

## The Ministry Mandate

MCIL is the competent authority for administering the OSH Act 2002 and Regulations 2017.

In fulfilling its role, our mandate extends only to the formal sector whereby an employment relationship exists between an employer and worker.; including commercial agriculture and fisheries.

The Ministry through its inspectors can provide advice, carry out risk assessments for individual businesses and organizations to ensure that necessary safeguards are in place to secure the safety and health of workers and surrounding environment.



**MAKE WORKER SAFETY AND HEALTH A PRIORITY**



Ministry of Commerce, Industry and Labour  
Matagaluega o Pisini, Alamanuia ma Leipa

"to support Government's vision to lead and excel in the provision of quality service to foster economic growth for all"

## WORKPLACE SAFETY AND HEALTH FUNDAMENTALS

### WORK SMART, WORK SAFE

WHAT THE LAW SAYS :

- Employer and Employee Obligations
- Accident Reporting
- Hazard Identification and Risk Controls
- Penalties

## Employer and Employee Obligations

*Employers are obligated to safeguard the welfare of their workers and maintain a safe and healthy working environment.*

Includes providing the following:

- First Aid Kit
- Fresh drinking water
- Provide relevant Personal Protective Equipment (PPE)
- Suitable sanitation facilities

*Employees also have the following obligations:*

- To take reasonable care for his or her safety and the safety of others including members of the public
- To use PPE for its intended purpose
- To advise employer when dangerous work arises



## Accident Reporting

Employers are obligated to notify the Ministry of accidents causing serious injury, death or illness as soon as practicable.

- in the case of serious accidents written notice must be received within 24 hours after the accident.
- Accident registers must be maintained by employers to record relevant data
- MCIL have developed accident reporting forms which are available on the website [www.mcil.gov.ws](http://www.mcil.gov.ws)

## Hazard Identification and Risk Control

Employers are responsible for establishing methods for identifying hazards and managing according to the following diagram:



## Penalties

Penalties are prescribed in the OSH Act 2002 and 2017 Regulations for breaches of compliance and can range from 50 to 1000 penalty units depending on whether the violation is made by an individual or organization and the severity.

Example:

MCIL issues improvement notice to provide staff with PPE as they are working at dangerous heights:

- after follow up inspection operator has failed to comply with improvement notice.;
- MCIL will issue a prohibition notice and set a date for follow up inspection; if operator still does not comply issue penalty notice as follows:
  - a) If a corporation a fine not exceeding 150 penalty units;
  - b) In any other case a fine not Exceeding 10 penalty units.

Note: 1 penalty unit is equivalent to \$100 Tala