



Workplace Health and Safety Policy and Procedure Manual





Government of the Virgin Islands
Health, Safety and Welfare Policy & Procedures Manual

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PREAMBLE

This “Policy and Procedures Manual” is intended for general use within the public service of the Virgin Islands. Though in-depth, it is generic in nature so that it can be applied equally to ‘industrial’ and ‘office’ environments across a wide cross section of the operations of Central Government and its various support agencies. This document is built around the framework of the general “Health, Safety and Welfare Policy” and “Health and Safety Beliefs” statements which have been established by the Government, as a demonstration of its commitment to ensuring the health, safety and welfare of its officers and all persons who may be impacted by its operations. It also allows government to comply with *Part IX of the Virgin Islands Labour Code 2010*.

Where there is mention of “Policy Makers”, “Departmental Managers”, “Heads of Departments” and other “management level personnel”, these titles should be replaced by the actual job titles of the relevant post within each establishment.

This “Policy and Procedures Manual” also provides the frame-work for implementing the desired “**Occupational Health and Safety Management System**” using the International Labour Organization’s OSH 2001 (ILO-OSH 2001) model of “Policy – Organizing – Planning & Implementation – Evaluation – Action for Improvement”. Thus it includes a statement of policy and identifies what is to be done and by whom; makes provision and gives guidance on implementation; allows for verification and monitoring of achievements; and encourages continual improvement.



Most of all, this document constitutes a model which can be ‘adopted as is’, ‘adapted’ or ‘added to’ in order to be implemented in any aspect of Government’s operations, including those of highly technical or specialized nature.



GLOSSARY OF TERMS



GLOSSARY

Dangerous Occurrence – an unplanned event which did not cause injury to a person or damage to property, but it had the potential to do so. Examples include: articles falling near to people, short-circuits on electrical equipment or an explosion.

First Aid - First Aid is the initial management of any injury or illness suffered at work. It does not include giving tablets or medicines to treat illness.

Hazard - any entity, agent, substance or situation in the workplace which has the potential to cause harm such as death, injury or to damage property.

Hazardous Chemical – any substance, mixture or article which may be used directly in a workplace or which may arise from work activities, and which can have significant adverse impacts on the health or physical body of a person.

Health and Safety Coordinator - A suitable officer or manager, so designated.

Joint Workplace Safety and Health Committee – refers to the committee as required in accordance with *Part IX of the Virgin Islands Labour Code 2010*

Manual Handling - the use of the human body in activities involving the lifting, lowering, pulling, pushing, carrying or supporting of loads.

Personal Protective Equipment (PPE) - any equipment or special clothing which protects the wearer from a health or safety risk.

Reportable Accident – an event which causes the death of a worker or which results in disability of a worker, or any other person present in the workplace, for more than three days. Examples include: a fall resulting in a fracture, amputation or serious laceration.

Risk Assessment - the process of analyzing the level of risks, considering those in danger, estimating the severity of the possible outcome, determining the likelihood that an event will occur, evaluating whether hazards are adequately controlled (taking into account any measures already in place) and deciding if additional controls are required.

Workplace – broadly defined to include “a place at which work is performed, and includes property belonging to or occupied by the Government”.

Work-related Violence - any incidents, in which persons are abused, threatened or assaulted in circumstances relating to their work.



1.0

INTRODUCTION



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1.0 Introduction

- 1.1 This official “Health, Safety and Welfare Policy” is issued for the information of all management level personnel and officers of the GOVERNMENT OF THE VIRGIN ISLANDS.
- 1.2 This Policy and Procedures Manual gives effect to our **Health, Safety and Welfare Policy Statement** and **Health and Safety Beliefs** which are reproduced below, and is designed to outline the intent, responsibilities and arrangements for occupational health, safety and welfare for persons employed by the GOVERNMENT OF THE VIRGIN ISLANDS. In order to accomplish our policy and beliefs, we will take all reasonable practicable steps to:
- (i) provide safe and healthy places of work, with safe access and egress;
 - (ii) provide buildings, plant, tools and equipment which are safe and without undue risk to health;
 - (iii) provide safe systems of work, supported by adequate procedures;
 - (iv) make arrangements for the safe use, handling, storage, transport and disposal of articles and substances;
 - (v) provide appropriate information, instruction, training and supervision to enable officers to avoid hazards and to contribute positively to the health and safety of themselves and others who may be affected by their acts or omissions;
 - (vi) provide and maintain adequate and appropriate welfare facilities.
- 1.3 This Policy and Procedures Manual shall be kept by Departmental Managers, Supervisors or other designated senior persons, and will be available for reference by all relevant personnel.
- 1.4 This Policy and Procedures Manual will be reviewed annually, or at any other time deemed necessary, in consultation with officers and their representatives; and all amendments will be communicated to Heads of Departments and other management level personnel for general circulation.



2.0

HEALTH, SAFETY & WELFARE POLICY STATEMENT



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Health, Safety and Welfare Policy

It is the policy of the *GOVERNMENT OF THE VIRGIN ISLANDS* to comply with Part IX of the Virgin Islands Labour Code 2010 in respect of Health, Safety and Welfare. In pursuit of the above the *GOVERNMENT* is committed to ensuring, so far as is reasonable practicable, the protection of its officers, clients, contractors, suppliers, visitors, neighbours and the general public from hazards and risks associated with its operations; and to the provision of adequate workplace facilities.

Our key goals are:

1. to protect our officers from injuries *arising out of or in the course of* their employment; and
2. to be recognized by our officers and the wider community as a leader in the promotion of a healthy, safe and congenial working environment.

Health and Safety Beliefs

The *GOVERNMENT OF THE VIRGIN ISLANDS* believes that:

- ❖ Occupational accidents, injuries and illnesses are largely preventable.
- ❖ Caring for the health, safety and welfare of our officers is a basic principle.
- ❖ Nothing we do is worth someone being seriously injured, maimed or killed.
- ❖ Everyone is responsible and accountable for health and safety at the workplace; both at the individual and the group level.
- ❖ The maintenance of a healthy and safe working environment requires the cooperation and involvement of management, officers, contractors and visitors alike.
- ❖ Health and Safety are paramount and thus should be an integral part of our overall daily operations.
- ❖ Managing the physical plant and the implementation of safe systems of work, combined with the purchasing of safe materials and equipment, along with safe behaviours by all officers, contractors and visitors will greatly assist in the promotion of an accident free workplace.
- ❖ Continuous improvement will be achieved through appropriate management development programmes, officer training exercises and auditing of current practices.

Commitment

Based on the above, the *GOVERNMENT OF THE VIRGIN ISLANDS* is committed to:

- ✓ Establishing written Health, Safety and Welfare procedures and guidelines.
 - ✓ Supporting the creation of an internal 'Health and Safety culture' via appropriate documentation, communication, training and auditing.
 - ✓ Ensuring that all Ministries, Divisions, Departments and Agencies fully comply with the written procedures and guidelines and the vision behind them, as expressed in the above "Health, Safety and Welfare Policy" and "Health and Safety Beliefs" statements.
 - ✓ Developing appropriate Key Performance Indicators (KPIs), such as demonstrated in **Appendix I**, in order to ensure compliance and continuous improvement.
 - ✓ Reviewing our arrangements and achievements in respect of Health and Safety as a measure of our own management performance.
 - ✓ Reviewing this policy at least annually, as well as following any substantial changes in operations; or if ever there is an occurrence of any significant incident or occupational disease.
 - ✓ Providing appropriated funds and other resources, and allowing adequate time to personnel, to give effect to this policy.
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3.0 ORGANIZING FOR HEALTH AND SAFETY



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3.0 Organizing for Health and Safety

- 3.0.1 Organizing for Health and Safety involves establishing responsibilities and relationships which promote a positive Health and Safety culture, while ensuring the implementation and continued development of the policy.
- 3.0.2 Management has the overall responsibility for ensuring the health, safety and welfare at work of all officers and other persons who may be affected by the work activities of the GOVERNMENT OF THE VIRGIN ISLANDS, such as visitors, clients, contractors and members of the general public.
- 3.0.3 To ensure that Health and Safety is successfully managed, it is necessary to designate specific roles and activities to individuals or groups, whether internal or external to any given workplace.
- 3.0.4 The GOVERNMENT OF THE VIRGIN ISLANDS will fulfil its obligation to meet all relevant Health and Safety legislative requirements under the Part IX of the Virgin Islands Labour Code 2010, and will therefore organize its activities to ensure full compliance.
- 3.0.5 The responsibilities and duties assigned below identify the Policy Makers, Planners and Implementers in greater detail.



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3.1 Policy Makers

- 3.1.1 The responsibilities include:
- 3.1.2 Ensuring the establishment and periodic reviewing of the Health, Safety and Welfare Policy and procedures of the GOVERNMENT OF THE VIRGIN ISLANDS;
- 3.1.3 Setting appropriate Health and Safety objectives and approving an action plan against which performance can be measured;
- 3.1.4 Assigning responsibilities for Health and Safety objectives and ensuring these responsibilities are reflected in role profiles and performance appraisals;
- 3.1.5 Ensuring that consultations are made with the relevant officers and members of the Joint Workplace Safety and Health Committees;
- 3.1.6 Ensuring that adequate resources and funds are available to develop and implement the safety policy and to meet the Health and Safety objectives;
- 3.1.7 Ensuring that third party expert Health and Safety advice is sought to ascertain that the policy document is continuously in compliance with current health and safety standards and 'best practices', as well as supports the successful management of Health and Safety;
- 3.1.8 Ensuring through the organizational arrangements that the Policy is brought to the attention of, understood by and implemented at, all levels of officers and that all officers are aware of, and competent to undertake, their assigned duties;
- 3.1.9 Ensuring that the Health, Safety and Welfare Policy is regularly reviewed by the policy makers and relevant stakeholders, and that continuous improvements and amendments are made to reflect changes in local Health and Safety legislation or Government's Health and Safety objectives;
- 3.1.10 Ensuring that Health and Safety is a regular agenda item at planning meetings;
- 3.1.11 Ensuring that an assessment of the Health and Safety performance of the GOVERNMENT OF THE VIRGIN ISLANDS is included in its reports.



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3.2 Planners Roles and Responsibilities - (Management Level Personnel)

- 3.2.1 The GOVERNMENT OF THE VIRGIN ISLANDS, through its Permanent Secretaries, Heads of Departments, Chief Administrators, Senior Managers, Line Managers and/or other Officers as applicable, is responsible for Health and Safety planning. This includes the responsibility for:
 - 3.2.2 Reviewing and providing feedback of the continued relevance of the general Health, Safety and Welfare Policy statement;
 - 3.2.3 Establishing a plan of action to ensure that Government's Health and Safety objectives are met;
 - 3.2.4 Formulation and development of a system for implementing policy, planning for Health and Safety, setting performance standards, monitoring and reviewing performance and auditing;
 - 3.2.5 Ensure the involvement of all officers in all Health and Safety activities;
 - 3.2.6 Assigning Health and Safety responsibilities to meet Government's Health and Safety objectives and ensuring that Health and Safety responsibilities are reflected in job descriptions and performance appraisals;
 - 3.2.7 Ensuring that adequate financial resources and facilities are available to achieve the standards required by Health and Safety legislation;
 - 3.2.8 Ensuring Health and Safety action plans are reviewed at least annually and progress is continually monitored;
 - 3.2.9 Ensuring that the organizational arrangements and the safety policy are understood, brought to the attention of and implemented by, all levels of officers and that they are aware of, and competent to undertake their assigned duties;
 - 3.2.10 Ensuring an integrated approach to Health and Safety at all times, requires one to consider Health and Safety implications for all activities at work and implement prevention measures when necessary, particularly when new systems, procedures, equipment and substances are introduced in the working environment;
 - 3.2.11 Ensuring the involvement of officers and their representatives in the promotion of a safe and healthy workplace, via consultation with the *Joint Workplace Safety and Health Committee* members.



