

CAYMAN ISLANDS



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**THE LABOUR LAW
(2007 Revision)**

**THE LABOUR (OCCUPATIONAL SAFETY AND HEALTH)
(CONSTRUCTION INDUSTRY) REGULATIONS, 2008**

**LABOUR (OCCUPATIONAL SAFETY AND HEALTH)
(CONSTRUCTION INDUSTRY) REGULATIONS, 2008**

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(CONSTRUCTION INDUSTRY) REGULATIONS, 2008**

In exercise of the powers conferred by section 70 of the Labour Law (2007 Revision), the Governor in Cabinet makes the following Regulations-

**PART I
PRELIMINARY**

1. (1) These Regulations may be cited as the Labour (Occupational Safety and Health) (Construction Industry) Regulations, 2008. Citation and commencement

(2) Parts I, II, III, IV, V and VIII come into operation on 1st September, 2008.

(3) Part VI comes into operation on 1st December, 2008.

(4) Part VII comes into operation on 1st December, 2009.

2. In these Regulations-

Interpretation

“ANSI” means American National Standards Institute;

“construction” means the carrying out of any building, engineering or other similar or ancillary operations in, on, over or under land, including renovations and “construction industry” shall be construed accordingly;

“contractor” means a person lawfully carrying on the work of a contractor and includes a subcontractor;

“Director” means the Director of Labour referred to in section 71 of the Labour Law (2007 Revision); (2007 Revision)

“Law” means the Labour Law (2007 Revision); (2007 Revision)

“operator of a workplace” has the meaning assigned by section 2 of the Labour Law (2007 Revision);

“Safety Officer” means a Supervising Safety Officer or Site Safety Officer, appointed under regulation 4; and

“serious injury” means an injury in which an individual is or is likely to be incapacitated for 24 hours or more.

Application

3. These Regulations apply to the construction industry.

PART II DUTIES OF CONTRACTORS

Operator of a workplace

4. (1) A contractor shall appoint a Site Safety Officer for each site on which construction work is being carried out and such officer may perform that role full-time or in addition to other duties; where the contractor is also the operator of a workplace he may designate himself as a Site Safety Officer.

(2) Where only small works are taking place on more than one site, one Safety Officer may be assigned to two or more of those sites.

(3) Where a contractor is carrying out construction on more than one site, there shall, in addition to a Site Safety Officer referred to in paragraph (1), be a Supervising Safety Officer (to whom Site Safety Officers shall be answerable), who may also be a Site Safety Officer for a particular site or sites, and the Supervising Safety Officer may perform the role of a Supervising Safety Officer full-time or in addition to other duties; the operator of a workplace may designate himself as a Supervising Safety Officer.

(4) No person shall be appointed to be a Site Safety Officer or a Supervising Safety Officer unless he has successfully completed a thirty-hour occupational safety and health course offered by the Department of Labour or endorsed by the Ministry responsible for labour but a person who has not completed that course may be appointed so long as he-

- (a) has some knowledge about occupational safety and health; and
- (b) is expected to complete the course as soon as a vacancy is available for the course.

(5) A contractor may appoint a Safety Officer who is not his employee.

5. (1) Without derogating from the obligations of section 62 of the Law, an a contractor shall, where protection cannot be provided by other means, provide free of charge- Safety equipment
- (a) eye protection or eye shields to the extent specified in Schedules 1 and 2;
 - (b) filter lenses or plates of not less than number 10 shade, where the employee is engaged in welding operations;
 - (c) goggles for burning, with a minimum number 4 density and plastic cover plate on both sides of the filter lens, where gas welding and burning operations are being carried out;
 - (d) respirators to avoid workers breathing dust and fumes;
 - (e) life jackets, which shall be worn if working over water exceeding six feet deep;
 - (f) ear protectors, if noise levels cannot be reduced to a level below 90 decibels;
 - (g) adequate protective clothing, when exposed to high levels of fumes;
 - (h) safety helmets for protection against falling materials;
 - (i) simple dust masks designed to filter dust particles, each mask being used by one person only and being disposed of at the end of each day, but where there are high dust levels the masks shall be disposed of more frequently; and
 - (j) full respiratory masks, when toxic material is likely to create dust.

(2) For purposes of clarification it is declared that each worker who is likely to be exposed to a particular kind of danger shall be provided with equipment for his personal use unless the equipment concerned is such that it can be used only with others.

6. (1) The contractor shall- Hazards
- (a) perform hazard assessments; and
 - (b) ensure that the place of employment is free from predictable hazards, that is, hazards that are likely to cause death or serious physical harm to workers and the public.

(2) The hazard assessment shall be made in such manner as the Director may determine.

7. (1) The contractor shall provide- Incidents
- (a) a first aid kit on each construction site, which kit shall be accessible to every employee during working hours; and

- (b) proper equipment for the prompt transportation of an injured employee to a medical facility or a communication system to contact an ambulance service.

(2) The contractor shall, directly or through a Safety Officer, as soon as reasonably practicable but in any case within not more than ten working days, notify the Director of any industrial incidents of a serious nature which occur within the place or to any person in the employment of the operator and also of the occurrence of any occupational disease afflicting any person in his employment.

(3) A notification made in relation to an accident of a serious nature shall be made in the form and contain the information set out in Schedule 3 and a notification in relation to the occurrence of an occupational disease shall be made in the form and contain the information set out in Schedule 4.

