publications/factsheets-64-protection-young-people-workplace)
- Protecting Workers in the Online Platform Economy (https://osha.europa.eu/sites/default/files/Protecting_Workers_in_Online_Platform_Economy.pdf)
- Employment Permit Statistics (https://enterprise.gov.ie/en/what-we-do/workplace-and-skills/employment-permits/statistics/)
- Safety and Health Insights for Digital Platform Work (https://healthy-workplaces.osha.europa.eu/en/publications/safety-and-health-insights-digital-platform-work-0)
- EU Directive on Platform Work (https://data.consilium.europa.eu/doc/document/ST-7212-2024-INIT/en/pdf)



Part 8:
Hazards in the Workplace

Part 8: Hazards in the Workplace

Chapter 29: Asbestos

Introduction

This chapter provides an overview on the topic of Asbestos. It also provides a brief summary of what you should do if you suspect any material in your workplace might contain Asbestos. Safety Representatives play a critical role in ensuring that workers are protected from asbestos exposure.

Overview and Definition

Asbestos was used in many industries and buildings until it was banned in 1999. However, while asbestos continues to be safely removed, much of these materials are still in place. This means that people who work in these buildings are still at risk of potential exposure if the buildings are not managed effectively, damaged or disturbed.

Definition

Asbestos is a general name given to several naturally occurring fibrous minerals that have crystallised to form long thin fibres. Inhaled asbestos fibres become trapped in the body. The fibres cause diseases such as mesothelioma, Lung cancer and asbestosis. Types of asbestos include:

- Asbestos actinolite
- Asbestos grunerite (amosite commonly known as brown asbestos)
- Asbestos anthophyllite
- Chrysolite (Commonly known as white asbestos)
- Crocidolite (commonly known as blue asbestos)
- Asbestos tremolite

Asbestos in Buildings

Asbestos-containing materials were commonly used in the building industry up until 1999. Most buildings built between 1940 and 1985 contain some form of asbestos. Companies commonly used asbestos in building materials, insulation, fireproofing materials, brakes and more. Building materials contained asbestos because it was an effective insulator. Asbestos in cloth, paper, cement, plastic and other materials made them heat-resistant and stronger.

Asbestos use was widespread in various fields, including manufacturing, construction, power generation and industrial sectors. Workers in diverse fields encountered asbestos. They unknowingly brought fibres home. This resulted in second-hand exposure among family members.

Where am I likely to find asbestos materials?

Normally non-licensed materials

1. AC products
2. Textured coatings
3. Floor tiles, textiles and composites

Normally licensed materials

4. Spray coatings on walls, beams/columns
5. AIB
6. Lagging
7. Loose asbestos in ceiling or floor cavity

Source: HSE UK Typical locations for the most common asbestos material

Note: This diagram does not show all possible uses and locations of asbestos materials. A detailed survey will be required to identify all asbestos materials in a building.

Figure 26. Typical locations for the most common asbestos material (HSE, UK).

Data and Statistics

Asbestos is a Category 1 Carcinogen, and all types can cause cancer.

Key Point

There were over 400 asbestos notifications to the HSA in 2023.

Blue and Brown asbestos are known to be more dangerous than white asbestos. The chart below shows the records of asbestos notifications reported to the HSA over recent years.

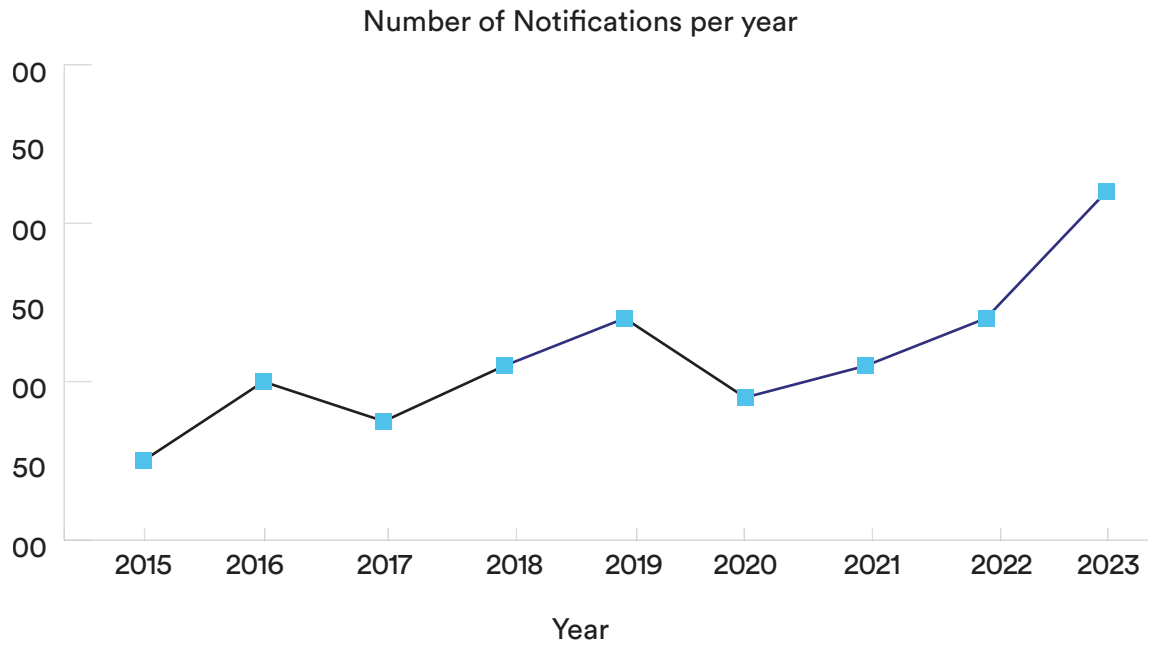


Figure 27. Records of asbestos notification reported to the HSA.

Managing Asbestos in the Workplace

Risks From Working Near Asbestos

If the asbestos in your workplace is in good condition and left undisturbed, it is unlikely that airborne asbestos will be released into the air, and therefore the risk is extremely low. It is usually safer to leave it and monitor its condition annually. If the asbestos has deteriorated or been damaged or disturbed the risks that asbestos fibres may be in the air increase.

Asbestos Management Plan

An asbestos management plan sets out how asbestos that is identified at the workplace will be managed (for example, what is going to be done, when and how). An asbestos management plan should include the following:

1. An asbestos survey should be completed to identify of any asbestos material in the workplace.
2. An outline of how asbestos risks will be controlled, including consideration of appropriate control measures (that is, risk assessment).
3. Identification of each person with responsibilities under the asbestos management plan, and the person's responsibilities.
4. Procedures, including a timetable for reviewing and, if necessary, revising the asbestos management plan and asbestos register. An example of when this may be necessary is when some asbestos is removed.

5. A register of workers carrying out work involving asbestos and their roles. For example, analysts or removal company.
6. Procedures for detailing accidents, incidents or emergencies of asbestos at the workplace.

Key Point

For more, please see the Asbestos Checklist in the Appendices of this document.

How to Identify Asbestos Products?

The only way to identify asbestos is through lab testing (Member of Asbestos in Materials Scheme - AIMS) or professional inspection (Qualified Surveyor). Microscopic asbestos fibres have no smell or taste.

Who Can Remove Asbestos Materials?

Asbestos Contractors

Specfic documented practical training is required for all works involved in working with asbestos material. There are different levels of training depending on the nature and type of asbestos they are working with. The works may require notification to the HSA and you may request a copy of the information provided to the HSA.

What Should an Asbestos Contractor have before Starting Work?

- Company Safety Statement with associated risk assessments.
- Training Records of staff.
- Respiratory protective equipment certs.
- Where required, an individual medical certificate may be required.

What Should an Asbestos Contractor give my Company when the Work is Completed?

The contractor must obtain a signed site clearance certificate confirming that the work has been completed and the area is safe for reoccupation. If a clearance certificate is not available, the asbestos removal area must not be reoccupied for normal use or other work activities such as demolition.

Collection, transport and disposal of asbestos waste should only be undertaken by an authorised waste collection permit holder and a copy of the “waste transfer form” should be obtained to confirm the waste is being disposed of correctly.

Action Checklist and Questions

Questions / Action Points

- Does your building have asbestos?
- Has a survey/inspection been completed for our buildings to identify any materials that might have asbestos?
- Does your company have a process to manage asbestos in your buildings?
- If your building has asbestos, are all staff informed as to the location of the asbestos in the building?

Conclusions

If you work in an older building, check that there is an asbestos survey and risk assessment available for where you work. Asbestos is a major health risk, causing asbestosis, lung cancer, and mesothelioma. Safety Representatives play a critical role in ensuring that workers are protected from asbestos exposure.

Further Information and Resources

HSA Resources

For further information, please see:

- Asbestos Resources (www.hsa.ie/asbestos)
- Practical Guidelines on Asbestos Containing Materials (www.hsa.ie/asbestos-guidelines)
- Asbestos Safety for Tradespeople (course on hsalearning.ie) (www.hsa.ie/asbestos-courses)

Other Resources

For further information, please see:

- National Cancer Registry Ireland (https://www.ncri.ie/en)
- Irish Statute Book (https://www.irishstatutebook.ie)
  - Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 (https://www.irishstatutebook.ie/eli/2006/si/386/made/en/print?q=asbestos&years=2006)
  - Safety, Health and Welfare at Work (Exposure to Asbestos) (Amendment) Regulations 2010 (https://www.irishstatutebook.ie/eli/2010/si/589/made/en/print)

Part 8: Hazards in the Workplace

Chapter 30: Asthma

Introduction

This chapter is about occupational asthma in the workplace. It is important for Safety Representatives to be aware of how occupational asthma is caused in the workplace and how it can be prevented.

Overview and Definition

Occupational asthma is a form of asthma caused or worsened by exposure to specific substances in the workplace. It occurs when a person inhales irritants or allergens at work, which trigger inflammation and narrowing of the airways, making it difficult to breathe. Your employer must comply with health and safety regulations that protect workers from occupational asthma through risk assessments, safety controls, and making health surveillance available to workers, where appropriate.

Definition

Occupational asthma is when a worker's airways become inflamed and narrowed when exposed to 'respiratory irritants' (for example, dust, chemical fumes) or 'respiratory sensitisers' (for example, flour, latex, animal dander) at work.

Hazard Labels

When a worker sees the labels below on products, it indicates the product has a risk of causing asthma.

Health Hazard
Symbol: Exclamation Mark

This image is on labels to warn you of a health hazard.

For example, it may cause respiratory irritation, allergy, or damage to the lungs. Examples of hazard statements for respiratory irritants or respiratory sensitisers are:

H335 – May cause respiratory irritation.

Serious Health Hazard
Symbol: Health Hazard

This image is on labels to warn you of a serious health hazard.

It may be fatal or cause damage to organs if it enters airways. Examples of hazard statements for respiratory irritants or respiratory sensitisers are:

H334 – May cause allergy or asthma symptoms or breathing difficulties if inhaled.

H335 – May cause respiratory irritation.

Part 8: Hazards in the Workplace

Chapter 30: Asthma

What is Asthma in the Workplace?

Introduction

The World Health Organization (WHO) defines asthma as a chronic lung disease affecting people of all ages. Workplace asthma, also called occupational asthma, is a reversible narrowing of the airways caused by a respiratory irritant or a respiratory sensitiser in the workplace. Symptoms include attacks of coughing, wheezing, tightness of the chest, runny or blocked nose or watery eyes.

Key Point

If workers have symptoms of asthma in the workplace or symptoms lessen when they are not working, they need to be reviewed by a medical practitioner.

Below are the different types of asthma in the workplace:

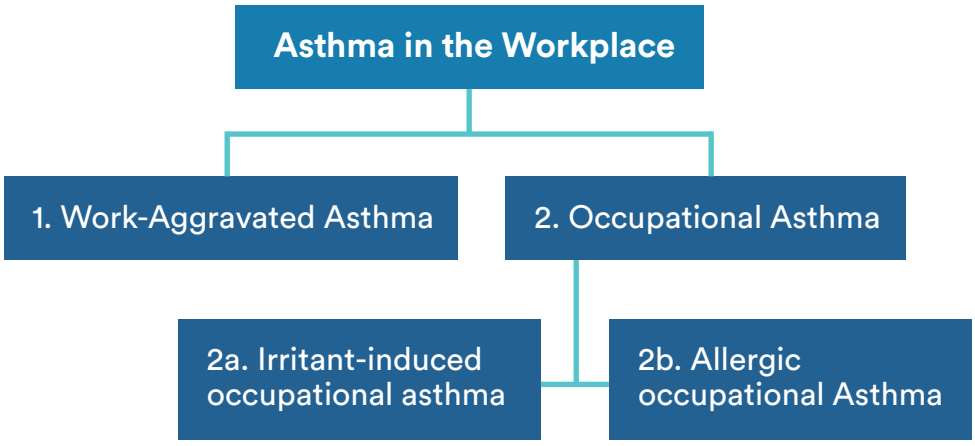


Figure 28. Asthma in the workplace.

Work Aggravated Asthma

This asthma is caused when a person already has asthma, or had asthma as a child, but is triggered again by exposure to dusts, fumes, vapours, and gases, cold air or doing labour. The person may get wheezy or have other symptoms at work, but symptoms are reduced by improving the work environment or avoiding the trigger at work.

Occupational Asthma

There are two types of occupational asthma (1) Irritant-induced Occupational Asthma and (2) Allergic Occupational Asthma. These are outlined in the table below.

Irritant-induced Occupational Asthma	This asthma is caused by a single exposure to large amounts of respiratory irritants, for example ammonia, acids, or smoke. This often happens after an accident, or when the safety measures stop working, or in places without enough fresh air. Then asthma can develop quickly. These chemicals can make it hard to breathe and cause a burning feeling in the airways.
Allergic Occupational Asthma	Allergic occupational asthma is when someone becomes allergic to a chemical at work over time, for example, flour or dust. These substances are called respiratory sensitisers or asthmagens. The biggest risk is in the first two years of exposure to the respiratory sensitisers. The risk does not go away completely after that, although it might decrease. Not everyone who becomes sensitised will develop asthma. But once the lungs become hypersensitive, any further exposure to the substance, even at low levels, may trigger an asthma attack.

What is Your Employer Required to Do?

Your employer must ensure a safe working environment where exposure to substances which can cause asthma is prevented or controlled. Your employer is responsible for providing:

- An up-to-date Safety Statement.
- Access to 'Safety Data Sheets' ("SDS" for short), if hazardous substances are used.
- 'Risk Assessment' of 'respiratory sensitisers', and 'respiratory irritants' made or used in the workplace.
- Safety control measures.
- Respiratory Protective Equipment ("RPE" for short), where appropriate.
- Health surveillance, where appropriate.
- Information and training.

What is a Risk Assessment?

The Safety, Health and Welfare at Work Act 2005 requires your employer to complete a risk assessment to evaluate potential hazards related to asthma in the workplace. A general list of safety rules is not a risk assessment. The risk assessment should answer the following questions:

- Are you using a respiratory sensitiser or respiratory irritant? For example, one of the substances listed in the table below?
- Is the hazard statement, “H334 – May cause allergy or asthma symptoms or breathing difficulties if inhaled” or “H335 – May cause respiratory irritation” on the SDS of any substances in use?
- Is the sensitiser likely to become airborne in use?
- Who is likely to be exposed?
- To what concentrations?
- For how long?
- How often?
- Does the exposure exceed the daily occupational exposure level (OEL) specified in the Chemical Agents Regulations?
- Does the risk assessment check all activities where substances are used or handled (for example, paint, grain, animal dander), and all activities where substances are created (for example, sawing wood creates dust)?
- Whenever there is a new substance, activity, equipment, or process in the workplace, is there an updated asthma risk assessment before the workers start work?
- Has your employer checked sickness and absence records? These can provide insights into potential issues.

What is a Respiratory Sensitiser?

A respiratory sensitiser is something that can cause an allergic reaction if a worker is exposed. There are a few ways to find out if you are working with a respiratory sensitiser:

- Check the Safety Data Sheet (SDS). When your employer buys a new hazardous chemical, the seller should give a new SDS. Always read the most recent SDS. The SDS lists the chemical health risks and instructions for safe handling. The SDS might have a hazard statement, for example "H334: May cause allergy or asthma symptoms or breathing difficulties if inhaled". However, not every respiratory sensitiser is listed in the SDS.
- Check if the chemical label has a 'hazard pictogram' or a 'hazard and precautionary statement'. See Figure 26 below (circled in red).
- Ask your employer to show you the Chemical List. It must list all chemicals used or stored in the workplace. It must also list chemicals created at the workplace, for example wood dust is created when using a saw. The Chemical List should not be locked away – it should be where all workers can get it.

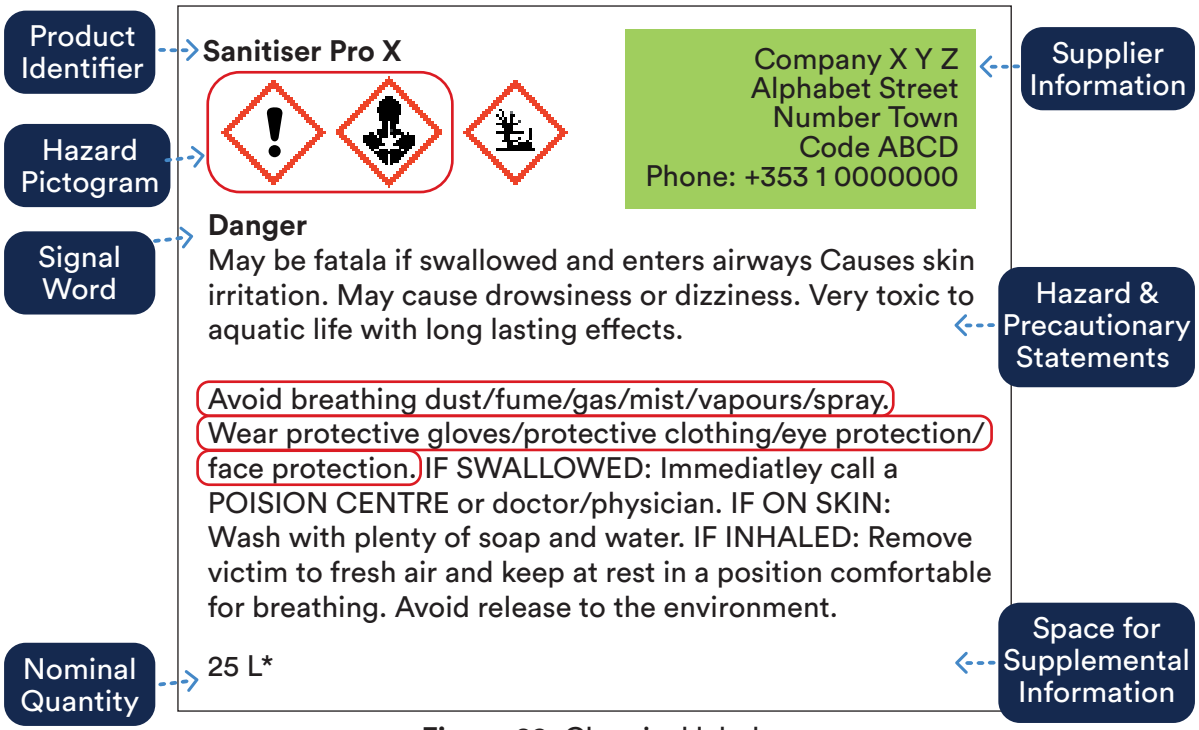


Figure 29. Chemical label.

Workers at Increased Risk of Asthma

The following table is a list of workers at increased risk of asthma. The list is not exhaustive.

Agent and source	Workers at risk
Chromium compounds	Welding stainless steel
Cobalt	Hard metal production, diamond polishing
Drugs (Penicillin/cephalosporins/Opiates)	Pharmaceutical and healthcare workers
Electronic soldering flux (rosin solder)	Soldering, electronic assembly, computer manufacture
Flour/grain/hay	Handling grain at docks, milling, malting, baking and pizza pastry makers.
Glues/resins	Curing glues and epoxy resins in joinery and construction
Glutaraldehyde	Health care
Hair dyes (persulphates and henna)	Hairdressers
Isocyanates	Vehicle spray painting, foam manufacture and foundry workers
Laboratory animals	Laboratory animal work, veterinary, farmers and animal handlers
Latex rubber	Gloves in health care, laboratories, and rubber glove makers
Nickel sulphate	Electroplating
Platinum salts	Catalyst manufacture
Subtilisin/enzymes	Detergent manufacture, laundry
Wood dusts	Saw milling, woodworking, furniture manufacture and forestry

How is Exposure Prevented and Controlled?

Following a risk assessment, your employer should put in place prevention measures that are documented and specific to the workplace. The measures to be taken are:

- **Elimination:** Depending on the assessment, your employer should change the process/activity so that the hazardous substance is no longer required.
- **Substitution:** Where elimination is not possible, your employer must take steps to replace the substances with less harmful ones.

- **Engineering Controls:** Where substitution is not possible, exposure should be minimised by engineering controls such as ventilation and enclosures of processes.
- **Administrative Controls:** Preventing further exposure should be minimised by administrative controls such as a change of tasks.
- **Organisational Controls:** Proper handling procedures, avoidance of spills and good housekeeping in the workplace reduce the risk of asthma even further.
- **Health Surveillance:** Your employer should make available health surveillance for workers anytime the risk assessment identifies a risk, if there is a symptomatic worker in a high-risk job, or if a worker reports symptomatic improvement of their breathing problem away from work.
- **Education:** It is important to learn about working in a safe manner to lower the risk of developing or triggering asthma and recognising when an asthma attack is a medical emergency.
- **Respiratory Protective Equipment (RPE):** This is considered the last option for control measures. For RPE to be effective, it must be carefully selected, properly fitted, and well maintained.

Inspectors from the Health and Safety Authority can visit workplaces to check if your employer is taking precautions to prevent workers from getting asthma.

Regulations

The following legislation is important for protecting workers from workplace asthma.

1. CLP Regulation (EC) No. 1272/2008:
   - Clearly label all hazardous chemicals with standardised hazard statements and pictograms.
   - Workers, including those with asthma, can understand risks and follow safety precautions.
2. Chemical Agents Regulations (2001):
   - Occupational Exposure Limit Values (OELVs) for chemicals in workplace air are regulated.
   - It is important to check exposure levels and protect workers, especially those with work-related asthma.
3. Ventilation Regulation 6, Safety, Health and Welfare at Work (General Application) Regulations, 2007:
   - Adequate workplace ventilation is required (Regulation 6).
   - Maintain forced ventilation systems to keep the workplace safe and healthy.

4. Safety, Health and Welfare at Work Act 2005:
   - Prevent accidents, illnesses, and dangerous occurrences.
   - Measures, enforcement, and penalties create healthier workplaces and benefit all workers, including those at risk of asthma.
5. REACH (EU) No. 1907/2006 Article 67 Annex XVII entry 74:
   - All workers involved in the use of mixtures containing greater than 0.1% of diisocyanates must complete training on its use.

What is the Role of the Safety Representative?

Under the Safety, Health and Welfare at Work Act 2005, Section 25, Safety Representatives must have access to:

- Risk assessments and safety statement for your workplace (for example, a spray-painting risk assessment).
- Reportable accidents, occupational illnesses, and dangerous occurrences, without identifying any individual (for example, concerns about respiratory irritants, lack of RPE).
- Safety and health measures required under safety and health legislation; (for example, health surveillance).
- Safety and health information on dangerous equipment, chemicals or processes used at your workplace (for example, instruction manuals and safety data sheets).
- Carry out inspections on a schedule agreed with the supervisor, or immediately after an accident or dangerous occurrence, or where there is an imminent danger or risk to any person.

Action Checklist and Questions

Questions / Action Points

- Does your employer implement all health and safety measures in the Safety Statement to prevent asthma?
- Does the Safety Statement include a written Risk Assessment, which identifies respiratory sensitisers that can cause asthma are being used in the workplace?
- Is work air monitored or measured by a competent occupational hygieneist with the right equipment?

Questions / Action Points

- Do workers work carefully to avoid raising dust clouds or mist generation, or to keep their face out of fumes, or allow for the full clearance time before sprayers lift their visor after spraying?
- Do workers work in ventilated areas when working inside?
- Is there a dust or mist extraction system that is working properly and checked regularly?
- Is there respiratory protective equipment (RPE) for dusty or misting jobs, or air-fed breathing apparatus (BA) when paint-spraying a vehicle?
- Are the same workers always doing the dustiest jobs (for example, sanding, assembly, cleaning, moving and cleaning animal cages, changing filters for ventilated areas, disposing of empty flour bags, sieving, dough-making, brushing or dusting dough)?
- Are the same workers doing the mistiest jobs (for example, spraying and painting)?
- Is access to animals restricted?
- Is the area cleaned often? Water-mix fluids can be contaminated, and dust can rise again and again, and can cause a fire, so cleaning is important.
- Is there a wet method or an industrial vaccuum cleaner with filters to clean up dust?
- Are there washing, resting and changing facilities with storage for clean and dirty work clothes?
- Do workers bring work clothes home to wash, or is there disposable clothing?

Conclusions

Your employer should do a risk assessment because some jobs have a higher risk of developing asthma. Where there is a risk, employers should provide a safe working environment with appropriate safety controls. The Safety Representative can represent workers' concerns about asthma to your employer. It is important for Safety Representatives to be aware of how occupational asthma is caused in the workplace and how it can be prevented.

Further Information and Resources

HSA Resources

For further information, please see:

- Guidelines on Occupational Asthma (www.hsa.ie/asthma-guidelines)
- Isocyanates Information Sheet (www.hsa.ie/isocyanates)
- Occupational Asthma - Frequently Asked Questions (www.hsa.ie/asthma-faq)
- A Guide to Respiratory Protective Equipment (www.hsa.ie/respiratory-equipment)

Other Resources

For further information, please see:

- Health and Safety Executive (UK) – Asthma (https://www.hse.gov.uk/asthma/about.htm#:~:text=Occupational%20asthma%20is%20an%20allergic,as%20the%20'hypersensitive%20state)

Part 8: Hazards in the Workplace

Chapter 31: Biological Agents

Introduction

This chapter provides a general overview of what biological agents are, how workers may be exposed to them during their work and how to prevent or minimise exposure.

Overview and Definition

A biological agent is any microorganism, cell culture, or human endoparasite, including those that have been genetically modified, which can cause harm to human health. These agents include bacteria, viruses, fungi, and parasites that may cause infections, allergies, or toxic effects.

Definition

- **A biological agent** is defined in law – in the Safety, Health and Welfare at Work (Biological Agents) Regulations 2013 and 2020 (S.I. No. 572 of 2013 as amended by S.I. No.539 of 2020), commonly known as the Biological Agents Regulations. A biological agent means "micro-organisms, including those which have been genetically modified, cell cultures and human endoparasites, which may be able to provoke any infection, allergy or toxicity, classified into four risk groups according to their level of risk of infection".
- **A micro-organism** is further defined and means "a microbiological entity, cellular or non-cellular, capable of replication or of transferring genetic material".
- **Cell culture** is also defined as "the in-vitro growth of cells derived from multicellular organisms".

Biological agents are found virtually everywhere in the natural environment. As a result, they have a wide distribution in the working environment. Most biological agents are harmless, and in fact, many are beneficial. For example, they are used in the food industry to produce cheese, bread and yoghurt or in the pharmaceutical and biotechnology industries to produce antibiotics, hormones, vaccines, vitamins and enzymes. However, a small percentage of biological agents can cause harm – either by causing disease (that is, they are pathogenic) or by causing causing allergy or by producing harmful toxins. Some biological agents can cause harmful effects, such as impairing fertility, causing cancer or causing adverse effects during pregnancy.

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Chapter 31: Biological Agents

In simple terms, biological agents that can cause harm to employee's health fall into six main groups – (1) bacteria, (2) fungi (which includes yeasts and moulds), (3) viruses, (4) protozoa, (5) helminths (worms) and (6) prions. Protozoa and helminths are often grouped together and referred to as internal parasites (endoparasites). The 2020 Biological Agents Code of Practice lists biological agents that are harmful to workers' health. Most employees will not generally encounter genetically modified micro-organisms, prions or cell cultures during their work activities.

Biological Agents in the Workplace

Employees may encounter biological agents in the workplace as they:

- Knowingly work with or use them, such as in a laboratory or biotechnology, or
- Encounter them as part of their work. For example, people who work in direct or close contact with:
  - Humans, human bodily fluids, human waste or human remains.
  - Animals, animal products, animal waste or animal remains.
  - Water, waste or sewage.
  - Soil, plants or organic materials.

The three key affected occupations include:

1. Healthcare Workers (regularly exposed to pathogens, increasing the risk of contracting infectious diseases).
2. Agricultural Workers (for example, workers may encounter zoonotic agents, or dust and plants contaminated with fungal spores or toxins).
3. Laboratory Personnel (who deliberately work with biological agents or handle infectious materials, posing risks of exposure through accidents or improper use or handling).

Not everyone who encounters a harmful biological agent may be affected. Certain cohorts of workers may be more vulnerable, such as young, elderly, immunosuppressed, immunocompromised or pregnant workers.

Data and Statistics

Ireland has very little data or statistics on the occupational ill-health effects of biological agents. This is because there can be a time delay between infection and when signs and symptoms of disease becomes apparent, or disease is diagnosed. As a result, the link between the disease and work may be missed or not reported. In some cases, the cause may be attributed to other hazards.

Key Point

In 2022, over 550,000 deaths were attributed to biological risk factors in the workplace. Of these, 476,000 were due to communicable infectious diseases, while 74,000 resulted from non-communicable agents (EU-OSHA, 2023).

How Workers may be Exposed to Biological Agents

To decide on the appropriate control measures for biological agents, it is important to first understand how a worker can be exposed to biological agents.

There are four main ways:

1. **Ingestion,** for example, not washing hands prior to smoking or eating in the presence of a biological agent or in a contaminated environment, touching the mouth with contaminated hands or utensils or licking splashed lips.
2. **Inhalation,** for example, breathing in dust containing micro-organisms or inhaling contaminated water aerosols.
3. **Absorption,** for example, splashes of blood or other body fluids entering the eye, nose or mouth or through the skin via open sores or wounds, broken or chapped skin or wounds or via spitting or rubbing the eyes with contaminated hands.
4. **Inoculation,** for example, via a puncture wound created by a contaminated needle, sharp, scalpel, knife, broken glass, a bite or scratch from an infected animal, human, insect or plant thorn.

Biological Agents Risk Assessment

The Biological Agents Regulations build on the general risk assessment requirements under the 2005 Act. They specifically require employers to assess any risk, whether existing or potential, to the health and safety of employees resulting from any activity at the workplace likely to involve a risk of exposure to a biological agent. If any actual or potential risks are identified, appropriate control measures must be put in place to avoid the risk or reduce the risk of exposure to protect employees' health.

In addition, there are specific legal requirements for risk assessments for children and young persons and pregnant, post-natal and breast-feeding employees under the Safety, Health and Welfare at Work (General Application) Regulations 2007 as amended. As part of these risk assessments, the risk of exposure to biological agents must be assessed.

Controlling the Risk of Exposure

Control of exposure to biological agents is usually based on three principles:

1. **Isolation or eradication of the source of the biological agent.** For example, isolating infectious patients in a hospital, quarantine of infectious animals, enclosing a process, preventing growth conditions for the biological agent (such as stopping mould growth by repairing leaks and preventing Legionella bacteria growing by controlling water temperatures and preventing water stagnation).
2. **Preventing the spread of the biological agent.** For example, by use of engineering and management controls – controlling aerosol formation, good ventilation, disinfecting and sterilising equipment, proper hygiene and hand washing techniques, good housekeeping, regular cleaning using disinfectants and antiseptics, providing training, and having post exposure procedures (such as clear procedures if someone suffers a needlestick injury).
3. **Protection.** For example, by wearing protective clothing and equipment and offering vaccination to at risk workers. Hepatitis B vaccination is recommended where workers may be exposed to blood or bodily fluids.

Key Point

For more, please see the Biological Agents Checklist in the Appendices of this document.

Action Checklist and Questions

Due to the variety of workplaces where exposure to biological agents may occur, a general non-exhaustive checklist is provided only.

Questions / Action Points

- Has a biological agent's risk assessment been conducted?
- Where a risk has been identified, have staff been informed of the appropriate control measures to avoid the risk?
- Are there designated clean and dirty areas?
- Are activities such as smoking, vaping, eating and drinking avoided in dirty/contaminated areas?
- Are there designated clean areas for eating and drinking?

Questions / Action Points

- Is there a fully stocked first aid box with appropriate materials such as waterproof dressings for covering any cuts or scrapes and where required eye washes and skin antiseptics?
- Are appropriate washing and toilet facilities provided?
- Have staff received instruction, information or training in how and when to wash their hands?
- Is work clothing kept separate and laundered separately from street clothing?
- Where possible, are there facilities for laundering work clothing on-site?
- Are insect and rodent controls in place, where required?
- Are the premises properly ventilated to minimise conditions which can favour the growth of certain biological agents?
- Is workplace equipment / machinery designed or selected so that it is easy to clean and maintain?
- Are the premises and equipment regularly cleaned?
- Is the use of dry sweeping and air hoses for cleaning premises or equipment avoided?
- Are vaccines made available (free of charge) where applicable? Refer to the 2020 Biological Agents Code of Practice and the Immunisation Guidelines for Ireland.
- Are there documented procedures for taking, handling and processing samples of human or animal origin?
- Are there documented disinfection procedures (https://www.hsa.ie/eng/topics/biological_agents/biological_agents_introduction/disinfectants/) in place, where required?

Questions / Action Points

- Are there documented emergency plans, for example, what to do if a person suffers a needlestick injury or a bite or how to clean up blood spillages?
- Are there suitable equipment and containers (for example, sharps boxes and storage areas, for the safe collection, storage and disposal of any contaminated waste)?
- Is contaminated waste securely held and not accessible to non-authorised persons?

Conclusions

This chapter provides an overview of biological agents in the workplace. In general, good occupational hygiene (https://www.hsa.ie/eng/topics/biological_agents/biological_agents_introduction/good_occupational_hygiene/), especially regular hand washing, can prevent or reduce the accidental transfer or release of biological agents from the workplace.

Further Information and Resources

HSA Resources

For further information, please see:

- Biological Agents (www.hsa.ie/biological-agents)
- 2020 Biological Agents Code of Practice (www.hsa.ie/biological-agents-cop)
- Managing Exposure to Biological Agents in Laboratories (www.hsa.ie/biological-agents-exposure)
- Composting Information Sheet (www.hsa.ie/compost-info-sheet)
- Health and Social Care (courses on hsalearning.ie) (www.hsa.ie/health-social-care-courses)

Other Resources

For further information, please see:

- European Agency for Safety and Health at Work – Biological Agents (https://oshwiki.osha.europa.eu/en/themes/biological-agents)
- National Immunisation Advisory Committee – Immunisation Guidelines for Ireland (https://www.hiqa.ie/areas-we-work/national-immunisation-advisory-committee/immunisation-guidelines-ireland)

Part 8: Hazards in the Workplace

Chapter 32: Bullying or Bullying at Work

Introduction

This chapter provides an overview of bullying in the workplace. It is important for Safety Representatives to know about bullying in the workplace. Bullying is not just a personal or HR issue. It is also a serious occupational health and safety concern.

Overview and Definition

Bullying is a harmful behaviour aimed at intimidating, humiliating, or exerting control over someone.

Definition

Bullying in the workplace is defined as follows: "Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could be reasonably regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work, but, as a once-off incident, is not considered to be bullying" (HSA, 2021).

Bullying in the workplace can be a challenging issue to address. The issue of bullying is handled by various agencies. It is also on the agenda of many interested parties. Bullying is a health and safety issue in so far as bullying has been identified as hazardous as it can lead to both safety problems and health problems. It is also an IR issue, a HR issue, often a legal issue and a personal and public health issue. So many agencies and interested parties are stakeholders in this difficult area.

Employers have a Duty of Care to all employees, to ensure they are both mentally and physically safe at work and that their health is not adversely affected by work. This Duty of Care means employers must behave and react reasonably about such matters.

Preventing bullying requires a proactive and multi-faceted approach. Key preventative strategies include leadership, positive workplace culture, training and clear reporting structures. If bullying occurs, it is important to provide post-investigation follow-up information and supports to employees.

What is Bullying at Work?

In line with the above operational definition, workplace bullying should meet the criteria of an ongoing series of seriously negative targeted behaviours against a person or persons to undermine their esteem and standing in a harmful, sustained way. Bullying behaviour is offensive, ongoing, targeted and outside any reasonable 'norm'. A pattern and trend must be involved so that a reasonable person would regard such behaviour as clearly wrong, undermining and humiliating. It involves repeated incidents or a pattern of behaviour that is usually intended to intimidate, offend, degrade or humiliate a particular person or group of people – but the intention is not important in the identification process. Bullying activities involve actions and behavioural patterns, directly or indirectly, spoken or written and could include the use of cyber or digital means for the goal of bullying. Such bullying events, delivered through cyber means, may also be covered by the requirements of Safety, Health and Welfare at Work Act 2005.

Key Point

Behaviour which makes for a bullying pattern will likely include not just one but a range of the following behaviours:

- Exclusion with negative consequences
- Verbal abuse/insults
- Being treated less favourably than colleagues in similar roles
- Belittling a person's opinion
- Disseminating malicious rumours, gossip or innuendo
- Socially excluding or isolating a person within the work sphere
- Intrusion – pestering, spying or stalking
- Intimidation/aggressive interactions
- Excessive monitoring of work
- Withholding information necessary for proper performance of a person's job
- Repeatedly manipulating a person's job content and targets
- Blaming a person for things beyond their control
- Use of aggressive and obscene language
- Other menacing behaviour

What is not Bullying at Work?

It is important to distinguish bullying from other inappropriate behaviours or appropriate workplace engagement. As set out in the definition above, a once-off incident of bullying behaviour may be an affront to dignity at work and maybe unsettling but does not of itself make for an adequate level of distress as to fall within the definition of bullying, and other remedies should be sought for these scenarios. As a once-off, such behaviours cannot be presumed to be done in a targeted, purposeful, and unremitting way. Apart from once-off behaviours, other ongoing behaviours which may upset or unsettle a person may not come within the bullying definition either. Behaviour considered bullying by one person may be considered routine interaction by another, so the 'reasonableness' of behaviours over time must be considered. Disrespectful behaviour, while not ideal, is not of itself bullying.

Conflicts and disagreements do not, of themselves, make for a bullying pattern either. There are various workplace behavioural issues and relationship breakdowns which are troubling, upsetting, and unsettling but are not of an adequate level of destructiveness to meet the criteria required for a bullying case. Objective criticism and corrections that are intended to provide constructive feedback to an employee are not usually considered bullying but rather are intended to assist the employee with their work.

Key Point

Bullying does not include:

- expressing differences of opinion strongly,
- offering constructive feedback, guidance, or advice about work-related behaviour which is not of itself welcome,
- ordinary performance management,
- reasonable corrective action taken by an employer or supervisor relating to the management and direction of employees (for example managing a worker's performance, taking reasonable disciplinary actions, or assigning work), or
- workplace conflict where people disagree with or disregard the others' point of view.

Please note that this list is not exhaustive.

Harassment

The interchangeable use of the words harassment and bullying can lead to a misunderstanding of what each one relates to. They are legally distinct concepts and so a behaviour can be deemed either bullying or harassment, not both.

Definition

- **Harassment** for the Employment Equality Acts is any unwanted conduct related to any of the discriminatory grounds under the Employment Equality Acts.
- **Sexual harassment** is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

Discrimination based on the nine grounds specified in the Acts (gender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community) falls under the remit of the Employment Equality Acts. Promoting awareness of equality in the State is the responsibility of the Irish Human Rights and Equality Commission (IHREC). In this regard, IHREC has published a Code of Practice on Sexual Harassment and Harassment at Work giving practical guidance on addressing issues around harassment at work (Statutory Instrument 208 of 2012 Employment Equality Act 1998 (Code of Practice) (Harassment) Orders 2012).

Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work

The Code of Practice aims to guide employers and employees on good practices and procedures for addressing and resolving issues around workplace bullying. This Code applies to all employees in Ireland irrespective of whether employees work at a fixed location, at home or are mobile. The Code provides a definition of workplace bullying and information for employers, employees, and representatives on how bullying in the workplace should be addressed. The Code specifies that employers may appoint a “Contact Person” as a first confidential point of contact for employees experiencing bullying. A Safety Representative can take on this role. The Code stresses informal resolution before escalation to formal complaints. While there is no direct legislation that addresses this issue, the Code of Practice can be used in Court proceedings. The Code of Practice is an important document to refer to when you are looking at this issue in the workplace.

Anti-Bullying Policy

As required under safety and health laws and in keeping with normal industrial relations practice, there should be prior consultation, and participation where appropriate, regarding the policy and its implementation, with employees or their representatives, including the Safety Representative or the Safety Committee.

Strategies to create and maintain a working environment in which the dignity and respect of employees are appreciated and upheld are most likely to be effective when they are jointly agreed upon. In this way, employers and other parties to the employment relationship can create an anti-bullying culture and share a sense of responsibility for that culture. The policy document should be written, dated and signed by a responsible person at the senior management level and updated when appropriate (for example, following a change that might impact the validity of the original risk assessment). The policy should set out a complaints procedure as recommended within this Code. It is prudent to keep a record of consultation actions in case of future requirements.

