



## Media Release

### **OHSA's Actions to Safeguard Occupational Health and Safety during the first half of 2015**

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Between January and June 2015, the Occupational Health and Safety Authority (OHSA) carried out approximately 1,000 inspections in various workplaces, the majority of which resulted in orders issued by OHS officers for remedial action to be taken by duty-holders. Following various contraventions, the OHSA also issued 91 letters regarding administrative fines and appointed 103 court cases. During the same period of time, the OHSA also processed 2211 lift certificates and delivered 74 hours of awareness-raising training. Moreover, according to NSO statistics, there was a decrease of 6.2% in the number of persons making a claim in terms of the Social Security Act for an injury at work during the first three months of 2015 when compared to the same period in 2014.

Legal regulations which came into force in 2012 enabled OHSA to intimate for the payment of penalties for a list of OHS infringements. These are stipulated in the same regulations (L.N. 36/2012) and include the amount of penalties to be paid. The letter regarding administrative fines, which is sent out to respective offenders, includes each workplace infringement noted by OHS officers during their inspections. To this end, a person may receive a number of fines outlined in a single letter, as the case may be. During the first six months of this year, the fines imposed ranged between € 250 and € 1,456, and totalled in all € 60,000.

These administrative fines have to be paid within a period of 15 days – if they are not paid within the stipulated time frame and the OHS measures are not addressed, legal procedures are initiated in court where the fine imposed cannot be lower than the administrative fines. This system aims to cut through red tape particularly by reducing administrative and legal procedures for employers and self-employed, whilst serving as a deterrent to ensure that adequate and appropriate occupational health and safety measures are taken.

Between January and June 2015, the vast majority of infringements (in the case of administrative fines, court cases and orders given by OHS officers) were in the construction sector. The most common infringement noted in this sector regarding administrative fines was the lack of appointment of a project supervisor. In fact, a legal notice in force since 2004

(L.N. 281/2004) stipulates that for every construction project one has to appoint a project supervisor for the design stage and a project supervisor for the construction stage. These roles can be undertaken by the same person or by the client himself/herself, as long as they are competent to do so.

In the case of construction sites on which work is scheduled to last longer than 30 working days and on which more than 20 workers are occupied simultaneously, or on which the volume of work is scheduled to exceed 500 person days, the project supervisor is duty-bound to communicate in writing a prior notice to the OHSA at least four weeks before work commences.

The project supervisor for the design stage is duty-bound to ensure that prior to the setting up of a construction site, a health and safety plan is drawn up.

A common OHS problem encountered which might have dangerous or fatal repercussions is the risk of falls from height. Other obligations arising from the same legal notice concern the correct use of scaffolding and ladders, as well as light installations which should be done in such a way as to pose no risk to workers as a result of the type of light installed.

Certain shortcomings noted during inspections and on which legal action was taken related to basic occupational health and safety requirements. These include not conducting a risk assessment of all the hazards at work or keeping a copy of same, and not safeguarding the health and safety of workers and those persons who might be affected by the work being carried out. Other problems relate to lack of information to workers, lack of health and safety signs and measures to prevent fires. Some employers failed to provide adequate personal protective equipment when necessary and to obey orders given by OHS officers, amongst others.

When workers make use of work equipment, there are a number of legal requirements that have to be adhered to (L.N. 282/2004). Amongst the infringements noted and on which action was taken were the lack of provision of training, participation, consultation and information to workers, the adequate maintenance and inspection of the work equipment and ergonomic requirements at the workplace.

Another important measure is the proper use of guards around mobile parts of work equipment. In fact, a number of workplace accidents each year are a direct result of such infringements in this regards, particularly the removal of such guards (either due to carelessness or to expedite work). Regrettably this results in a number of persons sustaining a permanent disability.

Lifts and hoists installed at workplaces have to be inspected once every six months from the initial date of use. A copy of the inspection report should be sent to the OHSA within 28 days from when the inspection is carried out (L.N. 47/1964 and L.N. 231/2007). During the first six months of this year, the OHSA received and processed more than two thousand such reports and administrative fines were also issued when infringements were noted.

OHSA's daily operations are not exclusive to inspections but also include various training sessions, organisation of seminars and conferences as well as setting up exhibitions and providing information to companies, the media and various workplaces.

Moreover, during the first half of 2015, the OHSA finalised the installation, testing and commissioning of a number of energy efficient systems at its premises, including a 10.07 kW

photovoltaic system on its roof. These measures are expected to result in the production of about 16,000 kW of solar energy per annum, thus reducing the OHSA's consumption of conventional energy by around 50% in the first year and consequently leading to a reduction in CO<sub>2</sub> emissions generated by OHSA. This project was co-financed by the European Union.

A comprehensive list of all OHS legislation may be accessed through the OHSA's website: [www.ohsa.org.mt](http://www.ohsa.org.mt)

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