(4) The contractor shall maintain records of incidents and occurrences of disease referred to in paragraph (2) in relation to an accident and shall be subject to the inspection powers set out in section 73 of the Law.

General duties of
contractors

8. A contractor shall ensure that-
- (a) a site is free from recognizable hazards that are likely to cause death or serious injury to operatives or the general public;
 - (b) there is safe access to, and egress from, all places of work;
 - (c) plant and machinery are properly installed and maintained;
 - (d) suitable and safe working systems are instituted and followed;
 - (e) all materials and substances are transported, stored and used safely, and are disposed of in a safe manner;
 - (f) safety meetings involving employees are held and employees are afforded an opportunity to ask questions and make suggestions;
and
 - (g) all employees are provided with a written safety policy.

PART III DUTIES OF WORKERS

General duties of
workers

9. (1) A worker shall-
- (a) comply with the Law, these Regulations and any additional safety requirements that the contractor may establish;
 - (b) take reasonable care of his own health and safety, and of others who may be affected by his actions;

- (c) make proper use of the safety equipment provided by the contractor when and where appropriate;
- (d) use correctly all tools and equipment provided for work;
- (e) not misuse or interfere with the function of anything that is designed for safety and health;
- (f) report to the Safety Officer any safety equipment that is either lost or misplaced, or damaged so as to be less effective than intended;
- (g) report to the Safety Officer as soon as reasonably practicable any injury either to himself or to any other person on the site; and
- (h) immediately cease any potentially dangerous activity if appropriate safety protection is either damaged, missing or otherwise unavailable and he shall not resume such activity until such condition has been corrected.

(2) The worker shall provide and wear as necessary the following-

- (a) a shirt;
- (b) overalls, pants or shorts, none of which shall have loose, torn or dragging fabric, pant legs without cuffs recommended; and
- (c) steel-toed work boots, and sandals, tennis shoes or street shoes shall not be permitted.

(3) The worker shall not-

- (a) wear loose fitting clothes or jewellery around moving machinery, grinding operations and other situations which may render such clothes or jewellery dangerous; or
- (b) wear hair that could constitute a danger in circumstances described in subparagraph (a), unless it is protected by a hard hat or hair net, or tied back, as appropriate.

10. Where, in the opinion of a contractor, personal protective equipment, tools or other equipment is lost or damaged due to the willful or negligent act of the employee, the contractor may charge the worker for that loss or damage.

Loss or damage to equipment

PART IV INSPECTIONS

11. When exercising powers of inspection under section 73 of the Law, the Director, Deputy Director or any labour inspector shall, wherever practicable or where he considers it necessary or expedient, exercise those powers in the company of the Site Supervisor.

Powers of inspection

**PART V
HOUSEKEEPING**

Housekeeping

12. (1) The contractor and worker shall maintain and cleanup work areas daily and, without limiting the requirement in this paragraph, the contractor and the worker shall observe the requirements in paragraphs (2) to (6).

(2) Materials approved by the contractor for staging in the work area must be stacked in an orderly manner when not in use and in a location that will provide safe access to, and egress from, the work area and not interfere with other works that may also be in progress.

(3) During construction, debris and scrap material shall be removed from the work area regularly and shall not be allowed to build up so as to impede work on the site or movement of workers.

(4) Storage of waste while it remains on site must be carried out in compliance with all relevant Laws, and materials and supplies shall be stored in locations which will not block access ways and shall be arranged to permit cleaning of the area.

(5) Equipment shall be maintained so as not to cause unsafe walking surfaces due to oil or other fluid leakage; when oil or other fluid leakages do result in unsafe walking surfaces the surfaces shall be cleaned in an appropriate manner immediately.

(6) All hoses, cables, extension cords and similar materials, when not in use and stored on-site, shall be located, arranged and grouped so that they will not block any access way and will permit cleaning and maintenance.

**PART VI
WORKING AT HEIGHTS**

Scaffolds: General

13. (1) A system scaffold and a mobile scaffold shall be constructed as shown in Part A and Part B, respectively, of Schedule 5.

(2) A scaffold shall be used where there is no solid construction to stand on and where the work cannot be done safely while standing on a ladder.

(3) Manufacturers' guidelines shall be followed at all times.

(4) A scaffold shall be erected only by trained individuals.

(5) Scaffolds must not be used in severe weather such as strong winds and thunderstorms.

(6) Unstable objects or makeshift devices to increase the working height of a scaffold shall not be used, and portable ladders as a means of increasing the working height may be used only after the Safety Officer has determined that the stability of the structure has not been compromised and adequate fall protection is in place.

(7) Straddling, standing on, or working outside of, the guardrail is prohibited.

(8) Mobile scaffolds may only be used on firm, level, surfaces, and castors or wheels shall be locked before using the scaffold.

(9) No person may ride on a scaffold while it is being moved.

(10) Loose tools or materials on a scaffold shall be removed before moving or relocating the scaffold.

(11) A scaffold may not be used to store concrete blocks or other building materials.

(12) Fall protection systems such as guardrail systems or personal fall-arrest systems must be used when working six feet or more above a lower level, unless harnesses are used in accordance with these Regulations, and where guardrails or fall-arrest systems cannot be installed then harnesses must be used.

(13) The Safety Officer shall be notified immediately if a scaffold is damaged, weakened or otherwise deficient.

14. A worker shall not position himself, or use tools or equipment, where there is a possibility of contacting an energized overhead line; if any portion of the body of the worker will or is likely to come within 20 feet of an energized line, an electrical utilities provider shall be contacted for additional requirements.

