

SAFETY & HEALTH COMMITTEE

SAFETY AND HEALTH COMMITTEE REGULATION

THE AIM

To develop the knowledge, attitudes and skills of the workers so that the committee can play an active and effective role in the workplace safety and health system.

WHY ARE SAFETY AND HEALTH COMMITTEES IMPORTANT?

SAFETY AND HEALTH COMMITTEES PROVIDE A WAY FOR MANAGEMENT AND WORKER TO MEET REGULARLY TO DISCUSS WORKPLACE SAFETY AND HEALTH ISSUES. THEY ARE TO BRING TOGETHER WORKER'S PRACTICAL KNOWLEDGE OF JOBS AND MANAGEMENT'S OVERVIEW OF THE WORKPLACE AND WORK ORGANIZATION.

OCCUPATIONAL SAFETY AND HEALTH (SAFETY AND HEALTH COMMITTEE) REGULATION 1996

- Come into force on 1 January 1997
- Shall apply to a safety and health committee established under section 30 of OSHA 1994
- Section 30 - it is compulsory for employers who have more than 40 workers to establish a SHC at their workplaces or otherwise directed by DG or DOSH

DUTY OF AN EMPLOYER

- To comply with Part II (Composition of SHC) and Part III (Functions of SHC) and Part V (Provisions of Training and Information).

OBJECTIVE OF THE COMMITTEE

- The main objective of the committee is to foster cooperation and consultation between management and worker in identifying, evaluating and controlling hazards at workplace.
- An effective channel of communication to exchange ideas to solve OSH problems.
- To enhance interest and motivation of all groups of management and workers at place of work in Safety and Health

ADEQUATE EMPLOYEE REPRESENTATIVE & VACANCY

- The representatives of employees in a SHC shall be able to represent the various section of a place of work in order to maintain and develop the employees' interest in establishing a safe and healthy working condition at the place of work.
- Shall be filled by a person appointed in the same manner as the previous of the committee

REMOVAL OF MEMBER OF COMMITTEE

- Fail to attend three consecutive meeting without leave of the chairman
- Bankrupt
- Resigned
- Convicted of an offence involving fraud, dishonesty or moral turpitude.

- Convicted any other criminal offence
- Unable or incapable to discharging his duties as a member of the committee

PENALTY

THE Occupational Safety And Health Act 1994 imposes a penalty involving a fine of not exceeding RM5,000 or six months in prisonment or both for failure to establish a safety committee at the workplace.

MEMBER SHIP OF COMMITTEE

- a chair man (1)
- a secretary (1)
- representatives of employer (2 or 4)
- representatives of employees (2 or 4)

- <= 100 workers - 2 representatives
- > 100 workers - 4 representative

APPOINTMENT OF CHAIRMAN AND SECRETARY OF COMMITTEE

- CHAIRMAN - an employer or his authorized manager
- SECRETARY - safety and health officer or appointed by the chairman or appointed among the members

APPOINTMENT OF OTHER MEMBER OF COMMITTEE

- EMPLOYER REPRESENTATIVE - appointed by employer manager
- EMPLOYEE REPRESENTATIVE - appointed by employer

FUNCTIONS OF SAFETY AND HEALTH COMMITTEE

- Assist in the development of safety and health rules and safe systems of work
- Review the effectiveness of safety and health programs
- Carry out studies on the trends of accident, near-miss accident, dangerous occurrence, occupational poisoning/diseases which occurs at workplace and shall report to the employer of any unsafe or unhealthy condition/practices at the workplace together with recommendations for corrective actions
- Review the safety and health policies at the workplace and make recommendation to the employer for any revision of such policies
- Inspect the workplace at least once in every three month and recommend preventive and corrective measure
- Discuss reports and matters from safety officer, enforcement officers, etc
- Practices and recommend corrective actions
- Assist to organize promotional activities

MEETINGS OF SAFETY AND HEALTHY COMMITTEE

AGENDA AND MINUTES

- Early circulation of agenda discussion paper
- Minutes and circulated soon, not later than two week after meeting
- Minutes kept for seven years for purposes of inspection by an Occupational Safety and Health Officer (DOSH)

MEETING FACILITIES :

- Suitable meeting to be provided
- Adequate facilities in meeting room

FREQUENCY OF MEETING :

- Depends on nature of high risk at workplace
- At least once a month for high risk workplace
- Once in three month for other workplace
- More frequent meeting during initial period of formation

QUORUM :

- Chairman, secretary and not less than half of the remaining members present

MATTERS :

- Pertaining safety and health at the work place

PROVISIONS OF TRAINING AND INFORMATION

- EMPLOYER :
 - Basic understanding and knowledge of the functions of the committee under the Act
 - Provide adequate training in OSH
 - Provide documents and information OSHA 1994 and its regulations, codes of practice and guidelines relating to the elimination of risk to safety and health associated with the nature of work carried out at the workplace and other relevant codes of practice, safety plans, etc

PROVISIONS OF TRAINING AND INFORMATION

- EMPLOYER SHALL NOT MAKE AVAILABLE :
 - Any information the disclosure of which would be prejudicial to interest of national security
 - Any information which he could not disclose without contravening a prohibition imposed by or under any written law ;
- Any information the disclosure of which would, for reasons other than its effect on health, safety or welfare at work, cause a substantial injury to the employer's undertaking or, where the information was supplied to him by some other person, to the undertaking of that other person.
- Any information obtained by the employer for the purpose of instituting, prosecuting or defending any legal proceeding.