12 May 2016

STIFFER ENFORCEMENT PENALTIES AND ENHANCED SUPPORT PROGRAMMES TO ADDRESS WORKPLACE ACCIDENTS

In the first four months of 2016, there have been 28 workplace fatalities, six more compared to the same period last year. 12 are from the Construction sector and five are from the Marine sector. The Ministry of Manpower is deeply concerned about the high number of workplace fatalities despite stepped up inspection and enforcement, including the most recent targeted enforcement operation, codenamed “Operation Harrier”¹, which has been ongoing since 1 April 2016.

To arrest the decline in WSH performance, MOM will introduce stiffer enforcement penalties, balanced with enhanced support programmes to help employers take greater ownership on Workplace Safety and Health (WSH).

Stiffer Enforcement Penalties

a. **Tightening the conditions to lift Stop-Work Order (SWO)**

With immediate effect, the minimum SWO period will be increased from two to three weeks as new conditions will be imposed before a SWO is lifted. These conditions include (i) Conduct of refresher training on all areas of weaknesses, (ii) Re-audit of WSH Management System, (iii) Communication of findings and lessons learnt to all workers and (iv) Enhancement of “Site Coordination Meetings” to drive improvements to on-site coordination and supervision of work activities.

b. **Strengthening Business Under Surveillance Programme (BUS)**

Companies issued with a SWO or have a workplace fatality will be immediately placed into the BUS programme. Exit criteria for BUS will be tighten to include two new conditions, (i) the requirement to inculcate the

¹ Ops Harrier targets the Construction and Marine sectors and focuses on safety provisions at workplaces, covering work-at-height, lifting operations, onsite traffic management, formwork at construction worksites, and confined spaces. This operation also looks into the implementation of permit-to-work systems and safe work procedures for high risk activities and systemic lapses that may be present in workplaces.
practice of “Last Minute Risk Assessment” (LMRA) among workers and (ii) the requirement to submit a Continual Improvement Plan which would be monitored post exit from BUS.

c. **Temporary Suspension of Access to Foreign Workers**

Companies issued with a SWO or have a workplace fatality may have their work pass privileges for hiring new foreign workers temporarily suspended until improvements and rectifications on their systemic issues are addressed.

**Enhanced Support Programmes**

3 MOM will continue to work closely with the industry to build WSH capabilities and raise safety standards. On this front, MOM will work with the WSH Council to provide free support to companies that need assistance in improving their WSH systems through the Safety Compliance Assistance Visits Plus (SCAV+). Under this programme, certified WSH professionals will work with company management to identify WSH lapses and recommend appropriate control measures to minimize risks. MOM will also **intensify outreach efforts to the workers** by partnering the Singapore Institution of Safety Officers (SISO) to promptly communicate the learning points from fatal accidents to every worker through the network of WSH officers.

**Reporting WSH issues to MOM**

4 MOM urges employers, contractors and occupiers to take all reasonably practicable measures to ensure the safety and health of workers, including conducting proper risk assessments and WSH training, and ensuring that workers have sufficient rest periods. Under the WSH Act, companies that fail to take reasonably practicable measures to ensure the safety and health of their workers can be fined up to $500,000 for the first offence.

5 Members of the public who are aware of poor WSH practices can call the MOM safety hotline at 6317 1111 or email mom_oshd@mom.gov.sg to report these practices. All tip-offs will be kept strictly confidential.
FACTSHEET ON TIGHTENING OF CONDITIONS FOR LIFTING OF STOP WORK ORDER (SWO)

SWO is served to any person\(^1\) to immediately cease work in the workplace when there is an imminent danger to the safety and health of persons at work. It is issued with a set of instructions directing the recipient to take such measures to remedy any danger so as to enable resumption of work.

2. A Full SWO can be issued to cease work at the entire workplace, or a Partial SWO issued for any part of the workplace, machinery, equipment, plant or article where there is a high risk condition that poses or likely to pose imminent danger to person’s life or bodily injury; or serious lapses that are common across workplaces where it has led to harm being done (either fatal, serious injury) or led to a dangerous occurrence.