Key Point

For more, please see the Bullying Policy Review Checklist in the Appendices of this document.

Role of the HSA

The HSA operates under the statutory powers of the 2005 Act. Its purpose is to protect employees in all places of work in the Republic of Ireland. The overarching tenet of the 2005 Act is to oversee the employer duty to ensure everyone at work is provided with a workplace and system of work that is reasonably practicable, and free from risk to health and safety. Within the 2005 Act, there are specific duties on employers and others on employees to uphold and promote this standard, as well as a healthy and safe culture. There are provisions within the 2005 Act which are relevant to the issue of workplace bullying, both directly and indirectly. Section 8 2(b) directly references 'improper conduct' and the employer's duty to ensure the workplace has an adequate system in place to prevent such conduct. Section 19 (Hazard Identification and Risk Assessment) and section 20 (Safety Statement) reference the employer's duty to have in place adequate systems of work and to record these actions in written form. Section 13 (Duties of Employee) includes the employee's duties to cooperate with such employer activities.

HSA follow up and associated actions relate to failures in the systemic management of bullying risks, not failures to resolve individual complaints. As well as engaging in promotion and awareness-raising activities, the HSA provides a public-facing phone and email contactus@hsa.ie, where employees who consider themselves to be bullied can report their issues. Employees can either report it as a complaint or, if they are seeking information about the topic or are unsure as to whether their experience is, in fact, bullying, they can contact contactus@hsa.ie to make an enquiry. This latter approach will be recorded as a 'Request for Information (RFI)'. Where the complaint is that the employer did take action, but the employee is unhappy with the action, or the outcome of that action, the role of the HSA is to assess whether or not, insofar as is reasonably practicable, the employer's actions were adequate.

If the complaint is from a person accused of bullying, similarly, the HSA role is the same – to assess the employer's management of the matter.

In each of the above scenarios, the HSA is a neutral party whose remit is to ensure the safety and health of the employee through the reasonable and practical actions provided for by employers in their systems of work generally and the management of the issue specifically. The HSA has the statutory remit to ensure employer duties of care to all employees and management of improper conduct at work, where the hazard of bullying exists, is upheld.

The HSA can, where an employer fails to act reasonably in an existing bullying matter, issue enforcement action in various forms, from verbal advice to written advice, or an Improvement Notice. The HSA can also, after investigation, forward a file, with recommendations, to the Director of Public Prosecution (DPP) for their decision as to the prosecution of employers where there is evidence that the employers have failed in their duty to protect an employee or employees from the harmful impacts of bullying. The HSA has no role in the sanction or disciplinary actions taken in these matters and does not have a role in mediation, negotiation or conflict resolution between parties to a bullying case.

Role of the Work Relations Commission (WRC)

The Work Relations Commission's (WRC)'s objective is to achieve harmonious working relations between employers and employees. The Commission encourages local discussion on, and resolution of, disputes and issues which arise in the workplace including cases of alleged bullying. The WRC delivers several services which may assist. This includes:

- Individual and collective workplace mediation focuses on seeking to resolve the matter at an early stage locally before a formal process is initiated. This is dependent on the agreement of the parties concerned to participate and is provided by the WRC on an ad hoc basis.
- Workplace mediation provides a confidential, professional, efficient, and effective process to assist all parties in reaching a mutually acceptable agreement or outcome to a dispute or claim. This approach often helps to avoid more formal processes. It is particularly suited to disputes involving individuals or small groups of workers who find themselves dealing with situations which may involve the following: interpersonal differences, conflicts, difficulties in working together, and breakdown in a working relationship.
- Reviewing overall workplace relations generally in organisations and assisting with the implementation of positive engagement measures.
- The provision of Adjudication services under Section 13 of the Industrial Relations Act 1969 following the exhaustion of internal procedures (note: the grounds of a referral to an Adjudication Officer are around the conduct of an investigation in terms of fairness and adherence to fair process and procedure).

Safety Representative Role

As required under safety and health laws and in keeping with normal industrial relations practice, there should be prior consultation, and participation where appropriate, regarding the policy and its implementation, with employees or their representatives, including the Safety Representative or the Safety Committee. The policy should set out a complaints procedure as recommended within this Code. It is prudent to keep a record of consultation actions in case of future requirements.

Key Point

The Safety Representative should have no role in the investigation of any bullying complaints and should not be tasked with any further involvement in the details or right and wrongs of a complaint.

Conclusions

This chapter provides a brief overview of bullying in the workplace. Safety Representatives should not have any role in the investigation of complaints related to workplace bullying. However, they may act in the 'Contact Person' role as outlined in The Code. As required under safety and health laws and in keeping with normal industrial relations practice, there should be prior consultation, and participation, where appropriate, regarding the policy and its implementation, with employees or their representatives, including the Safety Representative or the Safety Committee.

Further Information and Resources

HSA Resources

For further information, please see:

- Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work (www.hsa.ie/bullying-cop)
- Bullying at Work (www.hsa.ie/bullying-guidance)
- Psychosocial Awareness Raising Courses on hsalearning.ie (www.hsa.ie/pyschosocial-courses)

Other Resources

For further information, please see:

- Workplace Relations Commission (https://www.workplacerelations.ie/en/complaints_disputes/making_a_complaint/)

Part 8: Hazards in the Workplace

Chapter 33: Chemicals and Hazardous Substances

Introduction

This chapter introduces chemicals and hazardous substances in the workplace. This also include carcinogens. In the workplace, the task is to protect employees and others, such as contractors and visitors, from exposure to chemicals that may be harmful.

Overview and Definition

Almost all workplaces use chemicals. Employees can be routinely exposed to paints, sprays, inks, toners and adhesives, not to mention a wide range of materials used in cleaning and maintenance, such as detergents and oils.

Definition

- A **chemical** is any substance made up of matter, which can exist as a pure substance or a mixture of substances.
- Any chemical, in either gas, liquid or solid form, that has the potential to cause harm is referred to as a **'hazardous chemical'.**
- A **'hazardous chemical agent'** is any chemical which meets the criteria for classification as hazardous in accordance with the criteria of the CLP Regulation (See Section 2 of the Safety Data Sheet) or because of its physicochemical or toxicological properties and the way it is used or present in the workplace, presents a risk to the safety and health of employees.
- A **carcinogen** is any substance or agent that has the potential to cause cancer in living organisms.

Chemicals can be solids (for example, dusts, fibres), liquids or mists (for example, bleach) or gases / vapours (for example, carbon monoxide). They can be individual substances like petrol or mixtures / products (for example, paints, degreasers, ink and toners). Chemicals include those that are brought into the workplace and used for processing (for example, solvents and cleaning agents) and those that are generated by a process or work activity (such as fumes from welding / soldering) or generated as waste or residue (such as carbon monoxide from engine or exhausts).

How can Chemicals cause harm?

Chemicals can cause harm to health when they come in contact with the human body. This harm can range from mild skin irritation to cancer. The effects of hazardous chemicals may be seen immediately after contact (acute) [for example, chemical burn], or many years after contact (chronic) [for example, lung cancer following exposure to asbestos]. Harm can also occur following a single short exposure, such as the use of a chemical for a couple of hours, or longer-term exposures from the daily use of a chemical.

Chemicals come into contact with the body by:

- **Inhalation:** breathing in contaminated air. Aerosols, fumes, dusts, fibres, vapours and gases can cause harm anywhere in the respiratory system and may also be absorbed into the blood stream.
- **Skin Contact:** some chemicals can damage skin directly and also cross skin and be absorbed into the body. Medicinal patches are an example.
- **Ingestion:** this is most likely to occur when contaminated fingers or hands are placed in or near the mouth, or used to handle food, phones, vapes or cigarettes. In addition, inhaled particles may be coughed up and then swallowed.
- **Injection:** for example, needlestick injury from poor sharps disposal.

The effects depend on the chemical, the concentration, the hazards and the duration of contact. They can be local (at the site of exposure) or systemic (elsewhere in the body). Examples of the effects of hazardous chemicals include:

- Skin irritation, dermatitis or skin cancer from frequent contact with oils.
- Injuries to hands and eyes from contact with corrosive liquids such as acids/bases.
- Asthma due to sensitisation to isocyanates in paints and adhesives.
- Lung diseases following exposure to dusty environments, such as wood or flour dust.
- Death or injury from exposure to toxic fumes, for example chlorine, ammonia, carbon monoxide.

Some chemicals also present physical hazards such as the potential to ignite or support the combustion of other chemical substances (an oxidiser) and others have the potential to explode (flammable solvents).

Identification, Risk Assessment and Prevention

How to Identify Chemicals?

Check the label on the chemical container, the safety data sheet (SDS) and any documentation which came with the chemical. If you do not have an SDS, you can request one from your supplier.

Prepare a list of all the chemicals in your workplace. Include a list of the processes or activities which generate dust or fumes or other chemicals.

How to Assess the Risk?

Assessing the risk involves evaluating the information on the hazards and circumstances of use of the chemical and consideration of the likelihood and severity of exposure. Information is available from the SDS, label, manufacturer and work instructions. Information from personal air monitoring can be useful but must be carried out and interpreted by a competent person (for example, an Occupational Hygienist).

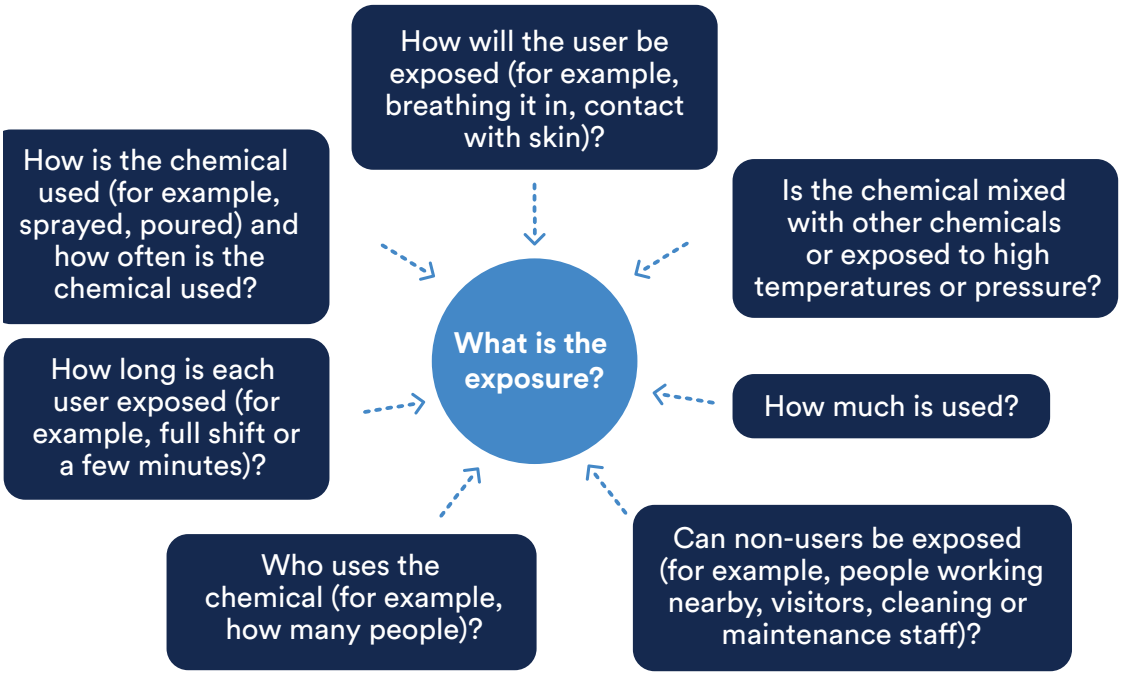

Figure 30. Chemicals – what is the exposure.

In the case of activities involving exposure to several hazardous chemical agents, the risk shall be assessed based on the risk presented by all such chemical agents in combination.

In the case of a new activity involving hazardous chemical agents, work shall not commence until after an assessment of the risk of that activity has been made and the preventive measures identified in the risk assessment have been implemented.

Key Point

A summary of the safety data sheet is not a risk assessment.

A list of general safety rules is not a risk assessment.

How to Control Exposure?

Having assessed the risk, prevention measures should be put in place. Elimination of the hazard is the ideal. If this cannot be done, then exposure to the hazardous substance must be reduced to the lowest practicable level. These must be documented and be specific to your workplace.

The measures to be taken are:

- **Elimination:** change the process/activity so that the hazardous substance is no longer required.
- **Substitution:** replace harmful substances with a safer substance/process, or a safer form (for example, pellets rather than powder).
- **Engineering controls such as Isolation, Enclosures, Extraction:** For example, use of tongs to pick up wet items rather than direct hand contact, negative pressure containment or effective local exhaust ventilation to remove fumes/dust at source. Specialist help will be required to design this correctly.
- **General Ventilation:** to dilute the concentration of any hazardous substance present. This is not usually suitable as the only measure for very hazardous chemicals.
- **Organisational Measures:** For example, work practices, storage arrangements, hygiene facilities, emergency response plans, labelling of containers and waste disposal.
- **Personal Protective Equipment** is to control any residual risk after taking all the other measures. PPE only protects the user (see section 8 of the SDS).

Information, Training and Consultation

Employers are required to provide training and information to their employees and their Safety Representatives in the safe use of chemicals they work with. This includes:

- information on the chemical occurring in the workplace, their identity, their hazards and the risks they present,
- training and information on appropriate precautions and actions which should be taken to safeguard themselves and other employees,
- specific training on personal respiratory equipment,
- arrangements for accidents, incidents and emergencies,
- access to any safety data sheet provided by the supplier,
- consultation as regards the requirements of chemical regulations,
- information on health surveillance (if health surveillance is required).

Health Surveillance

Health surveillance should be carried out as appropriate, based on the outcome of a risk assessment. Where health surveillance is required, it should be made available under the responsibility of an occupational healthcare professional. Health surveillance might involve examination by a doctor or a trained nurse. In some cases, trained supervisors could, for example, check employees' skin for dermatitis.

Health surveillance may be appropriate/required for employees when:

1. They work with substances that have been assigned a Biological Limit Value. Mandatory health surveillance applies currently only to work involving exposure to lead.
2. The exposure of an employee to a hazardous chemical agent is such that an identifiable disease or adverse health effect may be related to the exposure.
3. There is a reasonable likelihood that the disease or effect may occur under the particular conditions of work.

Action Checklist and Questions

Questions / Action Points

- Is there a chemical inventory/list of chemicals available?
- Are Safety Data Sheets available?
- Are risk assessments site specific and activity based?
- Are all the questions answered?
- Are controls specific?

Conclusions

This chapter provides an overview of the identification and effects of chemical hazards in the workplace. The site-specific risk assessment must identify the particular hazards in your workplace and detail the controls required.

Further Information and Resources

HSA Resources

For further information, please see:

- Information Sheet - Safety Data Sheets for Hazardous Chemicals (www.hsa.ie/hazchem-infosheet)
- Information Sheet – Hazard Labelling and Packaging according to the CLP Regulation (www.hsa.ie/clp-infosheet)

Other Resources

For further information, please see:

- Safety, Health and Welfare At Work (Chemical Agents) Regulations 2001 (https://www.irishstatutebook.ie/eli/2001/si/619/made/en/print?q=chemical+agents)
- Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations 2015 (https://www.irishstatutebook.ie/eli/2015/si/623/made/en/print?q=chemical+agents)
- Safety, Health and Welfare at Work (Chemical Agents) (Amendment) Regulations 2021 (https://www.irishstatutebook.ie/eli/2021/si/231/made/en/pdf)

Part 8: Hazards in the Workplace

Chapter 34: Diseases and Occupational Illnesses

Introduction

This chapter provides an overview of occupational diseases and occupational illnesses in the workplace. It also outlines the various types of occupational illnesses data available in Ireland.

Overview and Definition

Occupational diseases are health conditions that arise as a result of exposure to harmful factors in the workplace. These diseases can develop from long-term exposure to physical, chemical, biological, or ergonomic hazards in various industries.

Definition

- An **'occupational disease'** is any disease caused primarily by exposure at work (EU-OSHA, 2024).
- A **'work-related disease'** is any illness caused or made worse by workplace factors (EU-OSHA, 2024).

Many types of disease, including cancer, respiratory disorders, cardiovascular disease, skin diseases, musculoskeletal disorders and mental health problems, can be caused or made worse by work. Although the underlying causes of such diseases may be complex, certain workplace exposures are known to contribute to the development or progression of a disease.

Workers in fields such as construction, healthcare, manufacturing, and agriculture are often at higher risk for specific diseases due to their daily tasks and environments. Some examples of causes of occupational diseases and illnesses are included below.

Causes of occupational diseases at work include the following:

- Dangerous substances, such as chemical and biological agents, including carcinogens.
- Radiation, including ionising radiation and ultraviolet radiation from the sun.
- Physical factors, including vibration, noise, manual lifting and sedentary work.
- Work organisational and psychosocial risk factors, such as shift work and stress.

Types of Occupational Illness and Occupational Disease Data in Ireland

Social Protection System

There is no formal definition for occupational diseases or work-related diseases in Ireland. The national law in Ireland defines a list of prescribed occupational diseases. The prescribed list of occupational diseases is listed in Social Welfare (Consolidated Occupational Injuries) Regulations, 2007 (S.I. No. 102 of 2007) and are managed by the Department of Social Protection for compensation purposes.

Health and Safety Law

Under the Safety, Health and Welfare at Work Act 2005, employers must protect employees from personal injury which includes any injury, disease, disability, occupational illness or any impairment of physical or mental condition, or any workplace death. However occupational diseases, occupational illnesses or impairments of mental condition are not reportable under the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016.

There are legal requirements to report the following occupational diseases to the HSA:

- **An employer or the employer's responsible medical practitioner must notify the HSA of any disease or death of an employee resulting from workplace exposure to a biological agent, using the dedicated biological agent reporting form available on the HSA website,**
- **An employer or any registered medical practitioner must notify the HSA of occupational cancer and other adverse health effects resulting from exposure to carcinogenic, reprotoxic and mutagenic substances in the workplace via the HSA contact centre,**
- **A registered medical practitioner who becomes aware of a case of asbestosis or mesothelioma, must also notify the HSA by emailing asbestosreports@hsa.ie.**

THOR

The Health and Occupation Research (THOR) Republic of Ireland (ROI) (https://www.hsa.ie/eng/workplace_health/research_reports/thor_roi_reports/) is a report by physicians of work-related ill health in Ireland. THOR ROI comprises 4 surveillance schemes collecting data on work-related illness (WRI) in the Republic of Ireland by occupational physicians, chest physicians, dermatologists (from 2005 to 2022) and general practitioners (from the year 2015 to 2022). The physicians voluntarily reported online cases of WRI to the University of Manchester.

An annual report is produced showing the number of cases reported that year. The report provides valuable information on the types of WRIs, causal agents and industry sectors they occur in. The report also allows comparisons of cases between Northern Ireland and Great Britain. The report summaries and full reports are available on the HSA website.

CSO

Every year, as part of the Labour Force Surveys (LFS), the Central Statistics Office (CSO) gathers information on occupational illness. The CSO figures are a valuable source of information. However, it's important to remember that absences due to work-related illness are based on what employees report themselves.

Prevention

The key is prevention of an occupational illness or disease once identified as a hazard. A risk assessment should be carried out and control measures should be put in place when a hazard is identified to prevent an occupational illness or disease.

The Hazards of Workplace Diseases and Illnesses

There are numerous other health hazards, such as asbestos and silica. Some chemicals can be carcinogenic or an asthma causing substance. Dermatitis and noise induced hearing loss are two other potential occupational illnesses. The HSA's website is a good source of information on the hazards of noise and dermatitis.

The Role of the Safety Representative

Safety Representatives should be ensure the employer is providing:

- Information on occupationally related diseases and illnesses.
- Personal Protective Equipment (PPE) and Respiratory Protective Equipment (RPE) and training in the use of such equipment.
- Measures to eliminate or if that is not possible reduce exposure.

Conclusions

This chapter provides an overview of different causes of occupational diseases and illnesses that a worker could be exposed to in the workplace. The key is prevention of an occupational illness or disease once identified as a hazard. A risk assessment should be carried out and control measures put in place when a hazard is identified.

Further Information and Resources

Other Resources

For further information, please see:

- Work-related diseases (https://osha.europa.eu/en/themes/work-related-diseases)
- The Health and Occupation Research (THOR) Republic of Ireland (ROI) (https://www.hsa.ie/eng/workplace_health/research_reports/)

Part 8: Hazards in the Workplace

Chapter 35: Driving for Work

Introduction

This chapter provides an overview of driving for work. A Safety Representative should be aware of the hazard of driving for work because it is one of the most common and serious work-related risks. A Safety Representative should understand the key risks, responsibilities, and safety measures related to driving for work so they can help protect workers and ensure legal compliance.

Overview and Definition

Driving for work activities contribute to road crash risk for workers in all work sectors in Ireland. They pose risks for fellow workers, members of the public and road users, especially vulnerable road users such as pedestrians, powered two-wheelers, e-scooters and bicycle riders.

Definition

- **Driving for work** includes any person who drives on public roads as part of their job. This includes driving in (1) a company vehicle or (2) or owned vehicle (where they receive an allowance from the employer for driving expenses).
- **Vehicles** are defined as a place of work under the Safety, Health and Welfare at Work Act.
- **Grey fleet** are personal vehicles used for work purposes and owned by the driver (or another entity), rather than being directly provided by the organisation employing that driver.
- **Commuting to work** refers to the process of traveling from home to the workplace and back. This can include different forms of transport, such as public transport, driving, cycling and ride-share.

Examples of vehicles used daily for work purposes across many work sectors in Ireland include:

- Heavy goods vehicles,
- Light goods vehicles /delivery vans,
- Motorcycles and bicycles (delivery and dispatch riders),
- Grey fleet (privately owned vehicles used for work purposes),
- Taxis and buses,
- Lorries,
- Tractors,

- Emergency service vehicles,
- Company cars,
- Electric vehicles, and
- Bicycles.

Commuting to and from work is not classified as driving for work, except where the person's journey starts from their home, and they travel to a work location that is not their normal place of work. For example, if travelling to a branch office that is outside your normal working headquarters. Employers should define in their driving for work policy what journeys are classified as driving for work journeys and what is excluded.

Data and Statistics

According to the Road Safety Authority (RSA), road traffic collisions are a leading cause of work-related deaths, with collision data from 2018 to 2022 indicating that 8% of road user fatalities were work-related (RSA, 2024).

The Irish Government Road Safety Strategy (2023 – 2030) aims to reduce the number of deaths and serious injuries on Irish roads by half and to guide Ireland towards a Vision Zero approach.

Key Point

- People who drive for work are 40% more likely than other drivers to be involved in a collision (RSA, 2024).
- Road traffic collisions are a leading cause of work-related deaths. Collision data from Ireland across 2018 to 2022 shows that 8% of drivers killed and 12% of drivers seriously injured were driving for work (RSA, 2023).
- It is estimated that driving for work accounts for in one in three road collisions every year (RSA, 2024).

Roles and Responsibilities

Introduction

Organisations should promote a culture of responsible and safe driving for work by ensuring that management and workers always adhere to safe driving practices.

- **Employers**
  - Have a legal duty to look after the safety of their workers, and part of this duty of care is making sure that workers are safe on the roads if their job requires any driving or related work activities.
  - Must adopt a safe systems approach to managing driving for work.
  - Must consult in good time on anything carried out in the workplace which can affect the safety and health of workers such as driving for work. Consultation must occur on the preparation of the Safety Statement, the outcome of risk assessments and any risk prevention and control measures determined.
- **Employees**
  - Must follow their employer's driving for work policies, procedures and rules and make sure that they are properly licenced, insured to drive for work, fit to drive, plan and complete their journeys safely, and comply with road traffic laws.

Key Point

Road safety is a shared responsibility.

Summary of Requirements

The table below provides a summary of the responsibilities of both employers and employees in relation to driving for work.

Employer	Employee
– Develop a driving for work policy, – Carry out a risk assessment on all driving for work activities and include in the company Safety Statement, – Make sure all drivers have appropriate and valid driving licences, – Make sure drivers are authorised in writing to drive for work, – Consult with employees about driving for work activities and planning journeys, – Make sure vehicles are always fitted with appropriate safety features and safe for use, – Make sure proper maintenance of vehicles takes place, – Train, supervise and instruct workers on safer driving practices, – Train drivers on how to carry out safety checks on vehicles, and, – Investigate incidents/near misses and follow incident reporting requirements as required by law.	– Make sure you have a valid driving licence, – Carry out required vehicle pre-use checks to make sure your vehicle is safe to use on the road, – Make sure your vehicle is serviced, insured and has a valid NCT/CVRT, – Follow employer's policies and procedures, – Avoid risk-taking behaviours, – Do not place yourself or others in danger when driving for work, – Operate vehicles safely, – Make sure you don't drive tired, – Tell your employer if you are taking medication that may affect your ability to drive a vehicle, and, – Report all driving for work incidents or near misses.

Part 8: Hazards in the Workplace

Chapter 35: Driving for Work

Legislation

The laws and regulations that apply to driving for work in Ireland include health and safety laws, road traffic law, EU Rules on Training, Driver Time and Tachograph Legislation and Commercial Vehicle Roadworthiness. Other legislation and legal Codes of Practice may also apply, relating to Transport of Dangerous Goods by Road, Agriculture, Construction and Quarry operations.

Employers, have a duty to report accidents and dangerous occurrences to the HSA. For example,

- A worker is fatally injured while driving for work on a public road,
- A driver or a passenger is involved in a road traffic accident while driving or riding in the vehicle in the course of work and he/she is out of work for more than three days,
- There is a road collision involving your employee driving for work and a member of the public driving a car. The member of the public is injured and required to be taken to and treated in hospital or medical facility.

Hazards and Risks

When driving for work, individuals face several hazards and risks that can impact their safety. These include:

- Speeding
- Mobile phone and technology use
- Being fit to drive (eyesight/night vision, medical conditions, etc.)
- Fatigue
- Drugs and alcohol
- Adverse conditions (weather, road)
- In-vehicle distractions
- Stress
- Actions of other drivers
- Night driving
- Slips/trips/falls in and out of vehicle
- Loose storage of items in vehicles
- Unfamiliar with vehicle and/or road conditions, traffic rules
- Incorrect/unlicensed driver
- Workplace violence
- Sitting for long periods of time
- Lone working

Risk Management for Driving for Work

Introduction

Driving for work is a major hazard. A risk assessment for any work-related driving requires the Employer to undertake the five steps outlined below.

1 Identify the hazards	Key elements in assessing driving for work risk are the driver, the vehicle and the journey.
2 Assess the risks	In relation to driving for work, employers should recognise: – the likelihood of exposure to the hazard is extremely high; – the degree of harm that can arise is extremely high; – the hazards and risks commonly experienced in road traffic are well-known; – there are numerous, proven controls to minimise risks; and – analyses have shown that the benefits of these controls can far exceed the costs.
3 Control the risks	When controlling risks, the Employer should consider (1) the driver, (2) the vehicle and (3), the journey. It is the employer's duty to carry out the risk assessment consultation must occur on the outcome of risk assessments and any risk prevention and control measures determined. Employers must consult with employees and Safety Representatives on the outcome of risk assessments and any risk prevention and control measures determined.
4 Document	The risk assessments must be documented. The Risk Assessment(s) forms part of the Safety Statement.
5 Monitor and Review the Control Measures	Effective safety management requires leadership and commitment. Monitoring and reviewing the driving for work risk management process provides the information to let the organisation review activities and decide how to improve their safety performance.

Hierarchy of Control Measures

The table below shows examples of the hierarchy of preventive control measures related to driving for work risk management.

Level of Control	Control	Control Measures
Level 1 (highest level of protection)	**Eliminate the hazard**	Eliminate exposure to the risk for example use audio or video conference facilities instead of travelling.
Level 2	**Substitute the hazard with something safer**	Consider a substitute for driving with a safer option such as public transport and vehicle selection for example avoid use of two wheeled vehicles (motorcycles).
	Isolate the hazard from people	Reduce the risk by separating or isolating the driver from exposure to the hazard for example using technology.
	Reduce the risk through engineering controls	Only purchase 5-star rated Euro NCAP vehicles and stipulate grey fleet drivers drive such vehicles, choose vehicles with safety features such as Autonomous Emergency Braking (AEB), and fatigue monitoring systems.
Level 3 (lowest level of protection)	**Reduce exposure to the hazard by using administrative actions**	Implementation of standards, policies, procedures and training to assist workers make safer decisions when driving or riding on the road.
	Use personal protective equipment	PPE and other equipment such as sunglasses, high-visibility vests, bicycle and motorcycle helmets and motorcycle protective clothing.

Safer Driver, Safer Vehicle and Safer Journey

Safer Driver	Safer Vehicle	Safer Journey
– Ability to drive and driver selection – Correct licence – Medical fitness to drive – Following road traffic laws and driving etiquette – Distracted driving – Wearing seatbelts – No alcohol or other drugs – Driving history – Incidents/near misses	– Safe procurement policy – Vehicle selection – Grey Fleet – Pre use checks – Tyres – Safety features – Maintenance and repairs – Vehicle safety features	– Planning (avoid travel, route choices) – Speed – Vulnerable road-users – Adverse conditions – Lone working – Scheduled rest breaks – Max driving times per day – Emergency procedures and break down kits – Overnight stay policy

Driving for Work Policy

Employers should develop a driving for work policy. This policy should be developed in consultation with workers and Safety Representatives where one is elected and appointed. The policy should include:

- **Employers' and workers' commitments and responsibilities,**
- **Code of conduct,**
- **Role and responsibilities for everyone in the fleet management process,**
- **A commitment to safety for vehicle selection,**
- **Include incident reporting procedures, and**
- **Worker Information and training processes related to driving for work.**

Key Point

The policy should be communicated to all workers and others impacted (for example, contractors and agency workers) by the policy.

Role of Safety Representative

The overall function of a Safety Representative is to consult with, and make representations to, the employer on safety, health and welfare matters relating to the employees in the workplace including when driving for work.

Action Checklist and Questions

Questions / Action Points

- Does the company Safety Statement include risk assessments for driving for work?
- Has the driving for work policy been communicated to all workers, contractors and agency workers?
- Are drivers properly licensed and trained for the type of vehicle?
- Are work vehicles regularly inspected and maintained?
- Do drivers receive induction and refresher training on safe driving?
- Is there safe driving policies?

Conclusions

This chapter gives a summary of driving for work to help Safety Representatives spot work activities and common hazards that they might need to raise with their employer.

HSA Resources

For further information, please see:

- Vehicles at Work Guidance and Resources (www.hsa.ie/vehicles-guidance)
- Vehicle Safety Pre-Checks (www.hsa.ie/vehicle-pre-checks)
- Car and Small Passenger Vehicle Driver Daily Pre-Checks (www.hsa.ie/vehicle-poster)
- Car and Small Passenger Vehicle Driver Daily Pre-Checks Check Sheet (www.hsa.ie/vehicle-sheet)
- HGV Driver Walk-Around Checks (www.hsa.ie/hgv-poster)
- HGV Driver Walk-Around Check Sheet (www.hsa.ie/hgv-sheet)

Other Resources

For further information, please see:

- Driving for work (https://drivingforwork.ie)
- Road Safety Authority (https://www.rsa.ie)
- Royal Society for the Prevention of Accidents (UK) (https://www.rospa.com)
- Driving and Occupational Health – An essential guide (UK) (https://www.som.org.uk/sites/som.org.uk/files/Driving_and_Occupational_Health_August_2024.pdf)
- Health and Safety Executive (UK) (https://www.hse.gov.uk/roadsafety/employer/index.htm)
- An Garda Síochána (https://www.garda.ie/en/)

Part 8: Hazards in the Workplace

Chapter 36: Electricity

Introduction

This chapter introduces the hazard of electricity. Electrical risks are among the most serious and potentially fatal hazards in the workplace.

Overview and Definition

Electricity is considered a workplace hazard because it can cause serious injury or death if not properly managed.

Definition

- **Electricity** is a form of energy resulting from the movement of charged particles, such as electrons and protons.
- An **electrical hazard** refers to any situation where there is a risk of harm or injury from electrical energy.

Electricity can be generated through various processes, such as friction, chemical reactions, or electromagnetic induction. Electricity exists in two primary forms: (1) static electricity (which is the buildup of charge on an object), and (2) current electricity (where electric charges flow through conductors like wires).

Electrical Hazards

The main electrical hazards are:

- contact with live parts causing shock and burns,
- faults which could cause fires, and
- fire or explosion (arcing), where electricity could be the source of ignition in a potentially flammable or explosive atmosphere.

These hazards can cause a range of injuries, including electric shock, burns, fires, and explosions, and they typically occur when electrical systems or equipment are not properly maintained, installed, or used. The risk of injury from electricity is strongly linked to where and how it is used and there is greater risk in wet and damp conditions. Those at work may be exposed to electricity from a number of sources, including the equipment and installations they use (for example, light switches, outlets, and electrical machinery). They may also be involved in installing or maintaining electrical equipment/installations. Regardless of the activities where electricity presents a hazard, it must be adequately controlled to ensure the safety and health of employees and others.

Data and Statistics

Key Point

25 people were killed at places of work due to electricity between 2001 and 2020.

Eliminating or Reducing Electrical Hazards

The severity of an electric shock depends on

- the voltage,
- the amount of body resistance,
- the path the current takes through the body, and
- the length of time the current flows through the body.

The following measures (also known as control measures) are recommended to reduce the risk of electrocution:

- reduce the voltage,
- ensure fuses are correctly fitted,
- earth equipment,
- provide one or more RCDs (Residual Current Devices),
- socket outlets are not overloaded by the use of adaptors,
- fixed electrical equipment should have a clearly identified switch to cut off power in an emergency,
- visually check, maintain, and, if necessary, replace extension cables and other flexible leads, and
- electrical installations are installed and maintained by a competent person and checked regularly.

When working near electricity, the Health and Safety Executive (2013) advises:

- carry out a risk assessment and make sure it covers electrical hazards,
- learn how to recognise electrical wires, be they in the workplace, overhead or cables buried underground,

- if digging or disturbing the ground or cutting into surfaces, use cable locators to find buried services and permanently mark the position of services you find,
- work away from electrical wiring wherever possible,
- if you have to work near electrical wiring or equipment, ask for the supply to be turned off and make sure it is off and cannot be turned on again without your agreement,
- if the electricity supply cannot be turned off, consult a competent person who should be able to advise you on the best way to proceed,
- identify where it is safe to work; and
- put up danger notices where live electric circuits exist and warn co-workers where it is safe and not safe to work.

Key Point

For more, please see the Electrical Safety Checklist in the Appendices of this document.

Contact with Electricity

If a worker comes into contact with electricity, they may be unable to remove themselves from the electrical source. The human body is a good conductor of electricity. If you touch a person while they are in contact with the electrical source, the electricity will flow through your body, causing electrical shock. Firstly, attempt to turn off the source of the electricity (disconnect). If the electrical source cannot readily and safely be turned off, use a non-conducting object, such as a fibreglass object or a wooden pole, to remove the person from the electrical source.

The Role of the Safety Representative

Safety Representatives can bring problems with electrical work to their employers' attention and make representations on behalf of those they represent. Safety Representatives are entitled to inspect the workplace upon giving their employer reasonable notice. When carrying out an inspection, the Safety Representative should look out for any electrical hazards and bring any issues to management's attention.

Action Checklist and Questions

Questions / Action Points

- Has an electrical risk assessment been carried out?
- Does the risk assessment cover the specific tasks being carried out?
- Are those who carry out work with or near electricity appropriately trained?
- Is electrical equipment suitable for the environment and conditions it is used in?
- Are electrical installations and equipment checked and maintained by a competent person?
- Are rules and procedures for electrical works in place?
- Do contractors carrying out electrical work have rules and procedures?
- Are the rules and procedures compliant with the Electro-Technical Council of Ireland (ETCI) wiring rules?
- Are the rules written?
- Are the rules reviewed as necessary, including after near misses and accidents?
- Is appropriate Personal Protective Equipment provided?
- Are electrical equipment or installations being worked on isolated (that is, dead)

Conclusions

This chapter provides an overview of the hazard of electricity in the workplace. This may arise from using or working on electrical equipment. It is essential that duty holders and employers consider how their workers might be impacted by electricity in the workplace, and appropriate control measures should be put in place to prevent injury.

Further Information and Resources

HSA Resources

For further information, please see:

- Electricity (www.hsa.ie/electricity)
- Electricity in the Workplace (www.hsa.ie/workplace-electricity)
- Code of Practice for Avoiding Danger from Overhead Electricity Lines (www.hsa.ie/overhead-electricity-cop)

Other Resources

For further information, please see:

- ETCI – Unit Conversion Calculator Online (https://www.etci.ie)
- Electricity - Health and Safety Executive (UK) (https://www.hse.gov.uk/pubns/books/hsg85.htm)

Part 8: Hazards in the Workplace

Chapter 37: Ergonomics and Manual Handling Risk Management

Introduction

This chapter provides an overview of Ergonomics and Manual Handling. Safety Representatives should promote good ergonomic and manual handling practices. The lack of effective management of exposure to manual handling risk factors including excessive force, high repetition and awkward postures when completing work activities can lead to musculoskeletal injuries to the back, neck, shoulder and arms.

Overview and Definition

Ergonomics is about designing or planning work tasks to improve human health, comfort and performance.

Definition

- "**Ergonomics** is about fitting the task to the human" (Kroemer, 2009).
- "**Manual handling of loads** means any transporting or supporting of a load by one or more employees and includes lifting, putting down, pushing, pulling, carrying or moving a load, which, by reason of its characteristics or unfavourable ergonomic conditions, involves risk, particularly of back injury, to employees."

Ergonomics in practice involves a study of work activities, the work environment, and how people interact with a work task in the work environment. In this context, the focus is on understanding and recognising the physical aspects of work activity that impact human performance particularly regarding the health of the worker and the risk of musculoskeletal injury or ill health.

The physical aspects of work that are addressed in this chapter are focused on the manual handling work activities in the workplace. Manual handling is a common aspect of many workplaces and is particularly relevant in industries such as construction, manufacturing, healthcare, warehousing, and retail.

The musculoskeletal system consists of muscles, tendons, ligaments, nerves, blood vessels and supporting tissues. Musculoskeletal disorders (MSDs) are injuries or disorders that affect any part of the musculoskeletal system. MSDs are associated with ergonomic risk factors such as excessive force, awkward posture and repetition. Symptoms of MSDs can include aches and pains, swelling, numbness and weakness.

Data and Statistics

Key Point

- 9,070 non-fatal injuries were reported to the Health and Safety Authority in 2022 and 29.9% of those injuries involved workers carrying out a manual handling task in the workplace that resulted in a musculoskeletal injury (HSA, 2023).
- Department of Social Protection figures show that in 2017 there were 10,739 occupational injury benefit claims awarded to people who were injured at work; 25.96% of the claims were attributed to those with back, neck, rib and disc injuries.

Manual Handling Risk Factors

Physical manual handling (ergonomic) risk factors can be harmful to the body and can lead to people developing a musculoskeletal injury or illness. The main manual handling risk factors that result in a risk of musculoskeletal injury include:

1. Force, for example a heavy load that must be lifted, pushed, pulled or carried.
2. Awkward posture, for example twisting, reaching or bending.
3. Repetition and lack of recovery time.

Force	The main problems with work activities where there is a requirement to lift heavy loads are the excessive loading of the muscles and the wear and tear on the back, especially on the lumbar intervertebral discs. The increased force due to the manual lifting of a heavy load brings about a sudden and steep increase in internal pressure in the discs and can quickly overload them.
Awkward Posture	Posture and movements are often imposed by the task and the workplace environment. The body's muscles, tendons, ligaments and joints are all involved when adopting a posture, carrying out a movement and applying a force. Poor or awkward posture can lead to local mechanical stress on the muscles, ligaments and joints, which in turn results in complaints of the neck, shoulder and other parts of the musculoskeletal system.
Repetition and Lack of Recovery Time	The human body is not designed for highly repetitive actions. Doing the same activity repeatedly, using the same muscles, tendons and joints, can result in injury. The more repetitive the task, the more rapid and frequent are the muscle contractions. Therefore, tasks requiring high rates of repetition involve more muscular effort and require more time for recovery. The human body has great powers of recovery if given sufficient intervals of rest time between periods of repetitive work.

Key Elements of the Legislation as it Relates to the Manual Handling of Loads

Employers have a legal duty to manage ergonomic risk in the workplace and to put appropriate measures in place to avoid or reduce risk of musculoskeletal injury. The employer needs to manage and address ergonomic risk factors as they relate to the manual handling of loads.

Chapter 4: Manual Handling of Loads of the Safety, Health and Welfare at Work (General Application Regulations) 2007 places a duty on employers to manage ergonomic risks in relation to work activities that involve manual handing. The employer is duty bound to manage manual handling risk. This means:

- Understanding the manual handling activities that take place in their work-place,
- Being able to collect important technical information including load weight data, information on work area set up as part of the risk assessment process,
- Being able to use evidence-based risk assessment tools to identify risk factors and,
- Putting appropriate measures in place to address risk factors to avoid/reduce risk of injury. Appropriate measures include introducing lifting equipment, changing how the work area is organised and or reducing load weight specification.

Manual Handling Risk Assessment

Introduction

It is essential that manual handling risk factors are identified and managed through the risk assessment process. Appropriate risk assessment tools assess the work task and identify the risks so that the employer can develop appropriate interventions to avoid or reduce the risk of injury. The UK Health and Safety Executive (HSE UK) has three relevant risk assessment tools that may be used. These are:

1. Manual handling assessment charts (the MAC tool).
2. Risk assessment of pushing and pulling (RAPP) tool.
3. Assessment of repetitive tasks of the upper limbs (the ART tool).