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3.3 Implementers Roles and Responsibilities (Management Team)

- 3.3.1 Implementation of Health and Safety policies and plans is carried out at all levels. Thus Heads of Departments and other management level personnel are responsible for:
- 3.3.2 Implementation of the Government's Health and Safety policies and plans;
- 3.3.3 Ensuring that appropriate working conditions and practices are maintained to protect the Health and Safety of persons under their supervision;
- 3.3.4 Ensuring that all officers are given sufficient information, Instruction, training, supervision and appraisal to enable performance of their tasks without undue risk. This may include the delivery of "Toolbox Talks".
- 3.3.5 Ensuring that all officers follow safe systems of work and bring to the attention of the management personnel, all hazards and/or unsafe activities of which they are aware;
- 3.3.6 Ensuring that all unsafe activities are stopped immediately. This will include the stopping of dangerous practices and the failure of officers to utilize any safety and health provisions where required;
- 3.3.7 In the case of injury ensuring that appropriate first aid treatment is rendered promptly, wherever possible by a trained First Aider, and that the injured person is sent for assessment or further professional assistance as deemed necessary in the circumstances; and that incident is adequately documented and notified;
- 3.3.8 Undertaking of quarterly inspections of the workplace to ensure that compliance with legislation is being achieved and maintained. Records of all inspections should be kept and made available when required.
- 3.3.9 Ensuring that all incidents, accidents, dangerous occurrences or occupational diseases are reported and recorded, and that the circumstances and causes are investigated and reported to the Director of Human Resources, and that any recommended action is taken to prevent recurrence.
- 3.3.10 Maintaining good housekeeping in the area(s) under their control, as well as undertake basic risk assessments and ensure that the officers are informed of the control measures introduced and where necessary instruction or training is given.
- 3.3.11 Monitoring the safety performance of all persons under their control, especially young persons employed in accordance with Section 130 of the Labour Code



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2010, to ensure that they are contributing to the creation of a safe working culture.

- 3.3.12 Providing regular feedback via the appropriate organizational channels, on any deficiencies in Health and Safety plans, standards, procedures or systems of work.

3.4 Officers Roles and Responsibilities

All officers are required to:

- 3.4.1 Cooperate with their Heads of Departments or other management level personnel, to enable them to perform the duties and responsibilities for ensuring compliance with all relevant Health and Safety legislation.
- 3.4.2 Report all incidents, accidents or dangerous occurrences to their supervisor or manager, whether or not actual injury occurred; as well as all actual or suspected cases of occupational illnesses.
- 3.4.3 Report unsafe conditions, equipment or practices to their supervisor or manager immediately.
- 3.4.4 Use all furnishings, equipment, tools, machinery, substances or articles in accordance with instructions, training or written procedures, and inform the supervisor/manager of any inadequacies in the protective measures. Where appropriate, this will include the wearing of protective clothing, safety equipment or other apparatus provided.
- 3.4.5 Attend safety training courses as required and carry out assigned tasks and duties in accordance with instructions and written procedures, where applicable.
- 3.4.6 Familiarize themselves with the GOVERNMENT OF THE VIRGIN ISLANDS' policy, procedures and guidelines, and be aware that these cover misconduct in relation to Health and Safety.
- 3.4.7 Take reasonable care for their own Health and Safety and the safety of others who may be affected by their actions or omissions (see guidelines in **Appendix V**).
- 3.4.8 Not intentionally or recklessly interfere with or misuse anything that has been provided for the purpose of health, safety and welfare.



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3.5 Health and Safety Coordinator - Roles and Responsibilities

- 3.5.1 A suitable officer or manager should be designated as a “Health and Safety Coordinator” with responsibilities to:
- 3.5.2 Give overall guidance on matters of Occupational Safety, Health and Welfare.
- 3.5.3 Act as a Health and Safety liaison within the organization and in particular to the Management Team.
- 3.5.4 Co-ordinate and monitor workplace inspections, job hazard analyses (JHA) and other relevant health and safety activities, in consultation with the management team.
- 3.5.5 Maintain any required Health and Safety records including accident/incident statistics and up-to-date lists of Safety Committee members, First Aiders and/or First Response Team members, as well as their designated areas of operation.
- 3.5.6 Verify that accident/incident report forms are processed and ensure that investigations are undertaken and action implemented to prevent recurrence and, where appropriate, that the Labour Commissioner and Director of Human Resources are notified.
- 3.5.7 Assist in the coordination of health and safety training programmes and ensuring that individual training needs are met, including the co-ordination or delivery of “Toolbox Talks”.
- 3.5.8 Co-ordinate and assist the functioning of the Joint Workplace Safety and Health Committees, and liaise with the Management Team on all relevant aspects.
- 3.5.9 Co-ordinate details of procedures that have been adopted e.g. Fire procedures (see sample guidelines in **Appendix III**), Bomb-threat or other Emergency Procedures, etc.

3.6 Joint Workplace Safety and Health Committees - Roles and Responsibilities

Members of the Joint Workplace Safety and Health Committees are required to:

- 3.6.1 Be knowledgeable of, and comply with, their relevant duties and responsibilities as set out in the **Part IX of the Virgin Islands Labour Code 2010**, as well as the Government’s “Health, Safety and Welfare Policy” and the “Policy and Procedures Manual”.



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- 3.6.2 Undertake workplace Health and Safety inspections and, as required, assist with the investigations of accidents, incidents, dangerous occurrences and reports of occupational diseases.
- 3.6.3 Assist in promoting safe working practices amongst officers.
- 3.6.4 Meet no less that once in every three month period.
- 3.6.5 Circulate an Agenda at least 4 days before the date of the meeting. Items for the Agenda should be given to the Chairperson at least 1 week before the meeting.
- 3.6.6 Circulate the minutes of the meeting to all committee members and other relevant parties as authorized.

Composition and Objectives

- 3.6.7 The membership of the Joint Workplace Safety and Health Committees will consist of equal numbers of Management and Officer Representatives. The Health and Safety Coordinator, if a person has been so designated in accordance with Section 3.5.1, will provide updates and reports to the committee **but will not sit as a member but rather as a resource person.**
- 3.6.8 The Chairperson will be decided by voting within the committee and will alternate between management and the officer representatives on an annual basis.
- 3.6.9 The agreed objectives of the committee will be:
Hold discussion on health, safety and welfare issues pertaining to GOVERNMENT OF THE VIRGIN ISLANDS ensuring that:
 - The Government's Health and Safety Action Plan is implemented;
 - Health and Safety Inspections and Accident investigations are undertaken;
 - Reviews are undertaken of incident/accident trends, together with recommendations for corrective actions;
 - The adequacy of Health and Safety Communications, such as signage, pictograms, labels, datasheets, "toolbox talks", etc., is monitored;
 - The introduction of new technologies into the workplace is monitored in respect of potential safety or health implications for officers and others;
 - Joint HSC reviews risk assessment, workplace reports, and other relevant documents; and provide comments for guidance;



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3.7 Safety and Health Representative

Sections 152 and 153 within *Part IX of the Virgin Islands Labour Code 2010* require workplaces to establish at least one Safety and Health Representative in cases where a Joint Workplace Safety and Health Committees are not obligatory. The Safety and Health Representative must be elected by the Officers.

A Safety and Health Representative is required to:

3.7.1 Accompany the inspector during an inspection and may make such representation as may be desirable to protect the safety and health of officers.



4.0

ARRANGEMENTS

FOR HEALTH AND

SAFETY



4.1

ARRANGEMENTS FOR FIRST AID



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4.1.1 Introduction

The GOVERNMENT OF THE VIRGIN ISLANDS has a general duty to provide adequate facilities and equipment to enable first aid to be rendered to officers should they sustain injury or become ill at work. First aid provision should take account of the number of persons employed, the size of the establishment and the hazards and risks involved in the work activities.

4.1.2 Legislation

The *Part IX of the Virgin Islands Labour Code 2010*, places a duty on employers to provide a health and safe place of work, with suitable arrangements for welfare. Sections 138 and 141 also require employers to provide first aid requisites. The information gathered from risk assessments, as required under Section 137 of the Labour Code 2010, can help in analysing the first aid needs for individual departments and job sites.

4.1.3 Definitions

First Aid is the initial management of any injury or illness suffered at work. It does not include giving tablets or medicines to treat illness.

A trained “first aider” is a person who has been suitably qualified and who holds a current first aid certificate issued by an approved organization.

4.1.4 First Aid Personnel

Persons responsible for first aid appliances or requisites shall preferably be trained “first aiders”, and a list of such persons should be posted and kept up to date.

Persons holding certificates should undergo refresher training with re-testing of competence at least every three years or as specified by the certifying body, but in any case shall be before the certificate expires.

4.1.5 Rest Room / First Aid Room

As required under Section 141 of the Virgin Islands Labour Code 2010, a suitable rest room will be provided, maintained and kept under the supervision of a responsible person. This room may also be used as the First Aid room, as practicable. In the case of extended projects away from the main compound of GOVERNMENT OF THE VIRGIN ISLANDS a suitable temporary facility should be established.



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4.1.6 First Aid Kits

First aid kits or boxes should be made of a suitable material and designed so as to protect the contents. All boxes should be clearly marked and adequately stocked in accordance with any list of minimum requirements which may from time to time be published. The contents of the kits or boxes should be checked at least monthly by the Health and Safety Coordinator or other designated person, and items replaced after each use or if expired.

The first aid box or kit should be placed in a clearly identified and readily accessible location. Every First Aider should have ready access to the first aid box or kit.

All first aid appliances or requisites will be placed under the charge of responsible persons or trained first aiders, if feasible.

4.1.7 Management Responsibilities

4.1.7.1 Departmental Managers and supervisors must make an assessment of the first aid needs appropriate to the circumstances of the place of work. In assessing the needs, managers and supervisors must consider:

- The workplace hazards and risks;
- The size and distribution of the workforce;
- The remoteness of the site from emergency and medical services;
- The travelling time to and from the site;
- Officers working in shared premises or on multi-occupied sites;
- Provision for persons “working alone” (see guidance in **Appendix II**), including those performing overtime work;
- Annual holiday leave or other absences of trained First Aiders and other persons responsible for oversight of first aid appliances or requisites.
- The first aid kit must be re-evaluated when any major changes are made to the workplace causing new health and safety risks to be introduced.



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4.1.7.2 Departmental Managers and supervisors must also ensure that an appropriate number of First Aiders is available at all times within their departments to:

- Arrange for immediate assistance to casualties with both common injuries or illness, and those likely to arise from specific hazards at work;
- Summon an ambulance or other professional help.

4.1.7.3.1 Departmental Managers and supervisors must ensure that all members of officers, including temporary and casual workers, are aware of the relevant first aid arrangements. An example of how this may be done is as follows:

- Notices must be displayed in prominent locations where they can be easily seen. These notices must give information regarding the location of the first aid facility and the names of the First Aiders.

4.1.7.3.2 Information on first aid must be included during the induction of new officers and existing officers must be informed of any changes which are made.

4.1.7.3.3 Departmental Managers and supervisors must ensure that the following records are kept:

- Details of first aid supplies, including location and content of boxes, and the person responsible for checking and reordering supplies;
- Details of any first aid treatment administered;

4.1.7.3.4 Additional first aid supplies should be readily available for replenishment of boxes or kits, especially such items as disposable gloves and sterilizing solution.