Scaffolds: Electrical

15. (1) Tie wire may be used for inward ties.

Scaffolds: Ties

(2) Lumber may be used for outward ties.

(3) Ties shall be provided to resist inward and outward movement.

(4) Ties shall be provided at existing fenestration and may make use of fenestration.

Scaffolds: Boards

16. (1) Maximum space between boards shall be 12 feet 8 inches and the boards shall otherwise comply with Schedule.

(2) A group of boards within a set shall be the same length and thickness.

(3) Where the thickness of boards varies from set to set, provision must be made to prevent tipping.

(4) Boards which are at least 1.5 inches thick but not more than 7 feet long shall not be used unless they are fixed down to stop tipping.

Safety harnesses:
General

17. (1) A safety harness may be used in place of a scaffold and fall arrest.

(2) A safety harness and lanyard shall be worn in any of the following circumstances-

- (a) on all scaffolds with incomplete decking or incomplete guardrails;
- (b) on sloping roofs;
- (c) within 6 feet of the edge of floors or roofs where there is no edge protection;
- (d) in areas where there is protruding, unprotected or reinforcing steel at any height; or
- (e) in any unprotected elevated position 6 feet or more.

(3) The operator of a workplace shall ensure that a worker using a harness or lanyard is trained to wear it correctly and to use it safely.

(4) A lanyard shall be fastened to the full body harness and secured to an object that will support a load such as steel work or static line that is capable of holding 5, 000 pounds or three times the average weight of a man.

(5) A lanyard shall not allow a fall of 5 feet or more.

Safety harnesses: Static
lines

18. (1) A static line shall only be used where there are no other means of erecting fall protection such as scaffolds, handrails and barriers.

(2) A static line shall be capable of withstanding a 5, 000 pound drop, such as ½ inch steel wire rope.

(3) A static line shall be secured to something capable of withstanding a 5, 000 pound load, such as steel work or eye bolts drilled in solid walls.

(4) Each end of a static line shall be secured with at least two bulldog clamps or wire-rope clamps.

(5) A static line shall not be placed on a sharp corner, and softeners shall be used to protect the line.

(6) If a static line encounters a fall then the line shall be replaced regardless of whether it still looks safe to use.

(7) The longest run for a static line shall not exceed 200 feet.

(8) A line shall be placed at 42 inches and in such a way as not to hinder any other person's work.

19. (1) A harness or lanyard shall be inspected daily by the person using it.

Inspection of harnesses
and lanyards

(2) Items which shall be inspected are-

- (a) stitching, buckles, rivets, lanyard, splices, metal rivets and D rings;
- (b) frayed or broken fabric; and
- (c) frayed or broken buckle tabs.

(3) If any item that must be inspected under this regulation has been identified as being faulty, the person using the equipment shall inform the Safety Officer who shall ensure that the harness or lanyard is destroyed.

20. (1) A job-built ladder shall be constructed and used as shown in Part A and Part B, respectively, of Schedule 7.

Ladders

(2) A ladder shall be inspected prior to use.

(3) A ladder with loose, broken or missing rungs, split or bent side rails, or other defects shall be removed from service.

(4) A ladder (other than a stepladder) shall extend approximately 3 feet above a safe landing or parapet wall.

(5) A ladder shall be set up with a 4-vertical to 1-horizontal slope.

(6) When an extension ladder is to be used for more than one day in the same location, it shall be secured to prevent displacement.

(7) The base of a ladder's side rails must rest on a firm, level foundation.

(8) A metal ladder or wire-reinforced wooden ladder shall not be used near an energized electrical conductor.

Stepladders

21. (1) A stepladder shall be constructed as shown in Schedule 7.

(2) A worker shall inspect a stepladder prior to use and, if it is damaged, shall not use it but report any damage to the Safety Officer.

(3) Spreaders shall be locked in place and legs fully extended.

(4) The top two steps of a stepladder shall not be used for standing.

(5) Stepladders shall be used at 90 degrees to the work; not adjacent to the work.

Handrails

22. (1) Handrails strong enough to support 200 pounds at mid-span shall be provided around stairwells.

(2) Handrails shall be provided-

(a) at all openings to lift shafts;

(b) around perimeters of balconies and galleries;

(c) at upper floor overhang to an atrium or great room.

PART VII MISCELLANEOUS

Fire protection and prevention

23. (1) On a site where there are or may be expected to be one hundred workers or more at any given time, the operator of a workplace shall put into place a fire safety manual to explain to all workers what to do in the event of a fire and such manual shall include but need not be limited to-

(a) locations of all fire fighting equipment, signs, lighting, alarms and other accessories, and checking that they are in working order;

(b) designated escape routes;