The Five Step Risk Manual Handling Assessment Process

It is important for Safety Representatives to be aware of this risk assessment model and the risk assessment tools that can be used to quantify manual handling risk factors. This risk assessment model can be used to assess a manual handling task which may be highlighted as an issue in a workplace. The five steps in the manual handling risk assessment process are:

- **Step 1:** Task description.
- **Step 2:** Collect technical information.
- **Step 3:** Identify the risk factors using the relevant risk assessment tool and fill in the relevant score sheet.
- **Step 4:** Identify the improvements to be put in place.
- **Step 5:** Review the effectiveness of the improvements made.

Action Checklist and Questions

Questions / Action Points

- Does the risk assessment consider key details on how the task is carried out - such as the weight of loads and frequency of activity?
- Can your employer provide documented evidence that ergonomic risk factors (for example, load too heavy, load lifted away from the body, lifting loads above head height) have been identified and managed for manual handling tasks?
- Are you using evidence based risk assessment tools to assess manual handling risks?
- Is their consultation with those that do the job during the risk assessment process?
- Is training provided to relevant staff on the appropriate use of evidence based risk assessment tools?
- Has your employer documented a method statement or standard operating procedure to explain step by step how the task is completed?

Conclusions

This chapter provides direction on the actions that need to be taken to manage manual handling risks at a workplace level. It also explained the main risk factors that may impact a person's health when carrying out a physical work task. Further, it outlined the risk assessment process involved in managing these risks.

Further Information and Resources

HSA Resources

For further information, please see:

- Ergonomics Awareness Raising Courses on hsalearning.ie (www.hsa.ie/ergonomics-courses)
- Managing Ergonomic Risk in the Workplace to Improve Musculoskeletal Health (www.hsa.ie/managing-ergonomic-risk)
- Ergonomics Guidance and Online Resources (www.hsa.ie/ergonomics-guidance)
- Ergonomic Risk Assessment Tools (www.hsa.ie/ergonomics-tools)
- Guide to the Safety, Heath and Welfare at Work (General Application) Regulations 2007 – Manual Handling (www.hsa.ie/load-handling)

Part 8: Hazards in the Workplace

Chapter 38: Ergonomics and Display Screen Equipment

Introduction

This chapter provides an overview of Ergonomics and Display Screen Equipment.

Overview and Definition

Ergonomics is about designing or planning work tasks to improve human health, comfort and performance. In this context the focus is on (1) understanding and recognising the physical aspects of work activity where a person is required to work at a computer workstation for long periods of time, and (2) understanding the interaction of the person with their workstation in order to determine the impact with regard to the health of the worker and the risk of musculoskeletal injury or ill health.

Definition

- **Display Screen Equipment** means any alphanumeric or graphic display screen regardless of the display process involved. An example would be computer monitor that would be connected to a laptop or a computer at a workstation in an office.
- A **workstation** is a designated area where a person performs work tasks. It typically includes the equipment, tools, and furniture needed to complete specific activities efficiently and safely.

Data and Statistics

It is difficult to get data on the prevalence of occupational illnesses that result from working at a computer workstation. Each year the CSO undertakes a special module of the Labour Force Survey on work-related injuries and illnesses. The most recent data available for this survey relates to 2021. In 2021, 1,175,000 days were lost due to work-related illness, up from the five-year average of 987,600.

The table below details rate of work-related illnesses per 1,000 workers by gender and illness type in 2021. It indicates a high prevalence of bone, joint or muscle illnesses but it is not possible to determine if some of these musculoskeletal illnesses resulted from work at a computer workstation.

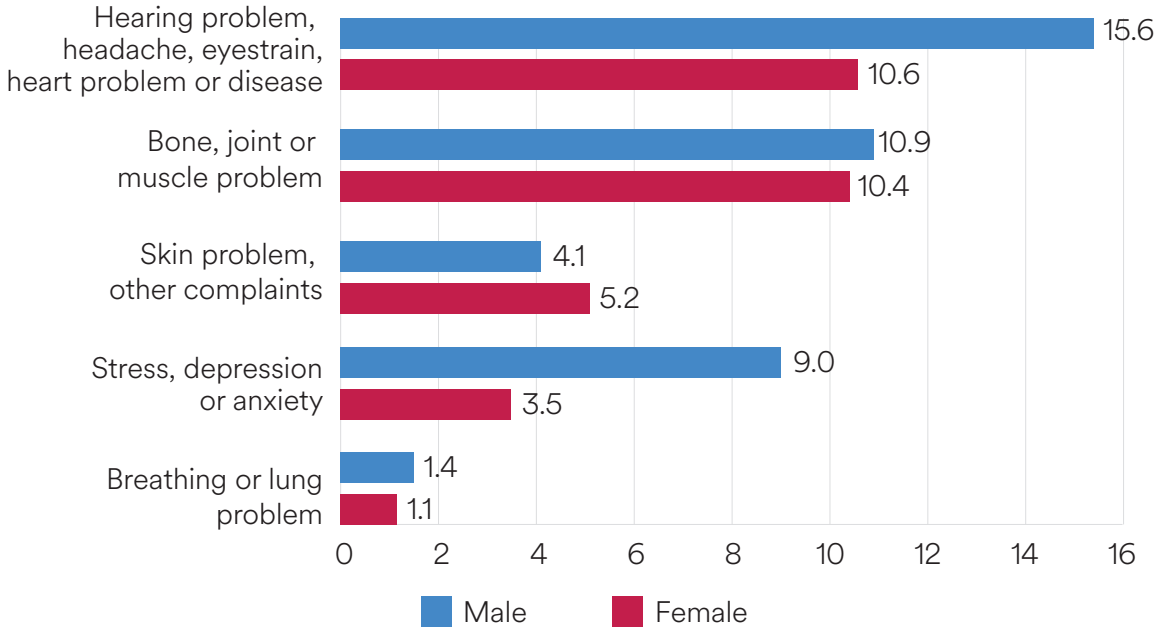

Figure 31. Rate of 0+ day work-related per 1,000 workers by gender and illness type in 2021 (CSO).

Risk factors when using Display Screen Equipment at a Workstation

Working with display screen equipment at computer workstations should be managed and assessed to reduce the risks of upper limb disorders.

There are several risk factors that may result in upper limb disorders, and these include the following:

- **Repetition:** Work is repetitive when it requires the same muscle groups to be used repeatedly during the working day. Such repetition may not allow sufficient time for recovery and can cause muscle fatigue.
- **Poor Work Posture:** The incorrect positioning of a monitor or a seat at a computer workstation can result in the employee adopting an awkward slouched posture, which may contribute to the onset of an upper limb disorder. Sitting is particularly characteristic of work at a computer workstation and may result in static postures as an employee holds part of the body in a particular position for an extended period of time. A static posture held over a long period restricts blood flow to the muscles and tendons, resulting in less opportunity for recovery.
- **Poor Work Environment:** Examples would be poor lighting or temperature control. Poor lighting conditions at a computer workstation can result in eye fatigue and in the employee adopting an awkward posture to view the monitor.

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Chapter 38: Ergonomics and Display Screen Equipment

Legislation as it Relates to Display Screen Equipment

Employers have a legal duty to manage ergonomic risk in the workplace and to put appropriate measures in place to avoid or reduce risk of musculoskeletal injury. The employer has duties to manage and address ergonomic risk factors as they relate to the working with Display Screen Equipment at a computer workstation.

Chapter 5 of Part 2 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 addresses the minimum safety and health requirements for work with display screen equipment. In effect, the provisions relate to employees who use computer workstations as a significant part of their normal work. As stated, employees covered by this regulation:

- Are entitled to have their workstation assessed by a competent assessor.
- Must be trained in the use of the workstation and given information about health and safety factors.
- Must have periodic breaks or changes of routine away from the computer.
- Must be informed by their employer that they are entitled to an eye and eyesight test.

Risk Assessment of Display Screen Equipment Computer Workstations

There are four stages in the risk assessment process. These are detailed below.

Stage 1: Initial consultation with the employee
As a first step the assessor who is conducting the risk assessment should consult with the employee at the workstation in order to collect information on the main tasks completed at the workstation.

Stage 2: Observation of the employee working at the computer workstation
The assessor should observe the employee working at the workstation and should record whether the workstation meets the minimum requirements detailed in Schedule 4 of the Display Screen Equipment Regulation. For example, stable seating, sufficiently large work desk, screen that can swivel and tilt easily and lighting.

Stage 3: Identify the issues that need to be addressed
The Assessor needs to document details of the requirements that were not met, and which need to be addressed.

Stage 4: Implementation of Corrective Actions
The assessor will need to consult with management and the employee whose workstation was assessed in order to agree on the corrective actions that need to be put in place. The risk assessment form can be signed off by the assessor and the employee once the corrective actions are completed.

Action Checklist and Questions

Questions / Action Points

- Is the employer aware of the legal requirements to manage risk with respect to workers who work at computer workstations for a significant part of their work day?
- Is key information collected when carrying out a risk assessment of an employees computer workstation?
- Are assessors appropriately trained to carry out workstation assessments?
- Is there documented evidence that competent assessors have carried out computer workstations assessments for employees?
- Are employees involved in the risk assessment process and consulted at all stages of the process inclduing when agreeing on corrective actions required for the workstation?
- Are employees provided with training on important points to keep in mind when sitting at their computer workstation?
- Is there evidence that appropriate corrective actions have been put in place to address issues higlighted in an employees risk assessment of their computer workstation?

Conclusions

This chapter provided an overview of ergonomics and display screen equipment and outlined important information related to the relevant legislation, risk factors when working with Display Screen Equipment and the risk assessment process. It is important to note that computer workstation assessments carried out by an assessor must be completed for their office workstation and also if working remotely.

Further Information and Resources

HSA Resources

For further information, please see:

- Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 – Display Screen Equipment (www.hsa.ie/display-screens)
- Guide on the Prevention of Upper Limb Disorders (ULDs) in the Financial Services Sector (www.hsa.ie/uld-prevention-finance)
- Manual Handling Videos (www.hsa.ie/dse-video)
- Position Yourself Well (www.hsa.ie/position-yourself-well)
- Guidance on Remote Working (www.hsa.ie/remote-working-guidance)
- Display Screen Equipment (Blank) (www.hsa.ie/dse-worksheet)
- Display Screen Equipment (Completed) (www.hsa.ie/dse-worksheet-template)

Other Resources

For further information, please see:

- Safety, Health and Welfare at Work (General Application) Regulations 2007 (https://www.irishstatutebook.ie/eli/2007/si/299/made/en/print)

Part 8: Hazards in the Workplace

Chapter 39: Explosive Atmospheres

Introduction

This chapter provides an overview of the dangers associated with explosive atmospheres. Safety Representatives can help assess risks and implement control measures to prevent incidents associated with explosive atmospheres, and ensure compliance with safety regulation.

Overview and Definition

An explosive atmosphere is a mixture of air and flammable substances (for example, dust, gas, mist, or vapor), which can ignite or explode if an ignition source such as a spark or heat source is present. Such explosions can cause loss of life or serious injury.

Definition

- An **explosive atmosphere** is defined as "A mixture with air, under atmospheric conditions, of flammable substances in the form of gases, vapours, mists or dusts in which, after ignition has occurred, combustion spreads to the entire unburned mixture" (European Union's Directive 99/92/EC).
- A **dangerous occurrence** has been described as an unplanned and undesired occurrence (incident) which has the potential to cause injury, and which may or may not cause damage to property, equipment or the environment. Dangerous occurrences can happen in explosive atmospheres, but other causes include building collapses, electrical short circuits, fires, and incidents involving hazardous substances.

Explosive atmospheres are found in:

- **Industries:** Oil and gas facilities, chemical plants, grain silos, mining operations, wastewater treatment plants.
- **Environments:** Confined spaces, storage tanks, or areas with poor ventilation where flammable substances can accumulate.

Employer duties regarding explosive atmospheres are outlined in the General Application Regulations (Explosive Atmospheres at Places of Work) Regulations 2007, also known as the ATEX Regulations.

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Chapter 39: Explosive Atmospheres

ATEX is the name commonly given to two European Directives for controlling explosive atmospheres:

- ATEX 137 Directive, also known as the ATEX Workplace Directive (99/92/EC), sets health and safety requirements for workers exposed to explosive atmospheres.
- ATEX 2014/34 Directive, also known as the ATEX Equipment Directive (2014/34/EC), covers equipment and protective systems intended for use in potentially explosive atmospheres and has replaced (94/9/EC).

Identification and Risk Assessment

Under the Safety, Health and Welfare at Work Act 2005, employers must assess whether explosive atmospheres are a workplace hazard and carry out a risk assessment. There are certain explosive atmospheres where other regulations apply instead of the Explosive Atmosphere Regulations. These are:

- medical treatment areas,
- workplaces using appliances to burn gaseous fuels,
- workplaces that manufacture, handle, use, store, and transport explosives or chemically, unstable substances,
- mineral extraction industries, and
- transportation by land, water, or air.

Workplace Classification

Areas within workplaces with explosive atmospheres must be classified as hazardous or non-hazardous. Hazardous areas are further divided into zones based on the likelihood and duration of explosive atmospheres, with required preventative measures.

Zone Classifications

For Gases:

- Zone 0: Flammable atmosphere present continuously or frequently.
- Zone 1: Likely during normal operations.
- Zone 2: Unlikely in normal operations; short duration if present.

For Dusts:

- Zone 20: Continuous or frequent combustible dust presence.
- Zone 21: Likely to occur occasionally.
- Zone 22: Unlikely in normal operation; brief if present.

Areas that don't meet the classifications for Zones 0,1, 2 (gases) or Zones 20, 21, or 22 (dusts) are considered non-hazardous, and so require fewer precautions.

Equipment Regulations

The supply of equipment to Zones 1, 2 or 3 or Zone 21, 22 or 23 is regulated by the European Communities (Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres) Regulations, 1999. S.I. No. 83 of 1999. The HSA Explosive Atmospheres Checklist available on the HSA website provides detailed guidance for identifying risks and implementing control measures in workplace. To prevent ignition sources in potentially explosive atmospheres, special fittings are used which prevent contact between ignition sources and the explosive atmosphere or which limit the energy which can be emitted below the energy level needed to cause an explosion.

Explosion Risk Assessment

If an explosive atmosphere is present, likely to occur, or may arise occasionally, employers are required to conduct a risk assessment. Based on this assessment, an explosion protection document must be prepared, detailing findings and appropriate control measures required. This document must be kept updated and readily accessible to employees.

Key Consideration In Risk Assessment

Employers must evaluate:

- likelihood and duration of explosive atmospheres,
- ignition sources, including electrostatic discharges and equipment,
- substances, processes, and installations, and their potential interactions,
- scale of effects, such as the impact on personnel, property, and the environment,
- connections to other areas of the workplace, especially those at risk of secondary exposure, and
- any additional safety information needed.

Explosion Protection Document Contents

An Explosion Protection Document must be in place where explosive atmospheres exist. It must show the following:

- explosion risks have been determined and assessed,
- measures required by the Regulations have been taken,
- workplace has been classified into zones, and
- the workplace and work equipment have been designed and are appropriate for the explosive atmosphere.

The explosion protection document should include details on:

- the operation of early warning devices,
- training, instruction and supervision,
- operational procedures, maintenance, permits to work,
- co-ordination between employers,
- classified places,
- means of escape, and
- the properties of substances that present an explosion hazard.

Prevention

Employers are obliged to take measures to prevent and protect their employees against the risk of explosion. They must be appropriate to the nature of the operation and, in order of priority, should ensure:

- the prevention of the formation of explosive atmospheres,
- the avoidance of the ignition of explosive atmospheres, and
- the reduction of serious risks.

The HSA recommends avoiding explosive atmospheres by:

- **Elimination:** replacing flammable substances or processes with safer alternatives, and
- **Substitution:** when elimination isn't possible, replacing flammable materials with less hazardous ones, such as those with a higher flashpoint.

Suggested control measures include;

- minimising the quantity of flammable substances used,
- avoiding or reducing releases,
- removing dust deposits,
- controlling releases at the source with local exhaust ventilation,
- managing processes to prevent unsafe conditions, and
- using gas meters for monitoring.

Where explosions do occur, measures should be in place to minimise their effects, including using fireproof materials to prevent the spread. In this regard, employers must:

- provide training on explosion protection,
- ensure work follows written instructions,
- implement a work permit system, and
- ensure permits are issued by a competent person.

These measures should be regularly reviewed, especially when significant changes occur.

The Role of the Safety Representative

Employers must not only consult with employees but also ensure the explosion protection document is accessible. The Safety Representative plays a key role in ensuring the explosion protection document is accessible to employees and regularly updated, particularly when there are changes in work practices or equipment. They are responsible for raising any employee concerns with the employer to ensure these issues are properly addressed.

Action Checklist and Questions

Questions / Action Points

- Is there a clear understanding of explosive atmosphere risks in our workplace?
- Are explosive atmospheres regularly risk assessed by a competent person?
- Are appropriate safety measures in place to prevent explosive atmospheres?
- Have all areas been clasified into appropriate hazardous zones?
- Is there an explosion protection document in place and is it easily accessible to all employees?
- Are all personnel, including Safety Representatives, adequately trained to handle explosive atmosphere related risks?
- Are emergency plans in place for explosion-related incidents?

Conclusion

This chapter provides an overview on managing explosive atmospheres in the workplace. The ATEX Directives provide guidance on classifying hazardous areas and ensuring equipment and safety protocols are in place. These include the requirement on employers to identify potential hazards, assess risks, and implement preventative measures to avoid the potential of an incident occurring.

Further Information and Resources

HSA Resources

For further information, please see:

- General Application Regulations 2007: Explosive Atmospheres at Places of Work (www.hsa.ie/explosive-atmospheres)
- Safety Toolkit and Short Guide to General Application Regulations 2007 (www.hsa.ie/explosive-atmospheres-short-guide)
- ATEX Regulations - Frequently Asked Questions (www.hsa.ie/atex-faq)
- ATEX (https://www.hsa.ie/eng/topics/atex/)

Part 8: Hazards in the Workplace

Chapter 40: Falls from Heights, Work at Height and Falling Objects

Introduction

This chapter introduces falls from heights and working at height and falling objects.

Overview and Definition

Work at height is defined as working in a place (except a staircase in a permanent workplace) where a person could be injured by falling from it, even if it is at or below ground level.

Definition

The full definition of **working at height** is defined in the 2007 Regulations as meaning work in any place, including a place:

(a) while obtaining access to or egress from any place, except a staircase in a permanent place of work or

(b) at or below ground from which, if measures required by these Regulations were not taken, an employee could fall a distance liable to cause personal injury, and any reference to carrying out work at height includes obtaining access to or egress from such place while at work.

Data and Statistics

Year after year fall from height accidents are in the top five in the HSA's list of reported accidents. The statistics can record the number of deaths and the number of accidents. What they cannot record are the consequences. Many of those who fall from heights are killed. Many others suffered injuries from which they will never recover. Many of those who do recover will suffer some form of disability.

Key Point

Over the three-year period 2019-2021, thirty people were killed in fall from height accidents. Over the same period over 1,200 falls from height accidents were reported to the Authority.

Action Checklist and Questions

As indicted in the statistics (see table below), falls associated with working at height is a cross sectoral issue.

Fall from Height Accidents Reported to the HSA 2017 – 2021 by Sector

Sector	2021	2017 – 2021 Average
Industry	58	77
Construction	111	109
Wholesale/Retail	47	46
Transport/Storage	42	46
Public Administration/Defence	23	34
Health and Social Care	39	35

Working Safely at Height

Prevention

When considering work at height employers and employees must follow the safe work at height hierarchy. That is,

- Avoid.
- Prevent.
- Mitigate.

Key Point

Avoid working at height so far as is reasonably practicable and if work at height is not necessary, do not do it.

The regulations require employers to ensure that:

- All work at height is properly planned, organised, supervised and carried out.
- The place where the work is done is safe.
- Account is taken of weather conditions.
- Equipment is inspected.
- Injury from falling objects is prevented.

Top Tips for Working Safely at Height

- Work at height is avoided where possible.
- Appropriate barriers or work equipment (for example, fixed railings, podium steps, mobile elevated working platforms, scaffolding) are used to prevent falls where work at height cannot be avoided.
- Risk assessments for work at height are carried out (for example, use of podium steps, ladders, scaffolding etc).
- Where falls cannot be prevented, work equipment (for example, soft-landing systems, safety nets, bean bags, airbags) which minimises the risk of injury are used.
- Equipment that protects all employees who work at height is used instead of equipment that only protects one employee at a time (for example, safety nets or soft-landing systems instead of safety harnesses).
- Work areas/platforms at height are stable strong, and have a minimum 950mm high parapet wall or double handrails, including toeboards.
- The use of ladders is avoided, or they are used only for light work of short duration.
- Ladders must be in good condition, used on a firm level surface and tied at the top or stabilised at the bottom. The work must be light, not repetitive and should not take longer than 30 minutes.
- Personal Protective Equipment (for example, safety harness) is provided and employees are trained in its use.
- Materials are not stored at height, or they are secured (for example, by shrink wrapping).
- Consider where materials are stored and how to safely retrieve them.
- Work areas at height are kept clear of loose materials and materials are prevented from falling (for example, by using a toe board or barrier at the edge).

Work at Height in Construction

Given that some of the particular risks of work at height, such as working on scaffolds or from ladders, are normally associated with the construction industry, regard must be had to the Construction Regulations 2013. The Construction Regulations are summarised in an earlier chapter. Scaffolders or others working at height must hold relevant construction skills certification scheme cards (CSCS). This includes:

- Scaffolding (Basic and Advanced)
- Mobile Tower Scaffold
- Roof and Wall Sheeting and Cladding
- Built-Up Roof Felting

Any working platform (for example, scaffolding, mobile tower scaffolds, guardrails, or ladders) must be inspected before use if an employee could fall 2 metres or more. For fixed platforms, the inspection must have been done within the past 7 days in that specific position. For mobile platforms, the inspection must have been conducted on-site within the last 7 days.

Records must be kept and inspections must be carried out by a trained and competent person.

Key Point

Only persons who are trained and hold the necessary construction skills certification cards (CSCS) listed above can erect, modifiy or dismantle scaffolding and mobile tower scaffolds.

Action Checklist and Questions

Questions / Action Points

- Have you checked that only trained employees who hold the relevant Construction Skills Certification Card (CSCS) can erect, modifiy or dismantle scaffolding and mobile tower scaffolding.
- Has equipment used for work at height been inspected by a competent trained person and have records been kept.

Conclusion

Work at height in construction continues to be one of the biggest causes of fatal and serious accidents in construction. Ensure work is planned and all necessary measures are in place to prevent falls.

Further Information and Resources

HSA Resources

For further information, please see:

- General Application Regs 2007: Work at Height (www.hsa.ie/workatheight)

Part 8: Hazards in the Workplace

Chapter 41: Fire

Introduction

This chapter introduces the hazard of fire. Specifically, it provides an overview of fire safety for buildings, which are workplaces and fall within the regulatory remit of the Health and Safety Authority.

Overview and Definition

The hazard of fire in the workplace is a significant safety risk that can result in injury, loss of life, property damage, and business disruption.

Definition

Fire is a chemical reaction known as combustion that occurs when three key elements (fuel, oxygen and heat) are present.

Fires need 3 things to start:

1. A source of ignition (for example, naked flames, electrical equipment, heaters, smokers' materials, hot works/ hot processes, static electricity etc).
2. A source of fuel (for example, gas cylinders / cartridges, flammable and explosive substances, combustible materials, waste / rubbish, furniture/fixtures and fittings).
3. Oxygen (for example, natural and forced ventilation, oxidising substances and oxygen supplied from cylinders/piped systems).

Fire poses a significant risk in the workplace. Most fires are preventable. Those responsible for workplaces can avoid them by taking responsibility and adopting the right behaviors and procedures.

Key Point

For more, please see the Fire Detection and Warning Checklist in the Appendices of this document.

Part 8: Hazards in the Workplace

Chapter 41: Fire

Data and Statistics

Key Point

During the period 2010 to 2022, there were 1,360 annual workplace fires attended by the Fire and Rescue Authorities. Outdoor storage areas, agricultural buildings and factories account for almost 50% of all these workplace fires.

Legislation

Overview

The primary piece of legislation governing fire safety in all occupied buildings/premises other than dwellings occupied as a single dwelling in Ireland is the Fire Service Acts 1981-2003. This is enforced by authorised officers of the Fire and Rescue Authority in every county.

For occupied buildings, which are workplaces, the Safety Health and Welfare at Work Act 2005 and associated regulations, enforced by HSA Inspectors, contain several requirements in respect of Fire Safety. Some of these requirements replicate what is required in the Fire Services Act and compliance with the Fire Services Act on such matters, in general will confer compliance with the Safety, Health and Welfare at Work Act (that is, Fire Emergency Plan, Escape routes and exits, Fire-fighting equipment, Staff training and record keeping). Other requirements are specific to the Safety, Health and Welfare at Work Act 2005, requiring Employers and Persons in Control (PICs) of workplace buildings to be in possession of a proactive fire safety written risk assessment, provide appropriate signage and notify “Fire” dangerous occurrences and incidents.

Separately, for buildings which are designated centres under the remit of the Health Information and Quality Authority (HIQA), there are specific fire safety requirements as per the Health Act 2007 and associated regulations, enforced by HIQA inspectors.

Finally, legislation in the form of the Building Control Acts 1990-2014 and Building Regulations 1997-2024 regulate the design and construction of buildings, including standards of fire safety. This legislation is enforced by designated Building Control Authorities.

Specific Fire Requirements Called Out in OSH legislation

The 2005 Safety, Health and Welfare at Work Act requires:

- Employers / PICs to manage and conduct work activities in such a way as to ensure the safety, health and welfare at work of employees, as required by Section 8. As workplaces can vary greatly in size and layout, the risk of fire can also vary considerably from one situation to another, particularly where widely differing processes may be carried out and hazardous substances are stored or used. It is essential that the fire precautions provided should be determined having regard to all these relevant circumstances.

- Where fire is identified as an occupational hazard and a risk to the safety, health and welfare of employees and others at the place of work, a proactive written Fire Risk Assessment as required under Section 19 of the 2005 Act shall be prepared. As the hazard of Fire has the potential to occur in any workplace, Employers/PICs shall assess the risk presented by fire in their buildings and put in place control measures to mitigate.
- An emergency plan, as required under Section 11 of the Act, is prepared, is specific to the place of work and specifies the necessary measures/actions to be taken and by whom, enabling all occupants to stop work and immediately leave the workplace and to proceed to a safe place, regardless of age, size, ability or disability.
- Provides the information, instruction, training and supervision necessary to ensure the safety, health and welfare of employees from fire, under Section 10 of the SHWWA 2005.
- Obtaining where necessary, the services a competent person (employee or contracted), for the purpose of ensuring safety, health and welfare at work, if fire safety advice is required, under Section 18 of the SHWWA 2005.

Key Point

Under Section 18(6) of the Fire Service Acts 1981 and 2003, an authorised officer of the Fire and Rescue Authority can require a Fire Safety assessment. The scope of an S18(6) Fire Safety Assessment is much broader than that of an S19 risk assessment under the SHWWA 2005, including details relating to building design, building construction standards and ongoing fire safety certificate compliance. Such a Fire Safety Assessment can only be signed off by persons holding prescribed titles (Registered Architect, Registered Building Surveyor and Chartered Engineer).

The **2007 General Application regulations** require:

- **Regulation 12:** Emergency routes and exits provided, are not locked or obstructed and are kept clear at all times so that they can be used without hindrance.
- **Regulation 13:** The fire detection and alarm system provided must be appropriate. Non-automatic fire-fighting equipment (for example, Portable extinguishers) must be accessible and sign-posted. Both fire detection and firefighting equipment shall be inspected, maintained and serviced by a competent person.
- **Regulation 30(d)** requires the results of examinations of work equipment (including fire safety equipment) are recorded and maintained.

- **Regulation 160** of the General Application Regulations 2007, Part 7 "Safety signs at places of work". Ensure that safety signs are provided, which comply with Schedule 9;
  - Fire-fighting equipment on rectangular "Red" background with white symbol identifying the type of equipment in location.
  - Emergency escape on rectangular "Green" background with white pictogram identifying exit routes and final exits.
- **Regulation 169** of the General Application Regulations 2007, Part 8 "Explosive atmospheres at places of work", requires employers to:
  - Prepare written risk assessments (RAs) where explosive atmospheres are or are likely to be present within the workplace and then having carried out this assessment.
  - prepare an explosion protection document (EPD) and include / make reference to the EPD in the Safety Statement.
- **Regulation 225** of the General Application Regulations 2007, Part 14, "Reporting of accidents and Dangerous Occurrences", requires employers to notify the Authority of the following dangerous occurrences listed in Schedule 15, as soon as practicable and not later than 10 working days after the event:
  - A fire occurring in any plant or place of work which resulted in the stoppage of that plant or suspension of normal work in that place of work for more than 24 hours.
  - An unintentional explosion occurring in any plant or place of work.

The Safety Health and Welfare at Work (Construction) Regulations S.I. 291 of 2013 call out a number of duties on Employers / PICs on construction sites with respect to General Fire Precautions (GFPs):

- Regulation 31: Emergency routes and exits.
- Regulation 32: Doors (as they relate to emergency doors R32(g) (iv) and (v)).
- Regulation 40: Lighting of workplaces and in particular, R40(g) emergency lighting.
- Regulation 45: Fire detection and fire fighting.

There are specific regulations calling out general fire precautions in certain industries. These are detailed below.

The Safety Health and Welfare at Work (Quarries) regulations 2008 (No. 28 of 2008)

- Regulation 31: Fire hazards – and in particular (3) fire-fighting devices and (4) fire detection.
- Regulation 33(d): Lighting and in particular emergency lighting.

The Safety Health and Welfare at Work (Fishing vessels) regulations 1999 (No. 325 of 1999)

Regulation 4(f) and in particular Parts 4 and 5 of Schedule 1, relating to:

- Emergency routes and exits.
- Fire detection and firefighting.

Premises which are workplaces but are also **designated centres, under the Health Act 2007** shall also be mindful of their specific requirements, as outlined in HIQA's fire handbook.

Key Point

- All Fire and Rescue Authority's in Ireland recommend that fire drills are undertaken in low to medium risk workplaces twice annually. This is therefore a guide to best practice and what would meet the standard of reasonably practicable. Higher risk premises may require more frequent drills, and this shall be specified in the written risk assessment for fire.
- There is no set amount of Fire Wardens required by law; it depends on several factors relating to the nature of your business and its size.
- The keeping of a fire register is no longer an explicit legal requirement of Health and Safety legislation. However, it is specifically called out in the 2023 COP "Guide for PHC under S18(2) of the Fire Service Acts". This is therefore a guide to best practice and what would meet the standard of reasonably practicable.
- See BeSMART.ie Risk assessment template for "Fire", which addresses the scope of a S19 proactive written risk assessment.

Fire Safety and the Safety Representative

The following important elements of Fire Safety management shall be confirmed to the Safety Representative:

- Ensuring that the incidence of a fire in an occupied building is minimized:
  - Elimination of potential fire hazards both inside and outside the building.
  - The establishment of good housekeeping practices, periodic inspections and the diligent application of safety rules.
  - Instruction and training of designated staff on matters relating to fire safety.
- If a fire does occur, all appropriate fire safety systems are in place and operate as intended.
  - Emergency fire procedures and evacuation drill, including Personal Emergency Evacuation Plans (PEEPs) for people with disabilities.
  - Routine checks of fire safety systems and equipment to ensure they re-spond properly in an emergency.
  - Maintenance of escape routes.
  - Keeping fire safety records (Fire Safety Register).
- Responsibility for fire safety management. In many cases, the fire safety duties of any premises may be shared between parties and could include:
  - Owner / Landlord / Management company.
  - Tenants.
  - Several designated managers (Building, Facilities and Safety).

The following is a list of useful records that the Safety Representatives should access/view:

- The “Compliance Report” submitted on behalf of the Employer/PICs to demonstrate compliance with the current granted Fire Safety Certificate for the building.
- The S19 proactive written risk assessment for Fire.
- The Emergency Plan for Fire (including PEEPs).
- The maintained Fire Register.
- Test and examination reports relating to electrical installations and portable appliances.
- Test and examination reports relating to Heating, Ventilation and Air-Conditioning (HVAC) equipment.

- Information relating to any notified “Fire” dangerous occurrences or incidents.
- Information relating to the training of employees with respect to fire safety (for example, Evacuation procedures, fire wardens and PICs).
- Information relating to the control of contractors on site, relating to fire pre-cautions.

Action Checklist and Questions

Questions / Action Points

- Do building occupants know who the Person in Control of Fire safety is in their building / workplace is?
- Has a S19 proactive written risk assessment for Fire been undertaken for the premises/ workplace and does it include fire precautions?
- Has an Emergency Plan for Fire (including PEEPs) been prepared for the premises/workplace?
- Are periodic evacuation drills which simulate fire and emergency situations being practiced at least twice annually?
- Has appropriate instruction and training of staff on matters relating to fire safety and including process fire precautions?
- Has an appropriate fire detection and warning system been provided and is it tested and examined quarterly?
- Have appropriate fire-fighting equipment been provided and are they tested and examined:
  - Emergency and escape lighting (quarterly)
  - Fire doors (6-monthly)
  - Portable fire extinguishers (annual)
  - Fire Blankets (annual)
  - Smoke control systems (annual)
  - Dry/Wet Risers (6-monthly)
  - Sprinklers (quarterly)
- Has adequate fire safety site signage been provided and maintained?

Questions / Action Points

- Have all defined "Fire" dangerous occurrences or incidents been notified to the Authority?
- Is a Fire Register maintained and retained at the premises/ workplace?

Conclusion

This chapter provides an overview of fire safety in occupied workplaces in Ireland. Ongoing responsibility for fire safety in occupied workplace buildings rests with the Employer / PICs of the building.

The guidance document "Fire Safety Guide for Building Owners and Operators Guide for persons having control under Section 18(2) of the Fire Services Acts 1981 and 2003", prepared by Department of Housing, Local Government and Her-itage, provides a compliance pathway for Employers / PICs. Although this document is aimed primarily at compliance with the Fire Services Acts, it also provides a comprehensive compliance pathway in respect of the SHWWA 2005 and associated regulations.

Further Information and Resources

HSA Resources

For further information, please see:

- Fire (www.hsa.ie/safe-quarry-guidelines)

Other Resources

For further information, please see:

- Fire Safety Guide for Building Owners and Operator (https://www.gov.ie/en/department-of-housing-local-government-and-heritage/publications/fire-safety-guide-for-building-owners-and-operators/)
- Code of Practice for Fire Safety Assessment of Premises and Buildings (https://assets.gov.ie/static/documents/code-of-practice-for-fire-safety-assessment-of-premises-and-buildings.pdf)
- Fire Safety in Construction (https://www.hse.gov.uk/pubns/books/hsg168.htm)
- The Fire Safety Handbook – A Guide for Registered Providers and Staff (https://www.hiqa.ie/reports-and-publications/guide/fire-safety-handbook-guide-registered-providers-and-staff)
- Fire Safety at Work (https://www.dublincity.ie/residential/dublin-fire-brigade/find-out-about-fire-safety-businesses/fire-safety-advice-and-responsibilities/fire-safety-work)
- Fire Statistics (https://www.gov.ie/en/department-of-housing-local-government-and-heritage/collections/fire-statistics/)
- Building Control (https://www.gov.ie/en/department-of-housing-local-government-and-heritage/publications/building-control/)
- Fire Certificate (https://www.gov.ie/en/cavan-county-council/services/fire-certificate/)

Part 8: Hazards in the Workplace

Chapter 42: Lone Working

Introduction

This chapter provides information on the hazard 'Lone Working'.

Overview and Definition

Lone workers can face unique occupational safety and health (OSH) risks due to their isolation. It's important for employers to assess the specific risks associated with lone working and implement appropriate measures to ensure the safety and health of these workers.

Definition

Lone workers refers to individuals who work by themselves without close or direct supervision. This can include contractors, employees and the self-employed.

Two principal risks facing lone workers are:

- Attack by another person: intruders or members of the public.
- Falling ill or suffering an accident.

Lone workers could include:

- People in fixed establishments where only one person works on the premises (for example, in small workshops, kiosks, petrol stations, shops and home-workers).
- People who work separately from others (for example, in factories, warehouses, some research and training establishments, leisure centres or fairgrounds).
- People who work outside normal hours (for example, cleaners, security, special production, maintenance or repair staff).
- People who work working away from their fixed base, (for example, on construction, plant installation, maintenance and cleaning work, electrical repairs, lift repairs, painting and decorating, vehicle recovery).
- Agricultural and forestry workers.
- Service workers (for example, rent collectors, postal staff, social workers, home helps, district nurses, pest control workers, drivers, engineers, architects, estate agents, sales representatives and similar professionals visiting domestic and commercial premises).
- People working remotely from their primary place of work (for example, working from home).

Managing Lone Working Activities

The HSA advises that where a risk assessment shows there is a risk to lone workers, measures must be taken to eliminate the risk if possible and if that is not possible, to minimise it. Employers need to consider if a lone worker can safely undertake the activity. The employer should ask the following questions:

- Does the workplace present a special risk to a lone worker?
- Is there a safe way in and out (access and egress)?
- Can plant and equipment in the work area be handled safely by a lone worker?
- Is there a risk of violence?
- Are vulnerable workers especially at risk if working alone?
- Is the lone worker medically fit?
- What training is required?
- How will the person be supervised?
- What provisions are in place in the case of an emergency?
- How do we monitor and communicate with the lone worker?

Having considered these questions and decided it is safe to proceed with the work, control measures should be put in place. Such control measures could include:

- Communication systems - be they by mobile phone or two-way radio.
- Periodic checks including requiring lone workers to report in regularly.
- The use of automatic warning devices, such as panic alarms, no movement alarms, and distress message systems.
- Instruction and training in proper procedures.
- Code words for potentially violent situations.
- PPE.

Remote Working

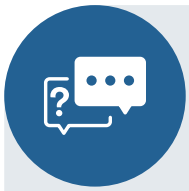
Remote working refers to work activities undertaken away from the employer's normal work premises including in a domestic setting or in a remote working hub. The responsibility for safety and health at work rests with the employer regardless of whether an employee works remotely or at the employer's premises. Employers must provide a safe work environment and, in doing so, assess the risks and ensure appropriate controls are put in place. When carrying out remote work it is recommended that the employer follows the 3-step process as outlined in the Remote Working Guidance and Checklist.

It is important to note that lone working can be a form of remote working. However, not all remote workers are lone workers. Remote working is discussed in more detail in a later chapter.

The Role of Safety Representatives

Safety Representatives can make the concerns of lone workers and remote workers known to the employer and initiate discussions on how to deal with such concerns.

Action Checklist and Questions



Questions / Action Points

- Are there lone workers at my organisation?
- Does the Safety Statement include a risk assessment for lone working?
- Are reliable methods established for regular communication with lone workers (for example, phone, two-way radios, or mobile apps)?
- Are their protocols in place for raising the alarm in case of emergencies for lone workers?
- Have all lone workers received training on the specific hazards they might face and how to mitigate them?

Conclusions

It's important for employers to assess the specific risks associated with lone working and implement appropriate measures to ensure the safety and health of these workers. Good communication is critical to these activities.

Further Information and Resources

HSA Resources

For further information, please see:

- Lone Workers (www.hsa.ie/lone-workers)
- Remote Working (www.hsa.ie/remote-working)

Part 8: Hazards in the Workplace

Chapter 43: Machinery and Equipment

Introduction

This chapter provides an overview of the regulations and guidelines around the use of work equipment and machinery.

Overview and Definition

Work equipment is any machinery, appliance, apparatus, tool or installation for use at work. It ranges from complex machinery such as a printing machine to hand tools such as a hammer. Work equipment also includes lifting equipment.

Definition

- **Work equipment** is defined in the General Application Regulations 2007 as "any machinery, appliance, apparatus, tool or installation for use at work".
- **"Lifting equipment"** is defined in the General Application Regulations 2007 as "work equipment for lifting, lowering loads or pile driving and in-cludes anything used for anchoring, fixing or supporting such equipment".

Work Equipment Accidents/Injuries

It is accepted that work equipment can be dangerous, but it is difficult to establish statistical evidence to support that. The HSA's statistical reports, which give figures for the triggers or causes of accidents, do not have a classification for machinery. The classification loss of control of an object, machine or vehicle obviously includes machinery accidents.

In the Annual Review of Workplace Illness, Injuries and Fatalities 2021-2022 of the 1,005 non-fatal incidents reported in 2022 involving the loss of control of objects, machines and vehicles, 31% involved the loss of control of vehicles, 24% involved the loss of control of hand-held tools, and 17% involved the loss of control of machines. In the sectors of industry, wholesale and retail trade, construction, and transportation and storage, loss of control of an object, machine, or vehicle was among the top three reported non-fatal triggers. When we look at the most injured body part in workers, hand, arm and finger injuries totaled 30.6% of all reported injuries in 2021-2022 with hand injuries being 9.6%, arm injuries being 7.8% and finger injuries being 13.2% of the reported injuries in that same period. These are the non-fatal injuries most likely to result from machinery and equipment. Clearly, machinery can be hazardous, and therefore, employers must carry out risk assessments and put control measures in place.