4.2

ARRANGEMENTS FOR EMERGENCY RESPONSE

NOTE IS MADE THAT EMERGENCY RESPONSE PROCEDURES ARE BEING DEVELOPED, OR HAVE ALREADY BEEN DEVELOPED, IN CONJUNCTION WITH THE DIRECTOR OF DISASTER MANAGEMENT. SUCH DOCUMENTS SHOULD BE REFERENCED ACCORDINGLY.

REFER TO RELEVANT DOCUMENTS



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Section 138 within *Part IX of the Virgin Islands Labour Code 2010* requires a workplace with twenty or more officers to establish an emergency plan in writing based on the risk assessment made. This should include the following:

- Suitable and rapid means of obtaining first aid help and transportation from the industrial establishment to a hospital for injured officers.
- Measures and procedures to be used to control a major fire, to react to serious damage to the industrial establishment, to evacuate the industrial establishment and to notify rescue personnel.

The emergency plan may be developed in conjunction with the **Department of Disaster Management (DDM)** and must be submitted to the Commissioner.

In addition, one must refer to the Virgin Islands Disaster Management Act, 2003, for further responsibilities. This act states that all organizations are obligated to establish the necessary systems, structures, programs, resources, capabilities and guiding principles to reduce disaster risks, prepare and respond to disasters.



4.3

ARRANGEMENTS FOR ACCIDENT/INCIDENT REPORTING & INVESTIGATING



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4.3.9 Accident Reporting

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4.3.1 Introduction

This section outlines the procedure which is to be adopted by all officers of GOVERNMENT OF THE VIRGIN ISLANDS when an officer, or other person present in the workplace, is involved in an accident. For the purposes of this procedure, brief definitions and examples of an accident and a near miss are given below.

4.3.2 Legislation

The reporting of accidents or death at work is a legal requirement under Section 156 of the Virgin Islands Labour Code 2010. Employers are expected to inform the Commissioner, the joint workplace safety and health committee, the officers' safety representative and the recognised trade union of 'reportable accidents' or death within 48 hours of such occurrences. Additionally, accident reporting or the lack thereof is also addressed within the *Appointment to Public Office (Devolution of Human Resource Functions) Regulations, 2008*.

4.3.3 Definitions

Reportable Accident – an event which causes the death of a worker or which results in disability of a worker, or any other person present in the workplace, for more than three days. Examples include: a fall resulting in a fracture, amputation or serious laceration.

Dangerous Occurrence – an unplanned event which did not cause injury to a person or damage to property, but it had the potential to do so. Examples include: articles falling near to people, short-circuits on electrical equipment or an explosion.

The following covers reporting and recording procedures for Departmental Managers, Officers and Non-Officers. Suitable information and training must be given to all personnel regarding accident investigation and reporting.

Near miss – Near misses describe **Incidents** where no property was damaged and no personal injury sustained, but where, given a slight shift in time or position, damage and/or injury easily could have occurred.

Incident – Work-related event(s) in which an injury or ill health or fatality occurred, or could have occurred. An incident therefore can either be an accident or a near-miss.



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Work-related Violence - any incident, in which a person is abused, threatened or assaulted in circumstances relating to their work.

4.3.4 Responsibilities

Heads of Departments or other Management level personnel

- Must develop in-house methodologies, standard operating procedures (SOPs) and other guidelines constituting “safe systems of work”, to supplement the policies and procedures contained herein;

Officers

- Must co-operate with management to meet the requirements of this arrangement.

4.3.5 The Injured Person Must:

Ensure that the Manager or person in charge at the time of the accident/incident is informed as soon as any of the following happens whilst at work:

- i. You have an accident, (including those that do not result in an immediately obvious injury);
- ii. You are assaulted (including threatening behaviour/verbal abuse, which may be classified as “work-related violence”);
- iii. You develop an occupational disease;
- iv. You discover a potential hazard.

4.3.6 Manager/Person in Charge/Responsible Person Must:

- i. Follow the relevant procedures outlined in the Labour Code, in relation to workplace accident/ incident.

4.3.7 Human Resource Coordinator Must:

- i. Ensure that correct procedures have been followed after an accident/incident including the notification of the Labour Commissioner.



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4.3.8 Action to be taken following an Accident/Incident

- All accidents/incidents, occupational disease, assaults (including threatening behaviour, verbal abuse etc. which may be classified as work-related violence), are to be reported and investigated by the Health and Safety Coordinator, the joint workplace safety and health committee or other designated personnel.

4.3.9 Accident Reporting

All accidents/incidents in the workplace are to be reported to the person in charge e.g. the Departmental Manager or, in their absence, to another responsible person. The 'responsible person' is to take the following action:

- Ensure that appropriate treatment and welfare support has been given to the injured person and others affected by the accident;
- Ensure that senior management is informed.
- Where deemed necessary, ensure that the emergency services have been contacted;
- Ensure that appropriate action is taken to remove the risk of further incidents or a recurrence e.g. by closing down equipment/machinery, cordoning off danger areas, warning signs etc.;
- Complete an accident report form and ensure that a copy is forwarded to the Director of Human Resources; and
- Investigate all accidents/incidents that resulted in, or might have potentially resulted in death or major injury.

4.3.10 Accident Notification

The following 'reportable accidents' are to be reported to the Labour Commissioner and the Department of Human Resources.

Accident which:

- Causes loss of life of a worker or any other person present in the workplace;
or
- Disables a worker for more than three days.



4.3.11 Accident Investigation

All accidents/ incidents are to be investigated by the Health and Safety Coordinator, the joint workplace safety and health committee or other designated personnel. This is to include the completion of an accident/incident investigation form. The investigation is to consider at least the following where relevant:

- ❑ Experience of the injured person/s
- ❑ Training and qualification of the injured person
- ❑ Time of day
- ❑ Weather conditions
- ❑ Actions leading directly to the accident/incident
- ❑ Underlying causes
- ❑ Immediate management response
- ❑ Adequacy of response
- ❑ Worst possible outcome

The investigation is to identify the following:

- ❑ Further management action required
- ❑ Further action required to prevent recurrence
- ❑ Date by which action is to be undertaken



4.4

ARRANGEMENTS FOR RISK ASSESSMENT



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4.4.1 Introduction

The GOVERNMENT OF THE VIRGIN ISLANDS will take all measures to identify hazards and take all reasonable practicable steps to reduce these to an acceptable level and will ensure that risk assessments are carried out in a manner which will detail the range of hazards associated with working operations, together with any necessary remedial actions. Any officer who discovers a hazard in the working environment should report it to management so that the necessary remedial action can be taken.

4.4.2 Legislation

Under Section 137 of the *Part IX of the Virgin Islands Labour Code 2010* “Every employer shall within one year from the commencement of the Code make a suitable and sufficient assessment of (a) the risks to the safety and health of his or her officers to which they are exposed whilst they are at work; and (b) the risks to the safety and health of persons not in his or her employment arising out of or in connection with the conduct by him or her of his or her undertaking...”

4.4.3 Definition

Risk Assessment is the process of analyzing the level of risks, considering those in danger, estimating the severity of the possible outcome, determining the likelihood that an event will occur, evaluating whether hazards are adequately controlled (taking into account any measures already in place) and deciding if additional controls are required.

4.4.4 Who Should Assess Risks?

4.4.4.1 Departmental Managers and their officers have ‘ownership’ of the task, i.e. they are involved in the task and with the people carrying it out, thus they will know more than an outsider about the way the task is actually carried out. Therefore they are well placed to conduct BASIC risk assessments as may be achieved by ‘visual inspection and judgement’ or the use of pre-designed assessment forms. However, a detailed risk assessment must be carried out by a suitable qualified person.

4.4.4.2 A suitable qualified person will know when it is appropriate to seek the further advice of specialists or when to conduct empirical testing via the utilization of scientific procedures and/or appropriate precision instrumentation. Risk Assessment, whenever possible, should be a team exercise involving different



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levels of personnel as this will achieve the best results by ensuring that all aspects of the work are considered.

4.4.5 Management Responsibilities

4.4.5.1 To co-ordinate the conducting of BASIC risk assessments and to identify a **'suitable qualified'** person to undertake more detailed Empirical Assessments, where deemed necessary. A 'suitable qualified' person is considered to be a person who has sufficient training, experience and knowledge to enable him/her to carry out the measures required to comply with relevant statutory provisions.

4.4.5.2 To collate the Risk Assessments undertaken in their area of control and to make available suitable resources to ensure that all hazards are eliminated or adequately controlled, so that the associated risks are minimized.

4.4.5.3 To ensure that the risk assessments are reviewed regularly and in any case following:

- An accident/incident
- The introduction of new equipment, processes, substances, personnel etc;
- A significant change of the workplace or size of the workforce.

4.4.5.4 To ensure satisfactory standards are achieved and maintained.

4.4.5.5 To put into effect arrangements for the effective planning, organizing, controlling, monitoring and reviewing of any preventative and protective measures introduced.

4.4.5.6 **The 'Suitable Qualified Person' is to:**

- undertake the Empirical Risk Assessment;
- record the Risk Assessment;
- liaise with management;
- communicate the findings of the risk assessment to the Departmental Manager or other designated person; and
- develop control measures for eliminating the identified hazards and/or minimizing the associated risks.



4.4.6 Officers Responsibilities

- ❑ To take reasonable care for their own Health and Safety and of anyone else who might be affected by the work activity.
- ❑ To co-operate with management to meet the requirements of these arrangements.
- ❑ To bring to their Departmental Manager's attention any hazards that exist in their workplace so that additional controls can be implemented/action taken.

4.4.7 Risk Management

4.4.7.1 Before the Risk Assessment process can commence, **identification** of tasks and hazards is required. To accurately assess the risk, the clear identification of those aspects of the workplace and the work activity that have the potential to cause harm is vital.

4.4.7.2 Specific Workplace Assessment

Where the hazards identified are associated with specific concerns such as ergonomics, hazardous chemicals, biological agents, thermal stress, radiation, noise, vibration or specialized personal protective equipment, then a more empirical assessment is to be undertaken.

4.4.7.3 Assessment of Risk

The most important element of ensuring full compliance with risk assessment requirements is the **analysis** and **evaluation** of the risk. This whole process answers the fundamental questions "how likely is it that the harm will be realized?" and "How severe will the harm be?" This element of the risk assessment process involves a risk ranking exercise. Having ranked the risks in order of importance, each risk may then need to be considered in detail.

4.4.7.4 Action Following Assessment of Risk

- ❑ **Immediately** following the analysis and evaluation of risk, measures to **eliminate** or **reduce** the risk must be considered. There is an absolute duty to assess the risks and ensure adequate control of risks, and all reasonable steps must be taken to eliminate the risks. A balance has to be struck between the nature and the extent of the risks that are present on the one hand and the cost of eliminating the risks on the other.



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- Ensuring that adequate **control** is provided and maintained can only be achieved by paying appropriate attention to a wide range of actions that are identified as necessary during formal risk assessment. Often, records will need to be kept to demonstrate that appropriate actions are being taken to provide and maintain adequate **control**. Record keeping is required to support risk assessment actions, to verify compliance with legislation and support actions in cases of civil damage claims.

4.4.8 Undertaking the Risk Assessment

There are two commonly used approaches to undertaking the risk assessment - the “Task Approach” and the “Risk or Hazard Approach”. When planning the Risk Assessment process it is important to decide which of these two alternative approaches to take.

4.4.8.1 Task Approach

Planning the risk assessment process on the basis of the tasks undertaken has the advantage that it accurately describes the full set of component activities that individual workers are employed to perform under a given job title. The process of considering a given job title, identifying the associated hazards and evaluating the risks associated with each task, offers an approach that is relevant to the officer and cost effective in the way that it is carried out. An added benefit is that the completed risk assessment can also form a very useful training guide.