- (c) allocation of fire marshals to ensure that all operatives leave the site when there is a fire and to count workers at the collection point;
 - (d) designated collection points for all operatives to congregate and be counted; and
 - (e) liaison with the fire service.
- (2) The fire safety manual shall be reinforced with fire drills conducted on a quarterly basis and for this purpose the operator of a workplace shall train at least one operative on any given site on-
- (a) what to do in the event of a fire;
 - (b) use and operation of fire fighting equipment; and
 - (c) first aid to treat fire related wounds.
- (3) Caution labels on materials brought to site shall be followed regarding risks to fire, and specific high risk activities such as welding and grinding shall be assessed for likelihood of a fire occurring, and if it is determined that there is a probability or likelihood of fire, smoking shall not be allowed.
- (4) The operator of a workplace shall issue appropriate protective clothing and equipment to operatives specific to their tasks and risk.
- (5) Fires shall be placed into the following categories-
- (a) Class A – Carbonaceous material such as paper and cloth, wood and rubber;
 - (b) Class B – Flammable liquids or liquefied solids, such as oil, fat, paint or fuel;
 - (c) Class C – Flammable gases or liquefied gases such as propane butane, hydrogen or acetylene;
 - (d) Class D – Combustible materials such as magnesium, sodium and phosphorus, as well as electrical fires, that is, those involving electrical apparatus and materials.
- (6) An operator of a workplace shall have on site fire fighting equipment appropriate to the work carried out on that site.
- (7) Workers on the site should only attempt to extinguish small contained fires and if they do they may use fire blankets, fire extinguishers appropriate to the fire and other similarly effective methods for small fires.
- (8) Fire extinguishers, which shall be used in accordance with Schedule 8, shall be present when work involving heat or fire is being conducted on any premises or in areas where combustibles are present.

- Hand and power tools
24. (1) A hand or power tool shall be maintained in a safe condition and be inspected regularly.
- (2) The use of an unsafe hand or power tool is prohibited.
- (3) An electrical power tool shall be grounded or double insulated.
- (4) A pneumatic power tool shall be secured to the hose or whip by some positive means.
- (5) Only a trained employee may operate a power activated tool.
- (6) Each employee who operates a power activated tool shall check it before use to ensure that it is safe to use.
- Signs, signals and barricades at public thoroughfares
25. (1) Where a hazard exists, signs, signals and barricades warning of that hazard shall be put in place and be visible at all times.
- (2) A street, road, highway or other public thoroughfare that is closed to traffic shall be protected by barricades on which shall be placed secure and highly visible warning signs or signals.
- (3) Barricades shall be located at the nearest intersecting street, road, highway or other public thoroughfare on each side of the blocked section.
- (4) Open trenches and other excavations at locations referred to in paragraph (2) shall be provided with suitable signs, signals or barricades to ensure adequate protection to the public; obstructions such as piles of materials and equipment shall be provided with similar warnings.
- (5) The barricades and obstructions referred to in this regulation shall be illuminated by means of warning signs or signals from sunset to sunrise.
- (6) Materials stored on or alongside a street, road, highway or other public thoroughfare shall be so placed, and the work at all times shall be conducted, so as to cause minimum obstruction and inconvenience to the public.
- (7) Anything that is placed due to a hazard shall be removed when the hazard no longer exists.
- Materials handling, storage, use and disposal
26. (1) Before drums are stacked, the manufacturer's instructions must be consulted.

- (2) Drums that are not designed to be stacked shall not be stacked.
- (3) Blocks shall be stacked to avoid damage to the materials on which they are stacked or on which they may fall.
- (4) Stacked blocks shall not stand more than 6 feet high.
- (5) Bags shall where possible be stacked in an interlocking manner to avoid them sliding or rolling, and falling from the stack.
- (6) Materials shall not be stored in front of doorways, emergency exits, walkways, stairwells or fire fighting equipment.
- (7) Materials shall not be stored on site in such a way as to hinder the running or operation of traffic.
- (8) Materials shall not be stacked in large quantities on elevated platforms.

27. (1) This regulation applies only to upper stories of multi-storey structures. Floor and wall openings

(2) Floor and wall openings shall be guarded by a standard guardrail, mid-rail and toe-board, or be adequately covered, and guardrails shall be of sufficient strength to support 200 pounds of pressure when applied at mid-span of the guardrail, parallel with the floor and perpendicular to the guardrail, with a minimum deflection of 3 inches.

(3) Covers for floor openings shall be adequately secured to prevent displacement and have “Danger” signs attached identifying the hazard.

(4) Every flight of stairs having four or more risers shall be equipped with stair railings and shall not be used until risers and railings are securely installed but temporary handrails may be used until completion of the project.

(5) Debris and other loose materials shall not be allowed on stairways, stairwells or at access points to stairways.

28. (1) Excavations and trenches shall be inspected by a Safety Officer daily and after every significant rainfall to determine if they are safe. Trenches, excavation and shoring

(2) Ladders or steps shall be provided in all trenches 4 feet or more in depth and shall be located so as to require no more than 25 feet of lateral travel before having access or egress.

(3) Material excavated shall be stored at least 2 feet from the edge of the excavation or trench and shall be stored so as to prevent material from falling into the excavation.

(4) All trenches and excavations shall be barricaded during times when no work is taking place to prevent persons from walking into them.

(5) A barricade may consist of steel reinforcing rods driven into the ground with caution tape strung between.

Welding and Cutting

29. (1) Compressed gas cylinders shall be secured in an upright position while being utilized, stored or transported, and the location of cylinder storage areas must be approved by the operator of the workplace.

(2) When transporting, moving or storing cylinders, valve protection caps shall be in place and secured, except where the cylinders are mounted on the vehicle for regular work, in which case regulators and hoses may be attached.

(3) Cylinders shall not be hoisted by magnets or choker slings, and valve protection caps shall not be used for hoisting cylinders.

(4) Cylinders shall be kept away from sparks, hot slag and flames, or be adequately protected.

(5) Cylinders shall not be placed where they can become part of an electrical circuit.

(6) Cylinders shall be labelled as to the nature of their contents.