3. To ensure that companies resolve specific as well as systemic lapses through the effective implementation of their WSH management system, the minimum duration of a SWO will be extended from 2 weeks to 3 weeks. New conditions for lifting the SWO shall include the following:

   (i) Conduct of refresher training on all areas of weaknesses;

   (ii) Re-audit of WSH Management System by approved external WSH auditors;

   (iii) Communication of findings and lessons learnt to all workers; and

   (iv) Enhancement of “Site Coordination Meetings” to drive improvements to on-site coordination and supervision of work activities to ensure safety, health and welfare of persons at work

\(^1\) Any “person” refers to occupiers, employers, person at work, etc.
MOM launched the Business Under Surveillance (BUS) Programme in 2006. It is a strategic enforcement programme that targets poor performing companies for close supervision. Since its inception, more than 500 companies have undergone the programme to improve their WSH performance. Programme is divided into two phases, namely Assessment Phase and Surveillance phase. There are currently 26 companies on BUS.

Assessment Phase

- **Entry Criteria:** Those construction companies who have had (i) Fatal accidents; (ii) demonstrated poor WSH management; or have had (iii) accumulated 25 demerit points would enter into the BUS programme.

- A thorough review of the implementation of the risk assessment and the strength of the management system would be conducted. If the company fails the assessment, they will be subjected to close Surveillance.

Surveillance Phase

- During the surveillance period, MOM will work closely with the company’s senior management and WSH personnel to develop an outcome-based action plan and closely monitor its WSH performance.

- The findings will be discussed with the companies.

- Enforcement actions will be taken against those that fail to co-operate and continue to flout WSH laws.

- The company will exit from the BUS upon fulfilment of the action plan and having shown improvements in its WSH performance and management.
New conditions for exiting the BUS programme shall include the following:

(i) Develop and inculcate the practice of “Last Minute Risk Assessment (LMRA)\(^2\)” among the workers; and

(ii) Submit a continual improvement plan to be monitored post exit from BUS programme.

\(^2\) It is a simple and brief mental assessment conducted by the worker before he starts work to ensure that there is no potential risk involving safety & health and that preventive measures are in place. The underlying principle is to emphasize that a worker himself has a personal responsibility to be aware of the risks and to take necessary preventive action to avoid injury and ill-health.
FACTSHEET ON TEMPORARY SUSPENSION OF ACCESS TO FOREIGN WORKERS

Companies issued with a Stop Work Order (SWO) or had fatal accidents may face a temporary suspension of hiring new foreign workers. Such companies will have to carry out improvements and rectifications on their systemic issues to the satisfaction of the Commissioner of WSH before the suspension is lifted.
FACTSHEET ON ENHANCED SAFETY COMPLIANCE ASSISTANCE VISIT (SCAV+) PROGRAMME

Background

- Safety Compliance Assistance Visits (SCAV) was first launched in Oct 2010 to provide onsite assistance to SMEs for compliance with WSH requirements. SCAV consultants would promote and educate workers and supervisors on the appropriate preventive measures to be taken to mitigate risk at work.

Safety Compliance Assistance Visits Plus (SCAV+)

- The Safety Compliance Assistance Visits Plus is intended to provide onsite customised compliance assistance by certified WSH professionals who will inspect and assess the workplace jointly with the employers and supervisors to identify WSH lapses and recommending relevant control measures.

- The duration of each SCAV+ visit can range from about 3 hours to a day depending on the complexities of the operations. Through SCAV+, employers are expected to gain a better understanding of their operational WSH hazards and take the necessary preventive measures through a comprehensive risk assessment. It aims to help companies mitigate their operational risks and prevent accidents at their workplaces.

- The key elements for SCAV+ are:

  (i) **Identification of WSH Lapses**
      The WSH professionals will identify the WSH lapses onsite together with the employer/employees.

  (ii) **Implementation of Control Measures**
      The WSH professionals will provide advice and hands-on guidance to the companies in rectifying the WSH lapses on-the-spot.
The SCAV+ will be offered free to companies that need and want help. The programme will be available for a period of six (6) months from end June 2016. Interested companies may register for the programme by emailing eric_pook@wshc.gov.sg and joanne_teo@wshc.gov.sg.