

HEALTH AND SAFETY LAW

What you should know

Your health, safety and welfare at work are protected by law. Your employer has a duty to protect you. You have a responsibility to look after yourself and others. If there is a problem, discuss it with your employer or safety representative, if there is one. Below is a brief guide to health and safety law. It does not describe the law in detail, but it does list the key points.

Your employer has a duty under the law to ensure, so far as is reasonably practicable, your health, safety and welfare at work.

In general, your employer's duties include:

- making your workplace safe and without risks to health;
- keeping dust, fumes and noise under control;
- ensuring plant and machinery are safe and that safe systems of work are established and followed;
- ensuring articles and substances are moved, stored and used safely;
- providing adequate welfare facilities;
- giving you the information, instruction, training and supervision necessary for your health and safety.

Your employer must also:

- prepare a written health and safety policy document if there are 5 or more employees, which should include the identification and assessment of significant risks associated with the business and how they are to be addressed;
- ensure the policy is prepared in a language you understand and bring it to your attention.

In many workplaces employers have other specific duties, for example:

- to keep the workplace clear and unobstructed;
- to see that workrooms are well ventilated and lit;
- to ensure that floors, steps, stairs, ladders, passages and gangways are well constructed and maintained;
- to see that employees, especially young people, are properly trained or under adequate supervision before using dangerous machines;
- to ensure that employees do not have to lift, carry or move any load so heavy that it is likely to injure them;

- to securely guard all dangerous parts of machines;
- to take proper precautions to prevent employees being exposed to substances which may damage their health;
- to ensure employees wear suitable eye protection or protective equipment for certain jobs;
- to ensure that lifting equipment (hoists, lifts, chains, ropes, cranes and lifting tackle) and pressure systems (including steam boilers, steam receivers and air receivers) are well constructed, well maintained and examined at specified intervals;
- to take special precautions before allowing employees to enter and work in a confined space;
- to take precautions against danger from electrical equipment and radiation;
- to ensure that workstations are well designed to minimise the risks to employees when using computers;
- to take adequate precautions against danger from flammable or explosive hazards;
- to ensure asbestos-containing materials are identified and properly managed to prevent exposure to asbestos fibres.

As an employee, you have legal duties too.

Your employee duties include:

- taking reasonable care for your own health and safety and that of others who may be affected by what you do or do not do;
- co-operating with your employer on health and safety;
- not interfering with or misusing anything provided for your health, safety and welfare.

If you think there is a health and safety problem in your workplace you should first discuss it with your employer, supervisor or manager. You may also wish to discuss it with your safety representative, if there is one.

If the problem remains or you, your employer or your health and safety representative need more help, advice on how to comply with the law can be obtained from:

Health and Safety at Work Inspectorate Maritime House

La Route du Port Elizabeth
St Helier

JERSEY
JE2 3NW

Telephone: **01534 447300**

Email: **hsi@gove.je**

Website **www.gov.je/hsi**

Advice and information on general fire precautions etc. may be obtained from the Fire Safety Officers of the States of Jersey Fire and Rescue Service.

In addition, the Jersey Safety Council, set up by the States of Jersey, promoted health and safety at work. The Council seeks to achieve its aim by assisting employers to develop an understanding of health and safety at work issues through a number of activities, including promotions and seminars. The Council also organises a wide range of health and safety training courses.

For further details, refer to the Jersey Safety Council website: www.jsc.je

Health and Safety at Work (Jersey) Law 1989 is the main occupational health and safety law. There are also a number of Regulations and Approved Codes of Practice.

A useful publication, *Health and Safety in the Workplace, A General Guide*, is available free of charge from the Health and Safety Inspectorate, as are a number of guides on specific issues. Copies of the Law can be downloaded from the website of the Jersey Legal Information Board: www.jerseylaw.je