(7) Oxygen cylinders in storage shall be separated from fuel gas cylinders or combustible materials by a minimum of 20 feet, or by a non-combustible barrier at least 5 feet high and having a fire resistance rating of at least one-half hour; empty cylinders shall be separated in the same way from cylinders that have contents.

(8) "No Smoking" signs shall be posted at storage areas and signs shall clearly indicate contents of cylinders.

(9) Anti-flash back valves shall be provided on all oxygen and acetylene lines.

30. (1) Steel erection shall not begin until the concrete in footings and piers is inspected and certified to be sufficient to support loads, and anchor bolts are installed and meet the requirements. Steel erection

(2) Prior to hosting, cranes shall be inspected by their owners to ensure the adequacy of control mechanisms, rigging, hydraulics, pneumatics, hooks, latches and ground conditions.

(3) Each column must have installed in its base plate and connection plates the number and size of bolts specified by the structural engineer.

(4) Planking or metal decking in temporary floors shall be of appropriate strength and thickness to carry the working load, and decking shall be secured to prevent movement.

(5) In multi-storey buildings, standard guardrails and toe-boards shall be installed around open sides of permanent upper floors.

(6) During structural steel assembly, a safety railing, that is, a cable, shall be installed approximately 42 inches high, recessed into the interior of the floor around all temporary floors.

(7) Tag lines shall be used to control all loads.

31. (1) Electrical work, installation and wire capacities shall be in accordance with the Electricity Law (2005 Revision). Electrical

(2) A contractor shall develop and implement a lockout and tag-out procedure and strictly adhere to the procedure.

(3) Temporary power-and-lighting wiring must conform to the Electricity Law (2005 Revision) and regulations made thereunder.

(4) Temporary panels shall have covers installed at all times, and open and exposed breaker spaces shall be adequately covered.

(5) Job-site receptacles shall be of the ground-fault-circuit interrupter type and be in working order.

(6) Temporary cords shall be of the three-pronged grounding type and shall be in working order.

Cranes, derricks, hoists,
elevators and conveyors

32. (1) A crane operator shall be in the direct employ of the business entity providing the crane service (that business entity in this regulation being referred to as “the crane service”) and shall be capable of identifying existing and predictable hazards either in the surroundings or working conditions, which may be unsanitary, hazardous or dangerous to employees, and the crane operator shall have authorization from the crane service to take prompt corrective measures to eliminate any such hazards.

(2) Employee records of the crane operator shall be maintained at the office of the crane service and be made available to the Department of Labour upon request by that department or the employee.

(3) The employee records shall include documentation that demonstrates the crane operator’s experience, safe working record, and proficiency with the same or similar hoisting equipment and loads.

(4) The swing radius of a crane shall be barricaded by the crane service.

(5) Hand signals prescribed by ANSI shall be posted at an operator’s station.

(6) The crane service shall observe the manufacturer’s specifications.

(7) Equipment shall not be operated where any of the equipment or load will come within 10 feet of electrical distribution or transmission lines that carry less than 50 kilovolts.

(8) Minimum clearance between lines and any part of the crane or load must be 10 feet plus 0.4 inches for each 1 kilovolt over 50 kilovolts or twice the length of the line insulator but never less than 10 feet.

(9) A worker on site shall not ride the headache ball, hook, or load being handled by the crane.

(10) Equipment shall not be lubricated while in use.

(11) Rated load capabilities, recommended operating speeds, special-hazard warnings, specific hand-signals diagrams and special instructions shall be visible to the operator while he is at the control station.

(12) A worker on site shall not be allowed to work under the load of cranes.

(13) Tag lines shall be used on all loads and special caution shall be used in concrete bucket operations.

(14) Cranes and derricks shall be inspected by the crane service prior to use and at monthly intervals.

(15) Records shall be maintained at the office of the crane service of inspections referred to in paragraph (14) and copies shall be made available to the Department of Labour by the crane service upon request by the department.

(16) Rigging equipment shall be free from defects that impede normal operation, be in good operating condition and be maintained in a safe condition.

(17) Rigging equipment shall be inspected monthly by a competent person employed by the crane service and a record kept of who carried out the inspection, the opinion of that person, the date when it was carried out and any other information that the Department may require to be kept in that behalf.

33. (1) A driver of a motor vehicle shall exercise judgment as well as observe posted speed limits and other requirements lawfully imposed. Vehicles

(2) The maximum speed limit on site shall be 10 miles per hour but slower speeds may be imposed in congested areas.

(3) Areas for ingress and egress routes on large sites shall be adequately marked as such, allowing employees to travel only on those routes.

(4) Pedestrians and cyclists have the right of way over motorized traffic.

(5) A horn shall be used for safety at blind corners when passing and at other times when it is necessary.

(6) Established hand signals or turn signals shall be used.

34. (1) Stairways that are not permanent shall have a landing no less than 30 inches deep. Stairways

(2) Riser height for all stairs, either temporary or permanent, must not vary over quarter of an inch in any stairway system.

(3) Stairways with four or more risers or rising more than 30 inches shall be equipped with at least one hand rail along the unprotected side or edge.

**PART VIII
OFFENCES**

Offences

35. A contravention of these Regulations shall be governed by section 81 of the Law and any other parts of the Law.

SCHEDULE 1

(Regulation 5)

PERSONAL PROTECTIVE EQUIPMENT

1. **Hard hats:** Approved hard hats meeting specifications contained in ANSI Z89.1-1981 or Z89.2-1971, or both, shall be worn by all operatives on open construction sites except on sites where there are only minor renovation works and at all times where there is a risk of head injury from falling objects and where instructed by the Safety Officer.