4.4.8.2 Risk or Hazard Approach

This approach has the advantage of focusing on particular aspects of the individual tasks which are associated with each job title. The main advantage is that the risk assessors will be able to investigate hazards and risks one by one and thereby become familiar with the reference publications and the appropriate safety standards. Therefore, it is more likely that a consistent approach to a particular hazard or risk will be adopted across all the employers’ activities.

4.4.9 The Risk Assessment

4.4.9.1 Considering Tasks

It must be emphasized that the assessment’s purpose is to identify the way in which tasks are actually performed within the department rather than how they should be performed.



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4.4.9.2 Assessment of Premises

Buildings, premises and/or workplaces need to be assessed. There are many hazards that are a feature of the premises rather than of the work activities within the premises. For example, fire hazards, storage of goods, the electrical installation, water treatment procedures, etc.

Carrying out the premises assessment first before embarking on individual task assessments will avoid repetition, as many of the prescribed hazards will be common to the task assessments. The overall risk assessment of the premises is also an important means of identifying potential emergency situations for which plans, procedures and systems will need to be designed and implemented to reduce the risk.

4.4.10 THE RISK ASSESSMENT PROCESS – 5 STEPS

4.4.10.1 Step 1 - Identifying Hazards

- ❑ Having drawn up an inventory of premises and tasks described above, the next stage is identifying the inherent hazards, before the associated risks can be assessed. A hazard can be defined as something with the potential to cause harm, and can include substances or machines, methods of work and other aspects of work organization.
- ❑ An accurate description of the harm that can result from a hazard is also important. A loose definition of the hazard as electricity, repetitive movements or hazardous chemicals, for example is insufficient.
- ❑ Take as an example the storage of goods. There are obviously hazards associated with the storage of goods, but the nature of the associated harms needs to be identified. For example, storage areas may represent the possibility of harm resulting from falling objects, falls of people, tripping and slipping, fire etc. As another example, the use of electricity may cause fire, burns and/or shock.



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The following table further illustrates some examples (NB: it is not an exhaustive list):

Hazards	Potential	Harm (injury)
Electricity	Electrical Energy	Shock, Burn, Electrocution
Sulphuric Acid	Corrosiveness	Eye or skin irritation, Chemical burn, Respiratory distress
Manual Handling	Gravitational Energy	Muscle strain, Back injury, Hernia
Computer Workstation Equipment	Repetitive work	Upper limb fatigue, Muscle soreness, Carpal tunnel syndrome

- It is important that all aspects of the task are evaluated, including preparation, normal operation, breakdown conditions, maintenance, and emergency situations. Other sources that will help with hazard identification include accident and loss statistics/information, inspections and discussions with officers who in fact do the work.
- Increasingly, there are many “social hazards” and “lifestyle conditions” impacting on the workplace and thus require consideration. Examples include: smoking at work, bullying, harassment, the threat of violence, stress and non-communicable diseases/disorders.

4.4.10.2 Step 2 - Identifying the Persons at Risk

This identification is particularly important as employers should make a special note in their risk assessment records of ‘any group’ of officers identified as being especially at risk. The persons affected will be those involved in the tasks, but these people will fall into different categories, and people other than operatives may also be affected. For example, the effect of a hazard on an officer will depend on factors such as:

- Age (very young people may be at greater risk due to inexperience or lesser physiological development, while conversely persons who are advance in age may have lower reflex response or suffering from degenerative conditions).
- Sex (some manual tasks may be deemed beyond the ability of some women, especially during pregnancy)
- State of health (someone with asthma will be at greater risk from a respiratory sensitize)
- Special circumstances (effects of some chemical hazards or intense manual tasks on pregnant women should be carefully considered).



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In addition to the officers involved in the task under assessment, the following people may also be at risk from the hazard:

- ❑ Officers of other employers (e.g. other employers sharing premises and sub-contractors).
- ❑ Visitors (invited and uninvited, e.g. customers, emergency services, inspectors, delivery drivers, trespassers).
- ❑ Others (e.g. members of the public, passers-by)

4.4.10.3 Step 3 (a) – Risk Analysis/Evaluation and Control

❑ Risk Analysis and Evaluation

- ❑ The effect of control measures on the hazards identified is considered at this stage. Having identified the existence of a hazard, it is necessary to attempt to assess the significance of the level of risk in order to enable a reasoned case to be made for preventative action and prioritization. Many techniques have been developed over the years, all based on the classic definition of risk:

Risk = probability of the event X the severity of the consequence

or more simply put:

Risk = likely X severity

- ❑ When evaluating the risks, consideration is to be given to the harm that could be caused, the probability of harm being caused, the circumstances in which it might occur and the existing precautions.
- ❑ The risks associated with these hazards in the workplace are then to be prioritized and urgent attention given to controlling/minimizing those risks, which are identified as being high/significant.
- ❑ To allocate a risk rating, two factors, which affect the risk are to be involved:
(i) the likelihood of an occurrence and (ii) the severity of the hazard

Likelihood of injury	Severity
3. High (e.g. certain or near certain)	3. Major (e.g. death/major harm)
2. Medium (e.g. frequently)	2. Serious (e.g. over 3days off work)
1. Low (e.g. seldom)	1. Slight (off work for up to 3 days)

Risk Rating



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1, 2, 3, 4, 6, or 9

L I K E L I H O O D	3	3	6	9
	2	2	4	6
	1	1	2	3
		1	2	3
	SEVERITY			

The risk assessment process does not end with the assessing of the risk, benefits will only start to arise when appropriate measures have been identified to eliminate or reduce the risks. These will now be considered.

4.4.10.3 Step 3 (b) - Considering and Implementing Control Measures

- ❑ Action is to be taken where the risks are deemed significant/unacceptable. Trivial risks can be ignored as can risks arising from routine activities associated with life in general, unless work activity compounds these risks or there is evidence of significant relevance to the particular work activity.
- ❑ In planning to control risk, the measures selected should be as near as possible to the top of the hierarchy of control, which is outlined in order of priority below. Those measures at the top of the hierarchy reduce the risk more effectively than those at the bottom therefore the assessor should consider measures in these terms. Note that the combination of more than one of the following may be necessary in many cases.
- ❑ **Elimination** - involves removing the hazard completely. (e.g. providing socket outlet at the point of use, thus eliminating the need of a trailing cable).
- ❑ **Substitution** - it is often possible to reduce the risk at a source, or to use a safer alternative (e.g. replacing a substance which is very 'toxic' with one that is harmful').
- ❑ **Engineering Controls** – placing a physical barrier to prevent contact with the hazard (e.g. machine guards)
- ❑ **Segregation** – putting distance between the person and the hazard
- ❑ **Managerial Controls (Administrative)** – these include:



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- Setting daily/weekly time limits on length of exposure to the hazard;
- Periodic job rotation;
- Scheduling hazardous operations at times when fewest persons can be affected.
- **Managerial Controls (Safe Person)** to prevent accidents or protect people from hazards e.g.
 - Developing safe systems of work
 - Permits to work
 - Lock-out Tag-out (LOTO) procedures
 - Training
 - Provision of information/instructions
 - Supervision
- **Personal Protective Equipment (PPE)** - priority should be given to those measures which protect the whole workplace. Only as a last resort should personal protective equipment be used (except in emergence situations) and only if the risk cannot be controlled in other ways.

4.4.10.4 Step 4 - Record the Assessment

The assessment undertaken is to be recorded to future reference, and to facilitate the tracking of progress.

4.4.10.5 Step 5 - Monitoring and Review

The control measures introduced are to be monitored and reviewed to ensure that:

- They are properly and consistently used by officers;
- They are valid.

The effectiveness of review activities is enhanced by:

- Clearly establishing who is responsible for implementing the remedial action identified in the review process.



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- ❑ Setting deadlines for the completion of remedial action,

The review of risk assessment should be an ongoing process. This may, for example, include:

- ❑ Monthly reviews of individual sections;
- ❑ Quarterly reviews of departments;
- ❑ Annual reviews of sites or of the organization as a whole.

4.4.11 Communicating the results of the Risk Assessment

- ❑ 4.4.11.1. Risk Assessments are undertaken for the sake of the persons who are at risk from various tasks under the control of the employer. The risk assessment will need to be communicated to all persons who have an interest or allocated responsibilities e.g. all potentially affected Officers, Supervisors, Senior Management, Health and Safety Coordinators, and Human Resources personnel.

In some cases it may be necessary to provide training as to the risks involved and the control measures needed.

Apart from the above personnel, the outcome of the risk assessment must be communicated to the following personnel who shall review the same and submit in writing any recommendations or concerns which they may have:

- ❑ Joint Workplace Safety and Health Committee Members
- ❑ Trade Unions (where applicable)



4.5

ARRANGEMENTS FOR MANUAL HANDLING



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4.5.1 Introduction

4.5.1.1 Based on international statistics, about a third of all reported workplace injuries are due to manual handling, each on average resulting in 20 days absence from work. Manual Handling injuries are often the result of cumulative damage rather than a single handling incident. The GOVERNMENT OF THE VIRGIN ISLANDS shall ensure that all reasonable steps will be taken to prevent officers undertaking manual handling tasks and where this is not feasible, reduce the risk of injury to the lowest level practicable and where appropriate, provide personal protective equipment free of charge.

4.5.1.2 Suitable information and training will be provided to persons who are required to carry out manual handling activities. Officers must not put themselves at risk when carrying out manual handling activities. They should use equipment which has been provided to minimize manual handling activities and report to Management any problems experienced relating to the activities.

4.5.2 Legislation

4.5.2.1 The purpose of this guidance is to assist Management in meeting their duties under the legislation to provide a safe place of work, which is free from risk to health and to ensure that work activities do not adversely affect the Health and Safety of officers and non-officers.

4.5.2.2 In keeping with the spirit of the Section 142 of the Virgin Islands Labour Code 2010 “an officer is not required manually to lift, carry or move anything in excess of the maximum weight specified by any Regulations made under this Part;”

4.5.3 Definition

4.5.3.1 Manual handling is popularly defined as **the engaging of persons in the lifting, lowering, pulling, pushing, carrying or supporting of a load**. A load is any discrete movable object such as people, animals, substances and materials (including situations where material supported on a shovel or fork, etc.).

4.5.4 Injuries associated with Manual Handling

- ❑ Back strain
- ❑ Prolapsed disc or Hernias
- ❑ Lacerations
- ❑ Bruised or broken fingers, hands, toes or feet
- ❑ Various dislocations, sprains, strains, etc.



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- Torn muscles, ligaments or tendons
- Tenosynovitis (inflammatory condition affecting the tendons)

4.5.5 Management Responsibilities

4.5.5.1 Planning and Implementation

Successful Health and Safety management must cover all situations which have the potential to cause injury, ill health or loss. Effective planning is concerned with prevention through identification, elimination and control of hazards and risks. The process requires management to:

4.5.5.2 Identify Risks

Management must review all activities to identify any manual handling components.

4.5.5.3 Eliminating Risks

Whenever possible, Management should seek to avoid manual handling altogether i.e. are the handling operations necessary or could the desired result be achieved in some entirely different way. Examples are:

- Can the process be mechanized/ automated?
- Can the work layout/ design of the task be improved to reduce manual handling?

However, it should be remembered that the introduction of either of these examples may create additional or different risks requiring precautions of their own.

4.5.5.4 Control Risks

Management should take account of existing preventative or precautionary measures that comply with relevant legislation. These may already control/ reduce the risks sufficiently. However, Management should ensure that the control measures reduce the risk to the lowest level practicable. It is important that whatever control measure is in place that it is working properly. The following must be considered i.e.:

- Consideration must be given to automation or the use of mechanization, e.g. forklift truck etc. These options must be assessed to ensure that they do not increase risk levels.