Part 8: Hazards in the Workplace

Chapter 43: Machinery and Equipment

Key Point

As reported in the 'Annual Review of Workplace Illness, Injuries and Fatalities 2021-2022' (HSA, 2023), the breakdown of accidents involving machinery is as follows:

- 31% loss of control of vehicles
- 24% loss of control of hand-held tools
- 17% loss of control of machines

As reported by the Personal Injuries Assessment Board, the breakdown of accidents per sector involving machinery for the period 2019 to 2022 is:

- 6% Industrial and Construction Area
- 4% Factory and Plant
- 4% Farm

Health and Safety Legislation

The principal pieces of legislation referred relevant to machinery and equipment include:

- Safety, Health and Welfare at Work Act 2005,
- Safety, Health and Welfare at Work (General Application) Regulations 2007 as amended, and
- The European Communities (Machinery) Regulations 2008 (SI 407/2008).

Section 8 of the 2005 Safety, Health and Welfare at Work Act requires employers to ensure that machinery is designed, provided and maintained to be safe and without risk to health. The use of any machinery should be covered by a risk assessment in accordance with section 19 of this Act.

Hazards

Mechanism of Injury

As reported by the Health and Safety Executive UK, the ways in which moving machinery can cause injuries include:

- People can be struck and injured by moving parts of machinery or ejected material.
- Parts of the body can also be drawn in or trapped between rollers, belts and pulley drives.

- Sharp edges can cause cuts and severing injuries. Sharp-pointed parts can cause stabbing or puncture the skin. Rough surface parts can cause friction or abrasion.
- People can be crushed, both between parts moving together or towards a fixed part of the machine, wall or other object. Two parts moving past one another can cause shearing.
- Parts of the machine, materials and emissions (such as steam or water) can be hot or cold enough to cause burns or scalds. Electricity can cause electrical shock and burns.

Potential Hazards

In a simpler form, considering the wide range of machines and tools that fall into the work equipment definition, the potential hazards can be listed as follows:

- Crushing
- Shearing
- Cutting or severing
- Entanglement
- Drawing in or trapping
- Impact
- Stabbing or puncturing
- Impact
- Friction or abrasion
- High-pressure fluid ejection
- Electrical shock
- Noise and vibration
- Contact with extreme temperatures

Risk and Control Measures

Managing Risk

Before using a machine, employers and operators need to think about the risk that may occur and how the risks can be managed. This requires:

- Checking that the machine is complete with all safeguards fitted and free from defects.
- Having a safe system of work for using and maintaining the machine.
- Ensuring static machines are installed properly and are stable.

- Choosing the correct machine for the job.
- Ensuring that the machine is switched off and isolated or locked off before taking any action to remove blockages, clean or adjust the machine.
- There is also a need to identify risks from electrical, hydraulic or pneumatic power supplies.

Guarding of Machines

When thinking about how to make a machine safe, among the measures to be considered to prevent access to dangerous parts are:

- The use of fixed guards.
- If fixed guards are not practical, the use of interlocks to ensure that the machine cannot be used before the guard is closed and cannot be opened while the machine is still moving.
- Where guards cannot give full protection, use measures such as jigs, holders or push sticks.

Operators must be provided with information, instruction, training, supervision and safety equipment. The HSA advises on the elimination and control of risks from ma-chinery used on farms, construction sites, quarries, and fishing vessels. While some of the advice is sector-specific, much of the advice has cross-sectoral application.

Lifting Equipment

The General Application Regulations 2007 define "lifting equipment" as "work equipment for lifting, lowering loads or pile driving and includes anything used for anchoring, fixing or supporting such equipment". The employer must take into consideration the following:

- The definition covers items such as cranes, hoists and lifts, winch-operated hoists and lifts, forklift trucks and teleporters.
- All lifting equipment is thoroughly examined and tested in accordance with the timeframes set out in the Regulations and that records of such examinations and tests are kept.
- Other work equipment, subject to conditions causing deterioration liable to result in danger, is inspected in accordance with the regime of inspection which has been prepared by a competent person and records of the inspection are maintained. Inspection may include testing.
- A register of lifting equipment and lifting accessories is maintained.
- All lifting operations are properly planned, appropriately supervised and carried out to protect the safety of both employees and other workers.
- Lifting equipment is operated by a competent person or by a person who is under the direct supervision of a competent person for the purpose of training.

The Machinery Regulations

The Machinery Directive (2006/42/EC) is the current legislation around machinery and has been mandatory in the EU since 2009. The new Machinery Regulation 2023/1230 aspires to maintain the high level of safety that was achieved with the implementation of the Machinery Directive. The new EU Machinery Regulation becomes legally binding in all EU states on 20th January 2027.

Until 2027, we will be continuing to adhere to *The European Communities (Machinery) Regulations 2008 (SI 407/2008)* and the European Directive on which they are based (Machinery Directive (2006/42/EC)). This legislation could be described as hybrid legislation. At the core of the Directive and Regulations is the concept of CE marking. The CE mark is effectively the manufacturer's/supplier's statement that a machine complies with the requirements of the Machinery Directive.

Manufacturers have to carry out a risk assessment. As well as carrying out a risk assessment, a risk evaluation must be carried out. Manufacturers are also required to take more account of ergonomic factors. The European Commission has produced a detailed guide to the Machinery Directive.

Action Checklist and Questions

Questions / Action Points

- What machinery and Equipment is being used in your workplace?
- Is that machinery appropriately guarded?
- Have the people in your workplace been adequately trained, and do they know how to use equipment and machinery safely?
- Do you have lifting equipment in your workplace?
- Is that lifting equipment thoroughly examined and at the appropriate intervals?
- Is the machinery and equipment in your workplace CE marked?
- Are the risk assessments "suitable and sufficient", and have all the hazards been identified and assessed with the appropriate severity of risk?
- Is work equipment/machinery included in all workplace inspections, and have appropriate resources been developed, especially checklists that relate directly to the work undertaken?

Conclusions

It is important that duty holders and employers consider how their workers use work equipment and machinery. There must also be adequate maintenance arrangements in place to ensure it remains safe to use. Employers must ensure that when the machine is supplied to them, it is safe to use and CE marked, and what that means for the safety of the machine. Safety Representatives can play a positive role by bringing to the employer's attention problems with work equipment.

Further Information and Resources

HSA Resources

For further information, please see:

- Annual Review of Workplace Injuries, Illnesses and Fatalities 2021–2022 (www.hsa.ie/annual-review-2022-2023)
- Safety, Health and Welfare at Work Act 2005 (www.hsa.ie/2005act-10)
- Safety, Health and Welfare at Work (General Application) Regulations 2007 (www.hsa.ie/2007-regulations)

Other Resources

For further information, please see:

- Safety, Health and Welfare at Work (General Application) Regulations 2007 (https://www.irishstatutebook.ie/eli/2007/si/299/made/en/print#sched1-partb)
- Guide to application of the Machinery Directive 2006/42/EC (https://ec.europa.eu/docsroom/documents/60145)
- European Communities (Machinery) Regulations 2008 (https://www.irishstatutebook.ie/eli/2008/si/407/made/en/print)

Part 8: Hazards in the Workplace

Chapter 44: Noise, Vibration and Non-Ionising Radiation

Introduction

This chapter provides an overview of the physical agents of noise, vibration and non-ionising radiation that may present risks to workers across all industry sectors.

Overview and Definition

Noise is defined as unwanted sound. From an occupational safety and health (OSH) perspective, noise in the workplace refers to unwanted or harmful sound that can interfere with communication, reduce concentration and productivity, or pose risks to workers' hearing and overall health. Noise is measured in decibels (dB); dB(A) measures average noise levels and dB(C) measures peak noise levels.

Definition

The European Agency for Safety and Health at Work (EU-OSHA) defines **noise** in the workplace as "unwanted sound that can cause impairments or damage to health."

Noise in the Workplace

Employers have a duty to identify if workers are at risk from noise exposure and to implement control measures to avoid or reduce exposure. There are two time-weighted action levels.

The 8-hour lower exposure action value is **80dB(A)** or a peak sound pressure of **135dB(C)**. Exposure to employees at or above this level requires employers to complete a risk assessment, provide information, training, make hearing protection available to employees and provide preventive audiometric testing. This is required by the Control of Noise at Work Regulations (Part 5-Chapter 1 of the Safety, Health and Welfare at Work (General Application) Regulations, 2007).

Where exposure is at or above the upper exposure action value of **85dB(A)** or a peak sound pressure of **137dB(C)**, employers must also implement measures to reduce exposure, in so far as is reasonably practicable display mandatory warning signs and make hearing checks available. The high-noise work areas must be seg-regated and access restricted, and individual hearing protectors must be provided and worn.

In addition to the exposure action values, there is an exposure limit value of **87dB(A)** or a peak sound pressure of **140dB(C)**, which must not be exceeded and at which immediate action must be taken to reduce exposure noise below this value. The reasons for the limit being exceeded must be identified. Organisational and technical measures must be taken to prevent the exposure limit from being exceeded. When applying the exposure limit value to determine an employee's effective exposure, attenuation provided by individual hearing protectors can be taken into account.

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Chapter 44: Noise, Vibration and Non-Ionising Radiation

Ireland has very little data or statistics on the occupational ill-health effects of noise. This is because there can be a time delay between exposure and when there are symptoms of noise induced hearing loss. Noise-induced hearing loss is preventable but is permanent and is usually gradual because of prolonged exposure to noise. As a result, the link between the disease and work may be missed or not reported. In some cases, the cause may be attributed to other hazards.

Vibration in the Workplace

Definition

- **Vibration** is defined as rapid movement to and from or oscillating movement.
- **Hand-arm Vibration** means mechanical vibration that, when transmitted to the human hand-arm system, entails risks to the safety and health of employees, in particular vascular, bone or joint, neurological or muscular disorders.
- **Mechanical Vibration** means vibration occurring in a piece of machinery or equipment, or in a vehicle as a result of its operation.
- **Whole-body Vibration** means the mechanical vibration that, when transmitted to the whole body, entails risks to the safety and health of employees, in particular lower-back morbidity and trauma of the spine.

Hand-Arm Vibration

Regular use of hand-held vibrating tools, such as road breakers, impact wrenches or chainsaws can cause several conditions connected to the hand and arms, such as hand-arm-vibration-syndrome (HAVS) or carpal tunnel syndrome (CTS). A vibration risk assessment is required by the control of vibration at work regulations (Part 5-Chapter 2 of the Safety, Health and Welfare at Work (General Application) Regulations, 2007).

Vibration is typically measured in meters per second squared (m/s^2), as acceleration. For hand-arm vibration, the daily exposure action value is **$2.5m/s^2$**, and the daily exposure limit value is **$5m/s^2$**. A vibration risk assessment should be carried out by a competent person through observing the specific work practices and referring to information on the probable level of vibration corresponding to the equipment used in the particular working conditions (for example, manufacturer's information and vibration databases). Measurements are not always necessary. Where the risk assessment indicates that the exposure action value is exceeded, an employer must implement technical and organisational measures to reduce exposure to mechanical vibration to a minimum.

An employer must provide information, instruction and training to employees exposed to risk from mechanical vibration.

Health surveillance must be provided to employees where the risk assessment indicates a risk to health including employees exposed to mechanical vibration above the exposure action value.

Whole Body Vibration

Definition

The European Agency for Safety and Health at Work (EU-OSHA) defines **whole-body vibration (WBV)** as mechanical vibrations transmitted to the entire body, typically through a supporting surface such as a seat or the floor, when a person is in a sitting or standing position.

Whole body vibration (WBV) is transmitted to the entire body by the surface supporting it (e.g. through a seat or the floor). The WBV daily exposure limit value is **1.15m/s²** and the daily action limit value is **0.5m/²**. Whole body vibration mainly effects the lower back and spine. The exposure assessment can be carried out by means of an estimate based on the manufacturer's emission information and observation of specific work practices or on measurement. Where the daily action limit value is exceeded, an employer must implement technical and organisational measures to reduce exposure to whole body vibration. Employees should not be exposed to whole-body mechanical vibration values above the daily exposure limit value. An employer must implement measures to reduce exposure.

Non-Ionising Radiation in the Workplace

Artificial Optical Radiation

Definition

Optical radiation incorporates visible light, ultra-violet (UV) and infrared (IR) radiation.

Artificial optical radiation (AOR) sources are used in many workplaces. For example, lasers are used in manufacturing and in the cosmetic/beauty sector. UV lamps used in labs, beauty/nail salons and welding processes can potentially expose workers to UV radiation. Infrared radiation can be emitted from furnaces and during cosmetic treatments with lamps. AOR Exposure limit values (ELVs) (W/m2) are wavelength and duration dependent (See Schedule 11 of the Safety, Health and Welfare at Work (General Application) (Amendment) Regulations, 2010). The areas of the body most at risk of exposure are the skin and the eyes. A list of "Safe Light Sources" is in Annex A of the HSA Guidance on the AOR Regulations. Annexes B-F contain further information on PPE.

Natural Optical Radiation

Outdoor workers can be exposed to UV radiation from the sun, particularly during the months of April to September. This is associated with an increased risk of skin cancer. Employers should complete a risk assessment for outdoor work and put sun protection measures in place.

Electromagnetic Fields (EMF) in the workplace

Definition

Electromagnetic fields are static electric, static magnetic and time-varying electrical, magnetic and electromagnetic fields with frequencies up to 300 GHz.

Electromagnetic fields (EMFs) occur whenever electrical energy is used. In the workplace, EMFs arise from electricity generation and transmission, broadcasting, radio and telephone base stations, dielectric and induction heating, welding, electric furnaces and medical equipment.

Exposure to EMFs can give rise to acute (short term) effects. The effects depend on the frequency of the radiation. At low frequencies the effects will be on the central nervous system of the body whilst at high frequencies, heating effects can occur leading to a rise in body temperature. In reality, these effects are extremely rare and will not occur in most work situations.

Employers are required to carry out an initial assessment of the risks from EMFs. This can be done with reference to the HSA Guide and EU Commission guides. A more detailed risk assessment is required for workers wearing medical devices which should include the calculation or measurement of EMF levels at their place of work. The Safety, Health and Welfare at work (Electromagnetic Fields) Regulations, 2016, set out exposure limit values (ELVs) and action levels (ALs). The EMF regula-tions do not cover suggested long-term effects or risks resulting from contact with live conductors. Employers are obliged to consult with their employees and to provide information and training. They are also obliged to ensure health surveillance is made available to employees where a risk assessment reveals a health risk. Where an employee's exposure exceeds the relevant ELVs the employer shall make a medical examination available to the employee.

Action Checklist and Questions

Questions / Action Points

- Does my workplace have noisy or vibrating equipment in use?
- Do I need to raise my voice to speak to someone 2 metres away?
- Does my workplace have Lasers/Infra-red/UV lamps in use?
- Do employees work outdoors during April to September?
- Do I have electrical equipment in the workplace that is of particular risk to any employees?

Conclusions

This chapter provides an overview of some physical agents in workplaces and the legislation which requires employers to assess these specific hazards individually, as they can cause a range of adverse health effects. The risks must be managed through the hierarchy of controls. Health surveillance and the provision of information, training and instruction are important components of programmes to manage the risks from physical agents.

Further Information and Resources

HSA Resources

For further information, please see:

Noise:

- Sound Matters (www.hsa.ie/sound-matters)
- Noise at Work (www.hsa.ie/noise-guidance)
- Noise (www.hsa.ie/noise-at-work)

Vibration:

- Guide to General Application Regulations 2007 - Vibration (www.hsa.ie/vibration-short-guide)
- Vibration at Work (www.hsa.ie/vibration-at-work)

Optical Radiation:

- Guidance for Employers on the Control of Artificial Optical Radiation at Work Regulations 2010 (www.hsa.ie/aor-guidance)
- Optical Radiation (www.hsa.ie/optical-radiation)
- Sun Protection (www.hsa.ie/sun-protection)
- Guide to the Safety, Health and Welfare at Work (Electromagnetic Fields) Regulations 2016 (www.hsa.ie/emf-guidelines)
- Electromagnetic Fields (www.hsa.ie/electromagnetic-fields)

Other Resources

For further information, please see:

- Electromagnetic Fields - Guide for SMEs (https://www.hsa.ie/eng/publications_and_forms/publications/physical_agents/electromagnetic_fields_-_guide_for_smes.html)
- Electromagnetic Fields - Volume 1: Practical Guide (https://www.hsa.ie/eng/publications_and_forms/publications/physical_agents/electromagnetic_fields_-_volume_1_practical_guide.html)
- Electromagnetic Fields - Volume 2: Case Studies (https://www.hsa.ie/eng/publications_and_forms/publications/physical_agents/electromagnetic_fields_-_volume_2_case_studies.html)

Part 8: Hazards in the Workplace

Chapter 45: Psychosocial Hazards and Work-Related Stress

Introduction

This chapter provides an overview of psychosocial hazards at work. Psychosocial risks exist in all aspects of life. If not managed, they can cause stress, anxiety, depression, and problems for individuals, teams, and organisations. As highlighted in the 'EU Strategic Framework on Health and Safety in Work', addressing psychosocial hazards is a key priority area for the European Union (EU, 2021).

Overview and Definition

Psychosocial is a term used to describe aspects of the social world of work which impact employees psychologically. Regular or 'traditional' hazards, as we know them generally, concern technical or mechanical aspects of the workplace and physical hazards. Such hazards are mainly visible. The social aspects of work are less clear. However, employers have duties to manage all known hazards at work. Therefore, psychosocial hazards should be incorporated into the safety management system.

Definition

- **Psychosocial risks** are those aspects of work design, organization, and management, as well as the social and environmental contexts, that have the potential to cause psychological or physical harm. These risks can lead to work-related stress, burnout, or other mental and physical health issues (2022).
- **Stress** itself is a feeling state where the prevailing feeling is one of distress, of being overpowered by events in the environment and a feeling of not being able to cope. It is a negative state, but can be overcome with various supports and assistance, in most cases.
- When stress continues into the longer term, from 6 to 12 weeks, without being managed, it can become more difficult to deal with and manage and is then termed **chronic stress**.
- EU-OSHA define **work-related stress** as "a state that is experienced when the demands of the work environment exceed the worker's ability to cope (or control) with them" (2022).

Psychosocial risks arise from poor work design, organisation and management as well as from poor social context of work. The consequences of psychosocial hazards not being managed are many, the main one being work-related stress (WRS). Work-related stress is stress caused by or made worse by, a workplace environment where psychosocial hazards are not properly managed. The experience of it is the same as the experience of stress, but it is categorised as work-related due to its causes. EU-OSHA defines work-related stress in terms of the interactions between employees and exposures to invisible environmental hazards in their workplaces (2002). Potential psychosocial hazards in work environments include but are not limited to:

- Excessive or conflicting demands regarding workload or complexity,
- Lack of control or inputs into decision making around work, for instance,
- Incompetent or inadequate management or supervision,
- Poor communications,
- Lack of supportive systems around work,
- Bullying and conflictual relations at work,
- Unclear or conflicting role and responsibilities,
- Badly communicated change or rapid unexplained change.

The method of approaching this issue within the health and safety at work arena is through the Risk Assessment/Hazard Control systems of health and safety management. EU-OSHA recommend simple practical tools focused on industry types rather than generic OSH instruments (EU-OSHA, 2024).

Key Point

- A 2022 OSH Pulse survey in 2022 found that 27% of employees reported experiencing stress, anxiety or depression, which they attributed to work (EU-OSHA, 2022).
- They reported unsocial working hours and work intensity as the primary psychosocial causes (EU-OSHA, 2022).

Consequences of Psychosocial Hazards

If not managed through risk assessment and control measures, the above can lead to various forms of and degrees of work-related stress for individual employees, categorised as follows:

- Effects on mental wellbeing: in other words, on the mind in how we think and feel.
- Effects on Physical wellness: in other words, on the body, including illness and physical wellbeing.
- Behavioural Effects: in other words, on the things we do.
- Cognitive Effects: on our thinking ability and problem solving.

There are specific negative mental health outcomes for low socioeconomic status EU workers, young workers, vulnerable and migrant workers exposed to psychosocial risks (EU-OSHA 2023).

Key Point

The effects of work stress differ from person to person and there are age and gender differences, as well as differences depending on context, support systems, and other work and non-work elements. It is important to accept that all stress has effects on all people, but there are differences in degree, duration, recovery and insight for everyone, depending on many environmental factors (spanning both work and non-work).

Individual Contributory Factors

People bring different perspectives to the world, both outside and inside work. The individual employee's perception of the workplace, the demands being made and the supports in place, will not all be identical. The risk in these cases varies from person to person and can't be measured in a fixed way like physical hazards, because it depends on individual perception. However, even though employees differ in terms of their interpretation and will have different tolerance levels for psychosocial stressors, the duty of the employer is to act reasonably insofar as is possible within a workplace setting. The 'reasonable person' test means the employer is entitled to assume that a person recruited for a job, is capable of the reasonable challenges associated with such roles, once the organisation is well managed, and where training is given, management/supervision is competent, and conduct is generally managed.

Managing Psychosocial Hazards

It is the employer's duty to put in place an assessment system with valid criteria, as well as preventative actions for the hazards identified. As part of this, employers must consult with employees and Safety Representatives, analyse findings and then design and develop controls (or remedies) for the identified hazards, prioritising the risk based on the population, the work being done and various other factors. Records should be kept of these endeavours, which should be signed, dated, with the responsibilities of individuals noted. All documents should be made available for inspections.

Preventative measures include:

- Respect the dignity of each employee reinforced by training, policies and procedures and role modelled by management.
- Regular feedback and recognition of performance in fair and respectful ways, recorded.
- Consultation with employees on health and safety issues, through a safety rep.
- Employee input into decision-making and career progression as far as is reasonable.
- Consistent and fair management actions for all.
- Clear goals for employees in line with organisational goals.

Psychosocial hazards should not be dismissed as subjective. People may perceive hazards differently, but that does not invalidate the hazard's presence or impact. Objective assessment frameworks like Work PositiveCI, guide the systematic management of psychosocial hazards. To help organisations carry out a risk assessment for psychosocial hazards and to help them establish if there is a work-related stress problem in the organisation, the HSA, with the State Claims Agency (SCA) has developed the Work Positive Tool. The purpose of the survey is to provide timely feedback on employee perceptions of the work environment for psychosocial aspects of work. It also includes a well-being profile of the organisation, showing how employees rate their working environment as well as their own health behaviours.

Law and Psychosocial Hazards

Introduction

There are two aspects to the law on work-related stress: legislation and case law. Within legislation, there is civil and criminal law. Health and Safety legislation is criminal law, so it involves a burden of proof that is very high. Any case taken must have evidence to show that a case is proven 'beyond reasonable doubt'. This means that the injury was caused by the employer's breach of duty of care. In civil law, that burden is considerably less, where the burden is 'on the balance of probabilities', the employer breach is what caused the injury. In both cases, there must be an employer breach and an injury to the individual. This makes the progression of work-related stress cases very difficult to bring to resolution through the courts system. In this regard, the following four elements should be noted:

1. Stress is not an illness and therefore, not an injury in the usual interpretation,
2. Different people have different tolerances, so there is not one standard for all employees in all workplaces,
3. The employer duty is general and not specific or standardised in this area,
4. It is not an area where evidence can easily be gathered as the risks are not physical or visible.

Health and Safety Act 2005

As stated in the Framework Directive (89/391/EEC), employers have a legal responsibility to reduce risks to workers' health and safety. This includes psychosocial risks.

While there is no specific reference to work-related stress in this legislation, employers should consider any workplace hazard where there is a reasonable probability that it could cause work-related stress.

In the Safety, Health and Welfare at Work Law in Ireland, section 8 of the SHWW Act 2005 imposes a specific duty on employers to manage and conduct their activities to prevent any improper conduct or behaviour. There is a corresponding duty on employees not to engage in improper conduct or behaviour (section 13). The duty to prevent improper conduct and behaviour can be linked to the General Principles of Prevention (SHWW Act 2005, schedule 3).

General principle 4 requires employers to alleviate monotonous work and work at a predetermined work rate and to reduce the effect of this work on health. Work should be designed in terms of methods in place - so that avoiding the impact of the known stressors set out in General Principle 4 is a priority.

The Organisation of Working Time Act 1997 is also pertinent in relation to hours worked, which protects workers from the risks associated with long hours of work. Section 8 (2) B is relevant to the management of 'improper conduct at work' and the duty on the employer regarding that.

Judgement in Irish civil courts look to several things when considering employer liability. The following points are taken into consideration:

- **Where an employee is certified fit for work by his doctor, the employer will usually be entitled to take the medical certificate at face value unless there is good reason to think to the contrary.**
- **If there has been a breach of duty, the employee must show that the breach caused the harm complained of.**

Employers must be seen to have taken reasonable care. What is reasonable depends on five factors:

1. foreseeability,
2. the magnitude of the risk of that harm occurring,
3. the gravity of the harm,
4. the cost and practicality of preventing it,
5. the justification for running the risk.

When work-related stress is chronic and unmanaged, it can escalate into diagnosable mental health conditions which are recongised under occupational health claims. Such conditions are potentially actionable under civil law.

Role of Safety Representatives

Safety Representatives can ensure that employers address WRS as part of the Safety Statement. If the Safety Representative has evidence that the issue is not adequately dealt with in the Safety Statement, the Safety Representative must raise the issue with the employer. If an employer does not have any tertiary systems in place and a need has been identified, it could be put on the health and safety agenda as a priority that the employer establishes such a programme.

Action Checklist and Questions

Questions / Action Points

- Does my company have a psychosocial risk assessment?
- Do we have an up-to-date Anti-Bullying Policy, signed and dated?
- Do all workers get basic OSH training in psychosocial risks including workplace bullying?
- Are all workers aware of who they can consult with in relation to psychosocial hazards at work?

Conclusions

Work-related stress is partly a health and safety issue and partly a HR issue. It is also an employer responsibility as well as an employee responsibility. All employers are legally required to assess the working environment for systems and practices which lead to health and safety hazards (including psychosocial hazards) and put in place preventative measures.

With more people working remotely or in non-traditional ways, the work environment's psychological and social aspects must remain a key health and safety focus. The risks, responsibilities, and liabilities involved are constantly changing, so they need to be recognized and managed effectively to protect everyone's well-being.

Further Information and Resources

HSA Resources

For further information, please see:

- Work Positive (https://www.workpositive.ie/)
- Workplace Stress (www.hsa.ie/workplace-stress)
- Work Related Stress A Guide for Employers (www.hsa.ie/work-stress-guide)
- Work Related Stress Information Sheet for Employees (www.hsa.ie/work-stress-info-sheet)

Other Resources

For further information, please see:

- Psychosocial risks in Europe: Prevalence and strategies for prevention (https://www.eurofound.europa.eu/en/publications/2014/psychosocial-risks-europe-prevalence-and-strategies-prevention)
- Psychosocial risks to workers' well-being: Lessons from the COVID-19 pandemic (https://www.eurofound.europa.eu/en/publications/2023/psychosocial-risks-workers-well-being-lessons-covid-19-pandemic)
- Framework agreement on work-related stress (https://osha.europa.eu/en/legislation/guidelines/framework-agreement-work-related-stress)

Part 8: Hazards in the Workplace

Chapter 46: Slips/Trips/Falls on the Same Level

Introduction

This chapter provides an overview of slips and falls on the same level, including stairs/steps. Slips, trips, and falls are a leading cause of workplace injuries, so awareness and preventative measures are crucial to reduce risks.

Overview and Definition

Definition

- **Slips** on the level typically happen when a pedestrian makes contact with a contaminated surface without sufficient grip.
- **Trips** happen when a person's foot hits an object, causing them to lose balance and fall.
- **Falls** result from a loss of balance due to a slip or trip, often leading to injury.

Factors in Slips, Trips and Falls (STF) include wet surfaces, stairs and steps (especially descending), vehicles (especially exiting vehicles), ice (snow), walkways, uneven surfaces, floor cleaning, entrances and exits and bathrooms.

Data and Statistics

Slips, trips and falls are the second highest single cause of workplace injuries. 22% of slips, trips and falls lead to over a month off work, compared to 17% of all other accidents.

Part 8: Hazards in the Workplace

Chapter 46: Slips/Trips/Falls on the Same Level

Key Point

Six sectors account for 55% of the workforce but 81% of slips, trips and falls (STF).

- **Healthcare** - 18% of STF and the top three factors are surfaces, walkways, and stairs.
- **Industry** - 17% of STF and the top three factors are stairs, surfaces, and vehicles.
- **Retail** - 14% of STF and the top three factors are surfaces, stairs, and vehicles.
- **Transport** - 12% of STF and the top three factors are vehicles, ice, and stairs.
- **Public Administration** - 11% of STF and the top three factors are stairs, uneven surfaces, and wet surfaces.
- **Construction** - 10% of STF and the top three factors are stairs, vehicles, and uneven surfaces.

Slips

Slips on the level typically happen when a pedestrian makes contact with a contaminated surface without sufficient grip.

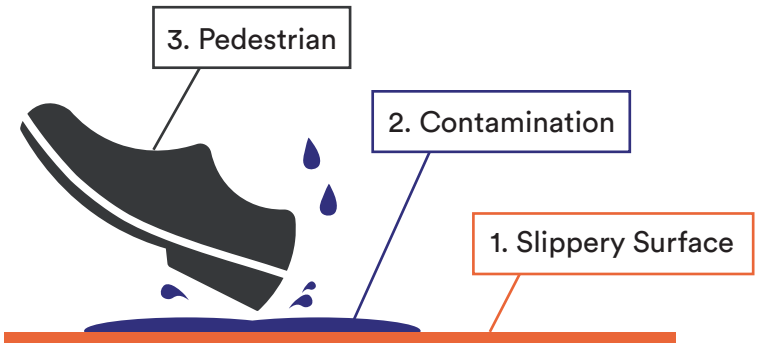


Figure 32. Slips.

The HSA's website provides advice on assessing and reducing slip risks. The Slip Prevention and Risk Assessment process can be used to prioritise areas and track progress.

Surface

Regulations 9, 99 and 105 of the General Application Regulations outline that pedestrian surfaces should be not slippery.

The risk of a surface being slippery can be assessed considering:

- History of the surface and staff awareness of slipperiness.
- Data from the supplier which may be online and/or in the safety file.
- Tactile and visual **assessment** to see if the surface looks slippery or feels slippery underfoot.
- Measurement of slip resistance.

Contaminant

The risk of the surface being contaminated can be assessed and reduced considering

- Spills, and how they are handled.
- Cleaning, how and when floor cleaning happens, particularly in healthcare, retail and industry.
- Ice, particularly in January and December.

Pedestrian

The risk of pedestrians falling can be assessed and reduced considering

- Access routes, peak times and restrictions.
- Footwear to provide adequate slip resistance.
- Behaviour to avoid distractions and wear slip-resistant footwear.

Stairs and Steps

Every working day, one person is hurt by a slip, trip or fall on stairs or steps at work. **Descending** is associated with many accidents. **Slips** are more common than trips or falls.

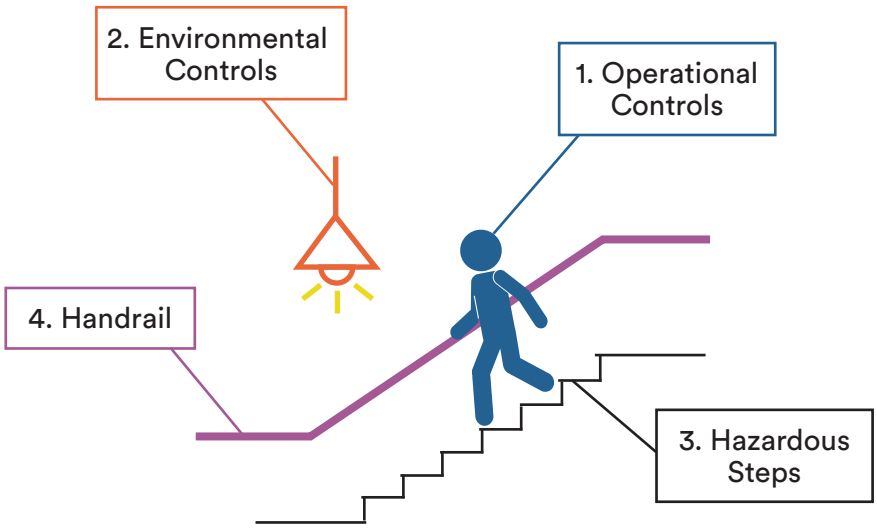


Figure 33. Stairs and steps.

The HSA's 30 minute Safer Stairs and Steps online course, which is CPD Approved, provides advice on the key hazards and practical checks like the crouch-and-sight test, the foot fit test, visual contrast checks and the step check.

Operational Controls

Operational controls can include prohibition of hazardous activities such as rushing, keeping hands in pockets, use of hand-held devices or phones, reading, cleaning steps while in use and carrying items on steps. Good practices can include showing the location of lifts.

Environmental Controls

Environmental controls refer to the visual clues around stairs and steps. Adequate lighting is essential. Posters, signs and notice boards can be distracting. Visually contrasting step nosing's and handrails help. A black and white image can provide a useful indication of the visual contrast.

Hazardous Steps

Hazardous steps can be:

- **Slippery:** A slippery step is one that does not have enough grip, especially at the step edge/nosing. Monitor and replace treads and step edges/nosing's as required. Identify and control potential sources of spills or contamination.
- **Surprise:** A surprise step is one that is not clearly visible or expected. Use striped (red-and-white or yellow-and-black) slip-resistant step edges/nosing's at irregular step(s) or surprise steps. Consider "Mind the Step" signs.
- **Short:** A short step does not provide adequate support for the ball of the foot to enable safe forward-facing descent. If short steps cannot be eliminated, ensure operational controls, environmental controls and handrails are in place.
- **Irregular:** An irregular step is longer or shorter than the other steps in a flight of stairs. If possible, correct irregular steps. Use striped (red-and-white or yellow-and-black) slip-resistant step edges/nosing's at irregular step(s) or surprise steps. The crouch-and-sight check provides a very useful visual indication in identifying if steps are irregular.

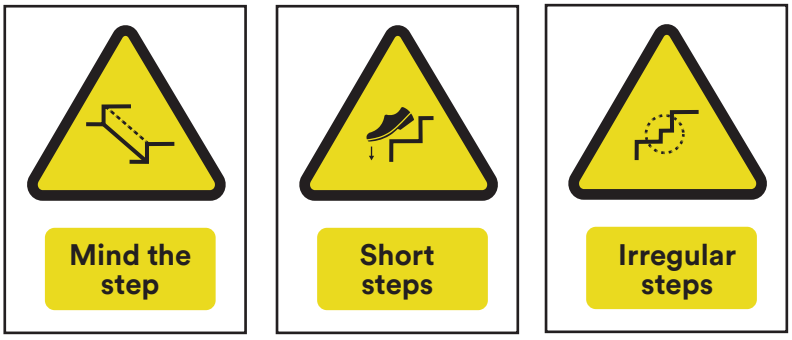


Figure 34. Steps and signage.

Handrails

A handrail may be the last hope of stopping a fall. Handrail use can also discourage rushing. Check handrail(s) are at the appropriate height and have a visual contrast, so they are obvious for users. Check handrail(s) permit a 'power grip'.

Vehicles

Key Point

Exiting vehicles was a factor in 45% of vehicle slips, trips and falls.
40% of vehicle slips, trips and falls happen from 9am to 1pm.
Victims are predominantly male.

Entering and Exiting Vehicles

Never jump from a vehicle. Entering and exiting vehicles and equipment safely is important. When parking, avoid uneven ground, potholes, kerbs, drains, puddles and ice. Check the ground conditions on approach and again before stepping out of the vehicle. Avoid distractions from handheld devices such as phones, data loggers and scanners.

Vehicle Steps

Vehicle steps should be slip-resistant and be clean and in a good condition with no damaged or missing steps. Steps that resemble stairs are easier to use than ladders. Vehicle steps should be big enough to at least allow the ball of the foot onto each step.

Footwear

Oil resistant soles may not be slip-resistant. Protective footwear is required for drivers and people who work on and around vehicles as the risks associated with foot injury and slipping or stumbling are well known. See the Choosing Slip-resistant Footwear Information Sheet.

Vehicle Walk-on Surfaces

Slip-resistance can be measured and quantified. In the transport sector, most injuries are caused by slips, rather than trips or falls. Fifth-wheel areas, load platforms, thresholds (the area around the base of the vehicle where it meets the door), tail lifts, and vehicle steps can be particularly slippery. Several materials, including wood, steel, plastic, composites and aluminium, that are used in vehicle walk-on surfaces can become slippery if contaminated, wet or icy. Keep walk-on surfaces clean, dry and free from trip hazards. Vehicle walk-on surfaces should be slip-resistant when wet or dirty.

Other Slip, Trip, and Fall Factors

Causes of Slips, Trips and Falls

The Slips, Trips and Falls section of the HSA website provides information and advice on causes particularly for the “big six” workplace sectors. This includes information on entrances, spills, floor cleaning, footwear, pedestrian surfaces, ice and over-used signs.

Entrances

The safest approach may be to ensure the floor areas inside and outside the entrance are slip-resistant when wet.

Spills

Try to prevent spills and if spills occur, remove them straight away.

Floor Cleaning

Clean floors when not occupied and prevent access to wet/damp floors.

Footwear

Choose footwear with the right slip resistance in consultation with staff.

Pedestrian Surfaces

Consider measuring slip-resistance and choosing slip-resistant surfaces. Slip resistance can be measured, qiantified and risk assessed.

Ice

Ice is a particular risk in January and December.

Over-used Signs

Signs should only be used where hazards cannot be avoided or reduced and should be removed when they no longer apply.

Key Point

For more, please see the Slips, Trips and Falls Checklist in the Appendices of this document.

Conclusion

This chapter provided an overview of Slips, Trips and Falls.

Further Information and Resources

HSA Resources

For further information, please see:

- Slips, Trips and Falls (www.hsa.ie/slips)
- Slip Prevention and Risk Assessment Tool Sample (www.hsa.ie/slipsample)
- Safer, Work Stairs, and Steps (www.hsa.ie/stairs)

Part 8: Hazards in the Workplace

Chapter 47: Violence and Aggression

Introduction

This chapter provides an overview of work-related violence and aggression.

Overview and Definition

Work-related violence and aggression can be defined as any incident where staff are abused, threatened or assaulted in circumstances related to their work, involving an explicit or implicit challenge to their safety, wellbeing or health. Psychological violence (for example, intimidation, threats, repeated aggressive behaviour) is a major category of workplace violence requiring equal preventive effort. It can be just as harmful as physical violence.

Definition

- Work-related violence or workplace violence are phrases used to refer to all kinds of violent incidents at work, including third-party violence and harassment (bullying, mobbing) at work (EU-OSHA, 2010).
- Third-party violence is used to refer to threats, physical violence, and psychological violence (for example, verbal violence) by third parties such as customers, clients, or patients receiving goods or services (EU-OSHA, 2010).

An aggressive or violent act can be physical or non-physical. Examples of physical and non-physical acts include:

- Spitting.
- Use of force against a person; for example, pushing, hitting, punching a person or attacking a person with a weapon or object.
- Verbal abuse, threats or threatening gestures towards the person.

Part 8: Hazards in the Workplace

Chapter 47: Violence and Aggression

Data and Statistics

Key Point

- The HSA's Summary of Workplace Injury, Illness and Fatality Statistics report 2021-2022 report shows that aggression, shock and violence triggers were among the top five triggers for each of the major economic sectors (HSA, 2023).
- The HSA recently outlined the NACE sectors where incidents of violence and aggression at work was experienced between the years 2013-2022:
  - 1369 cases were reported by the public administration/ defence sector.
  - 301 by the education sector.
  - 139 by the transportation and storage sector.
  - 94 by administration and support service activities.
  - 65 by the wholesale and retail sector.
  - 58 by financial and insurance activities (HSA, 2024).
- 5,000 incidents of violence, harassment and aggression against non-healthcare public service staff were analysed by the State Claims Agency (SCA, 2022).

A research report by the State Claims Agency (SCA), which was published in autumn 2022, analysed over 5,000 incidents of violence, harassment and aggression against non-healthcare public service staff. The report was based on an analysis of the cases reported to the SCA. The research found that members of the public were the most common aggressors, who were perpetrators in 1,841 incidents. The top three injuries suffered were physical assault/ harassment, intimidation/threats and verbal assault/harassment.

Close to 600 incidents of this nature are reported annually to the HSA. Further information in relation to the effects of work-related violence and aggression, high risk areas, legislative requirements and safeguarding can be found in the HSA's Guidance on Managing the Risk of Work-Related Violence and Aggression.

Prevention

The objective of health and safety management is to eliminate or reduce the risk to the lowest reasonably practicable level. The first step for any safety management system is the risk assessment. Workplace violence and aggression must be treated as a hazard and assessed as you would other hazards. Framing violence and aggression prevention within the Hierarchy of Controls provides a structured and effective approach.

The HSA's Guidance on Managing the Risk of Work-Related Violence and Aggression offers guidance on hazard identification and risk assessment. Potential risk areas include:

- Providing care, advice or training.
- Working with persons with mental health issues.
- Working with populations where alcohol and drugs are misused.
- Handling money or valuables.
- Working alone.

Risk areas around the work environment include lone working, job location, cash handling and long waiting times. Prevention measures include physical barriers, video surveillance, cash free systems and controlled access. Signs should also be positioned in an area visible to the public, warning that violence and aggression will not be tolerated.