2. **Safety Glasses and Goggles:** Safety glasses or goggles which meet ANSI Z87 shall be worn by all operatives whenever and wherever flying debris is likely and where instructed by the Safety Officer.

3. **Prescription glasses:** Operatives shall supply their own prescription glasses and wear them. The glasses shall either meet ANSI Z87, or suitable eye protection shall be worn over them.

4. **Gloves:** Gloves shall be worn when handling equipment, materials or chemicals that may cause cuts or skin complaints and where instructed by the Safety Officer.

5. **Footwear:** Fully-enclosed sturdy footwear shall be worn at all times by all operatives on all construction sites. Safety steel toe-cap footwear shall be required by the Safety Officer where and when he determines that there is an increased risk of foot injury.

6. **Non-operatives:** Non-operatives (company office staff, project owners, architects, engineers, government inspectors, guests and all others) shall wear such safety protection as is determined by the Safety Officer to be necessary at any given time, based upon his assessment of the level of risk at that time.

SCHEDULE 2

(Regulation 5)

EYE PROTECTION

- | | |
|---------------------------------|--|
| 1. Spectacles with side shields | 5. Goggles for welding |
| 2. Goggles that are non-vented | 6. Goggles (to protect from chipping); shall be eyecup type and have clear safety lenses |
| 3. Goggles with indirect vents | 7. Face shield, made of plastic or mesh, which shall have clear or reflective lenses |
| 4. Goggles with direct vents | 8. Helmet for welding, which shall have a stationary window or life-front window |

	Source	Assessment of Hazard	Protection	Protection Device Description #
Impact	Chipping, grinding, machining, masonry work, woodworking, sawing, drilling, chiseling, powered fastening, riveting, and sanding	Flying fragments, objects, large chips, sand particles, dirt and similar material	Spectacles with side protection, goggles. For severe exposure, use face shield	1, 2, 3, 4, 6, 7
Heat	Furnace operations, pouring, casting, hot dipping and welding	Hot sparks	Face-shield goggles, spectacles with side protection. For severe exposure, use	1, 2, 3, 6, 7

			face-shield	
		Splash from molten metals	Face shield worn over goggles	3, 7 for severe exposure
		High temperature exposure	Screen face-shield, reflective face-shield	7 for screen or reflective shields
Chemical	Handling of acids and chemicals, degreasing plating	Splash	Goggles, eyecup, and cover types. For severe exposure use, face shield	2, 3, 7 for severe exposure
		Irritating mists	special-purpose goggles	2
Dust	Woodworking, buffing, general dusty conditions	Nuisance dust	Goggles, eyecup and cover types	2, 3, 6
Light and Radiation, or both	Welding: Electric arc	Optical radiation	Welding helmet or welding shield. Typical shades: 10-14	8
	Welding: Gas	Optical radiation	Welding goggles or welding face-shield. Typical shades: gas welding, 4-8; cutting 3-6, brazing 3-4	5, 8

	Cutting, torch brazing, torch soldering	Optical radiation	Spectacles or welding face-shield. Typical shades:1, 5-3	1(filter lenses advisable), 5, 8
	Glare	Poor vision	Spectacles with shaded or special purpose lenses, as suitable	1

SCHEDULE 3

(Regulation 7)

REPORT OF AN INJURY OR DANGEROUS OCCURRENCE
 (To be filled by the contractor, operator of a work place, Supervising Safety Officer or Site Safety Officer)

Part A - Incident Details

Location of workplace where injury occurred

Name of operator or contractor at location

Date of Injury

Approximate time of injury:

Was machinery involved? State type of machinery

Part B – Injured Person

Name of injured person

Surname

Given Name(s)

Date of Birth

Sex

Name of injured person(s) organization

Occupation or job title

Injured person(s) contact number(s)

The injured person is employed: full time, part time or on contract

At the time of injury, was the injured person sub-contracted?

To whom (organization's name):

Clear and concise description of the Incident:

Was time lost from work?

Date ceased work

Location of injury on the body

Causes of occupational injury

- Fall from height
- Slip, trip and fall (fall from same height)
- Hit by or struck by object
- Exposed to gases or vapours
- Powered industrial equipment (forklift, loader, lift, etc)
- Materials handling and stacking
- Structural collapse (scaffolding, scaffold or form works)
- Hand and power tools (including powder actuated tools)
- Mechanical injury
- Drowning
- Electrocution or electrical hazard
- Injured by an animal
- Physically assaulted by a person
- Exposed to, or in contact with, a harmful substance

- Exposed to fire
- Other

Part C - Witness Information

Witness I and II

Name

Contact number(s)

e-mail

Employer (if applicable)

Part D - Organisation Details

Does the organization have a written safety policy?

Has the injured person received safety training?

Pension policy number for injured person

Pension provider

Health insurance policy number for injured person

Health insurance provider

Workman's compensation or liability insurance policy number

Workman's compensation or liability, or construction insurance provider

Part E - Notice of Occupational Disease

Is the disease communicable?

Date the disease was first diagnosed

Name of diagnosing physician

Where (country, town/city) was the disease first diagnosed?

Place of employment when first diagnosed

Was the disease a result of your current occupation?

Length of time with current employer

Length of time at current occupation

Are you currently being treated for the disease?