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- If this cannot be achieved in the short term it may be possible when reorganizing either the workplace or work activities or the load to make it more suitable for mechanical handling. A long term implementation plan may have to be developed.
- All manual handling activities that cannot be readily eliminated must be thoroughly assessed and suitable control actions implemented to minimize this activity so far as is reasonably practicable, e.g. by use of Personal Protective Equipment e.g. mechanical aids such as trolleys, suitable clothing e.g. gloves etc. Personal Protective Equipment should only be used as a last resort; other controls should be adopted first.

4.5.6 Risk Assessment

4.5.6.1 A meaningful assessment can only be based on a thorough practicable understanding of the type of manual handling tasks to be performed, the loads to be handled and the working environment in which the tasks will be carried out. Managers should be better placed to know about manual handling taking place in their own sections than someone from outside and input from the operatives must be taken into consideration.

4.5.6.2 Management must:

- Make a suitable record of assessments, identifying the significant findings and required control actions. Where there is a number of workplaces containing similar activities a 'generic risk assessment' could be undertaken with each section modifying it to their own situations.
- Review the assessment at suitable intervals and when there is reason to believe that it is no longer valid e.g.
 - where there are changes to the operations which make the original assessment invalid;
 - if injuries occur or discomfort is reported.

4.5.6.3 Manual Handling Assessment

In assessing manual handling activities the assessors should consider the following factors: (NB. Many of them are interrelated and are difficult to consider in isolation.

Control activities should address as many of them as necessary until the risk can be considered to be reduced to the lowest level practicable).



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❑ **The Load**

The load could be anything i.e. equipment, refuse in bags, a person etc. The following factors should be considered i.e. weight, size, shape, rigidity, stability, contents condition, sharp edges, cleanliness, temperature, grip provided by packaging, etc.

❑ **The Individual**

❑ Age, fitness, size, male/female, fatigued/overworked, pregnant, use of medication, existence of non-communicable diseases (e.g. diabetes or hypertension).

❑ Skill, training and experience.

❑ Does personal protective equipment hinder visibility, movement or posture?

❑ **The Task**

❑ Are the loads held away from the torso?

❑ Does the task involve twisting, stooping or reaching above the shoulder height?

❑ Long carrying distances?

❑ Repetitive actions?

❑ Fast rate of work imposed by machine actions?

❑ Insufficient rest or recovery time?

❑ Static positions?

❑ More than one person required to move it safely?

❑ **The Environment**

❑ Poor, rough, uneven, slippery floors, obstacles?

❑ Changes in working surface (floor) level?



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- ❑ Hot, cold or humid conditions?
- ❑ Wind, poor light, restricted space?
- ❑ Other activities, e.g. pedestrians and vehicles etc.?

4.5.7 Competency

4.5.7.1 The responsibility to carry out the assessment rests with the Departmental Manager. This responsibility can be delegated to someone else who is suitable qualified. To be deemed as suitable qualified, the person must have an understanding of the task in hand, be able to identify any hazards/risks associated with the activity and have the authority to get all necessary information and to make correct decisions about the risks and the precautions needed.

4.5.8 Information and Training

4.5.8.1 In order to comply with the spirit of the general duties within the *Part IX of the Virgin Islands Labour Code 2010* employers are expected to provide their officers with Health and Safety information and training. This should also be supplemented as necessary with more specific information and training on manual handling injury and prevention, including the delivery of “Toolbox Talks”.

4.5.8.2 All persons responsible for undertaking Manual Handling Risk Assessment should have necessary training to ensure their competency.

4.5.8.3 All persons required to manually handle a load should receive both, general and load/task specific training and information which will enable the individual to:

- ❑ Be able to assess a load, the environment and recognize his/her own limitations with regard to the task;
- ❑ Be able to use any provided mechanical aids and apply good handling techniques.

4.5.9 Monitoring

Departmental Managers to continually monitor to ensure:

- ❑ That correct techniques are adhered to;
- ❑ Mechanical aids if provided are used correctly;
- ❑ Personal protective equipment if supplied is used correctly;
- ❑ Control measures are adequate.



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4.5.10 Personal Protective Equipment

Personal Protective Equipment should only be considered as a last resort.

4.5.11 Records

Records of all training, instruction and written procedures must be kept in respect of the assessment, and amended as deemed necessary.



4.6

ARRANGEMENTS FOR WORKPLACE SAFETY, HEALTH & WELFARE CONDITIONS



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4.6.6.16 Facilities for rest and to eat meals



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4.6.1. Introduction

4.6.1.1 Health and Welfare facilities include washing and sanitation arrangements, the provision of drinking water, heating, cooling, lighting, accommodation for clothing, seating (when required by the work activity), areas for taking meals and rooms for resting. First aid arrangements are also considered as welfare facilities.

4.6.1.2 The GOVERNMENT OF THE VIRGIN ISLANDS will ensure that all reasonable steps will be taken to meet or exceed legislative requirements, and to provide adequate welfare facilities and a safe and healthy workplace environment.

4.6.2 Legislation

4.6.2.1 Sections 139 and 141 within Part IX of the Virgin Islands Labour Code 2010 place duties upon employers to ensure adequate health and welfare facilities are provided for people at work.

4.6.2.2 It requires employers to ensure the provision and maintenance of a working environment for their officers that is without risk to health, and adequate as regards amenities and arrangements for their welfare at work.

4.6.3 Definition

4.6.2.3 A workplace for these purposes is defined very widely to include “a place at which work is performed, and includes property belonging to or occupied by the Government”. Thus this definition applies equally to offices, institutions, workshops, retail stores, construction sites, outdoor worksites, factories and other undertakings.

4.6.4 Management Responsibilities

Management must ensure that:

- The workplace is safe and without risks to health;
- Risk assessments are undertaken, hazards in the workplace are identified, eliminated/adequately controlled.

The risk assessment undertaken should identify the hazards in the workplace and measures taken to reduce these to the lowest level practicable. The risk assessments undertaken should consider all these areas discussed in subsequent sections to secure confidence that the workplace is safe and without risks to health.



4.6.5 Officer Responsibilities

Officers must:

- ❑ Take reasonable care for their own Health and Safety and that of anyone else who might be affected by the work activity;
- ❑ Co-operate with management to meet the requirements of these arrangements;
- ❑ Bring to their immediate manager's attention any hazards that exist in their workplace so that additional controls can be implemented/ action taken;
- ❑ Not interfere or misuse anything that is in place for their Health and Safety;

4.6.6 Workplace Requirements

4.6.6.1 Ventilation and Air Quality

The workplace is to be ventilated by a sufficient quantity of fresh or purified air to ensure that stale air is replaced and that adequate air quality is achieved and maintained. In many workplaces windows or other openings may provide sufficient ventilation. In workplaces where natural ventilation is not an option, mechanical ventilation should be appropriate.

4.6.6.2 Temperature

During working hours the temperature in workrooms is to provide reasonable comfort without the need for special clothing. If achieving such a temperature is impractical because of hot processes or outdoor work, then other appropriate steps are to be taken to achieve thermal comfort and ensure safety (e.g. provision of adequate supplies of drinking water, making recommendations on suitable clothing, limiting the time of thermal exposure, etc.).

4.6.6.3 Lighting

The lighting in the workplace is to be sufficient to enable people to work, use facilities and move from place to place safely and without experiencing eye-strain. Suitable and sufficient lighting is to be provided at places of particular risk e.g. on stairways with particular attention being paid to the shadows cast.



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Where sudden loss of light could prevent a serious risk, then emergency lighting is to be provided which is powered by a source independent from that of normal lighting and which is immediately effective in the event of failure of the normal lighting without need for action by anyone.

4.6.6.4 Cleanliness and Wastes

The workplace including floor coverings, furniture, furnishings and fittings are to be kept sufficiently clean. Apart from regular cleaning, cleaning is also to be carried out when necessary in order to address spillages or to remove unexpected soiling of surfaces. The cleaning is to be carried by an effective and suitable method and without creating or unduly exposing anyone to a health or safety risks.

Workplaces are to be kept from offensive waste matter or discharges. All waste/refuse are to be removed at least daily.

4.6.6.5 Room Dimension and Space

Workrooms are to have enough free space to prevent overcrowding and to allow persons to get to and from workstations or to move within the room with ease. The number of persons who work in any particular workroom at any one point in time will depend not only on the size of the room, but on the space taken up by the furniture, fittings, equipment and on the layout of the room.

4.6.6.6 Workstations and Seating

Workstations are to be suitable for any special needs of the person who:

- Is likely to work there; and
- Arranged with sufficient clear and unobstructed space so that each task can be carried out safely and comfortably.

Work materials and frequently used equipment are to be within easy reach without undue bending or stretching.

4.6.6.7 Condition of Floors and Traffic Routes

Floors and traffic routes in the workplace are to be suitable for the purposes for which they are to be used. They are to be sound of construction, have adequate strength/stability for the loads placed upon them and be free from holes, slopes, uneven/ slippery surfaces and obstructions.



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A secure and substantial handrail is to be provided and maintained on at least one side of every staircase except at points where a handrail would obstruct access and egress.

4.6.6.8 Falls or Falling Objects

Measures are to be taken in the workplace to prevent injury as a result of falling from heights or being struck by falling objects e.g. fencing, toe-boards, etc. (see guidelines in **Appendix IV**).

Secure fencing or other appropriate measures are to be provided wherever possible at any place where an individual might fall 2 meters or more, and where a person might fall less than 2 meters but there are factors that increase the likelihood of a fall or the risk of serious injury.

The measures to be taken to prevent injury are to be identified as part of the risk assessment process.

4.6.6.9 Transparent/Translucent Windows, Doors, Gates, Walls, etc.

All windows or other transparent/ translucent surface in wall, partitions, doors or gates in the workplace are to be clearly indicated and constructed of safety material or be protected against breakage. Protection may be achieved by means of a highlighting, signs, screen or barrier, which will prevent an individual from coming into contact with the glass or other material

All transparent/translucent surfaces are to be marked where necessary to make them apparent.

Open windows, skylights or ventilators in the workplace are not to project into an area where persons are likely to collide with them. The bottom edge of opening windows should be sufficiently high above floor/ground level to prevent from danger.

All windows, skylights etc. in the workplace are to be designed/ constructed so that they can be cleaned safely.

4.6.6.10 Organization of Traffic Routes

There are to be sufficient traffic routes of sufficient width and headroom, to allow people on foot or in vehicle to circulate safely and without difficulty. Special consideration is to be given to people in wheel chairs in situations where they may be at a greater risk than people on foot.



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Where pedestrian and vehicle routes cross, crossing points are to be provided for use and, if deemed necessary, barriers or rails are to be provided.

4.6.6.11 Doors and Gates

All doors and gates in the workplace are to be constructed/ designed so they do not present a risk to Health and Safety. This is to include; ensuring the following:

- ❑ Exit doors and gates should be so constructed as to swing outwards, unless such an arrangement creates danger.
- ❑ Doors and gates, which swing in both directions, should be fitted with transparent panels unless they are low enough to allow for easy visibility over them.
- ❑ Sliding doors have a stop or other effective means to prevent the door coming off the end of the track.
- ❑ Upward opening doors are fitted up with an effective device to prevent them falling back in a manner likely to cause injury.
- ❑ Powered doors and gates can be operated manually unless they open automatically if the power fails.

4.6.6.12 Sanitary Conveniences

Sanitary conveniences are to be provided at readily accessible places in the workplace and should be adequately ventilated, adequately lit and clean. Separate rooms are to be provided for men and women unless each convenience is in a separate room, the door of which is capable of being secured from the inside.