Training, information and instruction should be provided and should cover customer service and dealing with aggressive or abusive customers. Support and counselling should be available to victims of violence and aggression.

Incident management response plans should span the immediate aftermath to long-term learning and prevention. This includes:

1. Immediate incident response protocols (de-escalation, escape, calling security).

2. Post-incident support (counselling, occupational health referral).

3. Debriefing and lessons learned integration.

Incidents of violence and aggression should be recorded by the employer. This will assist in informing future control measures and help in the assessment of the employer's current control measures. A sample form for reporting incidents of violence and aggression is available in the HSA's Guidance on Managing the Risk of Work-Related Violence and Aggression.

The Role of the Safety Representative

The overall function of a Safety Representative is to consult with, and make representations to, the employer on safety, health and welfare matters relating to the employees in the workplace including violence and aggression in the workplace. Safety Representatives should:

- Raise the potential for such incidents with management and discuss what, if any, action is needed.
- Ensure that the employers' Safety Statement addresses the issues of violence and aggression at work and that prevention policies are in place.
- Ask about the provision of counselling services for employees who are victims of violence and aggression.
- Be consulted during risk assessments, not just after incidents.
- Participate in periodic reviews of prevention policies.
- Advocate for staff feedback mechanisms to monitor ongoing risks.

Action Checklist and Questions

Questions / Action Points

- Has your employer completed a work-related violence and aggression risk assessment?
- Have staff been consulted in the risk assessment of violence and aggression by your employer?
- Has your employer addressed violence and aggression in the Safety Statement?
- Is there an incident reporting procedure in place?
- Is there a communication stream between management and staff members relating to incidents of violence and aggression?
- Have staff been consulted by your employer in the production of work-related violence and aggresssion policies?
- Has your employer provided training, information and instruction on how to manage and react to an instance of violence and aggression?
- Are counselling services available for staff who have been subject to incidents of violence and aggression?

Conclusions

This chapter provides an overview work-related violence and aggression, how it can be defined and the various types of violence and aggression. This chapter also includes information about the sectors where incidents of violence and aggression can occur, as well as guidance produced by the HSA on managing the risk of work-related violence and aggression. Further, this chapter outlines the role of the Safety Representative providing an action checklist to aid potential Safety Representatives in protecting their colleague's safety, health and welfare in the workplace.

Further Information and Resources

HSA Resources

For further information, please see:

- Violence and Aggression (www.hsa.ie/violence_and_aggression)
- Guidance on Managing the Risk of Work-Related Violence and Aggression (www.hsa.ie/va-guidance)

Other Resources

For further information, please see:

- Workplace Violence and Harassment: A European Picture (https://osha.europa.eu/sites/default/files/2022-03/violence-harassment-report.pdf)

Part 8: Hazards in the Workplace

Chapter 48: Working On or Near the Road

Introduction

This chapter provides an overview of occupational safety and health considerations relating to working on or near the road.

Overview and Definition

Many different work activities are carried out on or near a road and each is associated with a unique set of risk factors. Working on roads carries a potential of high risk, often worsened by the unexpected and unforeseen. For example, drivers may not expect to encounter people at work, standing or slow-moving vehicles, pedestrians or cyclists.

Definition

The following definitions are referred to in Irish legislation:

(i) **'road'** – corresponding to the definition in the Roads Act 1993,
(ii) **'roadway'**– corresponding to the definition in the Roads Act 1993,
(iii) **'footway'** – corresponding to the definition in the Roads Act 1993,
(iv) **'cycle track'** – corresponding to the definition in Traffic Regulations 1997,
(v) **'Footpath'** is defined in the Construction Regulations 2013.

In general terms the **'road'** includes everything between the fences or between buildings, including footways, grass margins and verges. The 'roadway' is that part of the road normally used by vehicles, typically between the kerbs and including any hard shoulder.

Where the available road width is restricted by any construction work which involves the opening (opening includes, but is not limited to, removal of manhole covers and the opening of other access to utility services), excavating or breaking up of the road, or the road is obstructed by plant/equipment or by materials during the course of the work, the provisions under the Construction Regulations will apply. This includes the requirements for CSCS Sign Lighting and Guarding (SLG).

Jobs that involve working on or near a road include the following:

- Delivery drivers.
- Service Engineers.
- Emergency Service Workers (for example, fire brigade, ambulance personnel).
- Enforcement Bodies (for example, An Garda Síochána, HSA, Customs and Excise).
- Local Authority Staff (for example, school wardens, refuse collectors, landscapers).
- Vehicle Recovery Staff.
- Utilities installations and repair staff.
- Construction Personnel and road construction workers (general operatives, plant operators, pipe layers).
- Traffic management operations/traffic controllers.
- Statutory Undertakers (for example, ESB, Bord Gáis, Uisce Éireann).

Data and Statistics

Key Point

- In 2022, 11 of the 28 fatal incidents reported to the HSA involved vehicles (HSA, 2023).
- Of these, tractors were involved in five fatal incidents (45% of all fatal incidents involving vehicles).
- A quad bike, pneumatic tyred roller, lorry, kerbing machine and a JCB were each involved in one fatal incident.

Roles and Responsibilities

Under work health and safety laws, Employers are required to ensure the health and safety of workers and others so far as is reasonably practicable, including risks associated with working on or near the road. Hazards must be identified and detailed risk assessments carried as part of the Safety Statement so that appropriate controls are put in place to protect the safety and health of workers and road users. Employees must follow their employer's Safety Statement, policies and procedures and other requirements relating to the risk management for working on or near the roads. Under the health and safety laws, Employers and Self-Employed Persons have a duty to report to the HSA certain types of incidents, including dangerous occurrences, serious injury, illness, or death.

Hazards and Risks

A hazard is any potential source of harm. Hazards include practices, conditions, objects, and events that could have negative consequences for people, such as injuries to the driver, passengers, or other road users.

Risk is the possibility or potential for loss. It's the likelihood of personal injury, property damage, or another negative outcome if drivers or others on the roads are exposed to a hazard.

Examples of common hazards and risks when working on or near the road include:

- Being hit by moving vehicles.
- Other road users driving vehicles.
- Road users that are distracted, fatigued, or impaired.
- Road users that are confused by a new or temporary road layout.
- Impatient road users attempting to avoid traffic management constraints by travelling on footpaths, road shoulders, or opposing lanes.
- Workers creating a hazard for road users by the way the work is being done.
- Workers being hit by flying debris from passing vehicles.
- Drivers in vehicles entering the worksite and hitting/injuring workers or injuring themselves.
- People falling from vehicles.
- Objects falling from vehicles.
- People injured by vehicles overturning.
- Adverse weather (visibility, heat, cold).
- Lone working.
- Night work/shift work.

- Road traffic collisions.
- Overhead and underground services.
- Poor traffic management equipment and lack of traffic management plans.
- Slips/trips/falls.
- Manual handling.
- Noise.
- Vibration.
- Fumes.

Risk Assessment

Introduction

By law, employers and those who control workplaces to any extent, must identify hazards in the workplaces under their control and assess the risk presented by the hazards this includes when working on or near the road.

Identify Hazards

This can be done by:

- Observing the work area to identify areas where pedestrians and vehicles including road traffic vehicles interact.
- Asking workers, Safety Representative s, other contractors and other relevant parties about any potential hazards they may be aware off when planning to carry out work on or near the road.
- Reviewing incident and injury records including near misses (that is, known accident black spots).

Assess the Risks

When you've identified risks, consider how likely it is that they'll cause harm and how serious the harm could be. This helps determine what must be done do to control the risk and how urgent any follow up actions are. Most vehicle incidents that occur on or near the road are from collisions between pedestrians and vehicles that are reversing, loading, or unloading. It's important to control this risk by keeping people, away from vehicles as much as possible.

Control the Risk

Health and safety laws require Employers to do what is reasonably practicable to eliminate or minimise risks. Ways to control risks are ranked from the highest level of protection and reliability, to the lowest. This ranking is known as the hierarchy of risk control or principles of prevention. You must work through this hierarchy to manage risks.

Elimination	If possible, completely remove hazards from the workplace. This involves controlling the hazard at the source. Examples may include: – Removing plant and people from the same work area by changing work processes. – Using traffic lights instead of a traffic controller to control traffic at roadwork sites. – Only using machinery and vehicles when no pedestrians are around.
Minimise risks	If it's not reasonably practicable to eliminate the risk, consider one or more of the following options, in the order they appear below, to minimise risks: – **Substitute the hazard for something safer.** This involves replacing the hazard with another that has a lower risk. An example may include replacing an item of mobile plant, which has a restricted field of vision to one that has a clear field of vision. – **Isolate the hazard from people.** This involves removing or separating people from the source of the hazard. Examples may include using physical barricades, using exclusion zones that are enforced and clearly marked, segregating the work processes through distance and time; for example, allowing earthworks to finish before survey begins. – **Use engineering controls** to remove or reduce the risk. Examples may include: reversing cameras that provide clear visibility of the area behind the mobile plant, an externally triggered emergency brake control that will stop the vehicle prior to coming into contact with an object or person, proximity detection technology within mobile plant that allows for monitoring of ground crew at all times by the plant operator and audible warning devices activated when the vehicle is reversing.

Minimise the remaining risk

If the above control measures do not remove the risk, consider the following controls, in the order below, to minimise the remaining risk:

- **Use administrative controls.** This includes policies, procedures, signs and training to control the risk. Examples may include: traffic management plans for any traffic control activities being undertaken, developing and implementing a risk assessment method statement (RAMS) to identify any risks and implement controls measures to prevent or minimise the risk for any construction work being undertaken, using an onsite controller to authorise and monitor the movement of mobile plant in all circumstances, providing equipment such as two way radios that allows for communication between mobile plant and ground crew and conducting pre-start meetings prior to commencing work to discuss all specific work site hazards and risks and control measures.
- **Use personal protective equipment (PPE),** for example, high-visibility clothing.

Document the Risks

The risk assessments must be documented. The Risk Assessment(s) forms part of the Safety Statement.

Monitor and Review Risk Controls

Regularly review control measures to make sure they're working as planned and are effective. Take account of any changes and of the nature and duration of work. Employers must consult with employees and Safety Representatives on the outcome of risk assessments and any risk prevention and control measures determined.

High Visibility Clothing

High visibility clothing is a vital and necessary requirement in any workplace where a significant proportion of the work occurs near, in, on and around moving vehicles. It is also of critical importance for people working at night or in low-light conditions. An employer must assess the hazards in the workplace to identify the correct type of high visibility clothing to be provided and to make sure that it is appropriate to the risk(s) present in the workplace.

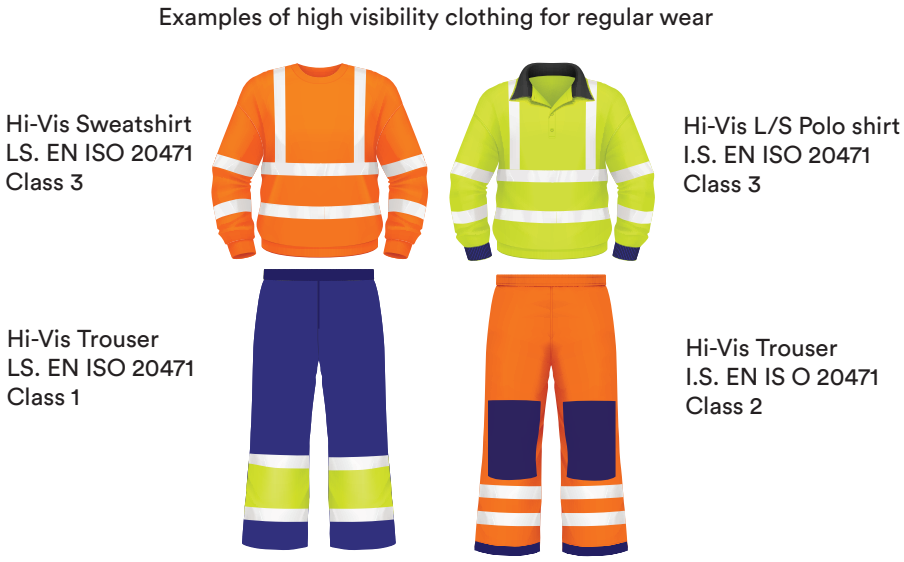


Figure 35. High visibility clothing.

High visibility clothing is personal protective equipment (PPE) and should comply with the requirements of the European Union (Personal Protective Equipment) Regulations 2018. I.S. EN ISO 20471:2013 & A1:2016 is an international standard for the safety requirements and test methods of high visibility clothing. It specifies requirements for "high visibility clothing which is capable of visually signalling the user's presence".

As is the case with all forms of personal protective equipment, the law obliges employers to provide any high visibility clothing needed for the job free of charge to any employees who may be exposed to significant risks to their safety and health.

Role of the Safety Representative

The overall function of a Safety Representative is to consult with, and make representations to, the employer on safety, health and welfare matters relating to the employees in the workplace including working on or near the roads.

Action Checklist and Questions

Questions / Action Points

- Are there persons working on or near the road at my orgnaisation?
- Have relevant risk assessments been undertaken for person working on or near the road?
- Is appropriate high visibility clothing available for all persons working on or near the road?

Conclusions

This chapter provided an overview about working on and near the road. It provides information about the steps that can be taken by an Employer to manage risks and highlights the duties surrounding consultation.

Further Information and Resources

HSA Resources

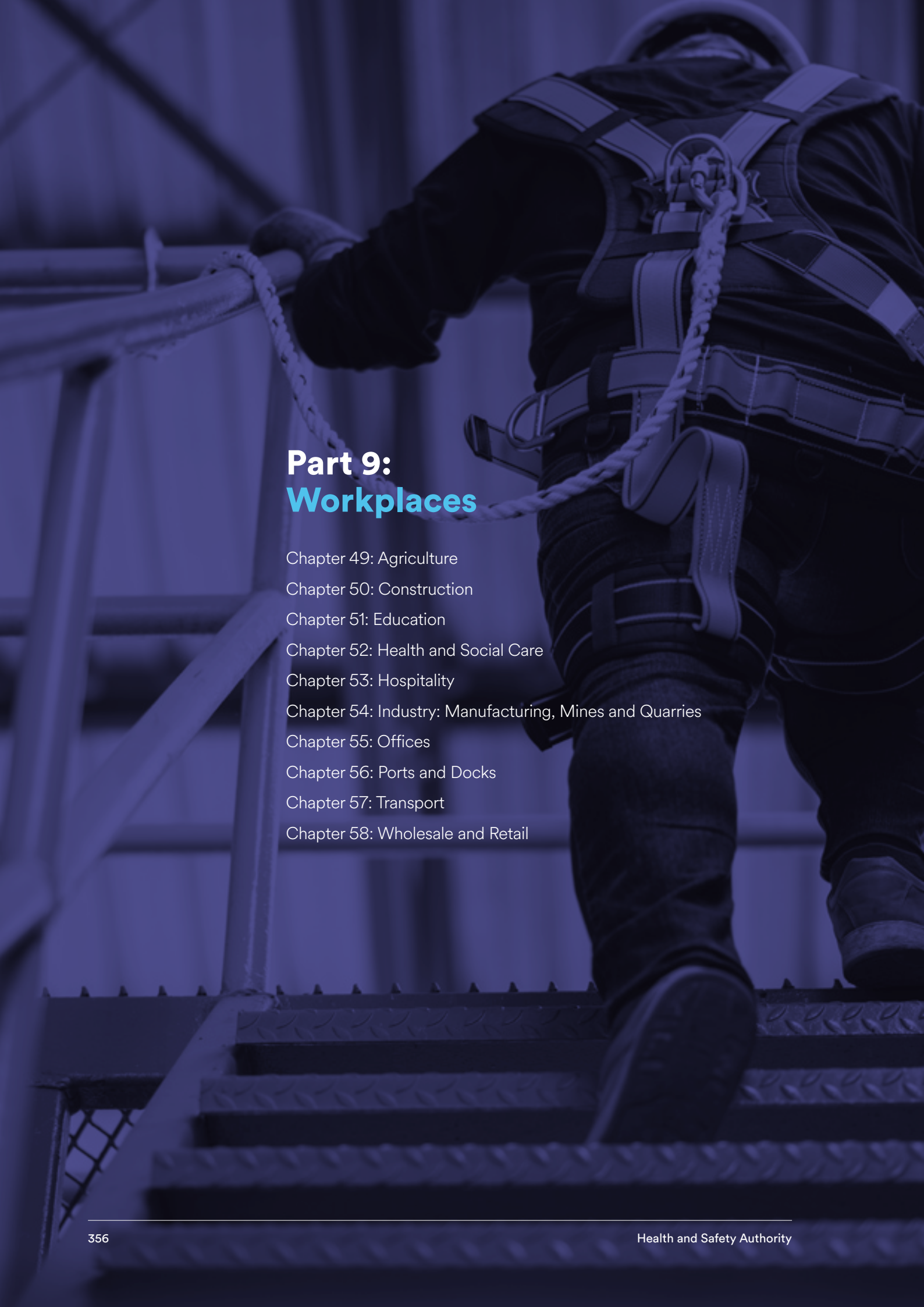
For further information, please see:

- Vehicle at Work Guidance & Resources (www.vehiclesatwork.ie)
- Roadworks - Frequently Asked Questions (www.hsa.ie/roadworks-faq)
- Working on Roads, Code of Practice (www.hsa.ie/road-working-cop)
- Guidelines for working on Roads (www.hsa.ie/road-working-guide)
- Vehicles at Work Guidance & Resources (www.vehiclesatwork.ie)
- Load Securing (www.hsa.ie/load-securing)
- Vehicle Operations (www.hsa.ie/vehicle-operations)
- High Visibility Clothing (www.hsa.ie/hi-vis-info-sheet)

Other Resources

For further information, please see:

- Traffic Sign Manual (https://www.trafficsigns.ie)
- Temporary Traffic Management Guidance Handbook (https://www.tii.ie/media/jvvfrr20/mgt0608-rps-rm-xx-rp-z-rp0001-tii-ttmgh-road-marking-booklet.pdf)



Part 9: Workplaces

Part 9: Workplaces

Chapter 49: Agriculture

Introduction

This chapter provides an overview of the critical health and safety issues facing the agricultural sector in Ireland.

Overview and Definition

Agriculture is a vital part of the Irish economy employing over 100,000 people across approximately 140,000 farms while contributing significantly to the GDP and exports. It provides about €24bn to the economy and accounts for almost 10% of exports each year.

Definition

The word **'Agriculture'** is used to denote the many ways in which crop, plants and animals are produced to sustain the human global population by providing food and other products (Harris and Fuller, 2014).

Many farmers are self-employed and often work alone. Therefore, farmers may not have a requirement to appoint a Safety Representative. However, it is essential for all individuals in the agricultural sector to familiarise themselves with the risks associated with their work. This knowledge is vital to ensuring both their own safety and the safety of others.

Hazard Identification and Risk Assessment

The main hazards on farms include:

- Machinery and Equipment Hazards
- Animal Hazards
- Chemical Hazards
- Confined Spaces and Suffocation Risks
- Falls and Structural Hazards
- Weather and Environmental Hazards
- Electrical and Fire Hazards
- Biological Hazards
- Ergonomic Hazards
- Fatigue, Stress and Mental Health Risks

Part 9: Workplaces

Chapter 49: Agriculture

Farming, like all sectors, is regulated by the SHWW Act 2005. Farmers with four or more employees are required to identify hazards, conduct risk assessments, and prepare a Safety Statement. This can be achieved using BeSMART.ie. There are different agricultural business types available on BeSMART.ie including Dairy Farm, Suckler Farm and Beef Farm. For those with three or fewer employees, compliance with the Act can be achieved by adhering to an approved Code of Practice in lieu of drafting a Safety Statement as outlined in Section 20(8) of the 2005 Act.

Data And Statistics

Summary

Farming is one of the most hazardous industries. 206 fatalities arising from farm accidents were reported to the HSA from 2013 to 2023. Despite only 6% of the workforce being employed in agriculture, the sector accounts for about 50% of workplace fatalities each year. Many victims of these accidents involve older adults and children.

Key Point

- Over half of farm fatalities in 2023 involved people 65 years of age and over.
- An analysis of farm fatality figures over the period 2013-2022 indicates that 190 people have died in farm accidents. The causes were:
  - Tractors/farm vehicles 45%.
  - Livestock 18%.
  - Falls from heights 11%.
  - Heavy Loads 8%.
  - Machinery 7%.
  - Drowning or gas (slurry pits mostly) 6%.
  - Other causes 5%

Action Checklist and Questions

Questions / Action Points

- Is there a valid Safety Statement in place (where appropriate)?
- Is the Farm Safety Code of Practice being followed (where appropriate)?
- Have all risks been identified and appropriately assessed and recorded in a risk assessment document?
- Have controls identified been implemented?
- Am I aware of the dangers involved in working with livestock and operating vehicles and machinery on the farm?
- Is my farm secure?
- Are children kept safe on the farm?
- Have I received appropriate training for equipment and machinery (where appropriate)?

Conclusions

Awareness of risks and proactive steps can significantly reduce incidents. The Health and Safety Authority's Code of Practice provides essential guidance for farmers, offering practical tools for hazard identification and risk management. By following these guidelines and promoting a culture of safety, the agricultural community can create a safer environment for all.

Further Information and Resources

HSA Resources

For further information, please see:

- Agriculture Code of Practice (www.hsa.ie/ag-cop)
- BeSMART.ie (www.besmart.ie)

Part 9: Workplaces

Chapter 50: Construction

Introduction

This chapter provides an overview of on the Construction Sector. Construction is a high-risk activity. Everyone involved in a building project must appreciate their role, from Client, Project Supervisor Design Process (PSDP), Designer, Project Supervisor Construction Stage (PSCS), Contractor and employees.

Overview and Definition

Definition

Construction refers to the process of building, assembling, or creating something, typically structures like buildings, roads, or bridges.

The building of a new office block or housing estate is construction. However, there are many other tasks that may come under the definition of construction work. The following is a list of activities that can be classified as construction:

- Alterations
- Converting
- Fitting out
- Commissioning
- Renovating
- Repairing
- Upkeep
- Decorating
- Maintaining
- De-commissioning
- Demolishing
- Dismantling
- Assembling

The Construction Sector

While construction work represented approximately 6% of the working population in 2020, it accounted for almost 30% of all workplace fatalities.

With a rapidly growing industry, costs can increase. Also, skill shortages can develop for certain professions and trades. Safety and health on site can be affected by increased numbers of new entrant workers to the sector. Research by the Economic and Social Research Institute (ESRI) in 2018 reported that construction workers in their role less than six months were two to three times more likely to be injured at work, as compared with more experienced workers.

All stakeholders in the sector will need to work together to help put in place the supervision, instruction and training necessary to prevent new workers and those returning to the sector from being injured on-site.

A foundation stone of the proper management of activities of construction projects is ensuring the appointment by the client of competent duty holders for all projects.

Data and Statistics

Key Point

- 49% of fatalities between 2016 and 2020 involved a fall from height (HSA, 2021).
- In 2020 the fatality rate for construction workers was 8.9 per 100,00 workers compared to the industry average of 1.8 per 100,000 workers (HSA, 2021).

Construction has the second highest rate of accidents/per sector (behind agriculture), with most sectors having much lower rates of fatalities amongst workers.

The most common trigger for construction related fatalities in the period 2016 to 2020 was fall from height, which accounted for 24 out of 49 fatalities (HSA, 2021). Other significant triggers of construction related fatalities included:

- loss of control of vehicles,
- collapsing excavations, and
- falls of objects.

The analysis of the triggers or causes of accidents suggests that the main issues are:

- Manual handling,
- Falls on the same level,
- Falls from height.

Health And Safety Issues

While the construction sector grows it is vitally important that the health and safety of construction workers is prioritised. Good management of workplace health and safety is important for any company aiming to survive and thrive in the industry today. Health and psychosocial risks encountered on construction sites also need to be managed and prioritised.

It is known that occupational illnesses are also a major cause of harm to workers. Work-related illnesses can lead to long-term consequences such as ill-health, impairment or death. Construction workers may be exposed to chemicals and dangerous substances such as asbestos, silica or diesel exhaust, as well as exposure to ultraviolet (UV) radiation when working outside.

Supports For Construction Workers

Construction Workers Health Trust

Since 2004, the Construction Health Workers Trust (CWHT) have provided health checks for more than 75,000 Irish construction workers at their own workplaces. The CWHT uses the most up to date portable diagnostic equipment. All test results are given to the worker on the spot. Every worker also receives a copy of the Good Health Booklet which explains all test results.

- Telephone: 01-7093070
- Website: www.cwht.ie
- Email: CWHT: info@cwht.ie

The Lighthouse Construction Industry Charity

The Lighthouse Construction Industry Charity is a charity that provides emotional, physical and financial wellbeing support to construction workers and their families. They provide a free and confidential 24/7 Construction Industry Helpline, which is a free Employee Assistance Programme for the industry. Whether you are an employer or an employee, the helpline provides the first point of contact for those who need to access a range of completely confidential support services.

- Helpline Phone: 1800 939 122
- Text: HARDHAT to ROI 50808
- Website: www.lighthouseclub.org

CAIRDE - Suicide Prevention in the Construction Industry

International research shows that construction workers may be at higher risk of mental health issues and suicide compared to the general population. This initiative aims to reduce suicide stigma, enhance knowledge of suicide and mental health issues, and increase help-seeking and help-offering in the construction industry.

- Website: https://www.mhfi.org/cairde.html

Other / Mental Health Issues

In an emergency, contact:

- Samaritans (116 123)
- Pieta House (1800 247 247)
- Lighthouse (1800 939 122)
- Text HELLO to 50808

Action Checklist and Questions

Questions / Action Points

- Does the Safety Statement include all known hazards/risks?
- Are health and psychosocial risks encountered on construction sites managed and prioritised?
- Do workers know where to look for support, if needed?

Conclusions

This chapter provides an overview of the construction sector which remains one of the most dangerous to work in. Falls from height remain the biggest cause of fatal and serious accidents, along with exposure to chemicals, silica dust, noise, ultraviolet radiation (working outdoors) and manual handling, which can cause long-term health issues if not properly managed.

Further Information and Resources

HSA Resources

For further information, please see:

- Construction (www.hsa.ie/construction)
- BeSMART.ie (www.besmart.ie)
- Employee Information Sheet Silica Dust (www.hsa.ie/silica-info-sheet)
- Employee Information Protect Your Skin When Working Outdoors (www.hsa.ie/sunsmart-info-sheet)

Other Resources

For further information, please see:

- Construction Workers Health Trust (https://www.cwht.ie)
- Lighthouse Club (https://lighthousecharity.org/ireland/)
- Men's Health Forum in Ireland (https://www.mhfi.org/cairde.html)

Part 9: Workplaces

Chapter 51: Education

Introduction

This chapter provides an overview of how health and safety is managed at schools and the role the Safety Representative, if one exists. It sets out the contents of a Safety Statement and explains how to devise a risk assessment. Managing safety, health and welfare in your school involves on-going activity throughout the year. It revolves around the written Safety Statement which should be reviewed and updated as required.

Overview and Definition

The education sector in Ireland consists of a structured system of early childhood, primary, secondary, and higher education, along with vocational training and lifelong learning programmes. It is regulated by the Department of Education and various government agencies to ensure quality and accessibility.

Definition

The **education sector** in Ireland includes primary, secondary, third level and further education.

The HSA and Education Sector

As indicated in the table below, the education sector, including primary, secondary, third level and further education, continues to be a focus for the Health and Safety Authority. An inspector might call to your workplace as part of a routine inspection, to investigate a reported workplace incident, or in response to a referral, complaint or protected disclosure. Most inspections are unannounced. Inspectors may want to speak to the Safety Representative, where one exists, or members of your Safety Committee. The Safety Representative may accompany the inspector during the inspection.

Year	Inspections	Investigations	Total HSA Interactions
2022	237	12	249
2023	302	7	309
2024	273	4	277

Part 9: Workplaces

Chapter 51: Education

Occupational Health and Safety Roles and Responsibilities in Schools

The Board of Management or Education and Training Board (ETB) is responsible, as employer, for ensuring, the safety, health and welfare at work of its employees and of those directly affected by the work activities of the school. However, everybody in the school has a role to play in ensuring good safety, health and welfare within the school. This includes teachers, special needs assistants, ancillary staff, students, parents, visitors and contractors.

The law requires that the school has a Safety Statement (containing risk assessments), which is a live written document detailing how safety, health and welfare is managed in the school. It includes the school structures, planning activities, practices, procedures, and resources for implementing and maintaining safety, health and welfare.

Guidance and Resources

In relation to risk assessment, the HSA has produced guidelines (and risk assessment templates) for both primary and post primary schools. These are available on the HSA website.

In addition, the Safety Statement can be produced using the HSA's online tool BeSMART.ie. BeSMART.ie is a free online Safety Statement and risk assessment tool that can be completed in 4 simple steps. The HSA does not have access to the end user's information (that is, risk assessments and safety information). BeSMART.ie has a specific business type for both Primary Schools and Post Primary Schools. Schools are not required to develop Safety Statements/risk assessments using BeSMART.ie but may do so if they wish.

Role of the Safety Representative

The role of a Safety Representative is to represent colleagues (including non-teaching staff) in consultation with the employer on matters relating to safety, health and welfare. The Safety Representative may consult with and make representations to the principal or the Board of Management/ETB on safety, health and welfare matters relating to employees in the school.

All the staff of the school (that is, teaching and non-teaching, permanent and temporary) are entitled to select and appoint a Safety Representative to represent them in consultations with the employer on matters of safety, health and welfare in their workplace.

The principal may ask the Safety Representative and teachers to complete a risk assessment for their classroom as the teacher is familiar with the activities carried out there and are dealing with the hazards daily. It is still the Board of Management/ETB who has overall legal responsibility for the risk assessment.

Action Checklist and Questions

Questions / Action Points

- Does your school/college have an up-to-date Health and Safety Statement outlining risks, policies, and responsibilities?
- Are regular risk assessments conducted for classrooms, laboratories, sports facilities, playgrounds, and workshops?
- Are fire alarms, extinguishers, and evacuation routes maintained?
- Are enough staff members trained in first aid and CPR?
- Do all staff know how to report safety incidents at work?

Conclusions

This chapter provided an overview of the role of the Safety Representative and the HSA in the education sector. The education pages on the HSA website feature a large array of materials for the education sector. In addition, the BeSMART.ie platform can be used.

Further Information and Resources

HSA Resources

For further information, please see:

- BeSMART.ie (www.besmart.ie)
- Safety and Health in Education (www.hsa.ie/education)
- Primary School Awareness Raising Courses on hsalearning.ie (www.hsa.ie/primary-online-courses)
- Post-Primary School Awareness Raising Courses on hsalearning.ie (www.hsa.ie/post-primary-online-courses)

Part 9: Workplaces

Chapter 52: Health and Social Care

Introduction

This chapter provides an overview of the health and social care sector.

Overview and Definition

Definition

The **health and social care sector** is a broad industry that provides medical, personal, and social support services to individuals and communities. It focuses on promoting well-being, preventing illness, and supporting those in need of care due to age, disability, illness, or social circumstances.

Overview of Health and Social Care Sector

The health and social care sector is one of the largest employment sectors in the country. There are over 360,000 people working in the sector. Their workplaces are diverse, including acute hospitals, nursing homes, dental clinics, primary care centres, residential care premises, community staff visiting patients in their homes and social care workers facilitating service user outings in public settings.

The range of occupations working in the sector is extensive. It includes doctors, nurses, care assistants, ambulance staff, physiotherapists, speech and language therapists, home care workers, social workers, to mention just a few. Nurses are the largest occupational group, representing one-third of all employees in the sector. Many of those employed in the sector are agency workers.

Due to the complex nature of the work involved with patients and service users, the health and safety challenges facing workers in this sector must be considered. This includes for example, the use of complex equipment, carrying out inherently difficult procedures, and caring for and supervision of service users with challenging behaviours.

Data and Statistics

Key Point

- The fatality rate in the sector is relatively low. There were two fatalities reported by the sector in the last seven years (that is, from 2018 to 2024).
- The number of incidents reported for the sector represents approximately 23% of the total reported to the Authority.
- The Health and Social Care sector reports the highest rate of occupational illness 52.4 per 1,000 workers (over four-day work-related illness averaged over 5 years 2018 – 2022, CSO).

The HSA analysis of reported accidents and incidents indicates that the main accident triggers in health and social care include:

- **Manual handling (including patient handling and the handling of inanimate loads).**
- **Slips/trips/falls on the same level.**
- **Violence and aggression.**

Other accident triggers reported from this sector include driving for work, needle stick injury and contact with hazardous substances. Given that there is a high level of accident reporting in the sector, the figures are good indicators of the overall accident trends.

Research by EU-OSHA indicates that the main risk factors in the health and social care sector include:

- **Psychosocial such as violence and aggression, harassment, traumatic incidents, the organisation of work and relations with work colleagues that contribute to work-related stress, lone working, shift work and night work.**
- **Ergonomic such as linked to lifting loads, prolonged standing, high workload and working in awkward postures.**
- **Biological agents such as blood-transmitted pathogens and infectious micro-organisms.**
- **Chemical such as the use of drugs or hazardous chemicals.**
- **Physical such as slips, trips and falls, ionising radiation, and noise.**

Part 9: Workplaces

Chapter 52: Health and Social Care

The Safety, Health and Welfare at Work Act 2005 requires employers to manage safety and health at work. Risk assessment and effective health and safety management are the key to preventing and reducing health and social care workers' exposure to work hazards.

Evidence shows that the more committed leaders and senior management are to safety, health and welfare enhancement, the greater is the level of commitment of the workforce. This in turn promotes the prevention of workplace accidents and illnesses.

Please see below a summary of fatalities, injuries and illnesses in Health and Social Care.

	2021	2022	2023
Number employed	313,700	341,325	360,525
Fatalities	0	0	2
Accidents/injuries/illnesses			
- Reported to the HSA	1,857	2,070	2,326
Causes/Trigger of accidents			
- Manual handling	538	559	227
- Slipping/falling	385	430	443
- Aggression/violence/shock	353	398	414

Please see below an analysis of HSA Health and Social Care inspection findings.

	2021	2022	2023
Inspections/ Investigations	445	510	622
- Prohibition Notices	0	1	1
- Improvement Notices	13	12	28
- Written advice	342	342	470

Based on findings by HSA Inspectors, most workplaces in the sector have Safety Statements and health and safety consultation arrangements in place. In the sector, 65% of workplaces inspected by the HSA in 2023, had a Safety Representative.

The Role of the Safety Representative

The Safety Representative needs to be aware of the issues that most impact employees and other workers in health and social care workplaces. The Safety Representative can consult the sector specific guidance and resources available on the HSA website.

Action Checklist and Questions

Questions / Action Points

- Is there a Safety Statement for your workplace?
- Are there risk assessments addressing the hazards in your workplace?
- Are the risk assessments been brought to the attention of the employees who require them?
- Are risks associated with work-related violence and aggression/challenging behaviour assessed?
- Are there systems in place for managing challenging behaviour?
- Does your organisation identify lone working as a hazard?
- Has instruction, information and training been provided to all staff, including agency workers?
- Have manual handling of inanimate loads and people moving and handling tasks been assessed?
- Have all manual handling and patient handling instructors received QQI Level 6 Manual Handling and/or Patient Handling instruction qualification?
- Do you have a lifting equipment register? Has a report of thorough examination been completed as required under the General Application Regulations 2007?
- Are all HSA reportable accidents, incidents and dangerous occurrences reported as required to the HSA?
- Are you aware of the HSA resources available specifically for the Health and Social Care sector at www.hsa.ie?

Conclusions

This chapter provided an overview of health and safety statistics, occupational safety and health issues and the role of the Safety Representative in the health and social care sector.

Further Information and Resources

HSA Resources

For further information, please see:

- Health and Social Care Sector (www.hsa.ie/health-social-care)
- Occupational Safety and Health and Homecare (www.hsa.ie/osh-home-care-infosheet)
- Guidance on Managing the Risk of Lone Working in the Health and Social Care Sector (www.hsa.ie/lone-working-healthcare)
- Health and Safety at Work in Residential Care Facilities (www.hsa.ie/residential-care)
- Guide to the European Union (Prevention of Sharps Injuries in the Healthcare Sector) Regulations 2014 (www.hsa.ie/eu-guide-sharp)
- Guidance on Safety with Patient Hoists and Slings in Health and Social Care Settings (www.hsa.ie/patient-hoists)
- Health and Social Care Awareness Raising Courses on hsalearning.ie (www.hsa.ie/health-social-care-courses)
- BeSMART.ie (www.besmart.ie)

Other Resources

For further information, please see:

- Health and Social Care Sector - EU-OSHA (https://osha.europa.eu/en/themes/health-and-social-care-sector-osh)

Part 9: Workplaces

Chapter 53: Hospitality

Introduction

This chapter provides an overview of the hospitality sector.

Overview and Definition

The hospitality industry is the fourth largest employer in the country. The industry spans people working in hotels, restaurants, cafes, pubs, fast food outlets, contract catering and clubs with food. The sector contributes significantly to the country's tourist economy. The hospitality sector employs many migrant workers.

Definition

The **hospitality sector** is a broad industry that focuses on providing services related to leisure, entertainment, and customer experience. It includes businesses that offer food, drinks, accommodation, and tourism-related activities.

Data and Statistics

HSA data shows one fatal accident in this sector in 2020, one in 2022, and two fatal accidents in 2024.

Key Point

Over 10 years from 2013 to 2022, the sector reported an average 188 accidents per year. The HSA's analysis shows that the most common causes or triggers of accidents are:

- Manual Handling
- Slips, trips and falls
- Loss of control of an item

Part 9: Workplaces

Chapter 53: Hospitality

Safe Hospitality

HSA Guidance on Safe Hospitality

The HSA provides detailed advice on safety hospitality covering Manual Handling, Slips, Trips and Falls, Cuts, Falling Objects, Fall from Height, Burns and Scalds, Construction, Workplace, Automatic Light Switches, LPG/ Gas Safety, Staff Security, Fire Safety, Noise, Safety Signs, First Aid, Electricity, Legionnaires' Disease, Emergency Precautions, Machinery/ Equipment, Display Screen Equipment (DSE), Water Boiler, Café Sets, Workplace Vehicle Safety, Chemical Safety, Asbestos, Personal Protective Equipment (PPE), Special Risk Groups, Stress and Bullying.

Safe Hospitality – Kitchen Equipment

The HSA provides detailed advice on kitchen equipment covering Deep Fat Fryers, Steam Equipment, Extract Canopies, Ovens, Ranges, Microwave Ovens, Bains- Marie, Hot Counters and Cupboards.

Safe Hospitality – Bars

The HSA provides detailed advice on bars covering pub cellars/keg stores and cellar hatches.

Safe Hospitality – Housekeeping

The HSA provides detailed advice on housekeeping covering room servicing and laundry rooms.

Safe Hospitality – Leisure Areas

The HSA provides detailed advice on leisure areas covering Groundskeeping, Leisure Water, Pools, Health Suites, Treatment Areas, Gyms, Fitness Rooms and Children's Play Areas.

Safe Hospitality – Machinery/ Equipment in Larger Premises

The HSA provides detailed advice on Machinery/Equipment in Larger Premises covering Slicers, Food Processors, Planetary Mixers, Mincers, Low-height Cookers, Steaming Ovens, Grills, Multi-purpose Cooking Pans (Brat Pans), Bulk Boiling Pans and Tilting Kettles, Urns, Flambé Lamps, Dishwashing, Waste Disposal Units, Waste Compactors, Balers and Lifts.

Safe Hospitality – The Law

The HSA provides advice on the law covering the Main Legal Requirements, Risk Assessments, Safety Statement and Powers of Inspectors.

Safe Hospitality – Simple Safety

Please see the Safe Hospitality Simple Series available on the HSA website for a concise summary of safety in the hospitality sector.

Action Checklist and Questions

Questions / Action Points

- Are there risk assessments addressing the hazards in your workplace?
- Have all staff received training in relation to safe systems of work?
- Have all staff access to the Safety Statement?

Conclusions

This chapter provided an overview of safety in the Hospitality sector.

Further Information and Resources

HSA Resources

For further information, please see:

- Catering and Hospitality (www.hsa.ie/catering)
- BeSMART.ie (www.besmart.ie)

Part 9: Workplaces

Chapter 54: Manufacturing, Mines and Quarries

Introduction

This chapter provides an overview of Manufacturing, Mines and Quarries.

Overview and Definition

Manufacturing processes are vital to meet the demand for various consumer goods. Manufacturing spans several industries from biopharmaceuticals, engineering, medical technology, building materials and food production. The industry ranges from small to medium enterprises (SMEs) to multinational companies, and from sole traders to incorporated companies.

Definition

Manufacturing is the process of turning raw materials or parts into finished goods using tools, human labour, machinery, and chemical processing.

Manufacturing provides employment across a broad range of occupations. This includes operatives, technicians and trades, engineering professionals and technology professionals (FORFAS 2020). There are approximately 275,000 people employed throughout Ireland in the manufacturing sector – that is, 11% of the total employment in the Irish economy (Ibec, 2023).

Introduction to Mining and Quarrying

Mining and quarrying is the process of removing rock, sand, gravel or other minerals from or below the ground in order to use them to produce materials for construction or other uses.

