

SAFE TEA TIME



Safe Tea Committee



by Ir. Shum Keng Yan

LAST MONTH, I referred to the Safety and Health Committee as a key stakeholder in management reviews. The committee has, in fact, a broader function. This month, we will discuss more about these functions.

The Safety and Health Committee needs to be formed for workplaces with 40 or more people. This is provided under Section 30 of the Occupational Safety and Health Act 1994 (Act 514).

Safety and Health Committees are part of the organisation for safety (refer to the October 2011 issue of JURUTERA). The specific regulations related to Safety and Health Committees is the Occupational Safety and Health (Safety and Health Committee) Regulations 1996. The employer needs to convene the inaugural meeting and set down the expectations on safety and health policies, plans and proposals to establish a safe and healthy working condition at the place of work.

MEMBERSHIP OF THE COMMITTEE

The Safety and Health Committee should comprise (under Regulation 5 (1)):

1. A chairman (the managing director or the authorised manager)
2. A secretary (the safety and health officer or person-in-charge)
3. Representatives of the employees
4. Representatives of the employer

In cases where there are 100 employees or less, there should be no less than two representatives from (3) and (4). Where there are more than 100 employees, there should be no less than four representatives from (3) and (4). This requirement is stated under Regulation 5 (2).

The members should be nominated by the employees and balloting can be done if the nominees exceed the vacancies. On the other hand, where there is no nomination or insufficient nomination, the employer then appoints the required number to the committee. Regulation 7 to 10 deals with the appointment and removal of committee members.

FUNCTION OF THE COMMITTEE

The functions of the Safety and Health Committee are contained in Part 3 of the Occupational Safety and Health (Safety and Health Committee) Regulations 1996. In summary, they include:

1. Assist in the development of safety and health rules and safe systems of work.
2. Review safety and health programmes.
3. Carry out studies on safety incidents and report unsafe or unhealthy conditions and practices at the workplace with recommendations for corrective actions.

4. Review and make recommendations on Safety and Health Policies at the workplace.
5. Conduct workplace inspections and make recommendations.
6. Conduct incident investigations and make recommendations.
7. Attend to complaints.
8. Assist in the promotional activities of safety and health at the workplace.
9. Sub-committees may be formed to look into specific issues.

It should also be noted that the Safety and Health Committee should be part of the management review. In fact, some companies do designate one of the Safety and Health Committee meetings as a management review meeting.

Another point to note is the various recommendations coming out from the Safety and Health Committee. The employer (as soon as is practicable) needs to make a decision in consultation with the chairman and Safety and Health Officer. All such records of recommendations and decisions need to be kept for at least seven years. These are stated under Regulation 14.

In the discharge of the committee's duties, the committee needs to refer to various reports such as safety and health audits, Safety and Health Officer reports, Occupational Safety and Health Officer (government) reports and reports from government agencies.

The committee even has the authority to bring a safety and health issue up to the Director General when there is an unresolved disagreement with the employer. This is covered under Regulation 17.

The committee meets as frequently as is necessary and at least once in three months. As with all formal committees, there needs to be a quorum of at least the chairman, secretary and half the members. The minutes of these meetings need to be kept for at least seven years.

In order to discharge their duties, the committee members obviously require time and training on safety and health as well as facilities for the meetings to be held. These are to be provided by the employer. The employer should also make relevant documents available to the committee subject to certain conditions under Regulation 31.

Clearly, the Safety and Health Committee is very influential if it is run properly. It has wide ranging functions and authority to help the employer create a safe and healthy workplace.

To join our Safe Tea Committee, send your request to pub@iem.org.my. ■

Have you noticed that committees have too many m-t-es? For our readers who celebrate Thaipusam, I wish them a joyous celebration!