4.6.6.13 Washing Facilities

Washing facilities, including showers, are to be provided at readily accessible places in the immediate vicinity of sanitary conveniences and in the vicinity of changing rooms. The washing facilities provided should include the following:

- ❑ A supply of clean hot and cold, or warm water (which should be running water if possible);
- ❑ Soap or other suitable means of cleaning;
- ❑ Towels or other suitable means of drying;

The room containing the washing facilities is to be kept clean and sufficiently ventilated and lit. There are to be separated facilities for men and women unless the



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door to the room is capable of being secured from the inside and the facilities in each room are intended to be used by one person at a time.

4.6.6.14 Drinking Water

Wholesome drinking water is to be provided at readily accessible places in the workplace and be marked appropriately. Drinking cups or other suitable containers are to be provided, unless supply is by means of a drinking fountain.

4.6.6.15 Changing Facilities and Accommodation for Clothing

Where the changing of clothing is necessary, suitable and adequate changing facilities are to be provided, together with accommodation (washer, dryer, etc.) for clothing and personal effects which are not utilized during working hours. If persons of different sexes are employed then separate provision are to be made for persons of each sex.

4.6.6.16 Facilities for resting and eating of meals

Suitable facilities for resting are to be provided, as well as facilities for taking meals where food is not likely to become contaminated.



4.7

ARRANGEMENTS FOR ELECTRICAL EQUIPMENT



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4.7.1 Introduction

4.7.2 Legislation

4.7.3 Definitions

4.7.4 Management Responsibilities

- New Electrical Equipment and Systems
- Records
- Risk Assessments

4.7.5 Officer Responsibility

4.7.6 Training and Supervision



4.7.1 Introduction

GOVERNMENT OF THE VIRGIN ISLANDS will take all reasonable steps to secure the Health and Safety of officers who use, operate or maintain electrical equipment. GOVERNMENT OF THE VIRGIN ISLANDS acknowledges that work with electrical equipment can be hazardous and it is therefore our intention to reduce the risks as far as possible. Where a safety issue arises related to electricity at work, officers must inform a responsible person immediately and management will then take necessary measures to investigate and remedy the situation.

4.7.2 Legislation

The *Part IX of the Virgin Islands Labour Code 2010* requires that all workplaces be maintained so far as is reasonably practicable to prevent danger. This guidance is not intended to be a comprehensive list, but is provided to assist management in meeting their duties to provide a safe place of work, which is also free from risk to health, and to ensure that work activities do not adversely affect the Health and Safety of employers, officers or other persons.

All electrical systems are to be constructed and maintained so as to prevent danger at all times, so far as is reasonably practicable. The design and safe system of work must take into account the future operation, maintenance and any other work affected by the system, all required protective equipment must be provided, be suitable for the intended use, properly used and suitably maintained.

4.7.3 Definitions

System means an electrical system in which all electrical equipment is or may be electrically connected to a common source of electrical energy and includes such source and such equipment. (i.e. all parts of a circuit and not just the functioning instrument).

Conductor is everything capable of carrying current, not just those things intended to carry current.

Danger means risk of injury from the use of electricity, and may include from:

- Electric shock
- Fires of electrical origin
- Electric arcing
- Explosions initiated or caused by electricity



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Electrical Equipment can be defined as anything used, intended to be used or installed for use, to generate, provide, transmit, transform, rectify, convert, conduct, distribute, control, store, measure or use electrical energy.

4.7.4 Management Responsibilities

4.7.4.1 New Electrical Equipment and Systems

- Electrical equipment and electrical systems are safe when properly selected, used and maintained. Therefore, it is essential that when new electrical equipment is to be purchased the following conditions must be met:
- The electrical equipment conforms to relevant local standard and specifications.
- The existing circuit(s) of the premises can cope with the additional load.
- The environmental conditions are to be considered carefully; a portable tool or electrical system which is safe in one condition can become lethal under different circumstances.
- That general safety standard is met.

4.7.4.2 In order to ensure all the above points are taken into consideration, Departmental Managers in charge wishing to renew or purchase new electrical equipment or systems, must pay attention to selection of suitable equipment, training, maintenance, information, instructions, etc.

4.7.4.3 If the equipment is to be installed by the supplier then the Departmental Manager or '**suitable qualified person**' must ensure that the general safety standards are maintained so as not to cause danger to users and others.

(The term 'suitable qualified' is concerned only with the ability of the person to prevent the risk of injury to themselves or others, either whilst doing the job or after it has been finished. Departmental Managers must ensure that a person's knowledge and experience are relevant to the work to be done, so training and adequate supervision is vital.)

4.7.4.4. Records:

Records **must** be kept for:

- Portable appliances i.e. anything with a plug.
- Fixed installation i.e. distributions panels, cabling



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- The item should also be marked so that it is clear to the user when inspection and maintenance are due.

4.7.4.5 Equipment and systems should be examined, checked and, as necessary, tested at the time of commissioning and maintained at suitable intervals thereafter to ensure that they are in safe working order. This should, where practical, include the effectiveness of electrical protection and any other safety features provided.

4.7.4.6 The Departmental Managers should ensure:

- Portable appliances are tested by a suitable qualified person at least annually or more often depending on the usage.
- Installed electrical equipment and circuits are examined and tested at least annually or at such shorter intervals as may be indicated. An example of a suggested schedule follows:

Office Machines and Equipment	12 months
Electronic Test Equipment	12 months
Heavy Portable or Transportable items	6 months
Powered Hand Tools Used Outside or in Damp Corrosive Conditions	3 months

- Set out the method of carrying out tests and examinations and, means for their prompt recording;
- Copies of the scheme and records to be kept and to be available for inspection ;
- Require the results of major examinations, tests, etc. on equipment to be kept for an adequate period of time (normally 3 – 6 years) or until it is totally reconditioned;
- Reports of examinations to be checked by a suitable qualified person;
- Where potentially dangerous fault is found, it should be recorded and action should be taken as swiftly as possible in order to minimize the danger - such as withdrawal from use of failed equipment until it has been repaired and retested.

4.7.4.7 Undertake risk assessments, which will:

- Identify, before acquiring electrical equipment that it is suitable for use.
- Ensure that all work carried out either using or maintaining a system is safe



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and the need to issue a permit to work will ensure that the particular needs of a specific task have been considered and suitable safety precautions are initiated.

- Assess the work environment, identify abnormal conditions e.g. mechanical damage, effects of weather, temperature or pressure, effects of wet, dirty, dusty or corrosive conditions and flammable or explosive atmospheres including dusts, vapours or gases.
- Competency training should include the necessary identification of other hazards associated with the work environment where they carry out Portable Appliance Testing (P.A.T),

4.7.5 Officers Responsibility

All officers must:

- Ensure that all electrical equipment and systems are treated reasonably and not misused in any way.
- Not attempt to repair electrical equipment and systems. All defects must be reported to the Departmental Manager and Human Resource Coordinator.

4.7.6 Training and Supervision

4.7.6.1. Training and instruction should be provided to all persons who manage/supervise and/or use electrical equipment. This is to ensure that they understand the safety procedures which are relevant to their work and in keeping with any instructions or rules that are in place to ensure their own safety and the safety of others. These should be supplemented with regular “Toolbox Talks”.

4.7.6.2 Where the degree of technical knowledge and experience is not in itself efficient to ensure that the work can be undertaken safely, then adequate supervision must be ensured.

4.7.6.3 Specific training should be available for those officers responsible for carrying out visual and electrical tests on portable appliances.



4.8

ARRANGEMENTS FOR PERSONAL PROTECTIVE EQUIPMENT



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4.8.5 Management Responsibilities

4.8.6 Other Duties of Employers

4.8.7 Duties of Officers



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4.8.1 Introduction

International standards and “best practice” require that employers must ensure that suitable protective equipment is provided to officers who may be exposed to a risk to their Health and Safety while at work, that is, if the risk cannot be adequately controlled by other means which are equally or more effective. There is in effect a hierarchy of control measures, and personal protective equipment should always be regarded as the last resort, except in emergence situations. There are a number of reasons for adopting this ‘last resort’ approach, some of which are listed below:

- Personal Protective Equipment Protects (PPE) only the person wearing it, where as measures controlling the risk at source can protect everyone in the workplace;
- Theoretical maximum levels of protection are seldom achieved with PPE in practice, and the actual level of protection is difficult to assess (effective protection is only achieved if PPE is suitable, correctly fitted and maintained and properly used).
- PPE may restrict the wearer to some extent by limiting mobility or visibility, or by requiring additional weight to be carried.

The GOVERNMENT OF THE VIRGIN ISLANDS will provide PPE when the risk presented by a work activity cannot be adequately controlled by other means, it will also ensure through the proper use of this equipment, that any risks are reduced to a minimum. Information and training in the use of PPE will be provided. Officers and their representatives will be consulted before selecting PPE.

4.8.2 Legal Requirements

The Part IX of the Virgin Islands Labour Code 2010 places a duty on every employer to ensure so far as is reasonably practicable, the health, safety and welfare at work of all officers. It also requires employers to identify and assess the risks to Health and Safety present in the workplace, so enabling the most appropriate means of reducing those risks to an acceptable level to be determined.

Section 142 requires employers to ensure that “where a work process involves a reasonable possibility of injury to other parts of an officer’s body, suitable protective equipment is furnished;”



4.8.3 Definition

Personal Protective Equipment (PPE) is any equipment which protects the wearer from a health or safety risk. It includes respiratory protective equipment, eye and face protection, hearing protection, head protection, safety boots and gloves. Weatherproof and insulated clothing and high visibility jackets are sometimes also considered as PPE because they help protect officers from adverse weather and the risk of being struck by moving vehicles.

4.8.4 The main points of PPE

4.8.4.1 Provision

Employers must provide suitable PPE when a risk cannot be controlled by other means. Task requiring the wearing of PPE are to be indicated by the Employer and NOT left to the discretion of officers.

4.8.4.2 Suitability

The PPE must be appropriate to the risk involved and the type of work to be carried out. It must take account of ergonomic factors, the state of health of the user and must be a suitably fit for the user. The equipment provided must comply with relevant international standards.

4.8.4.3 Compatibility

Where more than one item of PPE is worn such items must be compatible and effective when worn together.

4.8.4.4 Assessment

Before purchasing PPE, the employer must carry out a risk assessment to identify risks which cannot be controlled by other means. Employers must ensure the PPE required protects individuals against risks which cannot be otherwise controlled.

4.8.4.5 Maintenance

The employer must ensure that PPE is maintained in good repair, cleaned and replaced as often as necessary.

4.8.4.6 Storage Facilities

Adequate storage must be provided by the employer for PPE when not in use.



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4.8.4.7 Training

Information and instruction must be provided by the employer on the risks the PPE is intended to protect against, together with training in its use and the steps officers are expected to take to maintain the equipment.

4.8.4.8 Use

The employer must ensure that the PPE provided is used properly by officers.

4.8.5 Management Responsibilities

Management must only resort to PPE when significant risks cannot be adequately or reasonably controlled by other methods.

4.8.5.1 Factors to be taken into account when selecting PPE

- Is it suitable for the risk?- e.g. different types of eye protection are needed to protect against chemicals than against flying chips or particles and dust masks do not protect against toxic gases and solvent vapours. It must be capable of handling the levels of contamination expected, e.g. in the case of Respiratory Protective Equipment, the respirator may get clogged up after a short period of use. If in doubt seek advice from the supplier.
- Is it suitable for the job? - e.g. goggles may steam up in hot humid environments, while visors are less likely to do so. PPE must always be suitable for work; if the way of work is changed, check that PPE is still suitable.
- Is it suitable for the wearer? - PPE should be comfortable and fit the wearer properly. It should cause minimum restriction to the wearers' movement and visibility. Factors which may reduce its effectiveness should be considered. Beards and moustaches will reduce the protection offered by some types of Respiratory protective equipment and alternative methods need to be taken into consideration e.g. air-fed visors and/ or hoods.
- Is it compatible with other forms of PPE? - If two or more types of PPE are worn, they should not interfere with each other. For example, where Respiratory Protective Equipment, head, eye and face protection are required, consider using a helmet fitted with a ventilator visor.