Quarries are also known by other names around the world: 'surface mine', 'pit,' 'open pit' or 'opencast mine'. Within Ireland, the largest quantity of mineral extracted by quarrying is used for construction and is known as 'aggregates'.

Definition

A **quarry** is any such working on the surface of the earth where minerals are extracted and a 'mine' is defined legally as an underground working.

There are approximately 350 large commercial quarries operating throughout Ireland. Traditionally the Quarry industry has had a high incidence of accidents. Falls from height and falling objects, slips and trips, operation of vehicles, operation of crushers, conveyors, sizers and other machinery, maintenance activities, drowning's and blasting incidents account for most of the accidents at quarries and ancillary plants. In almost all instances, these accidents are avoidable.

The causes of accidents in the industry are not new and good management procedures, effective planning of tasks and identification of risks and implementation of control measures should significantly reduce the likelihood of incidents and accidents occurring.

There have been several initiatives to address these accident causes. The HSA works with the Irish Concrete Federation (ICF) and the Irish Mining and Quarrying Society (IMQS) and other stakeholders through a HSA led forum called the 'Quarry Safety Partnership'. These initiatives include Quarries legislation with comprehensive guidance, industry seminars and quarry safety weeks.

Accident Statistics

Key Point

- There have been 22 workers killed in manufacturing sites in the last 10 years (HSA, 2024).
- There were 3 workers killed on mining and quarrying sites in the last 10 years (HSA, 2024).
- There were 15,261 non-fatal incidents in manufacturing sites reported to the HSA between 2014 and 2023.
- There were 425 non-fatal incidents on mining and quarrying sites reported to the HSA between 2014 and 2023.

Quarries and Mines

Overview

The Quarry industry in Ireland is a significant sector of the Irish economy. There are two main types – rock quarries and sand and gravel pit quarries.

Rock Quarries

Rock quarries are usually deep quarries and are operated on several different levels or "benches". The first production stage is usually a carefully controlled explosion that releases and breaks up the rock into large lumps. A large truck or conveyor then takes it to a powerful crusher, where it is broken down into aggregates and separated into different sizes.

Sand and Gravel Pits

Sand and gravel pits are shallower than rock quarries because the deposits are usually less than the equivalent of one bench of a rock quarry. The material is excavated with a mechanical shovel and is then carried by a conveyor to a plant where it is crushed, washed and screened into different sizes.

Rocks as Aggregates

'Aggregate' is the term used for rock that has been broken into small pieces, either by nature or by people. Aggregates consist of two main types - crushed rock and sand and gravel.

Limestone is the most extracted mineral although other types of rock and aggregates are produced. Over 2 million tonnes of finely crushed limestone are used each year to improve lime-deficient soils in many parts of Ireland. Stone, sand, and aggregates are used as the main ingredients to produce value-added products such as cement, concrete, blocks, pre-cast sections, asphalt, tiles, and other products (HSA, 2024).

Mines

There are two underground mines currently operating in Ireland. These are in Counties Meath (Tara) and Monaghan (Drummond). One of the mines - Tara produces lead/zinc concentrate, making Ireland one of the largest producers of zinc concentrate in the EU. Drummond Mine produces Gypsum for the Construction and Construction Products industries.

Legislation Relevant to Manufacturing Industries

All manufacturing enterprises, regardless of numbers employed must comply with relevant health and safety legislation. The key Acts and regulations pertinent to manufacturing are:

- Safety, Health and Welfare at Work Act 2005
- Safety, Health and Welfare at Work (General Application) Regulations 2007
- 2008 European Communities (Machinery) Regulations
- Safety, Health and Welfare at Work (Construction) Regulations 2013
- Safety, Health and Welfare at Work (Chemical Agents) Regulations 2001 to 2021

Chemical manufacturers may also have duties laid down by the Chemicals Act 2008 and 2010.

Quarries Regulations and Guidance

The Safety, Health, and Welfare at Work (Quarries) Regulations, 2008 apply to all quarries operating in the Republic of Ireland. The Safety, Health, and Welfare at Work Act, 2005 and several Regulations made under this Act apply to quarries as well. The Safety, Health, and Welfare at Work (Quarries) Regulations, 2008 are specific to quarry operations and require an operator to be appointed. There are particular responsibilities assigned to the operator to manage and control operations at the quarry, including management of the extraction faces, tips, stockpiles, and lagoons, blasting activities, traffic management and health hazards. (HSA 2024).

Mines Regulation and Guidance

The Safety, Health and Welfare at Work (Mines) Regulations apply to all mines where persons work and set out duties on the owner, operator, manager and employees at a mine with respect to persons at or in the area immediately surrounding a mine.

Main Hazards Associated with Manufacturing, Mining and Quarrying

Manual Handling

Approximately one third of all reportable injuries to the HSA are manual handling injuries. Manufacturing, Mining and Quarry industries often involves manual lifting: lifting, carrying, pushing, and pulling. Manual handling injuries that occur in manufacturing industries are sprains and strains, back injuries involving injury and damage to discs, foot injuries and abdominal injuries.

The most common causes of Manual Handling injuries include:

- Lifting or moving an object that is too heavy or awkward or an unstable load.
- Repetitive manual handling work, which may cause wear and tear.
- The environment, including tripping hazards, space available and visibility when moving the object.
- Personal risk factors such as strength, height, underlying health conditions or pregnancy.

Controls include:

1. Avoid manual handling where possible.
2. Identify the manual handling tasks that need to be assessed and carry out a risk assessment based on the risk factors.
3. Where Manual Handling cannot be avoided then measures must be taken to minimise the risk:
   - Use tools to determine the level of Manual Handling (for example, MAC and RAPP Tool).
   - Design the workplace to minimise the manual handling involved.
   - Use mechanical/lifting aids where possible.
   - Train employee in the correct techniques for manual handling jobs.
   - Regular breaks and job rotation where possible.

Slips, Trips, and Falls

Slips, trips and falls are the second most reportable accidents in the manufacturing and quarries industry. Factors in Slips, Trips and Falls (STF) include wets stairs and steps (especially descending), vehicles (especially exiting vehicles), ice (snow), walkways, uneven surfaces, floor cleaning, entrances and exits.

Controls include:

- Use suitable flooring with no obstructions.
- Conduct a risk assessment by identifying the hazard areas, assessing the slip risk, and implementing suitable controls. Controls can include regular checks and cleaning of vehicle steps, controls for icy weather and designated and clear pedestrian walkways.
- Maintain staff awareness using area audits, toolbox talks and noticeboards. There needs to be timely reporting of Potentially Hazardous situations.

Work at Height

Working at Height (WAH) is one of the most hazardous activities in the Manufacturing and Quarry Industries. Employers are legally required under Part 4 of Safety, Health and Welfare at Work (General Application) Regulations 2007 to ensure that work at height is planned, supervised, and conducted by competent personnel. The main causes of accidents and incidents are:

- Over-reaching (for example, attempting to access machinery or tools).
- Balancing on uneven surfaces.
- Working on unguarded mezzanines.
- Elevated Platforms with inadequate guarding.
- Loading and unloading vehicles.
- Unguarded holes and water sources.

Controls Measures include:

- Hazard Elimination: Doing work at ground level rather than at heights.
- Passive Fall Protection: Physical barriers like guardrails.
- Fall Restraint: Use of PPE to restrict range of movement.
- Fall Arrest: Use of PPE to arrest a fall.
- Administrative Controls: Work Practices that increase awareness of a fall hazard.

Examples of common areas of working at height in manufacturing can be assembly for large machinery production, working off mezzanine levels in food processing and slaughtering, inspecting tankers and carrying out maintenance work.

In quarrying, there is often a need to carry out maintenance activities at height. Examples of this would be work on inclined conveyor delivery rollers, motors and gearboxes or at crusher tipping points, tanks, vats and hoppers. When work at height is necessary, the risk assessment should identify how the staff will access the area and what is the most appropriate suitable system to allow the job to be done. Every working platform to facilitate work at height needs to be sufficiently strong, properly supported and provided with double handrails. If the is potential for debris to fall or be kicked off, a kicking board should also be provided.

Ladders are for short term access only. They are not working platforms and consideration should be given to the use of scaffolds or Mobile Elevated Work Platforms (MEWPS) where maintenance work is being carried out.

Many accidents occur because of debris left on walkways so these should also be kept clear.

Machinery

Machinery is essential for the Manufacturing and Quarry industries. In engineering, furniture and food manufacturing there are several types of machinery with rotating parts. For example, lathes, pillar drills, CNC machines, routers, planers, conveyors and various hand tools.

In mines and quarries machinery is generally very large consisting of mobile and fixed crushers and larger scale conveyors and transport machinery such as dumpers, 360 excavators and lorries.

The main causes of accidents and incidents are:

- No isolation/ Lock Out Tag Out Try Out (LOTOTO) procedures for planned or unplanned maintenance.
- Unguarded machinery where guards are broken/missing or have been removed.
- Lack of maintenance leading to failing parts.
- Lack of employee training and experience.
- Employee fatigue or distraction.

The main hazards associated with machinery are:

- **Entanglement:** When a worker's body part or loose items worn by him/her get caught in the moving machine parts.
- **Impact:** Impact from moving machine parts or pressurised fluid jets that can cause abrasions and bruises.
- **Cutting:** Contact with moving cutting elements such as blades that can cause severe injuries or amputations.
- **Electrica:** Contact with faulty electrical components in machines such as live wires that can cause electrocution.
- **Heat:** Contact with hot machine surfaces that can cause skin burns.

Before any work equipment or machinery is used or installed a risk assessment must be conducted. The risk assessment should identify ways in which the hazards and risk may be eliminated or reduced.

The selection of suitable machinery is a key element in any business. The following is important for the purchase of relatively simple machinery:

- The absence of any obvious defect or uncontrolled hazard.
- The presence of CE marking.
- Supply of a Declaration of Conformity with the Machinery Directive 2006/42/EC either as a separate document or part of the user's instructions.

- Supply of instructions for use.
- Ensure the machine has adequate guarding to prevent access to moving parts likely to cause injury.
- Fixed guards should be used where possible. Other guards may be interlocked guarding or photoelectric or pressure-sensitive guards.
- Operating controls that prevent machines from being accidentally turned on.
- Suitable emergency stop controls.
- Fail to safety systems' which prevent the machine from operating if there is a fault.
- A way of disconnecting the equipment from its power source 'Lock Out Tag Out Try Out.'

Work-Related Vehicle Safety

One of the many hazards in the workplace is the interaction of pedestrians or drivers with vehicles and mobile plant. The main causes of accidents and incidents are:

- No traffic management plan with controls in place. For example, one-way systems, pedestrian vehicle segregation, speed limits, suitable crossing points on road-ways.
- Brakes not being applied/not working when the driver exits vehicle leading to crushing.
- Poor condition of routes: uneven ground, potholes and debris.
- Employees driving machinery without training (for example forklift trucks).
- Blind spots: Many workplace vehicles (for example, forklifts, loading shovels and excavators) have blind spots. Pedestrians are at risk of being run over if they are in the operator's blind spot.
- Visitors who are unfamiliar with workplace operations can be at a higher risk of injury.
- Non-observance by pedestrians and drivers of traffic controls.
- Driver distraction which leads to a lapse of concentration.

Controls include:

- Have a Traffic Management Plan in place based on Risk Assessments.
- One-way systems in place where practicable.
- Pedestrian activity within the vehicle's operational routes is restricted.
- Pedestrian routes are clearly identified and appropriate.
- Vehicle routes have sufficient clearance from doors, gates and routes used by pedestrians.
- Where vehicles and Pedestrians share routes, there must be adequate safety clearance between vehicles and pedestrians.

- Where practicable, pedestrian routes or zones should be established and designated with suitable signs, barriers and road markings particularly where plant is operating or manoeuvring.
- Drivers are to apply handbrake when exiting the vehicle.
- Vehicles may require chocking when being loaded or unloaded.
- All drivers of vehicles should have suitable training.
- Regular maintenance and daily checks of vehicles.
- Visitors should be able to park their vehicles in safety without interacting with workplace traffic and proceed to reception using a safe route free from vehicles.
- Visitors are supervised and controlled from the time they enter a workplace to the time they leave.
- Contractors should have the traffic management rules fully explained to them and if necessary, provided with a copy of the traffic management rules.

Questions / Action Points

- Is a Safety Statement prepared and signed by the most senior person in the organisation?
- Have Risk Assessments (RA) for specific tasks been undertaken and documented with controls in place?
- Have the hazards that apply to all workers been documented in the Safety Statement?
- Is there a need to translate any occupational safety and health information to take account of potential language barriers (for example, migrant workers)?
- Are there permits to work in place (for example, working at height, hot works, confined space, working over water)?
- Is there a procedure in place for planned and unplanned (Lock out, Tag out, Try out, [LOTOTO])?
- Is training, including induction training, provided to all new employees?
- Is there contractor induction carried out?
- Have contractors prepared Safety Statements and specific risk assessments before work commences?
- Do contractors have suitable training for the relevant tasks?
- Are daily checks carried out on machinery?
- Are reports of examination carried out on relevant machines at the required intervals?
- Are regular audits carried out to ensure controls are in place or are still effective?

Further Information and Resources

Conclusions

Manufacturing and Quarrying environments can be high risk activities if not managed properly. However, when managed correctly and good implementation of control measures, the risk of injury and ill health is reduced.

HSA Resources

For further information, please see:

- Quarrying (www.hsa.ie/quarrying)
- Quarries Regulations and Guidance (www.hsa.ie/quarries-regs-guidance)
- Quarrying in Ireland (www.hsa.ie/quarrying-ireland)
- Guide to 2005 Act (www.hsa.ie/2005actguide)
- Manufacturing (www.hsa.ie/manufacturing-stats)
- Safe Quarry - Guidelines to the Safety, Health and Welfare at Work (Quarry) Regulations 2008 (www.hsa.ie/safe-quarry-guidelines)
- Safe Quarry - A Guide for Quarry Workers (www.hsa.ie/safe-quarry-guide)

Other Resources

For further information, please see:

- IBEC – Unlocking Ireland's Manufacturing Potential (https://www.ibec.ie/playback/2023/11/13/unlocking-irelands-manufacturing-potential)
- IBEC – Manufacturing in Ireland (https://www.ibec.ie/manufacturinginireland#:~:text=Each%20year%2C%20the%20manufacturing%20sector,€208%20billion%20in%202022)
- Irish Mining and Quarrying Society (https://imqs.ie/health-and-safety/regulations-and-laws/)
- Directive 2006/42/EC on Machinery (https://osha.europa.eu/en/legislation/directives/directive-2006-42-ec-of-the-european-parliament-and-of-the-council)
- SOLAS - Quarries Skills Certification Scheme (https://www.solas.ie/construction-lp/qscs/)

Part 9: Workplaces

Chapter 55: Offices

Introduction

This chapter gives an overview of how to identify hazards and eliminate or reduce risks to employees performing office-related work. It provides resources for people involved in office environments, whether in traditional workplaces or from home. This includes employees, employers, managers, supervisors and Safety Representatives.

Overview and Definition

Most organisations have office-related work. Offices can vary from multistorey, air-conditioned buildings to small areas that are part of warehouses, factories, hospitals and homes.

Definition

An **office** is a physical or virtual space where professional, administrative, or business work is conducted.

Technological advances and the increase of flexible and portable equipment has expanded the office environment into areas outside the traditional office. For example, onsite locations, vehicles and the home. It is important that occupational health and safety (OHS) practices keep pace with the rapid changes in office-related work.

Common Hazards in Office Work and Injury Causes

While hazards in an office may not always be as obvious as those in factories, office workers can face a range of health and safety issues. These include:

- Poor job design, such as prolonged repetitive work or moving heavy loads.
- Unhealthy environmental conditions, such as inadequate lighting or excessive noise.
- Poor office design, such as unsuitable workstations or equipment.
- Psychological hazards like aggression or violence and bullying.
- General health and safety issues, such as infectious diseases or injuries.

There is not a specific NACE category for office work. The top causes of injuries in office work settings include:

- Slips on wet or contaminated or uneven floors.
- Trips and falls over cables, boxes, and on stairs or steps.
- Falls from chairs and desks when using inappropriate access equipment to reach items/areas.
- Movement and handling of goods and materials.
- Poor workstation layout, equipment and design.
- Psychosocial factors.

Office Physical Factors

Introduction

Offices contain a diverse range of people with a wide variety of needs and capacities. Good job and work environment design relies on matching the work and environment to employees' needs, capacities and abilities.

Manual Handling

Manual handling refers to any activity requiring a person to exert force to lift, lower, push, pull, carry or otherwise move, hold or restrain something. Manual handling becomes hazardous manual handling when it involves:

- Repeated or sustained force.
- Sustained awkward posture.
- Repetitive movements.
- Exposure to sustained vibration.
- Application of high force, whether once or repeatedly, that may reasonably cause difficulty.
- Handling people or animals.
- Loads that are unstable, unbalanced or hard to hold.

Examples of manual handling tasks commonly performed in offices include:

- Lifting and carrying boxes of photocopying paper.
- Moving office furniture and equipment such as computers and printers.
- Handling large files, books and legal documents.
- Prolonged or intense keyboard or mouse use.
- Opening and closing filing cabinet drawers.
- Reaching high or bending low to retrieve boxes or other items.

Musculoskeletal Disorders

Musculoskeletal disorders (MSDs) is a collective term for a range of conditions with or without visible symptoms and with discomfort or pain in:

- muscles,
- joints,
- tendons, and
- other soft tissues.

MSDs arise in whole or in part from hazardous manual handling and are usually associated with tasks involving:

- repetitive movement,
- sustained or unnatural postures, and
- forceful movements.

Past names for some of these conditions include occupational overuse syndrome or repetitive strain injuries. MSDs can occur suddenly. For example, from forceful exertion in a bent or twisted posture, such as lifting a box of photocopying paper from the floor. They can also develop over a prolonged period. Many MSDs occur due to daily work involving stationary postures that result in muscle fatigue. For example, holding the telephone or repetitive work such as keyboard and mouse tasks.

Conditions with this type of gradual onset are more common in office work than sudden injuries. MSDs may result from a combination of both. For example, if body tissue weakened by cumulative wear and tear is vulnerable to sudden damage from a strenuous task.

Environmental conditions and psychosocial hazards may also increase the risk of MSDs associated with hazardous manual handling. Environmental conditions may include:

- vibration,
- heat,
- noise,
- humidity,
- cold and wind,
- slippery and uneven floor surfaces,
- obstructions, and
- poor lighting.

Office Environmental Factors

Designing a healthy and safe working environment

Health and safety issues that can arise from environmental factors in offices. These include lighting, noise, thermal comfort and air quality.

Lighting in offices

Good lighting is essential in the office so employees can work productively and comfortably. Appropriate lighting can help prevent incidents in the workplace by increasing visibility and safety. When deciding on lighting for a workplace, consider:

- The nature of the work activity.
- The tasks or activities performed, and how often and for how long these are performed.
- The nature of hazards and risks in the workplace.
- The work environment.
- The amount of light in an area, both natural and artificial.
- The number, type and position of light sources.
- Changes in natural light during the day.
- Contrasts.
- Reflections.

In general, good lighting should allow employees to easily view their work and environment without straining their eyes. However, different activities require different levels and qualities of light. The visual demands of the work will determine the lighting needs of an area. Activities that do not need a high level of visual acuity, also known as clarity or sharpness of vision, do not need high levels or quality of light. For example, walking through a corridor. On the other hand, tasks such as drawing or checking a document for errors involve fine and detailed work. They require a moderate to high level of visual control, and greater levels and a higher quality of light.

Glare in a Work Area

Glare occurs when one part of an area is much brighter than the background or vice versa. For example, if a bright window is behind a computer screen, the contrast between dark and light can be so great that the eyes must adapt constantly to the change. This can cause eye fatigue and headaches, as well as make it harder to view the screen.

There are several ways to reduce glare, including:

- Controlling natural light from windows. For example, blinds enable employees to adjust the light in their work areas.
- Reducing the contrast between the foreground and background. For example, using a slightly darker partition with a matte surface reduces the contrast between a computer screen and the surrounding area.
- Repositioning the workstation to reduce the light falling on the work surface.
- Reducing the general lighting to suit the task being performed.

Reflections from a Work Surface

Light reflected from a surface can make it difficult to see what is on the surface. For example, it can be difficult to read a screen when light from artificial lighting or windows reflects onto the screen. To identify reflections, observe a work surface or screen and ask the operator if reflections make it difficult to see their work. Don't forget, light from windows changes during the day and with the seasons. To check for reflections, hold a sheet of paper above a computer screen or place a mirror over the work surface to reveal the source of reflections visible from the usual working position. Check whether the mirror shows overhead lighting or other sources of light as a problem for that work surface. Controls for reflections include positioning computer screens side-on to the main light source. A light screen background also reduces difficulties caused by reflections.

If the reflection problem remains, consider moving the workstation to another position. Removing reflections is important when the screen is used for prolonged periods. Use the controls in this guidance rather than screen filters. These can reduce the quality of the screen display and require regular cleaning. Annoying reflections can also occur in workplaces where there are highly polished floors or glass-covered wall paintings. Employers should address these issues when planning and setting up an office. Even glossy paper documents can reflect light and become unreadable.

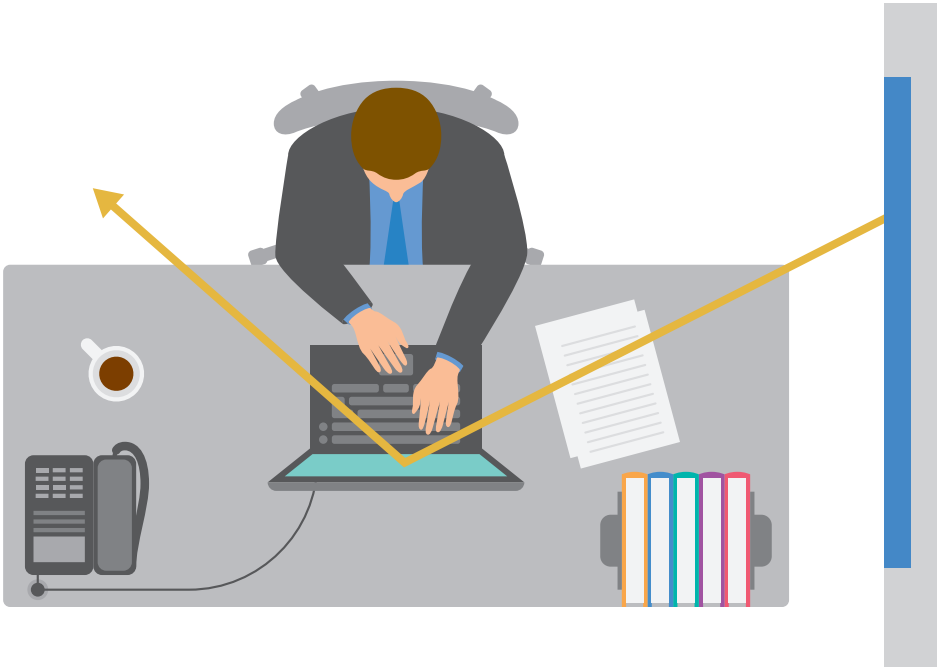


Figure 36. Preferred placement of the screen to reduce reflections.

Shadows Across a Work Surface

Shadows can reduce the visibility of work, add to glare problems, and lead to poor posture.

Holding a piece of paper above the viewing surface can show if shadows fall over that work surface. A person's posture can also indicate if shadows affect their work.

The main ways to reduce shadows are:

- increasing the number and spread of overhead lights,
- moving work,
- redirecting lighting, and
- removing or relocating barriers that prevent light falling on the work surface.

An adjustable task lamp can provide lighting where:

- shadows are a problem,
- light from a particular direction is required, and
- an increase in general lighting is not practicable.

However, a task lamp can create pools of light that force eyes to adapt rapidly when looking at the whole work surface. For this reason, removing the barriers to light falling on the work surface is the preferred control measure to remove shadows.

Posture and the Visual Environment

When employees find it difficult to see what they are working on, they may:

- lean closer to the object, and
- bring it closer to their eyes.

In both cases, this may lead to an awkward posture. If an employee adopts poor posture to read or see their work, then shadows, glare or reflection may be a problem. Employees who report discomfort at work should be observed performing their usual duties. A well-supported, neutral posture is less likely to result in discomfort. If an employee is not well supported by their chair, leans towards their work or adopts a hunched-over posture, there may be a problem caused by:

- poor lighting,
- poor screen design or position, and
- uncorrected visual problems.

If lighting is contributing to poor posture, the location and all aspects of lighting relative to the task need to be considered. For example:

- Is a shadow being cast over the work surface?
- Is there enough light for the task being performed?
- Are reflections or glare causing the employee to adopt an unsatisfactory posture?

Where visual problems are thought to exist, advice should be sought from a medical specialist or optometrist.

Visual Fatigue

Eye muscles can become tired when constantly focused on close work. To identify if visual fatigue is an issue in the workplace, ask employees if they get tired eyes or other eyestrain symptoms.

To control visual fatigue, employees can change their focus. For example, by looking out a window or to a picture along a hallway. This will exercise other muscles of the eyes while resting the tired muscles. A helpful approach is the 20-20-20 rule: for every 20 minutes of computer work, look 20 metres away.

Job Design

Physical Job Design

It is important that physical job design fits with how our bodies operate. Points to consider include:

- Joints should be in relaxed and comfortable positions. This makes the work of muscles, ligaments and tendons around joints more efficient. Where extreme positions must be used, they should be held for as little time as possible and not repeated often.
- The work should be as close as possible to the body to minimise stress on the body when reaching to perform a task.
- Commonly accessed items should be stored between hip and shoulder height where possible to avoid bending over and reaching up.
- Repetitive tasks such as using a keyboard and mouse should be performed only for short periods at a time. These tasks are best interspersed with other tasks requiring different postures and movements. For example, collecting work at the printer, reviewing, photocopying and distributing documents.
- Static or fixed postures should only be held for short periods of time and mixed with different tasks.
- Job design should allow employees to sit, stand or walk a short distance as a normal part of their duties.
- Employees should avoid exertion from the use of excessive force.
- Exertion of force should be done in an upright posture, without twisting the spine and preferably using both hands equally.

As the working day progresses, it becomes more important to provide work with different mental demands, changes in posture and more frequent work breaks.

Task variety

It is important to include task variety in the design of work. Task variety is best done by mixing intensive keyboard use and other computer use with a variety of other work. The different tasks should involve a change in posture and muscles used. For desk-based employees, height adjustable desks can help provide a different work posture through the day.

Breaks

Rest or work breaks can range from short pauses to defined breaks, such as meal breaks. Answering the phone or collecting a document from the printer are short breaks that provide an opportunity for:

- muscles to rest and recover from keyboard and mouse use, and
- muscles and joints to move after being in fixed positions.

Where a variety of alternative tasks is not available, it is important to have more work breaks away from the task. The length and frequency of these breaks depends on the work, the person and other factors. Frequent short pauses are preferable to infrequent longer pauses.

Exercises

Exercises during breaks can provide changes in posture and movement for muscles and joints during periods of intense work. Exercises may be useful where there are no alternative tasks available, but exercises should not replace other controls. Exercises should be gentle movements and stretches that provide:

- rest for frequently used muscles, and
- movement for muscles and joints that have been static.

The best exercise is usually to get up from a seated position and move around.

Work Adjustment Periods

An adjustment period is often needed when an employee:

- returns from a period of absence, and
- starts working on a new task or with new equipment.

The adjustment period will depend on the:

- individual,
- equipment,
- environment, and
- duration of computer-based work involved.

Where there is highly repetitive work, such as keyboard and mouse use, consider an adjustment period involving reduced workloads or a greater variety of tasks than usual. Gradually reintroduce highly repetitive or demanding work.

During employee absences, work should not be left to pile up for the employee's return. Letting work accumulate can cause an overload that can increase the risk of:

- an MSD, and
- psychological harm and loss of job satisfaction.

Action Checklist and Questions

Questions / Action Points

- Do risk assessments addressed office based work?
- Have all office based staff received training in ergonomics and manual handling?
- Are regular audits carried out to ensure that controls are in place or are still effective?

Conclusions

This chapter gives an overview of how to identify hazards and eliminate or reduce risks to employees performing office-related work. It provides resources for people involved in office environments, whether in traditional workplaces or from home.

Further Information and Resources

HSA Resources

For further information, please see:

- Slips, Trips and Falls (www.hsa.ie/slips)
- Manual Handling and Display Screen Equipment (www.hsa.ie/Manual_Handling)
- Physical Agents (www.hsa.ie/physical-agents)
- Remote Working (www.hsa.ie/remote-working)

Part 9: Workplaces

Chapter 56: Ports and Docks

Introduction

This chapter provides an overview of the hazards that employees are exposed to when they work in a port or dock environment. It also highlights the important role that a Safety Representative can play in improving health and safety management in these workplaces.

Overview and Definition

Ports and docks generally connect land-based means of transport (vehicles and trains) with ships. Most ports and docks in Ireland are sea-based facilities.

Definition

Ports and docks are maritime facilities located on a coastline, river, canal or lake which provide infrastructure for the mooring of ships and for the loading and unloading of passengers and cargo.

An analysis of recent non-fatal incidents in ports and docks indicates that the most common type of incidents involves slips/trip/falls on the same level, manual handling activities (pushing, pulling, lifting and carrying), body movements and falls from height.

Ports and Docks as Workplaces

Ports and docks serve as crucial hubs for global trade, facilitating the movement of goods and commodities. However, the varied and complex nature of the work activities that routinely take place in many ports mean that they can be very hazardous workplaces. Some hazards are unique to port/dock areas while others are common in many workplaces but manifest themselves in unique ways in the port environment. While every port or dock is unique in terms of its physical configuration and range of activities, all work in ports and docks can be carried out safely provided:

- there are safe systems of work,
- appropriate risk assessments have been conducted,
- the necessary control measures are communicated to those concerned and implemented by them.

Ports are generally considered to lie within the transport sector. Because ports generally have a lot of large equipment and moving vehicles close to pedestrians, traffic management presents a significant risk. This means that effective traffic management plans provide a core control measure in port areas. Pedestrians and quay workers should wear high visibility clothing, always be aware of traffic and cargo handling and use the designated pedestrian walkways.

Hazards in Ports and Docks

There are a wide range of hazards in ports and docks, for which appropriate risk assessment and mitigation are required. The following is a non-exhaustive list of hazards commonly seen in ports:

- Quay stability and load bearing capacity.
- Environmental hazards – weather, wind and tide.
- Slips, trips and falls.
- Falls from height (persons and material).
- Manual handling.
- Working on or near water and quayside edge protection.
- Cargo handling (RO-RO and LO-LO) Tugs and Cranes.
- Importation & movement of vehicles.
- Exposure to noise, dust and hazardous cargoes.
- Load securing, loading and unloading activities.
- Ship navigation and mooring operations.
- Pilotage activities.
- Ship/shore access arrangements.
- Working on unfamiliar ships and interaction with ship's crew.
- Use of lifting equipment, mobile equipment and other machinery (both port and ship's equipment).
- Haulage and transport activities.
- Hoppers delivering materials into trailers hauled by trucks or tractors and laden weights.
- Entry into confined spaces (for example, ships hold, silos and containers).
- Storage and handling of dangerous cargoes including flammable and explosive materials.
- Construction activities.
- Railway activities.
- Fumigation activities.
- Passenger Ferry/ Cruise liners.
- Traffic management and speed controls.

Action Checklist and Questions

Questions / Action Points

- Is there a safe system of work at my workplace?
- Are safety policies and procedures regularly reviewed and updated?
- Are emergency response plans in place and understood by all workers?
- Are there safe operating procedures for loading/unloading cargo?
- Are workers properly trained in safe handling of cargo and equipment?
- Do workers have the necessary PPE for their tasks?
- Are vehicle and pedestrian traffic routes clearly marked?
- Are there proper spill response measures for hazardous cargo?

Conclusions

This chapter provides an overview of the hazards that employees are exposed to when they work in a port or dock environment.

Further Information and Resources

HSA Resources

For further information, please see:

- Docks (www.hsa.ie/docks)
- The Docks Code of Practice (www.hsa.ie/docks-cop)

Other Resources

For further information, please see:

- Port Skills and Safety (https://www.portskillsandsafety.co.uk)
- Safety and Health in Ports (https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_dialogue/@sector/documents/normativeinstrument/wcms_546257.pdf)
- Maritime (https://www.gov.ie/en/department-of-transport/organisation-information/maritime/)

Part 9: Workplaces

Chapter 57: Transport

Introduction

This chapter provides and introduction to the transport sector and workplace transport safety.

Overview and Definition

Workplace transport safety refers to the management of risks associated with vehicles and pedestrian movement in workplaces, such as factories, warehouses, ports, docks, construction sites, and distribution centres. It involves preventing accidents involving vehicles, ensuring the safe movement of goods, and protecting workers and visitors.

Definition

- EU-OSHA defines **workplace transport safety** as the prevention of risks related to the use of vehicles in a work environment, excluding public road traffic. It covers all aspects of vehicle movement within workplaces, such as factories, warehouses, ports, construction sites, and farms.
- **Transportation and storage** refers to the movement and safekeeping of goods, materials, and products throughout the supply chain.

Transportation and storage is the business area concerned with the transport and movement of people, mail and goods and with the storage, warehousing and logistics activities that support such transport. The transportation and storage sector includes a range of work activities such as:

- transport by road and rail,
- water transport,
- air transport,
- storage and warehousing and support activities for transport,
- postal and courier activities.

Data and Statistics

Key Point

- Over 118,000 people are employed in this sector (Labour Force Survey Q3, 2004).
- Over a 5-year period (2019-2023) there were 16 fatal incidents in the transportation and storage sector. This represents 9% of all fatal accidents in this period.
- This sector has the third highest rate of fatal accidents, after Agriculture/Farming/Fishing and Construction.
- There were 1038 non-fatal incidents reported in this sector in 2023, accounting for 10% of all reported non-fatal incidents. Notably, Transport/Storage has the highest rate of reported non-fatal injuries across all sectors, with a rate of 916 per 100,000 workers.
- The most common causes of accidents include falls on the same level, manual handling (lifting, carrying, pushing, pulling, twisting and turning), loss of control of means of transport, and falls from height.

Key Hazards

Introduction

There are several key hazards which are common to many organisations involved in the transport and storage of goods.

Traffic Management

Poor traffic management can present risks of:

- Collisions,
- Serious personal injury to workers,
- Serious personal injury to visitors or members of the public,
- Vehicle damage,
- Property damage.

Employers must develop and implement a traffic management plan that lays out the designated traffic routes and pedestrian walkways at the place of work. There may be several components to a traffic management plan, including but not limited to the following:

- Clear segregation of pedestrians and vehicles.
- Physical barriers and protecting structures.
- Restricted access for un-authorised personnel.
- Designated areas for deliveries, loading and unloading.
- Designated and marked crossing points.
- Designed canteen and welfare facilities with safe access route(s).
- Appropriate arrangements for reversing and turning vehicles.
- Directional signage, speed limits, signals and road markings.
- Auxiliary devices and visibility aids both on vehicles and in the workplace.
- Training and induction for employees, visitors and hauliers.
- Lighting.
- Housekeeping.
- High visibility clothing.

Regulation 14 of the Safety, Health & Welfare at Work (General Application) Regulations, S.I. No. 299 / 2007, outlines the duty of the employer in relation to the movement of pedestrians and vehicles in danger areas.

Load Securing

Load securing is the securing of cargo for transportation. Cargo that is improperly secured can cause severe accidents and lead to the loss of cargo, vehicles and lives or may cause environmental hazards. The safe loading of vehicles and securing of the load is vitally important in preventing injury to people and damage to property that can arise from the movement or loss of the load.

Hazards associated with load securing include:

- Unrestrained goods may crash into the vehicle cab during emergency braking.
- Loads which have shifted, may have to be manually removed from the vehicle which may increase the risk of an injury or a fall from the vehicle.
- Items falling out of vehicles at delivery sites causing injury and/or property damage.
- Drivers, vehicle occupants, other road users, pedestrians and anyone who may be involved in loading and unloading the vehicle could be injured or killed.
- Unsecured loads or objects may fall from vehicles and can cause road obstructions, traffic disruptions and collisions especially if drivers lose control of their vehicle or swerve to avoid fallen items.
- Spillages may cause other vehicles to skid and lose control of their vehicle.
- Unstable loads collapsing during transit or unloading resulting in damage to goods.
- Failure to secure a load properly can also result in financial losses.

Under the Safety, Health and Welfare at Work Act 2005 (No. 10 of 2005), employers must ensure systems of work are planned, performed and maintained for securing and transporting loads. Employers must ensure that adequate equipment is provided and maintained for securing loads. The table below provides some key considerations for load management.

Plans and procedures	Appropriate plans and procedures must be in place for securing loads and for dealing with an emergency such as a load shifting.
Instruction, information and training	Drivers and staff involved in the loading and unloading of cargo must be provided with instruction, information, and training about securing loads.
Vehicle choice and condition	The vehicle must be suitable for the type and size of the load and must be maintained in good condition. A walk-around check of all essential safety equipment should be carried out in advance of each journey and associated records maintained.
Drive Safely	Use appropriate driving methods. Take account of effects of the load on the vehicle's driving mechanism and check the load and restraints during the journey.
Restrain your Load	Road users carrying a load either on the back or top of a vehicle or trailer are responsible for ensuring that it cannot move, flap, sway or blow off. The load must be correctly positioned to maintain adequate stability, steering and braking and not overload tyres and axles. The load must not exceed the load-bearing capacity of the vehicle and/or trailer. Provide adequate load restraint. Every load must be restrained to prevent unacceptable movement during all expected conditions of operation. This includes emergency braking. Where possible, loads should be loaded so that they are against, and below, the headboard of the vehicle/trailer body, enabling the headboard to become part of the load securing system. The headboard should be strong enough to prevent the load from moving. The headboard offers critical protection to the driver. The load restraint equipment and the vehicle body and attachments must be strong enough for each type of load carried and must be in good working condition. Chains or straps should be properly rated. Loads must not hang over wheel guards, lights or number plates. A tarpaulin, net or other appropriate means should be used to cover garden waste and rubbish or other loose materials such as soil or sand, so they don't fall out. If using a curtain-sided vehicle, the general rule is that the curtain has no load-bearing function and should not be considered as part of any load restraint system unless the side curtains and the trailer body are purposely designed according to EN12642-XL. If the curtains have been designed as an integral part of a restraint system, the load capability should be clearly marked on the vehicle. This approach is only suitable for full loads. For groupage and part loads the load must still be secured with correct lashing equipment.

Maintenance of Work Equipment

There are two types of maintenance required for work equipment, including means of transportation.

- Reactive maintenance to immediately fix any defects or issues that arise with the equipment.
- Regular preventive maintenance to prevent any potential safety hazards that can result from poor maintenance practices.

Hazards associated with the maintenance of workplace equipment include:

- **Entrapment:** A body part gets caught in parts of the work equipment.
- **Impact:** A body part can be crushed by moving equipment parts.
- **Contact:** A body part touches dangerous surfaces, such as hot surfaces and sharp edges.
- **Entanglement:** Hair, clothes or jewellery get caught within the equipment.
- **Ejection:** Materials or parts of the equipment are ejected and can come into contact with the body.

Action points to eliminate or manage the hazard include:

- Ensure meaningful risk assessments are carried out for all workplace equipment with all hazards identified, including hazards associated with maintaining the equipment.
- Inspect all work equipment at regular intervals, maintaining the records.
- Have appropriate preventative maintenance programmes in place (meeting at a minimum the manufacturer's instructions).
- Ensure any maintenance is carried out in a safe environment.
- Ensure proper equipment is used for maintenance.
- Follow safe work practices and ensure staff are trained and competent to carry out maintenance.
- Ensure maintenance teams complete final checks of maintenance works to ensure everything is as it should be before the equipment is put back into use.
- Ensure records of previous maintenance are available for review by employees or by a Health and Safety Inspector.

Work Equipment for Lifting Goods or Persons

The Safety, Health & Welfare at Work (General Application) Regulations 2007, (S.I. No. 299/2007) defines lifting equipment as work equipment for lifting, lowering loads or pile driving, and includes anything used for anchoring, fixing or supporting such equipment. Examples of lifting equipment include forklift trucks, cranes and mobile elevated work platforms.

Some of the hazards associated with lifting equipment are

- Poorly maintained lifting equipment.
- Loose, incorrectly or poorly slung fittings and fixtures.
- Unstable or poorly loaded cargo.

The Safety, Health & Welfare at Work (General Application) Regulations 2007, (S.I. No. 299/2007) state that all lifting equipment must be thoroughly examined and tested in accordance with the timeframes set out in Schedule 1 of the Regulations and that records of such examinations and tests are kept. These examinations are commonly referred to as 'Reports of Thorough Examination'. The Regulations dis-tinguish between lifting equipment used for lifting persons and those for lifting ma-terials. Schedule 1 Part B of the Safety, Health & Welfare at Work (General Application) Regulations, 2007 defines the period of thorough examination of lifting equipment, lifting accessory equipment or other miscellaneous equipment. Lifting equipment used for lifting materials must be certified at least every 12 months. Lifting equipment and attachments used for lifting persons, must be certified at least every 6 months. Reports and registers of lifting equipment must be kept at the place of work when the lifting equipment is permanently located there.