Type of occupational disease – See below under “Definitions”

Part F - Notice of Dangerous Occurrence

The location of the dangerous occurrence

Street address, and building, block and parcel

Clear concise description of the apparent cause of the dangerous occurrence:

The nature and extent of any damage caused:

The work (if any) that was being carried out at the time of the dangerous occurrence

Causes of Occupational Occurrence (Select all that apply)

- Collapse: building, structural, mechanical
- Unintended collapse or failure of an excavation (1.5 meters or more)
- Escape of any gas, hazardous substance or steam
- Unintended ignition or explosion of an explosive
- Incident where breathing apparatus fails
- Electrical short circuit, malfunction or explosion

- Chemical spill
- Uncontrolled explosion, fire
- Unintended event involving a flood of water, rock burst, rock fall or any collapse of ground
- Other unintended or uncontrolled incident from operations at a worksite

Part G - Notice of Rescue or Retrieval Operation

Has notice been given to the respective government authority present during operation?

- Planning Department
- Fire Services
- Petroleum Inspector
- Building Control
- Marine Unit
- Environmental Health
- Other

Document steps used or that occurred to remedy the occurrence. **Note for rescue or retrieval operations an occupational safety and health specialist must be present during operation.**

Was a job hazard analysis completed prior to the repair or rescue operation?

Definitions

MAJOR INJURY CLASSIFICATION

1. Any fracture, other than to the fingers, thumbs or toes
2. Any amputation of any limb

3. Dislocation of the shoulder, hip, knee or spine
4. Loss of sight (whether temporary or permanent)
5. A chemical or hot metal burn to the eye or any penetrating injury to the eye.
6. Any injury resulting from an electric shock or electrical burn (including any electrical burn caused by arcing or arcing products) leading to unconsciousness or requiring resuscitation or admittance to hospital for more than 24 hours
7. Any other injury-
 - (a) leading to hypothermia, heat-induced illness or to unconsciousness;
 - (b) requiring resuscitation; or
 - (c) requiring admittance to hospital for more than 24 hours.
8. Loss of consciousness caused by asphyxia or by exposure to a harmful substance or biological agent.
9. Either of the following conditions which result from the absorption of any substance by inhalation, ingestion or through the skin-
 - (a) acute illness requiring medical treatment; or
 - (b) loss of consciousness.
10. Acute illness which requires medical treatment where there is reason to believe that this resulted from exposure to a biological agent or its toxins or infected material.

DANGEROUS OCCURRENCES

1. Collapse, overturning or failure of load-bearing parts of lifts and lifting equipment
2. Explosion, collapse or bursting of any closed vessel or associated pipe work
3. Failure of any freight container in any of its load-bearing parts
4. Plant or equipment coming into contact with overhead power lines
5. Electrical short circuit or overload causing fire or explosion

6. Any unintentional explosion, misfire, failure of demolition intended to cause collapse; projection of material beyond a site boundary; injury caused by an explosion
7. Accidental release of a biological agent likely to cause severe human illness
8. Failure of industrial radiography or irradiation equipment to de-energise or return to its safe position after the intended exposure period
9. Malfunction of breathing apparatus while in use or during testing immediately before use
10. Failure of diving equipment during testing operations where a death or drowning did not occur. Examples: trapping of a diver, an explosion near a diver, or an uncontrolled ascent
11. Collapse or partial collapse of a scaffold over five metres high or erected near water where there could be a risk of drowning after a fall
12. Dangerous occurrence at a well other than a water well
13. Dangerous occurrence at a pipeline including burst pipes, over pressurization or collapse
14. Failure of any load-bearing fairground or unintended collision of powered industrial equipment or mechanised vehicles.
15. A road tanker carrying a dangerous substance overturns, suffers serious damage, catches fire or the substance is released
16. A hazardous substance being conveyed by road is involved in a fire or released
17. Unintended collapse of: any building or structure under construction, alteration or demolition where over five tonnes of material falls; a wall or floor in a place of work; any false work
18. Explosion or fire causing suspension of normal work for over 24 hours
19. Sudden, uncontrolled release in a building of: 100 kg or more of flammable liquid; 10 kg of flammable liquid above its boiling point
20. Accidental release of any substance which may damage health

REPORTABLE DISEASES

1. Poisonings of a kind determined and notified by the Director
2. Occupational dermatitis, skin cancer, chrome ulcer, oil folliculitis or acne and other skin diseases determined by the Director
3. Occupational asthma, farmer's lung, pneumoconiosis, asbestosis, mesothelioma and other lung diseases determined by the Director
4. Leptospirosis, hepatitis, tuberculosis, anthrax, legionellosis and tetanus and other infections determined by the Director
5. Other conditions determined by the Director including occupational cancer, certain musculoskeletal disorders, decompression illness and hand-arm vibration syndrome

SCHEDULE 4

(Regulation 13)

SCAFFOLDS

Part A System Scaffold

The following shall apply to a system scaffold-

1. Hand rails and toe boards shall be installed at each working platform.
2. There shall be good access at all times.
3. Each platform shall be fully planked where work is being undertaken.
4. Scaffolds shall be tied off at specific intervals:
 - (1) If wider than 3 feet – no less than 26 feet vertical intervals.
 - (2) If less than 3 feet – no greater than 20 feet vertical intervals.

- (3) A scaffold shall be tied at 30 feet horizontally.
5. All uprights are plumb and level.
6. Base plates shall be secured to level surfaces.