4.8.6 Other Duties of Employers

The GOVERNMENT OF THE VIRGIN ISLANDS will:

- Provide any PPE necessary for the job free of charge to any officers who may



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be exposed to significant risks to their health.

- Maintain PPE in good working order. It will be regularly checked in accordance with the manufacturer's instructions, by someone who has adequate knowledge and training.
- PPE will be checked before being given to officers. Maintenance records should be kept.
- Provide storage facilities for PPE when it is not in use, e.g. pegs and lockers for helmets, clothing etc., lockers, bags or boxes for Respiratory Protective equipment.
- Provide adequate information, instruction and training to enable officers to use PPE correctly. This will include an explanation of the risk, why PPE is needed, how it must be used and any limitations in its use. Regular "Toolbox Talks" should also be given.
- Supervise officers to ensure that they use PPE correctly, and whenever it is deemed to be necessary.

4.8.7 Duties of Officers

Officers must:

- Wear the PPE provided as instructed by management.
- Look after the PPE issued to them, check and report any defects or damage to their Manager.
- Report any loss of the equipment to their Manager.
- Ensure that all Personal Protective Equipment is treated with care, properly maintained and appropriately stored when not in use



4.9

ARRANGEMENTS FOR HAZARDOUS CHEMICALS



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4.9.1 Introduction

The GOVERNMENT OF THE VIRGIN ISLANDS will ensure that all reasonable steps are taken to ensure that all exposure of officers to hazardous chemicals is prevented or at least controlled, and that appropriate levels of personal protective equipment (PPE) will be provided free of charge after consultation with officers through the *Joint Workplace Safety and Health Committee*. All officers will be provided with comprehensible information and instruction on the nature and likelihood of their exposure to hazardous chemicals.

4.9.2 Legislation

Section 144 of the *Virgin Islands Labour Code 2010* states: “An employer shall ensure that a hazardous chemical is not used, handled or stored in the industrial establishment unless the prescribed requirements concerning identification, chemical safety data sheets and worker instruction and training are met”.

Thus a duty is placed on employers to provide adequate information in relation to hazardous chemicals and to take reasonable precautions to prevent workplace disease or other harm resulting from exposure to such hazardous chemicals. The purpose of the legislation is to protect the officer against risk to his/her health, whether acute or chronic (immediate or delayed), arising from exposure to hazardous chemicals. This guidance covers the health hazards associated with exposure to hazardous chemicals, and does not cover fire or explosive hazards.

4.9.3 Definition of a Hazardous Chemical

A hazardous chemical could be considered as any substance, mixture or article which may be used directly in the workplace (e.g. paints, cleaning materials and chemical reagents) or which may arise from work activities (e.g. dust, fumes and waste products) and which can have significant adverse impacts on the health or physical body of a person. Others occur naturally, such as fungal emissions encountered on construction sites and in agriculture operations. These chemicals may also be found in all sorts of work environment – offices, institutions, factories, quarries, farms, shops, swimming pools, etc. and unless the right precautions are taken, they can threaten the health or safety of workers and others exposed to them.

4.9.4 Hazards

4.9.4.1 The Hazardous chemicals can impact the body via:

- External Contact** - corrosives, cement, acids, epoxy resin, paint, thinners, solvents, plaster, silica in masonry, etc.
- Skin Absorption** – grease, thinners and other organic solvents either



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encountered during normal tasks or introduced by others (e.g. contractors).

- Inhalation** - gases, fumes, dust, vapours, mists, vehicle exhaust, etc.
- Ingestion** – swallowing of various liquids, solids or dusts.
- Injection** – chemicals introduced through the skin via a puncture injury.

4.9.4.2 The Effects

The effects can be classified as toxic, harmful, irritant, corrosive, dermatitic, sensitizing, pathogenic (i.e. cause disease) or a combination of these. The site of damage being either local (i.e. the point of contact e.g. the skin, eyes or respiratory tract) or systemic (i.e. transported through the body and impacts on organs e.g. liver, kidneys, etc.).

These effects can be acute (i.e. the exposed person shows effects shortly after exposure to elevated concentrations), or chronic (i.e. long term effects often only becoming apparent after sustained low level exposures over a prolonged period of perhaps years).

4.9.5 Management Responsibilities

4.9.5.1 Employers Duties

It is generally accepted that an employer must not carry out any work, which is liable to expose any officers to a hazardous chemical unless a suitable and sufficient assessment has been made of the risks to health created by the chemical and of the measures necessary to control exposure to it.

In order to comply with this principle Management must:

- Assess the risks** to health arising from the work;
- Decide what precautions are needed ;**
- Prevent or control** the risks;
- Ensure that control measures are properly used and maintained**, that any safety procedures which have been laid down are being followed, and that appropriate personal protective equipment is provided and utilized;
- Monitor exposure** of workers to hazardous chemicals and carry out appropriate Medical Supervision or Examination, where necessary;
- Inform, instruct and train** officers about the risk and precautions needed, inclusive of arranging for regular “Toolbox Talks”..



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4.9.5.2 The Risk Assessment

The responsibility to carry out the risk assessment rests on the Departmental Manager. This responsibility can be delegated to someone else who is suitable qualified. To be suitable qualified, the person must have an understanding of hazardous chemicals and the authority to get all the necessary information and to make correct decisions about the risks and the precautions needed.

To start the assessment, the assessor must:

Check for hazardous chemicals which are:

- brought into the workplace to be used, worked on or stored;
- given off as dust, mists, fumes or vapours;
- leaked or spilled, during any process or work activity; or
- produced at the end of any work process, as products, waste or residues.

Identify the hazardous chemicals

- Check the safety information from suppliers as presented on labels and safety data sheets (SDSs). The assessment requires more than just reproducing this information - conclusions should be drawn from it that are relevant to the way it is used in the workplace.
- Use your existing knowledge - of the work, of current best practice and of any work related health problems in the workplace.
- check any other available trade literature or documentation.

Identify the risk associated with the chemical

Management should check whether there are any significant risks from the hazardous chemical. To ascertain whether the chemical presents a risk to officers' health now, in the future, or in a foreseeable emergency, management should look at:

- Where and how they are used, handled, generated, released, etc. (identify storage areas, disposal methods, etc.)
- Whether the chemical changes form or phase (e.g. solids reduced to dusts by machining, vapour given off on heating, etc.);
- Who might be affected (e.g. officers, contractors, public) and to what extent;



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- Whether such exposure would involve chemicals being breathed in, swallowed (e.g. following contamination of fingers etc.) or absorbed through skin;
- What measures are currently taken to prevent or control exposure and to check on the effectiveness and use of these measures;
- Whether it is reasonably foreseeable that accidental leakage, spillage or release could occur - e.g. through breakdown of containers, lapses in workplace controls or through operator error;
- Activities such as cleaning and maintenance should be included.

4.9.5.3 Further Action by Managers

If it has been concluded that there is no likelihood of risk to health, or any risk is insignificant, the assessment is complete and no further action is needed (until the assessment is reviewed). However, if there are risks to health, a decision has to be made as to what action need to be taken to comply with relevant legislation and “best practice”.

4.9.5.4 Prevention

If it is reasonably practicable, exposure should be prevented by:

- Changing the process or activity so that the hazardous chemical is not required or generated.
- Replacing it with a safer alternative, or using it in a safer form, for example pellets instead of powder.

4.9.5.5 Control

If prevention is not reasonably practicable, adequate control of exposure could be achieved by a combination of the following:

- Total enclosure of the process;
- Partial enclosure
- Local extraction ventilation (LEV);
- General ventilation;
- Using systems of work and handling procedures which minimize the chance of spills, leaks and other escape of hazardous substance;
- If, and only if, adequate control cannot be achieved by any combination of the above measures; then managers or other designated personnel should ensure that all potentially exposed workers are issued with appropriate and



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adequate personal protective equipment (PPE); and likewise ensure that all such PPE is correctly worn and fully utilized by all relevant workers.

4.9.5.6 Review and Revision

Assessments should be reviewed periodically, particularly in the following situations:

- Where changes are made to the exposure standards
- New health or toxicity data become available;
- Different chemicals are used or changes are made in their composition;
- Different processes or work practices are introduced ;
- Significant changes are made in the scale of production or the numbers of personnel involved.

4.9.5.7 Monitoring Exposure

In certain cases when exposure of the workforce cannot be prevented then the exposure should be monitored, for example:

- Where there could be serious risks to health if control measures were to fail or deteriorate;
- If you cannot be sure that exposure limits are not being exceeded;
- where you cannot be sure that particular control measures are working properly.

4.9.5.8 Medical Supervision or Examination

In accordance with Section 151 Medical Supervision or Examination must be undertaken under the legislation, if required by Order of the Minister.

4.9.5.9 Recording and Reviewing the Assessment

Unless the assessment is of a very simple nature, it should be put in writing. Include sufficient information to show how decisions about the risks and precautions were arrived at and to make it clear to your officers and others what parts they have to play in the precautions. The assessment should be reviewed periodically and in any case whenever there is reason to believe that it is no longer valid or where there has been a significant change in the work. It should be stated in the assessment when the next review is due.



4.9.6 Training

Management must inform, instruct and train officers about:

- The nature of the chemicals they work with and the risks created by exposure to those chemicals;
- The precautions they should take.

Information and instruction on

- Control measures, their purpose and how to use them;
- How to use any PPE provided;
- Results of any exposure monitoring and Medical Supervision or Examination (without giving people's names)
- Emergency procedures

4.9.7 Any Other Advice

- Management must make an inventory and list all hazardous chemicals, the location of these, equipment and people exposed in the particular areas as part of record keeping.
- Records of all training and information should be kept with the assessment.
- Any person who, while handling hazardous chemicals, develops symptoms which could have been caused by exposure to the material must be immediately removed from the area and medical advice sought without delay.



4.10

ARRANGEMENTS FOR JOINT WORKPLACE SAFETY AND HEALTH COMMITTEES (TERMS OF REFERENCE)



Arrangements for Joint Workplace Safety and Health Committees

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- 4.10.6 Committee Composition**
- 4.10.7 Aims and Objectives**
- 4.10.8 Duties of Committee Members**



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4.10.1 Introduction

The appointment of Joint Workplace Safety and Health Committees and of workers' Safety and Health Representatives is now common practice and is enshrined in the *Virgin Islands Labour Code 2010*. This practice promotes active worker participation at the shop-floor level and encourages participation in the recognition and rectification of hazards in the workplace and developing practical solutions to the problems.

Cooperation between management and workers or their representatives at the workplace is an essential element in maintaining a safe and healthy work environment.

4.10.2 Legislation

Sections 152 and 153 within *Part IX of the Virgin Islands Labour Code 2010* establish requirements for joint consultation. In workplaces with twenty (20) or more persons are regularly employed, the establishment of a "Joint Workplace Safety and Health Committee" is mandatory. Workplaces that do not require a committee must have at least one Safety and Health Representative whom is elected by the officers.

4.10.3 Definition & Operation

A Joint Workplace Safety and Health Committees is the traditional and effective means of achieving involvement and joint consultation in workplaces. Committees are able to operate most effectively when roles and functions are clearly established and authorities, responsibilities and accountabilities defined and the appropriate resources allocated.