Regulation 42 of The Safety, Health & Welfare at Work (General Application) Regulations 2007, (S.I. No. 299/2007) details the duties of employers in respect of lifting equipment. All lifting operations must be properly planned and supervised. Machinery for lifting loads must be clearly marked to indicate its safe working load. Furthermore, lifting equipment must be operated by a competent person or by a person who is under the direct supervision of a competent person for the purpose of training.

In most circumstances, the use of non-integrated baskets for lifting persons is prohibited as this equipment is not designed for lifting persons. Lifting persons in non-integrated baskets can only be conducted in exceptional circumstance and based on a comprehensive risk assessment by the employer demonstrating that this is the safest and most appropriate work equipment for the work in question and ensuring that all potential risks to the safety of employees have been mitigated.

Industrial Trucks

An industrial truck is a powered truck used to carry, push, pull, lift, stack or tier materials. They can be powered by electric or combustion engines. They come in all shapes and sizes. Forklift trucks are the most common type of industrial truck found in workplaces.

Industrial trucks are involved in many workplace incidents. Injuries resulting from industrial trucks incidents are generally very serious because of the size and weight of the truck. The most common types of incidents involving industrial trucks are:

- A person struck by a moving truck,
- A person struck by a load falling from the truck,
- Overturn of the truck,
- Fall from a height,
- A person trapped between the mast and overhead guard,
- Fire or explosion when replenishing the energy source.

Crush and foot injuries tend to be common injuries suffered by pedestrians or operators.

It is vitally important for the safety of workers that the operation of industrial trucks is properly managed. To effectively control industrial truck risks an all-inclusive safe system approach is required. The Safe System approach recognises that safety education and training alone cannot eliminate adverse incidents. The focus must also be placed on the arrangements in the workplace and the behaviour of operators, supervisors and other persons in the workplace.

The four areas of intervention of the Safe System approach are:

1. Safe workplace
   - Segregation of vehicles and pedestrians to the greatest extent possible.
   - Provision of safe working environment.
   - Suitable pedestrian routes.
2. Safe vehicle
   - Pre-use checks and a preventative maintenance programme.
   - Report of Thorough Examination certificates for lifting equipment.
3. Safe operator
   - Training operators in all the tasks they are expected to perform.
   - Monitoring and supervision of work activities, including use of the restraint system.
4. Safe vehicle operations
   - Parking.
   - Loading and unloading.
   - The correct use of attachments.
   - Training and instruction for all people in the vicinity of operating trucks, including the use of Hi-visibility PPE.

Warehouse Design and Layout

Warehouses should be designed and laid out to allow for safe movement of goods, materials and people. Regulation 5 of the Safety, Health & Welfare at Work (General Application) Regulations 2007 states that employers shall ensure that buildings which house places of work shall have a structure and solidity appropriate to the nature of their use.

Floors should be even, non-slip, clear of obstacles and be capable of bearing the load to which they may be subjected by loaded shelving, racking, vehicles, industrial trucks or lifting equipment. Storage areas and aisles should be clearly marked out on the floor. Aisles should be wide enough to ensure that mechanical handling equipment can be easily manoeuvred without risk to pedestrians. Pedestrian walkways should be clearly marked and segregated from loading/unloading areas and areas where vehicles or lifting equipment are operated. Good housekeeping should ensure that all work areas, offices, storage areas and aisles are always tidy and free of obstacles.

Racking

Racking storage systems are a type of work which must be designed, provided and maintained so that they are safe and without risk to health. The most commons hazards with storage and racking systems are goods falling from the racking or collapse of the racking system itself, with potentially very serious implications. The most common causes of these accidents include improper installation or maintenance, impact from industrial trucks, overloading or improper load distributions and structural damage to the racking.

Racking and storage systems should be designed and installed to meet the user's operation and according to manufacturer's specifications by an appropriately qualified competent person. Once installation is complete, and before the racking is put into service, an inspection must be carried out by a competent person to ensure that the racking is installed correctly and operating properly.

A Safe Worling Load (SWL) notice should be fixed to the racking system to show how the system should be loaded and the maximum capacity of each bay and section of racking.

Racking should always be used in accordance with the manufacturer's instructions. Ranking should follow the general principles listed below.

- Bays and beams should be loaded in accordance with the S.W.L notice fixed to the racking. Any overloading should be addressed immediately.
- Loads should be stacked evenly, straight and securely and should not over hang the edge of the racking system. Heavier items should be placed on the lower or middle shelves of a racking system.
- Racking is designed to have the correct type and size of pallet placed carefully in the right place using the correct mechanical handling equipment.
- Pallets used for storage of material should be structurally sound and placed correctly on racking.
- Pallets must not be slid into position but lowered slowly onto the rack.
- The rack must not be hit.
- If the rack is hit it should be reported immediately so that the necessary action can be taken.

It is not acceptable practice to

- Position a pallet against the rack upright or beam end connector.
- Nudge one pallet with another, in the attempt to move or re-align loads.
- Drag or slide pallets on or against the support beams or structure.

Industrial trucks used to load and unload racking should be appropriate for the racking configuration.

Once racking has been installed, it needs to be carefully maintained. Racking should be protected physically and should never be climbed on or overloaded. Racking should never be altered or welded without first consulting the manufacturer.

All work equipment, including racking, is subject to varying levels of deterioration. In accordance with Regulation 30 of the Safety, Health and Welfare (General Application) Regulations 2007 employers are required to set up programmes to maintain the integrity of work equipment by a system of ongoing monitoring which will detect deterioration in sufficient time to allow remedial measures to be taken. The employer should designate an appropriate person within the warehouse to carry out regular periodic inspections of racking to detect damage to racking components or inappropriate use of racking. This can involve checking the following:

- All structural elements of the racking (uprights, beams, braces, footplates and struts) should be straight and damage-free.
- Anchors attaching racking to the floor should be damage-free and appropriately tightened.
- Post guards should be appropriately secured.
- All components should be present, including ties and safety pins.

The employer should ensure that the racking system is periodically inspected by a SEMA approved Racking Inspector (SARI). This inspection should be conducted at least annually. The employer should consider having one or more employees trained as SEMA approved Racking Inspectors (SARI). The employer should encourage employees to report any damage to racking and storage systems immediately. If damage is detected, the damaged position should be isolated, unloaded and not put back into use until repairs have been conducted by a suitably qualified and competent person.

Action Checklist and Questions

Questions / Action Points

- Is there a traffic management plan in place for your workplace and are all staff familiar with it?
- Is there a risk assessment in place for the following work activities:
  - Work equipment and use of same, including lifting equipment.
  - Load securing, loading and unloading.
  - Deliveries (where appropriate).
  - Maintenance of vehicles and work equipment.
- Is there a preventative maintenance regime in place for all work vehicles and work equipment?
- Are 'Reports of Thorough Examination' available for lifting equipment?
- Are vehicles used for transporting loads suitable for the load in question?
- Are loads stable and adequately restrained to prevent load movement in the event of emergency braking?
- Are warehouses designed and laid out to allow for safe movement of materials, vehicles and persons?
- Is racking being inspected on a regular basis within the workplace?
- Are periodic inspections being conducted for racking by an appropriately qualified competent person?
- Are employees encouraged to report damage to racking?

Conclusions

This chapter provides an overview of the key hazards in workplaces which fall within the Transportation and Storage sector. A Safety Representative may consult with, and make representations to their employer if concerned about any hazards associated with work at their company. The employer must consider these representations, and act on them if necessary.

Further Information and Resources

HSA Resources

For further information, please see:

- Workplace Transport (www.hsa.ie/workplace-transport)
- Top 10 Workplace Transport Safety Tips (www.hsa.ie/workplace-transport-tips)
- Workplace Transport Safety Poster (www.hsa.ie/separation-poster)
- Workplace Transport Checklist (www.hsa.ie/transport-checklist)
- Workplace Transport Safety Risk Assessment (www.hsa.ie/transport-ra)
- Workplace Transport Safety Management (www.hsa.ie/transport-info-sheet)
- Guide Application Regulations 2007 (www.hsa.ie/2007-guide)
- Machinery (www.hsa.ie/machinery)
- Forklift Trucks (www.hsa.ie/forklifts)
- Safe Loading Securing (www.hsa.ie/transport-guidance)

Other Resources

For further information, please see:

- Traffic Management (https://www.hse.gov.uk/workplacetransport/trafficmanagement.htm)
- Planning and organising lifting operations (https://www.hse.gov.uk/work-equipment-machinery/planning-organising-lifting-operations.htm)
- Warehousing and storage: A guide to health and safety (https://www.hse.gov.uk/pubns/books/hsg76.htm)
- Chemical warehousing: The storage of packaged dangerous substances (https://www.hse.gov.uk/pubns/books/hsg71.htm)
- Prioritising Safety with Racking Regulations (https://www.sema.org.uk/sema-support/racking-regulations/)

Part 9: Workplaces

Chapter 58: Wholesale & Retail

Introduction

This chapter provides an overview of the hazards in the Wholesale and Retail sector of the economy. A Safety Representative in the wholesale and retail sector plays a crucial role in ensuring a safe working environment for employees and customers.

Overview and Definition

The wholesale and retail sector in Ireland includes businesses involved in the buying, selling, and distribution of goods, either in bulk (wholesale) or directly to consumers (retail). The sector includes retail businesses from the local corner shops to large supermarkets and outlet stores. It covers wholesale and retail of a wide range of goods including food, household goods, hardware, information technology (IT) and machinery. Warehousing and distribution hubs are central to many of these activities. There are over 323,000 people employed in the wholesale and retail sector in Ireland (CSO, 2024).

Definition

- **Wholesale** is the process of buying large quantities of goods from manufacturers or distributors and then reselling them in bulk at a discounted price to other businesses.
- **Retail** is the process of selling products directly to the end-user.

Data and Statistics

An analysis of HSA accident data for the wholesale and retail sector shows that most incidents involve manual handling, slips/trips/falls on the same level, being struck by falling objects and collisions.

Inspection feedback indicates that there is scope for improvement in health and safety management. Of the premises inspected in 2023, 72% had the Safety Statement available for inspection at the place of work and 63% had 'Reports of Thorough Examination' available for lifts and lifting equipment. While most employers had arrangements in place for safety consultation with employees, only 22% had Safety Representatives appointed. The inspection outcomes indicate there is room for improvement in relation to having appropriate systems in place for segregation of vehicles and pedestrians. Also, it indicates that risk assessments should be undertaken for deliveries and management of the risk of violence and aggression from the public.

Part 9: Workplaces

Chapter 58: Wholesale & Retail

Key Point

- 9 people were killed in the wholesale/retail sector between 2019 and 2022.
- Manual handling is the most common cause of non-fatal injuries reported to the HSA in this sector.

Hazards in the Retail/Wholesale Sector

Traffic Segregation and Management of Deliveries

Poor traffic management can present risks of:

- Collisions.
- Serious personal injury to workers.
- Serious personal injury to visitors or members of the public.
- Vehicle damage.
- Property damage.

An employer must develop and implement a traffic management plan that lays out the designated traffic routes and pedestrian walkways at the place of work. There may be several components to a traffic management plan. This includes but is not limited to the following:

- Clear segregation of pedestrians and vehicles.
- Physical barriers and protecting structures.
- Restricted access for un-authorised personnel.
- Designated areas for deliveries, loading and unloading.
- Designated and marked crossing points.
- Designed canteen and welfare facilities with safe access route(s).
- Appropriate arrangements for reversing and turning vehicles.
- Directional signage, speed limits, signals, and road markings.
- Auxiliary devices and visibility aids both on vehicles and in the workplace.
- Training and induction for drivers, employees and visitors.
- Lighting.
- Housekeeping.
- High visibility clothing.

Regulation 14 of the Safety, Health & Welfare at Work (General Application) Regulations, S.I. No. 299 / 2007, outlines the duty of the employer in relation to the movement of pedestrians and vehicles in danger areas. For retailers who make deliveries to customer sites, there should be a specific risk assessment and arrangements in place to control risks at these locations.

Manual Handling

Manual handling activities in the workplace should be avoided or reduced to the minimum level necessary in order to reduce the risk of imjury to employees. Where manual handling cannot be completely eliminated, a full risk assessment of all required manual handling activities must be undertaken and appopriate mitigation steps taken to reduce the risk of injury to employees. Please see the the HSA's guidance document on conducting manual handling risk assessments in the retail sector.

Housekeeping and avoidance of Slips, Trips and Falls

To avoid injuries from slips, trips and falls the employer should practice good housekeeping and conduct a risk assessment. The risk assessment should consider the following:

- Areas where water may spill or accumulate (for example, entrance areas, washrooms, drinking fountains, canteens and buckets for storing flowers).
- Potential spills.
- Cleaning activities.
- Areas that may become slippery (for example, icy footpaths and areas where loose fruit may fall).
- Stairs and steps.
- Uneven floor areas.
- Slip-resistant footwear.
- Slip-resistance of floor surfaces.

Work Related Violence and Aggression

Work-related violence and aggression is any incident where staff are abused, threatened or assaulted in circumstances relating to their work. Retail employees are at significant risk of experiencing work-related aggression. The employer should conduct a risk assessment to address the risk of staff experiencing work-related violence or aggression and put in place appropriate control measures and arrangements to deal with such incidents. For more information on this, please see the HSA's guidance document on managing the risk of work-related violence and aggression.

Other Risks in the Retail Sector

Many hazards that are present in the wholesale and retail sector are also present in the transport and storage sector and have been described in the chapter which deals with these workplaces. These include hazards such as:

- Load securing.
- Maintenance of work equipment.
- Work equipment for lifting goods or persons.
- Industrial trucks and racking.

Action Checklist and Questions

Questions / Action Points

- Is there a Safety Statement for your workplace?
- Has a site-specific risk assessment been conducted for the place of work?
- Is it available for inspection and review at the place of work?
- Is there a traffic management plan in place?
- Is there a risk assessment for deliveries?
- Is there a risk assessment for manual handling of goods?
- Have measures been implemented to minimise manual handling of goods?
- Is there a risk assessment for slips, trips and falls?
- Is there a risk assessment for work related violence and aggression?
- Does your organisation identify lone working as a hazard?
- Has instruction, information, and training been provided to all staff, including part-time employees?

Conclusions

This chapter provides an overview of the hazards in the wholesale and retail sector and the measures necessary to protect employees, and members of the public, from risks to their health and safety.

HSA Resources

For further information, please see:

- Retail (www.hsa.ie/manual-handling-retail-guide)
- Guide on Manual Handling Risk Assessment in the Retail Sector (www.hsa.ie/retail)
- Simple Safety in Retailing (www.hsa.ie/simple-safety-retail)
- Warehousing Safety (https://www.hsa.ie/eng/vehicles_at_work/workplace_transport_safety/warehousing_safety/)
- Workplace Transport (www.hsa.ie/workplace-transport)
- Manual Handling and Display Screen Equipment (www.hsa.ie/Manual_Handling)
- Lone Workers (www.hsa.ie/lone-workers)
- Violence and Aggression (www.hsa.ie/violence_and_aggression)

Other Resources

For further information, please see:

- Retail (https://www.hse.gov.uk/retail/)
- Warehousing and Storage: A Guide To Health and Safety (https://www.hse.gov.uk/pubns/books/hsg76.htm)

Part 10:
Emerging Themes, Topics and Challenges

Part 10: Emerging Themes, Topics and Challenges

Chapter 59: Remote Working

Introduction

This chapter introduces the topics of remote working.

Overview and Definition

Remote working (also known as telecommuting or working from home) is a work arrangement where employees perform their job duties outside of a traditional office setting. This can be from home, coworking spaces, or a location with internet access. Some people work fully remotely, while others have hybrid arrangements.

Definition

- **Remote working** refers to work activities undertaken away from the employer's normal work premises including in a domestic setting or a remote working hub (HSA, 2023).
- **Hybrid working** is a flexible work model that combines remote work and office-based work. Employees split their time between working from home (or another remote location) and working in a physical office.
- **A remote work location** refers to the location where the staff member carries out their work away from their designated office (HSA, 2023).
- **A remote work assessment** refers to the assessment carried out by a competent and trained assessor of the employee's identified workplace (HSA, 2023).

Remote working in Ireland has seen a significant increase in recent years. Since the COVID-19 pandemic, remote working has become common for many employees across Ireland. According to Eurostat data, the proportion of the Irish workforce that usually works from home rose from 7% in 2019 to 25% in 2022 (2023).

In 2021, the Irish government introduced Ireland's National Remote Work Strategy - 'Making Remote Work' (Government of Ireland, 2021). The Strategy's objective is to ensure that remote working is a permanent feature in the Irish workplace in a way that maximises economic, social, and environmental benefits.

Part 10: Emerging Themes, Topics and Challenges

Chapter 59: Remote Working

Data and Statistics

The actual number of individuals working remotely varies according to the work sector, company policies, and evolving work trends.

Key Point

- According to a 2022 survey by the CSO, just under one in four (23%) respondents in employment worked remotely at some point before the COVID-19 pandemic, but eight in 10 (80%) have worked remotely at some point since (CSO, 2022).
- Of those respondents who were working remotely at the time of the survey (November 2021), almost all (98%) were doing so from home. The remainder (2%) were working remotely from a remote work hub, a combination of home and a remote work hub, or from another location. (CSO, 2022).

Right to Work Remotely

Since 7 March 2024, all employees have a new legal right to request remote working. Workers can request remote working from their first day in a new job. However, workers must have six months of continuous service before the arrangement can start. The law on the right to request remote working is set out in Part 3 of the Work Life Balance and Miscellaneous Provisions Act 2023. For full practical guidance for employers and employees on how to make and handle requests for remote working, please see 'The Workplace Relations Commission's (WRC) Code of Practice for Employers and Employees on the Right to Request Flexible Working and Right to Request Remote Working (2024)'.

Remote Working: Roles and Responsibilities

Roles and Responsibilities

Responsibility for safety and health at work rests with the employer whether that work is being done on site or remotely. Employers must provide a safe work environment and, in doing so, assess the risks and ensure appropriate controls are put in place. If an employer wishes to offer remote working away from the employer's normal work premises, they are responsible for organising the work.

Employees working remotely have a responsibility to take reasonable care while at work, and must:

- Cooperate with their employer and follow agreed safety procedures,
- Protect themselves from harm during their work; for example, use any equipment provided correctly and report any defects immediately to the employer, and
- Report any injury arising from the work activity to their employer immediately.

The Occupational Safety & Health Guidance on Remote Working provides guidance for employers and employees on roles and responsibilities in relation to remote working, as well as the remote working risk assessment process.

Remote Working Assessment

To address the changing nature of remote work or work location, a 'remote work assessment' is required for all employees working remotely. This assessment should be carried out by a competent trained person. A competent person is someone with sufficient training, experience and knowledge who can carry out the assessment.

The remote work assessment follows the three steps and associated checklist questions as defined in the HSA's Occupational Safety and Health Remote Working Checklist.

The three steps include (see figure below):

1. Assessment of work activity,
2. Assessment of hazards and,
3. Monitoring, reviewing, and communicating with employees.

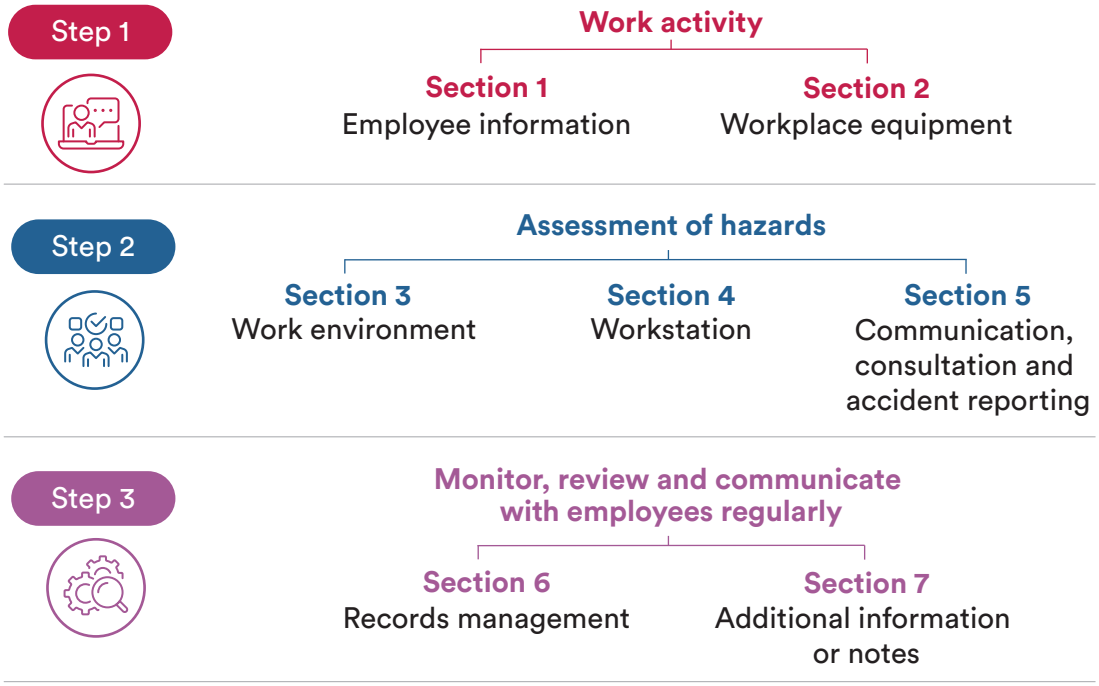


Figure 37. Remote working checklist steps.

The assessment should incorporate additional information, guidance, advice, training, and instructions to support the employee when setting up their workstation. If the employee is working in a remote working hub, employers may need to consult with the operator of the remote working hub.

It is the employer's responsibility to proactively ensure that the assessment is completed for each employee by a suitably trained, competent person and that changing circumstances are considered. Further assessment is required in certain situations. This includes when:

- The nature of the work changes,
- There are changes in the location of the employee's place of work,
- The duration of remote work changes,
- There are changes in the location of the workstation.

Psychosocial Risks and Remote Working

There are specific and non-specific factors which aggravate occupational safety and health (OSH) psychosocial risks in remote work settings. These can differ in many ways to those which apply to 'on-site working'.

Psychosocial risks associated with remote working are the result, firstly, of the different direct circumstances or systems of work which prevail at the remote work site. They are also the result of indirect circumstances – the social and psychological environmental factors pertaining. There is a third issue related to a lack of familiarity with risk prevention and management systems in place where the workforce is mainly working off-site.

For any risk assessment, the physical and psychosocial circumstances must be assessed as well as the access to, and the availability of supports and controls, training, management, professional development and acknowledgement of dignity and respect at work. This must be done in all work situations and locations. Step 2 of the checklist provided by the HSA makes reference to specific psychosocial factors that should be considered in relation to the remote working assessment.

Action Checklist and Questions

Questions / Action Points

- Are their employees working remotely?
- Have you accessed the remote working guidance provided by the HSA?
- Have remote working assessments been completed for employees who are working remotely?

Conclusions

It is important for Safety Representatives to be aware of the occupational safety and health responsibilities of both employers and employees in relation to remote working, and the available guidance provided for this by the Health and Safety Authority.

Further Information and Resources

HSA Resources

For further information, please see:

- Remote Working (www.hsa.ie/remote-working)
- Occupational Safety and Health Guidance on Remote Working (www.hsa.ie/remote-working-guidance)
- Remote Working Checklist (www.hsa.ie/remote-working-checklist)
- Remote Working (short course on hsalearning.ie)

Other Resources

For further information, please see:

- Guidance for Working Remotely (https://enterprise.gov.ie/en/what-we-do/workplace-and-skills/remote-working/guidance-for-working-remotely.html)

Part 10: Emerging Themes, Topics and Challenges

Chapter 60: Gig Workers, the Gig Economy and Online Platform Work

Introduction

This chapter introduces the topics of the 'Gig Economy', 'Gig Work', and 'Online Platform Work'. Gig workers face unique occupational health and safety challenges due to the nature of their work.

Overview and Definition

The gig model is reshaping traditional models of work and how people work. 6% of workers (11.5 million workers) in the European Union (EU) earn most or part of their income through digital platform work (EU-OSHA, 2022).

Definition

- A **gig worker** is a person who works in the gig economy. They are also known as a freelancer or independent contractor.
- **Gig work** is a form of casual or on-call work that can comprise work performed on demand through an online platform as well as other types of freelance-type activities, digitally facilitated or not (EU-OSHA, 2024). Typically, gig work covers short-term, informal working relationships where work is on-demand and delivered on a task-by task basis.
- The **gig economy** refers to a situation where a person (gig worker) is hired through an app or website to undertake a role for a third party. The app or website is produced and managed by an organisation called a platform. The gig economy is composed of corporate entities, workers, and consumers.
- **Online platform work** refers to all paid labour provided through, on or mediated by an online platform (EU-OSHA, 2024).

Gig workers are usually classed as self-employed. Independent contractors usually don't get the same protections and benefits as regular employees. This includes health insurance, paid sick leave, and safety training. Additionally, the lack of a physical workplace complicates the enforcement of safety regulations.

Gig workers are exposed to similar hazards in the workplace, but the risk may be higher due to the way work is organised (for example, social isolation), or specific features of their work contract (for example, job insecurity arising from contract/temporary work).

Part 10: Emerging Themes, Topics and Challenges

Chapter 60: Gig Workers, the Gig Economy and Online Platform Work

Data and Statistics

Key Point

- In 2022, there were 28 million people working in the gig economy in Europe. This is expected to rise to 45 million by 2025 (EU-OSHA, 2024).
- 11.5 million people in the EU earn most or part of their income through digital work (6% of workers) (EU-OHSA, 2024).
- 35% of platform workers are young (16-34), while 55% are male (EU-OSHA, 2024).
- There are around 500 digital labour platforms operating in the EU (EU-OSHA, 2024).

Online Platform Work

EU-OSHA define digital platform work as 'all paid labour provided through, on or mediated by an online platform' (EU-OSHA, 2024). Tasks are organised online (that is, via the platform). However, the tasks can be performed virtually or in the physical world. Algorithmic management is used to allocate, monitor and evaluate worker behaviour and performance.

A recent survey undertaken by EU-OSHA (2022) indicates that the top three sectors where digital platform work is present include:

- **Information and communication technology, finance, professional, scientific or technical services (19.2%).**
- **Commerce, transport, accommodation, or food services (18.3%).**
- **Administration and support services, including public administration and defense (15.8%).**

Digital platform work creates new work opportunities by lowering the barriers to labour market entry and by providing workers with options to earn an income through flexible work. However, it also presents challenges for workers, such as poor working conditions, and safety and health issues (EU-OSHA, 2017; European Commission, 2020).

Digital labour platforms tend to qualify digital platform workers as self-employed, which may not be in accordance with the factual conditions under which they work (EU-OSHA, 2024). Self-employed persons are generally responsible for their own safety and health, and the OSH legislation's applicability is limited.

Some platform workers encounter physical and psychological health and safety risks, which may not be properly prevented and managed. Platform workers often do not receive training for their job. This can aggravate OSH risks. In some cases, platform work can involve long and

unpredictable working hours. This can create the conditions for fatigue and work stress, which impacts on a person's physical and mental health. Some platform workers are exposed to high levels of work pressure and surveillance. This can have a potential negative impact on their mental health. Also, many platform workers are exposed to job and income insecurity, which can lead to physical and mental health issues.

EU Perspective

In 2024, the European Parliament and EU member states reached an agreement on the Platform Work Directive (European Commission, 2024). This Directive aims to make it easier for gig economy workers to be recognised as employees with a right to the minimum wage, sick leave, and other benefits. The new rules seek to address cases of misclassification of platform workers and ease the way for such workers to be reclassified as employees, guaranteeing easier access to their rights as employees under EU law.

The Platform Directive (European Commission, 2024) introduces an effective, rebuttable legal presumption. Under this agreement, if there is evidence of control and direction as defined by national law, collective agreements, or practices in member states, the relationship between a digital platform and a worker will be considered an employment relationship.

Digital labour platforms use algorithms for human resource and operations management. These systems are used to organise and manage the people performing platform work through their applications or websites. Under the new rules, workers will have to be informed about the use of automated monitoring and decision-making systems. The EU Platform Work Directive also introduces enhanced data protection measures for platform workers.

Action Checklist and Questions

Questions / Action Points

- Does my company employ gig workers?
- If applicable, what OSH risks do these gig workers/digital platform workers encounter?
- If applicable, have these been documented in company risk assessments?
- Do gig workers get basic OSH training?
- Are gig workers aware of who they can consult with in relation to occupational safety and health issues?

Conclusions

While gig work offers opportunities for greater autonomy and diversified income streams, it also raises questions about job security, benefits, and workers' rights in a changing employment landscape. Gig workers and platform workers face unique occupational safety and health (OSH) considerations because of the nature of their work. With the prevalence of non-standard working arrangements, digital labour platforms tend to classify workers as self-employed in their terms and conditions, which results in the shifting of risks, liabilities, and responsibilities (including in the area of health and safety) onto digital platform workers. By prioritizing the health, safety, and well-being of gig workers, platforms can help mitigate the unique risks associated with this type of work and promote a more sustainable and equitable gig economy.

Further Information and Resources

Other Resources

For further information, please see:

- Digital Platform Work and Occupational Safety and Health: Overview of Regulation, Policies, Practices and Research (https://osha.europa.eu/sites/default/files/2022-03/Digital_platform_work_OSH_policies_report_0.pdf)
- Digital Platform Work and OSH Implications (https://osha.europa.eu/en/oshnews/oshwiki-article-spotlight-digital-platform-work-and-osh-implications?euosha_campaign=oshmail_2024_04&_cldee=YtMgqKFdF3bmk20h971Y-IDF_K-0aEQS3iVVjN4u3B-iNnRMckZH5Hh9jkIDhAwt&recipientid=contact-613170b7c6c5ee1190790022489f3c51-cdb50bf13bb84fb49648d529e9b9c778&esid=be202f25-f8fa-ee11-a1ff-000d3adc3daf)

Part 10: Emerging Themes, Topics and Challenges

Chapter 61: Digitalisation, Artificial Intelligence (AI) and Robotics

Introduction

This chapter introduces digitalisation, artificial intelligence (AI) and robotics. Digitalisation is transforming the world of work. Workplaces across the world are introducing digital technologies on an unprecedented scale to increase the productivity of their workforce. It is important for Safety Representatives to be aware of how these new technologies are changing the world of work, and the occupational safety and health implications of these technologies.

Overview and Definition

Technological developments and innovations are key drivers in changing jobs and work tasks, increasing the complexity of tasks as well as the human and non-human skills required. Information and communication technologies (ICTs), digital platforms, adaptive algorithms and advanced Artificial Intelligence (AI) based systems are becoming common in several EU workplace sectors.

According to the independent high-level expert group on artificial intelligence, which was set up by the European Commission (2019), 'Artificial intelligence (AI) refers to systems that display intelligent behaviour by analysing their environment and taking actions – with some degree of autonomy – to achieve specific goals. AI-based systems can be purely software-based, acting in the virtual world (for example, voice assistants, image analysis software, search engines, speech and face recognition systems). Or AI can be embedded in hardware devices (for example, advanced robots, autonomous cars, drones or Internet of Things applications).

Digitalisation is happening through the automation of tasks and the digital management of workers, either directly or via digital labour platforms. AI and digitalisation are also used to monitor increasing quantities of working environment data, which can potentially assist in ensuring higher levels of safety and health than was the case prior to the introduction of the technology.

Part 10: Emerging Themes, Topics and Challenges

Chapter 61: Digitalisation, Artificial Intelligence (AI) and Robotics

Definition

- **Information and Communication Technology** refers to the use of technology for accessing, storing, transmitting, and manipulating information. It encompasses a wide range of technologies, including computers, the internet, telecommunications, and digital systems, all aimed at improving communication and information management.
- **Digitalisation** refers to the process of using digital technologies to transform existing processes, systems, products, or services, typically to improve efficiency, accessibility, or effectiveness. It involves integrating digital tools and solutions into various aspects of business, society, or daily life.
- **AI (Artificial Intelligence)** is the simulation of human intelligence in machines, enabling them to perform tasks that typically require human intelligence, such as learning, reasoning, problem-solving, perception, and decision-making.

Relevant Legislation

The primary Irish and EU legislation governing this area includes but is not limited to:

Irish Legislation	EU Legislation
2005 Safety Health & Welfare at Work Act	EU Artificial Intelligence Act (AI Act) - (EU 2024/1689)
	Directive (EU) 2024/2831 - Improving Working Conditions in Platform Work
2007 Safety Health and Welfare at Work (General Application Regulations) -Chapter 2 Use of Work Equipment	Directive 89/391/EEC - OSH "Framework Directive"
2007 Safety Health and Welfare at Work (General Application Regulations) -Chapter 5 Display Screen Equipment	Directive 1989/655 - Minimum safety and health requirements for the use of work equipment by workers at work
2008 European Communities (Machinery) Regulations	Directive 90/270/EEC - Display Screen Equipment
	Directive 2006/42/EC the "Machinery Directive"
	Regulation (EU) 2023/1230 on machinery (Effective from January 1 2027)

For further information on OSH issues pertaining to AI and worker safety, please see EU-OSHA Guidance on AI & Worker Safety.

Ideally, AI-based collaborative robots should be designed to closely interact with humans. Reports on the validation and verification of testing data, guaranteeing the safety of any human–robot interaction, should be presented during the commissioning process. New technology should ensure health and safety as per the applicable Machinery Directive and/or applicable harmonised European Committee for Standardization/International Organization for Standardization (CEN/ISO) standards.

Concerns, Challenges and Opportunities

Concerns around technological advancements include robots performing tasks, driverless workplace vehicles, AI managing workers, health monitoring by AI, smart systems impacting OSH, remote equipment control, cyberattack risks, remote employees, global digital platform workers, and microchip implants for security tasks.

Technological advances bring both risks and benefits. Many are hopeful that advancements in AI-based systems will continue the historical trend of eliminating dangerous jobs. A prominent example of this would be the advent of self-driving vehicles. Approximately 9.3 individuals per 100,000 die each year in traffic-related fatalities in Europe. A considerable proportion of people on the road at any given time are commuters driving to work, ride service providers, or truck drivers transporting goods and services.

AI automation will handle repetitive clerical tasks like processing forms or legal documents, reducing the need for humans to do them. If AI proves reliable, administrators could manage more projects or focus on the people-oriented parts of their job, making their work more engaging.

AI-based systems could ease the emotional and physical demands of jobs like care work, which involve constant interaction with patients. By shifting some tasks to smart devices, care work might require less personal involvement and become less demanding.

The most difficult challenges to overcome for occupational safety and health (OSH), based on the actual experiences of employers and employees, are psychosocial factors like the fear of job loss and a negative attitude towards new systems. Not only can these be accompanied by other phenomena like decreased motivation or job satisfaction, but they can also influence other facets of OSH. If workers do not use the system correctly because they do not trust it or feel like it is going to make them lose their job, they might reject using it or misuse it. The former would cost them the OSH benefits the system has to offer. The latter might put them or other operators at risk.

Performing risk assessments can help companies anticipate and react to a wide variety of technological OSH challenges and opportunities. However, often these do not take factors like workers' attitudes into account. The most reliable way to anticipate and later address these kinds of challenges is through an open, continuous dialogue with workers, in which their concerns are taken seriously and addressed adequately. The Safety Representative can have a crucial part in these discussions.

Part 10: Emerging Themes, Topics and Challenges

Chapter 61: Digitalisation, Artificial Intelligence (AI) and Robotics

Action Checklist and Questions

Questions / Action Points

- Has the employer risk assessed any new technology in the workplace?
- Has the employer provided training in the use of the new technology (including how it works and how data protection is addressed)?
- Where software is being updated, is there a clear understanding as to the possible implication of the updated software?
- Has the possibility of remote operation of machinery been taken into account?

Conclusions

This chapter discusses examples of new workplace technologies and outlines how Safety Representatives can act to protect workers' safety and health when such technologies are introduced.

Further Information and Resources

Other Resources

For further information, please see:

- AI Based Systems in the Workplace (https://osha.europa.eu/sites/default/files/Automating-cognitive-tasks-in-the-workplace-using-AI-based-systems-cases-and%20recommendations_en.pdf)
- Worker Management Through AI (https://osha.europa.eu/sites/default/files/documents/Worker%20management%20through%20AI_en.pdf)
- EU Artificial Intelligence Act (https://www.consilium.europa.eu/en/press/press-releases/2023/12/09/artificial-intelligence-act-council-and-parliament-strike-a-deal-on-the-first-worldwide-rules-for-ai/)
- New EU Rules on Platform Work (https://www.consilium.europa.eu/en/policies/platform-work-eu/)

Part 10: Emerging Themes, Topics and Challenges

Chapter 62: Circular and Green Economy

Introduction

This chapter explores the potential impact of transitioning to a circular economy and a greener, more sustainable world on the nature of work, the emergence of new jobs and occupational safety and health considerations.

Overview and Definition

The circular economy focuses on reusing resources efficiently, recycling waste, and keeping materials in use. Unlike the linear economy, which creates waste, it reduces resource depletion and addresses challenges like climate change, pollution and biodiversity loss.

Definition

A **circular economy** is a system where materials never become waste, and nature is regenerated. In a circular economy, products and materials are kept in circulation through processes like maintenance, reuse, refurbishment, remanufacture, recycling, and composting.

The circular economy is seen as an essential component to enable the EU to develop a sustainable, low-carbon, resource-efficient and competitive economy as demonstrated by various EU initiatives, including 'A New Circular Economy Action Plan for a Cleaner and More Competitive Europe' (European Commission, 2020). The circular economy is considered a key component in achieving carbon neutrality by 2050 under the European Green Deal (European Commission, 2020). From an Irish perspective, the 'Waste Action Plan for a Circular Economy Ireland's National Waste Policy 2020-2025' outlines objectives to reduce waste disposal, increase the longevity of products in use and support and influence sectors to embed a circular economy (Department of the Environment, Climate and Communications, 2020).

Implications for the Future of Health and Safety at Work

What does this mean for the future of health and safety at work? As we consider the implementation of a circular economy, it is essential to anticipate its potential impact on workers and work practices. This involves assessing the level of support and training that may be necessary for a successful transition. For example, the shift away from fossil fuels may require new skills that were not previously required. Or it may require new skills to dismantle the old energy infrastructure. However, a circular economy could also introduce new industries and jobs. The European Commission (2018) estimates that by 2030, there could be an additional 700,000 jobs across the EU due to recycling and reusing, which are more labour-intensive than disposal. Therefore, it is essential that the manner and speed in which the circular economy is actualised does not compromise workers' occupational safety and health.

Foresight Study on the Circular Economy

EU-OSHA has taken a foresight approach to the potential impact of the circular economy on safety and health in the workplace under four macro and 16 micro scenarios. These scenarios reflect how a circular economy might evolve within the EU by 2040 (Daheim, Prendergast, and Rampacher, 2023a).

The macro-scenarios are as follows:

- The Roaring 40s Fully Circular and Inclusive.
- Carbon Neutrality of a Hazardous Kind.
- Staying Afloat Amid Economic and Environmental Crisis.
- Regional Circularities with European Divides.

For an in-depth overview of this study, see Emerging Risks - Circular Economy.

Circular Economy Implications

The implications of a circular economy may vary depending on the sector. However, overarching considerations apply regardless of the sector. These include:

- Embedding occupational safety and health in circular economy policy and regulation at EU and national levels,
- Consultation with employer, employee and trade union representatives,
- Educating and reskilling the labour force, and
- Creating knowledge-sharing networks to keep pace with changes.

Material passports will provide key health and safety details throughout a product's lifecycle (Daheim, Prendergast and Rampacher, 2023b). Employers must consider changes in work practices from the circular economy and include these in risk assessments to protect employees.

Green Jobs

Definition

Green jobs are those covering all jobs that depend on the environment or are created, substituted or redefined (in terms of skills sets and work methods) in the transition process towards a greener economy (European Commission, 2012).

Green jobs are emerging due to the circular economy, as discussed earlier, and more generally, to reduce greenhouse gas emissions, increase energy efficiency, promote renewable energy and reduce waste (European Agency for Safety and Health at Work, n.d.). National strategies, including the 'Climate Action Plan 2025' (Government of Ireland, 2025) and the 'National Hydrogen Strategy' (Department of the Environment, Climate and Communications, 2023), are also a driving force in the emergence of new jobs, technologies and work activities in Ireland.

The term 'green' does not guarantee safety for workers involved in green jobs. In fact, it can lead to the emergence of new hazards and increased risks. To work in green jobs, workers may require a combination of skills that were not previously necessary. For example, a worker installing a solar PV panel may need the skills of a roofer and electrician. As highlighted by EO-OHSA, the rapid expansion of the green economy may result in a skills gap where workers may not have been trained for the work activities required which can put their safety and health at risk.

Foresight Study on Green Jobs and Occupational Safety and Health

The European Agency for Safety and Health at Work published a foresight study in 2013 examining how new green technologies might impact workers' safety and health by 2020 (Bradbrook et al., 2013a; 2013b). Although 2020 has passed, and as the pace and development of green technologies continues to advance, the potential implications of new hazards, if not controlled effectively, will likely remain relevant. As highlighted in this study, these potential hazards include:

- Asbestos and lead exposure due to building energy retrofitting,
- Increased work at height relating to solar panel and wind turbine work activities,
- Novel materials utilised in the prefabrication of building structures where health effects may be less known,
- Handling and storage of biomass, e.g. biomethane production, as an energy source exposes workers to chemical, biological and physical hazards, including fire and explosion (ATEX),
- Hazardous access to offshore wind turbines combined with psychosocial hazards associated with their isolated locations,
- Increased electrocution risk associated with Solar PV as they cannot be turned off during maintenance and exposure to hazardous chemicals used in the panel materials (European Agency for Safety and Health at Work, 2013),
- Increased use of new energy storage technology (for example, battery storage (Li-ion), hydrogen, etc) to support the green transition have associated risks of fire and explosion,
- Fast innovation means new materials may appear in waste streams without knowledge of their health and safety implications for those sorting waste for recycling, and
- Maintaining electric/hybrid vehicle batteries may increase the risk of electrocution, as workers may be less familiar with higher-voltage batteries.