Part B
Mobile Scaffold

The following shall apply to a mobile scaffold-

1. Hand rails and toe boards must be in place at working level.
2. Nobody shall be on the scaffold when moving.
3. Suitable ladders must be used to access the tower.
4. Cross bracing must be fitted to each bay.
5. The height of the tower must not be more than 3 times the width without outriggers.
6. Scaffold should not be overloaded.
7. Suitable Outriggers must be in place if the tower is more than 3 times the width.
8. All wheels must be locked in place.
9. Scaffold shall be on a suitable flat surface.
10. Work areas must be fully decked or planked.

SCHEDULE 5

(Regulation 16)

SPECIFICATIONS FOR BOARDS

Nominal thickness of boards	Maximum span between supports	Minimum overhang	Maximum overhang
Inches	Feet	Inches	Inches
1.5	5	2	6
2	8	2	8
2.5	10	2	9

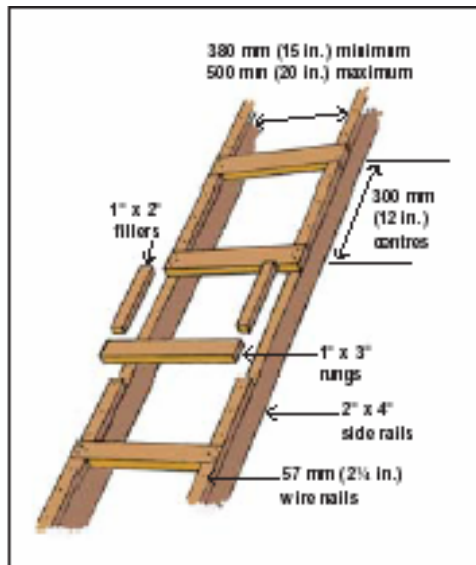
SCHEDULE 6

(Regulation 20)

JOB-BUILT LADDERS

Part A

Basic construction



A job-built ladder up to 5 m (16 ft.) long.

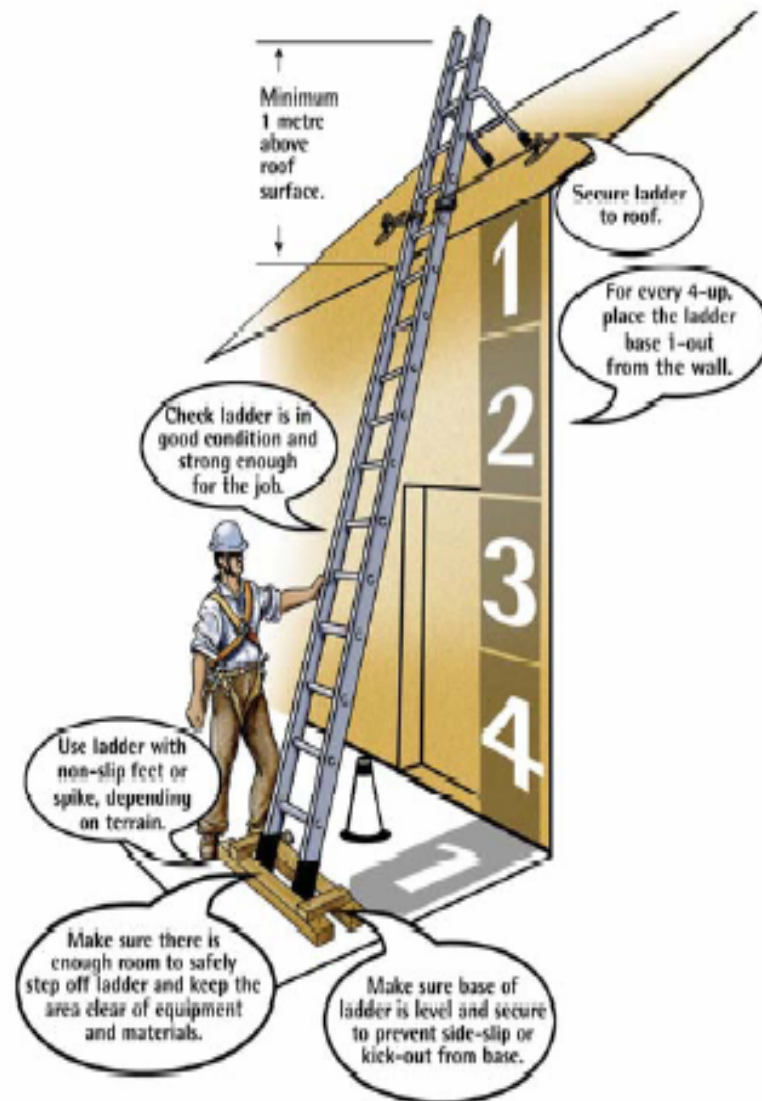
Part B
How to be used



SCHEDULE 7

(Regulation 21)

STEPLADDERS



SCHEDULE 8

(Regulation 23)

FIRE EXTINGUISHERS

Class	Substances materials	Water	Foam	Carbon dioxide (CO₂)	Vaporizing liquids	Dry powder
A	Organic materials – wood, paper textiles	Yes	Yes	Yes	Yes	Yes
B	Flammable liquids – oil fat, gasoline.	No	Yes	Yes	Yes	Yes
C	Flammable gas	Yes	Yes	Yes	Yes	Yes
D	Metal, molten metal – LPG methane, propane	No	No	No	No	Yes
Electrical	Electrical fires – computers, televisions and similar appliances	No	No	Yes	Yes	Yes

Made in Cabinet the 5th day of August, 2008.

Carmena Watler

Clerk of the Cabinet.