

## **The Safety & Health at Work Act: Promoting Safe and Healthy Workplaces**

by Sean Daniel  
Industrial Relations Officer  
Barbados Employers' Confederation

*Published December 10, 2012 in the Barbados Business Authority*

The current recession has provided several challenges and a few opportunities for employers. While it might be tempting to focus on the trials, as employers with a collective responsibility to provide employment and grow national wealth, full advantage must be taken of the opportunities that present themselves. One such opportunity is the proclamation of the Safety & Health at Work Act 2005 (SHaW 05) which is expected on or before January 1, 2013. The Act places a general duty on all employers and occupiers to provide and maintain "a working environment for employees, that is,... safe and without risks to health", this duty to promote health and safety is an opportunity for employers and employees, working together, to achieve two important objectives; less accidents and illness for employees and improved productivity for the business.

For many years low productivity has been a critical challenge for companies. Some productivity-related costs include overtime pay, temporary staffing, and other costs that accrue due to employee absence, as well as suboptimal work by employees in ill health who are present (a concept known as "presenteeism". While employers have noted whenever they experience high levels of absenteeism that their bottom line is affected, too often workers and their representatives have been able to successfully argue that the poor environmental conditions in the workplace are the cause of the illnesses which necessitate sick leave. With the proclamation of the legislation the consistent use best practices related to occupational health and safety management will become a legal requirement which should make both parties happier, safer and healthier.

The new legislation has, at its core the concept of employee-employer partnership, which provides an opportunity to further strengthen the links between employers and employees, as both groups will be jointly responsible for occupational safety and health. This mutual responsibility is emphasised by the role of the Joint Health and Safety Committee in the legislation. The committees have the responsibility to eliminate, or at least greatly reduce the occurrence of accidents, improve health and promote worker welfare. Fewer accidents as well as improvements in employee health should result in better employee attendance and improved overall productivity of the workforce.

Another feature of the SHaW 2005 Act is the requirement to document activity related to health and safety management. This encourages measurement of performance which is a key feature of any effective management system. The measurement and joint review of the important variables such as types of illnesses recorded, days away from work due to injury provide the empirical data on which informed decisions can be made. By working together and basing decisions on information rather than emotion, employers and employees will be able to:

- Minimize the likelihood of unfortunate occurrences such as accidents and near misses

- Maximize the comfort levels of all employees improve their well-being and productivity
- Improve the reputation of the organization and enhance its public image – *customers, prospective employees, trade unions, competitors, government*
- Positively impact turn-over and foster better staff relations

These are all areas which impact the financial viability of a company and should not be taken lightly. A safe working environment coupled with a consultative approach promotes a sense of well being and positively impacts staff turn-over which is costly, not only through advertising but also the management time involved in the recruitment and selection process. Therefore reductions in staff turn-over are always welcome and beneficial to companies.

Accidents and ill-health are costly and if they can be minimised there is the potential for significant savings in medical expenses. This is especially true in Barbados where the high levels of HIV/AIDS and chronic non-communicable diseases, such as hypertension and diabetes, and their treatments significantly increase our national health spending. Many in the productive population between 15 and 66 are affected by these diseases and any preventative programs which reduce the incidence of these ailments will help to reduce the 5% of GDP currently spent on a health.

With the anticipated proclamation of SHaW 2005 in January 2013, companies will be subject to a new standard of accountability, many who previously went uninspected will now be subject to inspection under the Act. To ensure compliance with the new law, the BEC will be collecting information on key variables prior to SHaW's proclamation. This proactive move is expected to allow members of the BEC to be aware of what needs to be done to ensure compliance and other desired outcomes.

In the coming weeks the BEC will be providing useful information on SHaW 2005 as well as tips on how to successfully implement the new requirements into the business operations.