For more information on this foresight study, please see the EU-OSHA website.

Action Checklist and Questions

Questions / Action Points

- Is there an awareness of the circular economy in my organisation?
- How might a circular economy impact my organisation from a health and safety perspective?
- How can I promote discussions on the impact of a circular economy on safety and health at my workplace?
- Are green technologies being used in my organisation, and how might this impact worker health and safety?

Conclusions

The transition to a circular economy and a greener, more sustainable world has the potential to create significant changes in how work is undertaken, along with the emergence of new jobs. However, it is essential to consider the potential impact on occupational safety and health, and ensure that necessary measures are taken to mitigate any risks that may arise. This includes embedding occupational safety and health in circular and green economy policy and regulation, reskilling the labour force, creating knowledge-sharing networks to keep pace with changes, and continued consultation with employees and their Safety Representatives.

Further Information and Resources

Other Resources

For further information, please see:

- Circular Economy (https://osha.europa.eu/en/emerging-risks/circular-economy)
- Foresight Study on the Circular Economy and its effects on Occupational Safety and Health (https://osha.europa.eu/sites/default/files/2021-11/Foresight_Study_Circular_Economy_effects_on_Occupational_Safety_and_Health_report_0.pdf)
- The Circular Economy and Safety and Health: Possible Implications for Future Waste Sector Workplaces (https://osha.europa.eu/sites/default/files/2021-10/Policy_brief_Waste_Sector_0.pdf)
- The Circular Economy and Safety and Health: Policy Pointers and Stakeholder Actions (https://osha.europa.eu/sites/default/files/Foresight-circular-economy-Policy-pointers_en.pdf)
- Foresight Study on the Circular Economy and its effects on Occupational Safety and Health: Phase 2 – Micro-scenarios (https://osha.europa.eu/sites/default/files/Foresight-study-circular-economy–%20Phase-2_en.pdf)
- Circular Economy – IOSH Magazine (https://www.ioshmagazine.com/2023/07/03/circular-economy)
- Waste Action Plan for a Circular Economy (https://www.gov.ie/en/department-of-climate-energy-and-the-environment/publications/waste-action-plan-for-a-circular-economy/)
- Green Jobs (https://osha.europa.eu/en/emerging-risks/green-jobs)
- Green Jobs Foresight Study (https://osha.europa.eu/sites/default/files/green-jobs-foresight.pdf)
- Green Jobs: Foresight Study on New Technologies (https://osha.europa.eu/sites/default/files/green-jobs-new-technologies-summary_en.pdf)
- OSH and Small Scale Energy Applications (https://osha.europa.eu/sites/default/files/E-fact68.pdf)

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Keyword Index

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Appendices

Appendix 1: OSH Training Approach

Introduction

Providing comprehensive occupational health and safety training for staff is essential to fostering a safe and healthy workplace environment. The provision of training helps reduce the risk of work-related injuries and ill health. It equips employees with the skills and knowledge for safe work. Training also plays a crucial role in shaping and strengthening a positive safety culture within an organization and supporting compliance.

Training and Statutory Requirements

Under Section 9 and 10 of the Safety, Health and Welfare at Work Act 2005, the employer is required to provide instruction, training and supervision in relation to safety, health and welfare at work. This spans

- OSH induction training.
- Additional specialized training (as required).
- Refresher training and ongoing training (as required).

Training should be tailored to the specific risks and requirements of their workplace. Training must also be provided in a form, manner, and language that the employees understand. Employees must receive time off for training without loss of earnings.

When is Training Required

The Act defines several contents where training must be given to employees. This includes

- When they start employment.
- When they change or transfer tasks.
- When they are introduced to new equipment, technology or systems of work.
- When changes are made to existing equipment, technology or systems of work.
- Periodically to ensure that employees maintain their competency in carrying out their roles.

Training Roles and Responsibilities

Managers should

- Use the risk assessment and control programme to determine necessary training for all employees, including contractors and temporary workers.
- Record employees' occupational safety and health (OSH) training needs.
- Provide employees with the necessary information, instructions, and training to ensure their safety, health, and welfare at work.
- Ensure employees attend training.

- Maintain training records for all employees (including the names of the employees trained, the type of training provided, the date the training was conducted and the trainer's details.
- Evaluate training to ensure learning outcomes are achieved.
- Ensure that the training and skills acquired are implemented in the workplace.

Employees should:

- Not misrepresent their level of training when entering a contract of employment.
- Follow the training policy, procedures, and safe work systems, including related risk assessments.
- Work with the Responsible Person on risk and training needs assessments.
- Attend all training (including refresher training) as required.
- Undergo training assessments as may reasonably be required
- Apply training in their work.
- Help identify training needs because of changes in working practices or equipment.

OSH Training Needs Assessment

What is it?

A training needs assessment in OSH is a process to identify the specific safety and health training required for employees to perform their jobs safely. It evaluates gaps in knowledge, skills, or practices related to workplace hazards, equipment, and procedures. This assessment ensures that employees are equipped to prevent accidents, comply with regulations, and maintain a safe working environment.

Identifying Training Needs

The risk assessment process assists in identifying hazards in the workplace and the controls necessary to ensure the safety, health, and welfare at work of employees. Such controls may include the provision of relevant training or identify when refresher training is required.

Reviewing accident and near-miss data, and the findings and recommendations of incident investigations may highlight where there is a need for specific training or when refresher training. This may be on an individual, team or organizational level. Health and safety audits can identify where procedures are not being followed. This may be an indication of a training gap or a weakness in existing training. The Health and Safety Committee and Safety Representatives can also assist in the identification of training needs.

Appendices

Appendix 1: OSH Training Approach

Training and Consultation

Safety Committee

The Safety Committees (where applicable) can assist in the identification of training needs. Specifically, they can agree training priorities and the schedule and scope of training programmes. The committee can also assist in the evaluation of any training provided. Many Safety Committees have health and safety training as a standing item on their agenda.

Safety Representatives

Consulting with Safety Representatives is a key part in the process of identifying training needs. Employees may feel more comfortable discussing their training needs with a fellow employee. In addition, Safety Representatives can provide feedback on the effectiveness of any training programme and whether refresher training is required.

Appendices

Appendix 2: Employee OSH Training Journey

Training Journey

It is important for Safety Representatives to check that initial OSH induction training has been provided to all staff, and that staff receive additional specialized training and refresher training as required. This is an indicative employee learner journey to support workplace safety and health awareness and training.

Timeline	Milestones
First Day	Health and Safety values communicated to employee. Schedule for induction OSH training communicated to employee. Schedule for other mandatory OSH training communicated to employee.
First Week	Employee receives OSH induction training. Employee is provided with access to the Safety Statement.
First Month	Employee reviews the Safety Policy and Safety Statement. Employee receives task specific training (task specific hazards and controls). Employee receives any additional specialized OSH training (that is, manual handling, chemical hazards, physical hazards and so forth). Employee has had time to discuss hazards and controls with their supervisor or manager. Employee is closely supervised to support safety awareness and ensure that safe systems of work are being followed. Employee develops a safety-first mindset.
After Year 1 / Ongoing	Employee receives supervision (as appropriate). Employee receives recurrent training (as required). Employee receives additional training (as required).

Appendices

Appendix 2: Employee OSH Training Journey

OSH Induction Training

OSH induction training is vital for creating a safe, compliant, and productive workplace environment. Companies are required by law to provide OSH induction training to their employees. This ensures the organization complies with regulations, avoiding fines or legal consequences.

The primary goal of OSH induction training is to educate employees about the potential hazards in their work environment and how to mitigate those risks. It ensures that employees have the knowledge and skills to protect themselves and others while also meeting legal and organizational safety standards.

OSH induction training should include the following topics:

- Employee responsibilities under the 2005 Act.
- Company safety policy and values.
- General safety protocols and procedures.
- Workplace hazards and how to manage them.
- Fire safety procedures.
- Emergency preparedness, arrangements and procedures (for example, fire, chemical spill, or electrical accident).
- The use of personal protective equipment (PPE) and access to PPE.
- Contact details for Occupational First Aiders and location of First Aid.
- Good practices in manual handling.
- Good practices in the use of Display Screen Equipment (DSE).
- Procedures for reporting accidents, near misses, or unsafe practices.
- Information on workplace health programs and support systems.
- Chemical safety and handling dangerous substances (if applicable).
- Training on the safe operation of machinery and tools (if applicable).
- The name and contact details of any Safety Representatives (if applicable).

Other Specialized OSH Training

Different job roles may come with specific risks that are not covered in the general induction training. For example, workers operating heavy machinery, handling hazardous chemicals, or working in high-risk environments (such as construction sites or laboratories) need specialized training relating to the hazards associated with their tasks. Depending on the person's role, this specialized training can in-clude training in the following areas:

- Chemical safety.
- Manual handling.
- Machinery.
- Working with asbestos.
- Noise exposure.
- Biological hazards.
- Working at heights.
- Working in confined spaces.
- Fire Warden training.
- Occupational First Aider training.
- Quad bike training.
- Safety Representative training.
- Other (as required)

Additional training is also required for construction workers:

- **Safe Pass Training:** All construction workers must complete Safe Pass training to ensure they understand basic safety principles and can work safely on construction sites.
- **Construction Skills Certification Scheme (CSCS):** Workers operating certain machinery or performing specific tasks must hold CSCS accreditation, which includes specialized training.

Refresher Training and Ongoing Training

Refresher training is a type of training that is designed to update and reinforce knowledge or skills that employees have already learned in previous training sessions. It helps ensure that workers retain important information and stay up to date with any changes in procedures, safety protocols, regulations, or technologies.

OSH standards and workplace risks evolve over time. Additional training helps ensure that workers understand the latest safety protocols, regulations, and technologies. As new risks emerge (for example, from new equipment or materials), workers need regular training to manage them effectively. Workers may forget or misunderstand certain safety procedures, and refresher courses help keep them sharp. Regular, specific training helps workers understand that safety is an ongoing priority.

Appendices

Appendix 3: Plan, Do, Check Act Model

Introduction

There are various models for managing health and safety such as the Plan, Do Check, Act model as advocated in OHSAS 18001:2007 and HSG 65:2013.

The Plan-Do-Check-Act (PDCA) model is used to ensure continuous improvement in workplace safety management systems.

1. **Plan:** Identify workplace hazards, assess risks, and set safety objectives. Develop a legal register to ensure compliance with statutory requirements.
2. **Do:** Implement preventive and protective measures, provide training, and ensure resources are allocated effectively. Engage workers in safety initiatives.
3. **Check:** Monitor safety performance using indicators, conduct audits, and review compliance with safety standards.
4. **Act:** Address gaps identified during the evaluation, update policies, and refine processes to enhance safety measures.

This cyclical approach helps organizations maintain high safety standards and adapt to changes effectively.

Plan

- Develop an OSH 'Legal Register', which identifies all the statutory requirements relevant to your specific undertaking and activities.
- Based upon this register, identify the occupational hazards and assess the risks presented to employees by those hazards.
- Evaluate current compliance levels and put in place a programme which:
  - Outlines objectives and plans to deal with current non-compliance or under-performance
  - Outlines objectives and plans to maintain current compliance levels
- Say what you want to achieve, who will be responsible for what, how you will achieve your aims, and how you will measure your success. You may need to write down this policy and your plan to deliver it.
- Decide how you will measure performance. Think about ways to do this that go beyond looking at accident figures; look for leading indicators as well as lagging indicators. These are also called active and reactive indicators.
- Remember to plan for changes and identify any specific legal requirements that apply to you and impact on your existing legal register.

Do

- Identify your risk profile: Assess the risks, identify what could cause harm in the workplace, who it could harm and how, and what you will do to manage the risk.
- Decide what the priorities are and identify the biggest risks.
- Organise your activities to deliver your plan.
- In particular, aim to:
    - Involve workers and communicate, so that everyone is clear on what is needed and can discuss issues – develop positive attitudes and behaviours.
    - Provide adequate resources, including competent advice where needed.
- Implement your plan: Decide on the preventive and protective measures needed and put them in place.
- Provide the right tools and equipment to do the job and keep them maintained.
- Train and instruct, to ensure everyone is competent to carry out their work.
- Supervise to make sure that arrangements are followed.
- Consider requirements around out-sourcing, procurement and use of contractors.
- Consider fire and other emergencies. Co-operate with anyone who shares your workplace and co-ordinate plans with them.
- Ensure documented information determined necessary, is created, revised and appropriately controlled.

Check

- Measure your performance. Make sure that your plan has been implemented – 'paperwork' on its own is not a good performance measure.
- Assess how well the risks are being controlled and if you are achieving your aims. In some circumstances formal audits (internal and external) may be useful.
- Investigate the causes of accidents, incidents or near misses.

Act

- Review your performance. Learn from accidents and incidents, ill-health data, errors and relevant experience, including from other organisations.
- Revisit plans, policy documents and risk assessments to see if they need updating.
- Take action on lessons learned, including findings from audit and inspection reports.

Appendices

Appendix 4: Safety Management Tasks for Managers

There are several key safety and health tasks for managers. Safety Representatives should familiarise themselves with these tasks, and check that there is appropriate management commitment to safety.

Managers must:

- Approve and endorse the Safety Statement and risk assessments.
- Ensure adequate resources are made available for safety and health management at workplace level.
- Provide the necessary safety and health competence.
- Promote a positive safety and health culture.
- Promote employee engagement to make safety and health everyone's responsibility.
- Develop a communications plan for safety and health.
- Facilitate the worker consultation and engagement process.
- Set up the structure for implementing the safety and health plan.
- Have a system for informing them about safety and health problems.
- Ensure that safety and health monitoring and audits are done.
- Engage with employees in safety and health policy promotion.
- Encourage joint decision-making with workers on safety and health.
- Ensure employees understand that safety and health is a priority for management and the board (if applicable).
- Report safety and health performance to the board (if applicable).

Appendices

Appendix 5: ILO Principles and Guidelines for Human Factors/Ergonomics

Introduction

Human factors principles are applied in workplace safety to optimize human performance, reduce errors, and create safer work environments.

The International Labour Organization (ILO) has developed "Principles and guidelines for human factors/ergonomics (HFE) design and management of work systems" (2021). These guidelines aim to ensure worker safety, health, and well-being while enhancing organizational performance and sustainability (ILO, 2021). The principles focus on integrating physical, cognitive, and organizational ergonomics into work system design. They emphasize evidence-based approaches to optimize work environments across all sectors and occupations. The guidelines also serve as a technical basis for setting international labour standards on workplace ergonomics.

Principles

The principles are as follows:

- **Principle 1:** Ensure worker safety, health, and wellbeing in the optimization of work systems as a top priority.
- **Principle 2:** Design and manage work systems to ensure organizational and worker alignment, continuous evaluation and learning, and sustainability.
- **Principle 3:** Create a safe, healthy, and sustainable work environment from a holistic perspective, understanding and providing for human needs.
- **Principle 4:** Account for individual differences and organizational contingencies in the design of work.
- **Principle 5:** Make use of collective, trans-disciplinary knowledge and full participation of workers for designing systems, detecting problems, and creating solutions for Human Factors and Ergonomics (HFE) in work systems.

Guidelines

The Guidelines are as follows:

- **Guideline 1:** Use a systems approach.
- **Guideline 2:** Consider all relevant characteristics of workers:
  - 2a. Consider demographic characteristics, physical and cognitive capabilities and limitations.
  - 2b. Provide workers with appropriate tools, training, and control to perform work.
  - 2c. Design work systems to be safe and to engage people in ways that maximize worker and work system safety and sustainability.

- **Guideline 3:** Apply participatory HFE methodologies.
- **Guideline 4:** Incorporate proactive measures to ensure worker safety, health, wellbeing, and sustainability.
- **Guideline 5:** Tailor HFE design and management of work systems to characteristics of the organization.
- **Guideline 6:** Sustain a continuous learning process for evaluation, training, refinement, and redesign.

Appendices

Appendix 6: Sources of Information for Safety Representatives

Workplace Resources

It is recommended that Safety Representatives consult the following sources of information at their workplace:

- Risk Assessments.
- The Safety Statement.
- Safety Data Sheets (SDSs).

Website Resources

The following are a list of some websites where further information can be obtained. In relation to HSA resources, please see the following:

- www.hsa.ie
- www.BeSMART.ie
  - This is a free online tool that allows you to generate your own workplace risk assessments and safety statement.
- www.hsalearning.ie
  - This provides short awareness-raising courses that are free of charge, and accessible 24/7.
- www.workpositive.ie
  - This is a free, easy-to-use, innovative, and confidential psychosocial risk management process.
- https://www.hsa.ie/eng/education/safety_and_health_initiatives_in_education/health_and_safety_training_providers/health_and_safety_training_providers.html
  - This is a list of health and safety training providers.

Additional sources of information include the following:

- www.irishstatutebook.ie (Irish Legislation).
- www.niso.ie (National Irish Safety Organisation).
- www.hse.gov.uk (This is the UK's Health and Safety Website).
- www.csponline.ie (Construction Safety Partnership Advisory Committee).
- www.osha.europa.eu (This is the EU's Health and Safety Website).

Appendices

Appendix 7: List of Health and Safety Acts

Date	Act
2005	Safety, Health and Welfare at Work Act 2005
2008 and 2010	Chemicals Acts 2008 and 2010
1997	Chemical Weapons Act 1997 Organisation of Working Time Act 1997
1987	Safety, Health and Welfare (Offshore Installations) Act 1987
1980	Safety in Industry Act 1980
1972	Dangerous Substances Act 1972 European Communities Act 1972
1955	Factories Act 1955

Date	Name
2024	Code of Practice for Managing Safety and Health in Forestry Operations
	Chemical Agents Code of Practice 2024
2023	Code of Practice for Indoor Air Quality
2021	Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work
2020	Biological Agents Code of Practice 2020
	Chemical Agents Code of Practice 2020
2019	Code of Practice For Inland Diving and Inshore Diving
	Code of Practice for Offshore Diving
	Code of Practice for Avoiding Danger from Overhead Electricity Lines
2018	Code of Practice for Access and Working Scaffolds
2017	Code of Practice for Preventing Injury and Occupational Ill Health in Agriculture
	Farm Safety Code of Practice - Risk Assessment Document
	Code of Practice for the Design and Installation of Anchors
	Code of Practice for Working in Confined Spaces
2016	Code of Practice - For Contractors with Three or Less Employees Working on Roads
	Code of Practice for Avoiding Danger from Underground Services
	Code Of Practice for Safety In Roofwork
	Code of Practice for Health and Safety in Dock Work
2012	COP for the Operators of Quarry Delivery Vehicles Employing 3 or less
2010	Code of Practice for Electrical Safety in Quarries
	Children and Young Persons in Agriculture Code of Practice
2002	Code of Practice for Rider-Operated Lift Trucks: Operator Training and Supplementary Guidance

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Appendix 8: List of HSA Codes of Practice

Date	Name
2025	A Short Guide to Health Monitoring in the Workplace
2024	Guidelines on First Aid at Places of Work
	Guidance on Managing the Risk of Lone Working in the Health and Social Care Sector
	Occupational Safety and Health Guidance on Vulnerable Workers in the Work-place
	Guidance on Managing the Risk of Work-Related Violence and Aggression
	Guidance on Managing Fatigue with Farm Work
2023	Guidance on Safety with Patient Hoists and Slings in Health and Social Care Settings
	Psychosocial Risk Assessment: Guidance for Exposure to Sensitive Content
	How to Make Construction Appointments for Your Farm - Guidance
	Managing Exposure to Biological Agents in Laboratories
	Occupational Safety and Health Guidance on Remote Working
	Guidance on Technical Land Use Planning Advice
	Farmers' Health and Wellbeing
2022	Risk Assessment Method Statement (RAMS) Guidance Document
2021	Employees with Disabilities
	Safety for Seasonal Workers in Horticulture
	Interim Guidance for Workers on Fitness for Work following COVID-19 Absence
2020	Safe Quarry - A Guide to Pedestrian Safety in Quarries
	Safe Quarry - Guidelines to the Safety, Health and Welfare at Work (Quarry) Regulations 2008
	Construction Site Traffic Management Plan (CSTMP) Guidance
2019	The Medical Examination and Assessment of Divers at Work
	Safe Quarry - A Guide for Quarry Workers
	Managing Ergonomic Risk in the Workplace to Improve Musculoskeletal Health
2018	Guidance on Safety in Concrete Pumping
	Selecting and Monitoring Contractors - IFSG FC1
2017	Requirements for Construction Site Welfare Facilities
	Mobile Elevated Work Platforms
	Guidance for the Management of Household Hazardous Waste at Civic Amenity Sites

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Appendix 9: List of HSA Guidance and Guidelines

2016	A Guide to Maintaining Best Practices in Safety and Health
	A Guide to Risk Assessments and Safety Statements
	Guide to the Electromagnetic Fields Regulations 2016
	Guidance on Occupational Hazards in Dentistry
	Guidance on the Safety, Health and Welfare at Work (Reporting of Accidents and Dangerous Occurrences) Regulations 2016
	Safety Representatives and Safety Consultation Guidelines
	Health and Safety of Vets Visiting Farms
2015	Guidelines on the Safety of Powered Gates
	Guidance on the Safe Use of Tractors and Machinery on Farms
	A Guide to Non-Respiratory Personal Protective Equipment (PPE) for use with Chemical Agents in the Workplace
	Guidance-Note on Periodic Inspection and Testing of Electrical Installations
2014	Managing Health and Safety in Fishing
	Controlling Waste Anaesthetic Gases in Healthcare Settings
	Guide to the European Union (Prevention of Sharps Injuries in the Healthcare Sector) Regulations 2014
	Safety with Lead at Work
	Local Exhaust Ventilation (LEV) Guidance
2013	Guide on Manual Handling Risk Management in Transport and Storage
	Safety in Contract Cleaning
	Driving for Work - Driver Health Guidelines
	Guide for Homeowners
	Guide for Contractors and Project Supervisors
	Behaviour Based Safety Guide
	Guide on Manual Handling Risk Assessment in the Manufacturing Sector
	Asbestos-containing Materials (ACMs) in Workplaces - Practical Guidelines on ACM Management and Abatement
2012	Storage of Hazardous Chemicals in Laboratories
	Storage of Hazardous Chemicals in Warehouses and Drum Stores
	Night and Shift Work 2012
	Health and Safety at Work In Residential Care Facilities
	Definition of Construction Work
	Guide on the Prevention of Upper Limb Disorders (ULDs) in the Financial Sector

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Appendix 9: List of HSA Guidance and Guidelines

2011	Biological Monitoring Guidelines
2010	Guidance on the Manual Handling Training System - 2010 revision
	Guide on Manual Handling Risk Assessment in the Retail Sector
	Guidelines on Managing Safety and Health - Post Primary Schools Part 1 of 2
	Guidelines for safe working near overhead electricity lines in Agriculture
2009	Understanding Construction Risk Assessment

Appendices

Appendix 10: Example OSH Checklists

Asbestos Checklist

	Yes	No
Have you checked whether asbestos is present in your buildings?	☐	☐
– A survey/inspection has been planned for _____ (date)		
– A survey/inspection has been done to find materials that might have asbestos in them	☐	☐
– An expert has checked and confirmed whether or not the materials have asbestos in them, or it has been assumed that unknown materials contain asbestos	☐	☐
Have you got a record or drawing which clearly shows where in your buildings the asbestos is and what condition it is in?	☐	☐
– A record or drawing showing where it is and what it looks like has been done	☐	☐
– A register has been drawn up listing all the asbestos materials and their condition, or this will be done when the survey/inspection is finished	☐	☐
How are you managing the asbestos in your buildings?		
– The badly damaged asbestos has been removed, or sealed to stop fibres being released	☐	☐
– The undamaged asbestos has been labelled/colour coded	☐	☐
– A nominated person controls maintenance work	☐	☐
– Building and maintenance workers are told where the asbestos is before they start any work, or the asbestos is regularly checked every year to make sure it has not deteriorated or been damaged	☐	☐
How are you warning people who might work on or damage the asbestos in your buildings?		
– Workers are told where the asbestos is and whether the asbestos is damaged or undamaged	☐	☐
– Workers are given a plan with this information	☐	☐
– Workers are told the building may contain asbestos and they should treat the material as if it is asbestos	☐	☐
– Workers have been/will be given awareness training so that they do not disturb/damage the asbestos and know what to do if they find damaged material	☐	☐
How are you checking that your management systems that are meant to prevent exposure to asbestos actually work and continue to do so?		
– The arrangements to control the risk are periodically reviewed as a matter of course	☐	☐
– Spot checks are done to make sure the building/maintenance worker is getting the right information and working safely	☐	☐
– Any changes in the use of the building or the condition of the asbestos are dealt with	☐	☐

Appendices

Appendix 10: Example OSH Checklists

Biological Agents Action Checklist

	Yes	No
Does management actively consider biological hazards in its safety statement and risk assessments?	☐	☐
Assessing the Risks		
Have work activities been assessed for exposure (actual or potential) to biological agents?	☐	☐
Have the sources of the biological agents been identified such as contaminated water, waste, blood, sewage, animals and so on?	☐	☐
Have the biological agents that workers may be or are exposed to, been identified, where possible?	☐	☐
Have the potential routes of exposure been identified for example, inhalation, ingestion, absorption, injection?	☐	☐
Has information on the diseases which may be contracted as a result of exposure been identified?	☐	☐
Have any potential allergenic or toxigenic effects been considered?	☐	☐
Have the workers who might be harmed been identified?	☐	☐
Are some more at risk than others?	☐	☐
Have the risks been evaluated and decisions taken upon whether existing precautions are adequate, or if more should be done?	☐	☐
Have the findings been recorded?	☐	☐
Are the risk assessments reviewed and revised as necessary for example, if new knowledge of a biological agent becomes available, there are changes to the work environment or to existing processes/equipment/work activities/control measures or if a case of disease is diagnosed?	☐	☐
Prevention or Control		
Has the employer taken steps to prevent or minimise exposure to harmful biological agents for example, by use of engineering controls?	☐	☐
Are appropriate hygiene measures in place?	☐	☐
Does the employer ensure that hygiene and control measures are used and maintained?	☐	☐
Consultation		
Is management passing on information about biological agents hazards?	☐	☐
Is this information kept up to date?	☐	☐
Does the employer keep Safety Representatives informed and consult with them about its strategy for protection against actual or potential exposure to biological agents hazards?	☐	☐
Does the employer discuss plans to review risk assessments?	☐	☐
Have dates, priorities and targets been agreed?	☐	☐
Is progress monitored through the safety committee?	☐	☐

	Yes	No
Health Surveillance and Vaccination		
Are workers under health surveillance where they are exposed or liable to be exposed to harmful biological agents?	☐	☐
Are effective vaccines made available for those workers not already immune to the biological agent to which they are exposed or likely to be exposed to?	☐	☐
Does the employer have procedures to respond to confirmed or suspected cases of infections or ill-health which may be occupational/work-related?	☐	☐
Information, Instruction and Training		
Are workers adequately informed and trained about:		
– Biological agents and symptoms of infection or ill-health?	☐	☐
– Procedures for reporting symptoms?	☐	☐
– The precautions introduced by the risk assessment?	☐	☐
– Hygiene requirements?	☐	☐
– Wearing and use of suitable work clothing and PPE where required?	☐	☐
– Steps to be taken in the case of incidents or to prevent incidents?	☐	☐

Appendices

Appendix 10: Example OSH Checklists

Bullying Policy Review

	Yes	No
Initial Measures		
At our workplace:		
– Have we copies of the Code of Practice?	☐	☐
– Have we read the Codes?	☐	☐
– Have we attended any lectures/seminars explaining the Codes?	☐	☐
– Have we checked for indications of bullying/harassment/sexual harassment?	☐	☐
Indicators of Bullying/Harassment/Sexual Harassment		
At our workplace are there any indications in the organisation/workplace of conduct that might:		
– Humiliate?	☐	☐
– Intimidate?	☐	☐
– Victimise?	☐	☐
– Be threatening?	☐	☐
– Intrusive?	☐	☐
Have there been incidents in the organisation/workplace of:		
– Verbal abuse?	☐	☐
– Shouting/swearing at staff (either in public or private)?	☐	☐
– Insulting comments on a person's appearance?	☐	☐
– Offensive jokes?	☐	☐
Is or has any person been excluded/isolated?	☐	☐
Has any person been given repeated unreasonable assignments to duties, which compare unfavourably with those given to others?	☐	☐
Has any person been given repeated impossible deadlines or tasks?	☐	☐
Has any person been subjected to unwanted physical contact?	☐	☐
Have any comments denigrating a person because of gender, marital status, family status, sexual orientation, disability, age, race, religious belief or membership of the travelling community been made?	☐	☐
Have we checked absence/sickness records for any indications of problems that might indicate bullying, harassment, sexual harassment, such as for example stress?	☐	☐
Is any person/are any persons showing signs of depression, anxiety, inability to cope, alcohol/drug abuse?	☐	☐

	Yes	No
Are any particular departments manifesting any of the hazards associated with bullying?	☐	☐
Are there any other indicators (e.g: absence) that may suggest a person could be subjected to bullying/harassment/sexual harassment?	☐	☐
Actions required		
At our workplace does our employer have a policy/policies on the prevention of bullying, harassment, sexual harassment?	☐	☐
Is the policy adequate?	☐	☐
Is there a Dignity at Work Charter?	☐	☐
Did our employer consult with trade unions/employee representatives/ employees when drawing up the Charter?	☐	☐
Is the Charter on display in the workplace?	☐	☐
When drawing up our Safety Statement, did our employer consult with employee representatives/employees?	☐	☐
In considering measures to prevent bullying, was bullying identified as a hazard?	☐	☐
Was the risk assessed?	☐	☐
Were prevention measures adopted?	☐	☐
Is a policy review system in place?	☐	☐
Has the policy been adequately implemented?	☐	☐
Does our employer communicate the policy?	☐	☐
Has appropriate training to personnel involved in the process of responding to allegations been provided?	☐	☐
Allegations: procedures		
In our workplace:		
Are procedures in place to deal with allegations?	☐	☐
Are there both informal and formal procedures?	☐	☐
Are the procedures based on the Labour Relations Commission's Code (which is set out also in the HSA's Code)?	☐	☐
Do the procedures comply with the Equality Authority's Code?	☐	☐
If not, what measures are needed to ensure compliance?	☐	☐
Do procedures reflect the Labour Relations Commission's Code of Practice on Grievance and Disciplinary Procedures and Voluntary Dispute Resolution?	☐	☐
Is there a named contact person to deal with informal complaints?	☐	☐
Have complaints been resolved using informal procedures?	☐	☐

If the formal procedure has been invoked, while it is noted that the complaint should be in writing, has our employer a procedure to assist a person who may be discriminated against (perhaps because of a disability or language difficulty), by having to express the complaint in writing?	☐	☐
Has the alleged perpetrator of the conduct been given a copy of the complaint and a fair opportunity to respond?	☐	☐
Has the complaint been investigated by a designated member of the management team/an appropriate person?	☐	☐
Who is to carry out the investigation?	☐	☐
What are the parties' rights of representation?	☐	☐
When the investigator completes investigation, the Code recommends that a formal written report should be submitted to management. Has this been done?	☐	☐
Have the parties been given a chance to comment on the findings before the management decides on any action to be taken?	☐	☐
Policy review		
Have we a system in place to ensure we review policy as and when changes in work organisation and systems of work dictate - and at least annually?	☐	☐

Electrical Safety at Work Checklist

	Yes	No
Preliminary matters		
Has an electrical risk assessment been carried out?	☐	☐
Does the risk assessment cover the specific task now to be undertaken?	☐	☐
Have we rules and procedures for electrical work?	☐	☐
Do contractors brought in to do work have rules and procedures? Are the rules compliant with the ETCI's Wiring Rules?	☐	☐
Are the rules written?	☐	☐
Are all who may be involved in the work aware of the rules?	☐	☐
Do those carrying out work understand the rules?	☐	☐
If something unforeseen occurs, do the rules provide for a review?	☐	☐
Are we satisfied that those carrying out the work are competent for the particular task?	☐	☐
Working dead or live		
Has the equipment to be worked on been isolated (is it dead)?	☐	☐
There are only three valid reasons why equipment being worked on should not be isolated:		
– It is unreasonable for the conductor to be dead	☐	☐
– It is reasonable for a person to be working at or near a live conductor	☐	☐
– Suitable precautions have been taken to prevent injury	☐	☐
If all three criteria are met, live work may be permitted. Are the criteria met?	☐	☐
Working dead or live: actions to be taken		
Have we:		
– Identified the circuits or equipment to be worked on?	☐	☐
– Identified the work that needs to be done?	☐	☐
– Planned the work?	☐	☐
– Specified the level of supervision?	☐	☐
– Provided and ensured the use of appropriate PPE?	☐	☐
– Ensured workers have been fully instructed?	☐	☐
– Put in place supervision and checks?	☐	☐

Working dead: actions to be taken		
Have we identified the circuit or equipment to be worked on?	☐	☐
Cut off supply and isolate circuit/equipment?	☐	☐
Posted caution/danger notices?	☐	☐
Proved circuit/equipment is dead?	☐	☐
Earthed circuits?	☐	☐
Taken precautions against adjacent live parts?	☐	☐
Issued permits-to-work?	☐	☐
Applied local earths?	☐	☐
Working live: actions to be taken		
Have we identified the circuit or equipment to be worked on?	☐	☐
Ensured suitable precautions have been taken?	☐	☐
Ensured a work environment that allows safe access/egress and is adequately lit?	☐	☐
Restricted access to the area of live work?	☐	☐
Ensured workers can be accompanied, if that is necessary, by person trained to give assistance?	☐	☐

Users of this checklist should read the HSE-GB's Electricity at Work: Safe working practices and use the checklist in conjunction with the publication

Fire Detection and Warning Checklist

	Yes	No
Is a fire detection and alarm system installed?	☐	☐
Is all fire detection and alarm equipment checked regularly?	☐	☐
Are there instructions for relevant employees about testing equipment?	☐	☐
Are those who test and maintain equipment properly trained?	☐	☐
Can the fire detection system discover a fire quickly enough to raise an alarm for all occupants to escape to a safe place?	☐	☐
Can the warnings given be heard clearly and understood throughout the building?	☐	☐
If the detection system is electronically powered, is there a back-up power supply?	☐	☐
Have employees been informed about the system?	☐	☐
Have employees been instructed on how to operate the system and action to be taken on hearing the warning?	☐	☐
Has the fire detection system and warning arrangements been included in your emergency plan?	☐	☐
Has an emergency lighting system been installed?	☐	☐

Slips, Trips, Falls

	Yes	No
Outdoor areas		
Can anything be found in the paths, steps and fire escapes that could cause slips?	☐	☐
Are paths and steps prone to ice buildup during winter?	☐	☐
Are there changes of level on paths?	☐	☐
Are there holes, potholes, uneven paving/surfaces on footpaths?	☐	☐
Doorways and entrances		
Are floors wet at the entrance?	☐	☐
Is there water on the floor from rain or wet footwear?	☐	☐
Is the water making the floor slippery?	☐	☐
Are there trip hazards in the entrance area?	☐	☐
Outdoor areas		
Can anything be found in the paths, steps and fire escapes that could cause slips?	☐	☐
Are paths and steps prone to ice buildup during winter?	☐	☐
Are there changes of level on paths?	☐	☐
Are there holes, potholes, uneven paving/surfaces on footpaths?	☐	☐
Doorways and entrances		
Are floors wet at the entrance?	☐	☐
Is there water on the floor from rain or wet footwear?	☐	☐
Is the water making the floor slippery?	☐	☐
Are there trip hazards in the entrance area?	☐	☐
Corridors and offices		
Are there changes in floor levels, for example slopes or small steps?	☐	☐
In areas where contamination can be found, are floors smooth?	☐	☐
Are tiles loose or missing?		
Is the anti-slip floor coating or grip tape worn smooth or dam-aged?	☐	☐
If there are carpets, are they worn and/or torn?	☐	☐
Are there trip hazards around workstations, in corridors and walk-ways?	☐	☐
Is there good lighting?	☐	☐

Appendices

Appendix 10: Example OSH Checklists

	Yes	No
Stairs and ramps		
Is step nosing hard to see, damaged or slippery?	☐	☐
Are there handrails on stairs?	☐	☐
Are handrails easy to reach?	☐	☐
Are potentially hazardous activities, such as the use of handheld devices, allowed on stairs?	☐	☐
Work areas		
As part of the work process, does the floor become contaminated?	☐	☐
Are there spillages?	☐	☐
Does condensation form and drip onto the floor?	☐	☐
Is drainage poor?	☐	☐
Are walkways obstructed?	☐	☐
Toilets/shower rooms		
Does water get onto the floor?	☐	☐
If water gets on the floor, is the floor slippery?	☐	☐
Cleaning		
Is there a spill clean policy?	☐	☐
Are warning signs put out when floors are being cleaned?	☐	☐
Are warning signs removed when floor is dry?	☐	☐
Can cleaning equipment leads be easily seen and are they cordoned off?	☐	☐
Are floors wet cleaned at times when there is little or no pedestrian traffic?	☐	☐
As far as possible is access to wet floors restricted by, for example, the use of a cordon system?	☐	☐

Appendices

Appendix 11: Useful Contacts

Name	Website/Contact Details
EU-OHSA	Website: https://osha.europa.eu/en Email: information@osha.europa.eu
Healthy Ireland @ Work	Website: https://healthyworkplace.ie/
Health and Safety Authority, Ireland	The staff of the HSA Contact Centre are available to take your calls at LoCall 0818 289 389 (between 9.00 a.m. and 3.00 p.m. Monday to Friday). Email: contactus@hsa.ie
Institution of Occupational Safety and Health (IOSH)	Website: https://iosh.com/
Irish Human Factors and Ergonomics Society	Website: https://ihfes.org/ Email: https://ihfes.org/contact/
National Irish Safety Organisation	Website: https://niso.ie/about/ Email: info@niso.ie
National Health and Safety Function (NHSF), HSE.	Website: https://healthservice.hse.ie/staff/health-and-safety/national-health-and-safety-function-nhsf-about-us/ Phone: 1800 420 420
Occupational Hygiene Society of Ireland	Website: https://www.ohireland.org/
Workplace Relations Commission	Website: https://www.workplacerelations.ie/en/ Email: https://www.workplacerelations.ie/en/contact_us/

Appendices

Appendix 12: BeSMART.ie

'BeSMART.ie' (Business Electronic Safety Management and Risk assessment Tool) is a free online resource provided by the Health and Safety Authority in Ireland, that enables small businesses and the self-employed to prepare both risk assessments and Safety Statements, in line with their statutory requirements.

BeSMART.ie exists in the space of primary prevention. Primary prevention aims to prevent disease or injury before it ever occurs.

BeSMART.ie follows a checklist format and does not provide a risk rating or quantitative output. BeSMART.ie follows the standard IS EN IEC 31010:2019 Risk Management – Risk Assessment Techniques. This is the Irish version of the European EN IEC 31010:2019, Risk management - Risk assessment technique.

While BeSMART.ie aims to provide a practical, user-friendly risk assessment and safety statement tool solution, it may not be suitable for all businesses. The appropriateness depends on various factors, including the business activities, hazards present, specific needs, resources, and circumstances of the business.

BeSMART.ie is not a safety management system. Rather, it enables risk assessment which is one of the four pillars of a safety management system. The other pillars include safety policy and goals, safety assurance, and safety promotion.

Appendices

Appendix 13: hsalearning.ie

hsalearning.ie is the HSA's online education platform (or learning management system/LMS) providing 24/7 access to free courses addressing health and safety.

The courses are designed to promote health and safety awareness. hsalearning.ie courses are designed for self-directed learning. Self-directed courses give learners the flexibility to choose a course, and to study it in their own time and at their own pace. The courses are specific to workplaces in Ireland. The courses cover many topics in occupational safety and health. In addition, there are courses targeted at specific workplace sectors.

hsalearning.ie is a Moodle based system. Moodle is a free and open-source learning management system written in PHP and distributed under the GNU General Public License.

To access any of the courses on hsalearning.ie a once-off registration is required. As part of this once-off registration, the user consents to the privacy policy. Users can register as an (1) individual or (2) a group (class or workplace group).

Appendices

Appendix 14: Work Positive

Work Positive[CI] is a free State and stakeholder supported psychosocial risk management process that helps organisations identify ways to improve employee wellbeing. Please see here: www.workpositive.ie

Work Positive[CI] provides feedback on workplace stress, employee psychological wellbeing and critical incident exposure in the workplace. It delivers structured guidance enabling organisations to develop an action plan to mitigate against these stressors.

There are four steps in the process:

- Prepare
- Measure
- Action plan
- Review

Depending on the version selected, Work Positive[CI] measures workplace stressors, employee psychological wellbeing, and critical incident exposure.

The Work PositiveCI process is aligned with the Psychosocial Risk Management European Framework [Prima-EF], (Kortum & Leka, 2008).

HSA

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