



**Abstract to the Safety and Health at Work Act, Cap. 356,
as required under section 91 of the Act.**

**Section 2
Definitions**

The term "occupier" refers to 'a person who has control over a workplace and the work that is done there'.

**Section 5
Extension of
general application**

Where an owner or occupier enters into a contract with sub-contractors to undertake civil work or works of engineering construction, the owner retains responsibility for maintaining safety in the workplace.

**Section 6
General duties of an occupier
or employer**

Persons who design, import, or manufacture articles or substances for use in the workplace should conduct risk assessments so as to eliminate or minimise risks associated with those articles and substances. Occupiers must provide safe plant, equipment and systems of work, as well as adequate information, instruction, training and supervision for workers.

During pregnancy; while nursing a child; and for a period of 6 months after the birth of her child, no such employee should be required to perform work that poses a danger to her safety and health or that of her child.

**Section 7
General duties of an occupier to
persons generally**

Every occupier must ensure the safety of every person in the workplace. Every occupier should conduct his undertaking in such a manner that there is no risk to the health and safety of persons who are not in his employment but may be affected by the work done. Every part of any ways, works, plant or thing in the workplace must be of safe construction, sound material, properly maintained, effectively guarded and not overloaded as to create danger.

**Section 8
Safe means of access
and safe means of
employment**

A safe means of access should be provided to every place where persons are required to work, and that place must be made and kept safe.

**Section 9
General duties of employees at work**

Every employee must take reasonable care for the safety of himself and of persons who may be affected by anything he does or neglects to do. Every employee must cooperate with his employer in an effort to allow that employer to carry out the statutory duties required of him.

Employees must not misuse any means provided for his safety nor that of his fellow employees. Where items, including personal protective equipment, have been provided to ensure safety, they must be used appropriately.

**Sections 38, 39 and 40
Safety provisions in case of fire**

There must be provided at every workplace a device for giving warning in the case of a fire or other emergency which must be clearly heard and seen throughout the workplace. This device must be tested at least once every three months.

Appropriate and adequate firefighting equipment must be provided, maintained and readily available for use at the workplace. At least one person who is trained in the use of the firefighting equipment must be available on the premises during work hours.

**Section 59
Lunchrooms**

Where there are 10 or more employees, the occupier must provide and maintain a suitable room furnished with an adequate number of tables and chairs for employees to take lunch. Where there is no lunchroom and less than 10 employees, other appropriate provisions for taking lunch must be implemented.

**Section 63
First Aid**

A first aid box or first aid cupboard approved by the Chief Labour Officer must be provided and maintained. Where there are more than 25 employees, the person responsible for the first aid kit or first aid cupboard must be trained in first aid.

In workplaces where hazardous or toxic substances are in use, hazard data sheets for those substances must be kept at or near the first aid box or first aid cupboard.

**Section 103
Safety consultations**

Employers must consult with employees or their representatives in developing measures to promote safety and health in the workplace. Where there are less than 25 persons employed, consultation should be facilitated through the employees' appointment of a safety delegate. Where 25 persons or more are employed, a Health and Safety Committee, comprising of an equal number of employer and employee representatives, must be established.

**Section 104
Right to refuse
dangerous tasks**

When there is sufficient evidence to indicate that an employee's safety and health are in imminent danger, that employee may refuse to carry out the task assigned to him pending consultation with the:

- safety and health committee;
- trade union or staff association; or
- Chief Labour Officer.

**Section 65
Sanitary Conveniences**

Suitable, sufficient and readily accessible sanitary conveniences with adequate lighting and ventilation must be provided for employees.

Where there are 10 or more employees or the employees are NOT members of the same family, separate sanitary conveniences must be provided for each sex.

For further information on these provisions please refer to the Safety and Health at Work Act, Cap. 356

**THE LABOUR DEPARTMENT,
2ND FLOOR EAST, WARRENS OFFICE COMPLEX, WARRENS, ST. MICHAEL, BARBADOS, W.I.
Tel: 535-1523/24, Fax: 535-1571, Email: labour@labour.gov.bb**