4.10.4 Management Commitment

1. Encourage the involvement and co-operation of industry partners to achieve best occupational Health and Safety practice.
2. Implement high quality workplace-based programs which address the priorities and assist in the prevention of work-related injury and disease and facilitate the effective treatment and rehabilitation of injured workers.
3. Identify and utilize opportunities to encourage the development of improved competency-based training initiatives in the industry, through appropriate providers.



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4.10.5 Strategic Direction

1. Achieve an effective working relationship between the Committee and other stakeholders (employers, officers, trade unions, government agencies and professionals) to achieve best occupational Health and Safety practice.
2. Identify existing or emerging trends regarding the occupational Health and Safety needs of the industry.
3. Develop and implement occupational health, safety and welfare initiatives to meet the identified needs of the company and industry.
4. Ensure that funds are administered efficiently and effectively to meet legislative requirements and to optimize the Health and Safety of those employed.
5. Develop a level of competence among committee members that allow them to advise management on the appropriate measures required to reduce or eliminate hazards and risks.
6. Develop inspection teams and procedures to manage the safety function.
7. Comply with the requirements of the *Part IX of the Virgin Islands Labour Code 2010*.
8. The committee shall initially serve for a period of two years, after which the membership can be partially or completely replaced or be reinstated.
9. The committee shall have the power to appoint sub-committees as required.

4.10.6 Committee Composition

- The committee shall be made up of EQUAL numbers of both employer and officer representatives.
- The officer representatives shall be selected by the officers themselves or their representatives where applicable.
- It is recommended that the committee have a minimum of four (4) and a maximum of twelve (12) members, based on the officers' compliment.
- The Health and Safety Coordinator (or other person responsible for HSE within the organisation) shall NOT be a member of the committee but rather act in a reporting and supportive capacity. Where complaints or concerns applicable to the Health and Safety Coordinator (or other person) arise, that officer shall exempt himself/herself from the discussion pending the resolution of such concern.



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- The Chairperson will be decided by voting within the committee and will alternate between management and the officer representatives on an annual basis, or other agreed period.
- Senior personnel such as the “Directors” and “Heads of Department” (or other suitable persons/positions) should be included in the employer’s side of the committee:

4.10.7 Mission, Aims and Objectives

4.10.7.1 Mission

To work together to effectively control workplace hazards, in order to reduce incidents that can lead to death, injury or ill-health.

4.10.7.2 Aims

The Committee's aim is improving working conditions by advising on the elimination or controlling of hazards and the management of risks.

4.10.7.3 Objectives

The Committee's primary objective is to assist in eliminating or reducing occupational diseases and injuries to management personnel, workers and the general community, while a positive safety and health culture in the workplace.

4.10.8 Duties of Committee Members

In order to do this the committee will:

- Work with all groups and stakeholders, that is, employers and employer organisations, workers, trade unions, government bodies, Health and Safety professionals and others.
- Foster co-operation within and among these groups in addressing the prevention of injury and disease, and the rehabilitation of injured workers.
- Work to pro-actively identify Safety, Health, and Welfare needs and develop initiatives to meet these needs.
- Establish procedures for workplace inspections to identify Health and Safety hazards.



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- Assist the employer in evaluating the accident and illness prevention programmes.
- Contribute to the decision making process with respect to Health and Safety issues.
- Appoint an inspection team of at least two officer representatives and two employer representatives.
- Conduct workplace inspections at least quarterly, or as required.
- Make a written report of hazards discovered during inspections.
- Make written recommendation to correct hazards, and submit it to management for timely response.
- Review corrective measures.
- Seek to develop a positive Health and Safety culture within the organization.

Signed:

Date:



APPENDICES



APPENDIX I

Key Performance Indicators (KPIs) in respect of Legislative Compliance:

- a. Establish and maintain a functional “Joint Workplace Safety and Health Committees”
- b. Post Required Information
- c. Act on Training Requirements
- d. Get Required First Aid Equipment
- e. Provide and maintain appropriate Fire Fighting Apparatus
- f. Conform with other Fire Safety requirements
- g. Establish and maintain a “Accident & Incident Register”

Key Performance Indicators (KPIs) in respect of Workplace Accidents & Incidents:

$$\text{Incident Rate} = \frac{\text{Number of injuries} \times 1000}{\text{Average number employed during the period}}$$

$$\text{Accident Frequency Rate} = \frac{\text{Number of injuries} \times 100,000}{\text{Total number of hours worked during the period}}$$

$$\text{Accident Severity Rate} = \frac{\text{Total number of days lost} \times 1000}{\text{Total number of hours worked during the period}}$$

Record and review the number of near misses during the period.

Record and review the number of cases of occupational ill-health during the period.



APPENDIX II

Working Alone Procedures

This health and safety procedure also applies to officers who work alone. The various hazards and risks must be evaluated to determine if one person can adequately control these while on the job.

The following minimum procedures must be followed:

Departmental Managers and Supervisors must ensure that:

- limits are set as to what can or cannot be done while working alone;
- any officer working alone is appropriately trained and competent to deal with the hazards and risks of the job, as well as circumstances which may be unusual;
- the necessary warning signals are in place to alert the officer of the associated dangers;
- radio contact, mobile phone, “panic buttons”, or other means of alerting are available for use in the event of an emergency;
- standby assistance is provided or back-up is in place to assist anyone who works alone; and
- the officer is periodically visited, observed, and/or contacted.

Officers who work alone must:

- Report all situations or incidents, where working alone has increased the severity of the hazards or elevated the risk associated with any job;
- Adhere to the appropriate Health and Safety procedures which have been instituted and utilize all protective devices, equipment or measures which have been provided; and
- Immediately report any unsafe conditions to their immediate supervisor.



APPENDIX III

In case of a WORKSHOP fire:

- Activate the nearest fire alarm and call the Fire & Rescue Department
- Remove anyone in the immediate area, if practicable
- Attempt to extinguish the fire only if it is safe to do so.
- If there is smoke or heat, stay low. Crawl to the nearest exit if need be.
- Assemble outside in a pre-designated area.
- Do not re-enter the building until notified to do so by the Fire Department.

In case of an OFFICE fire:

- Activate the nearest fire alarm.
- Remove anyone in the immediate area
- Call the Fire & Rescue Department
- Attempt to extinguish the fire only if it is safe to do so.
- If there is smoke or heat, stay low. Crawl to the nearest exit if need be.
- Use stairways, NOT elevators!
- Before opening any door, feel it near the top. If it is hot, do not open it. Use another exit. If you become trapped, do the following:
 - If you only have a cell phone, call and report your situation.
 - Place some material along the bottom of the door to keep smoke out. If possible, wet the material first.
 - Close as many doors between you and the fire as possible.
 - Do NOT break open windows!
- If the door is not hot, open it cautiously. Stand behind the door and be prepared to close it quickly if there is excessive smoke.
 - Conduct a final search of the building if it is safe to do so.
 - Leave the area by the nearest stairway that is clear of smoke.
 - Assemble outside in a pre-designated area.
- Do not re-enter the building until notified to do so by the Fire Department.



APPENDIX IV

Safe Working at Height Procedure:

The Site Supervisor should:

Ensure that the worksite and accesses to the work locations are safe before work starts, including:

- Assessment of environment and weather conditions
- Organisation of fall prevention equipment
- Verify that safe access and egress are in place
- Arrange for protection of the public
- Review clearances from overhead power lines (if any)
- Check availability of required personal protective equipment
- Decide on Manual handling vs. Mechanical handling
- Review the means of rescuing persons from safety harnesses following arrested falls; and
- Check and test all portable electric tools, and decide on how these will be used and passed to/from persons working at heights.

All Officers should:

- Use only equipment that is in good condition and is regularly serviced.
- Report any defects or problems with equipment to the site supervisor.
- Wear non-slip footwear.
- Work in such a way that their centre of gravity is at all times contained within the load-bearing position of the ladder or scaffold.

The types of equipment which may be used when working at heights to minimise risk include:

- Aerial Lifts
- Scaffolding
- Fixed work platform
- Mobile work platform
- Ladder
- Safety harness, fall arrestor
- Hard hat
- Toe boards
- Waist high barriers



APPENDIX V

General Health and Safety Guidelines

The following general safety rules / guidelines have been developed in respect of the safety and health of all officers. These apply to all work related activities.

1. Report to work well rested and physically fit to be able to give full attention to your job.
2. Persons with physical or mental impairment shall **NOT** be assigned to tasks where their impairment has a potential to endanger themselves or others.
3. No person shall be permitted to remain on the premises while their ability to work is so affected by alcohol, drugs (prescription or non-prescription) or other substance, as to endanger their health or safety or that of any other person.
4. Persons working alone shall be required to check-in regularly with a supervisor or another Officer to ensure that their well being is maintained.
5. Inappropriate behaviour, such as horseplay, fighting and practical jokes are extremely dangerous and will not be tolerated.
6. Any unsafe conditions which are encountered shall be corrected or reported to your Supervisor or Head of Department.
7. Do not operate any machinery or equipment if it is known to be in an unsafe condition.
8. Machinery and equipment, including vehicles, are only to be operated by qualified persons and then only when adequately trained in the use of the equipment and authorized to operate it.
9. Unsafe Acts shall be reported to your Supervisor or Head of Department.
10. Personal protective equipment (PPE) must be worn when performing specific duties that require its use to ensure worker safety. Persons refusing to wear PPE will be subject to disciplinary action. Selection of the correct PPE may require assistance; contact the Supervisor or Head of Department for guidance.



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11. Officers must inform Supervisors when they are wearing contact lenses. This information is to be passed so that first aid personnel can be made aware of it.
12. Officers must inform Supervisors when they have significant allergies which might be encountered while at work (i.e. bee stings). This information is to be passed so that first aid personnel can be made aware of it. The person with the severe allergy should carry an “Anaphylactic Allergic Kit” (ANA Kit) or “Epinephrine Pen” (EpiPen) which is prescribed by a registered medical practitioner, and be familiar with how to use it.

*N.B: **ANA Kits** and **EpiPens** contain medication used in emergencies to treat potentially dangerous allergic reactions to insect stings or bites, foods, drugs or other substances. These may also be prescribed for severe asthma attacks.*
13. Avoid manual lifting of materials, articles or objects which are too heavy. Wherever possible, use mechanical lifting devices to move heavy objects.
14. Smoking is strictly prohibited within all offices or other indoor locations on the premises, and within all vehicles. Smoking is only permitted outside of buildings but where "NO SMOKING" or other similar signs are posted, (i.e. near flammable storage), persons shall observe those signs.
15. Avoid parking, even temporarily, in designated fire lanes.
16. Officers are responsible for reporting to their Supervisor or Head of Department whenever they become sick or injured at work. All injuries, no matter how minor, must be reported immediately and recorded.
17. Always keep your work area clean and orderly. Poor housekeeping habits can be a serious safety hazard.
18. Do not block aisles, walkways, stairways, roads or other points of exit.
19. Any damaged equipment or missing machine guards must be reported to your Supervisor.
20. All warning signs, signals and alarms shall be obeyed.
21. Officers shall not use unfamiliar tools or equipment without proper instruction and permission from their immediate Supervisor.
22. Always use the correct tool for the job, do not improvise.



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23. Loose or ragged clothing, dangling neckwear or bracelets shall not be worn around moving parts of machinery or electrically energized equipment.
24. Fire-fighting equipment shall be maintained in accordance with the manufacturer's instructions and the requirements of relevant local legislation.
25. Operators and passengers shall use seatbelts in moving equipment or vehicles. Failure to abide by this requirement will result in disciplinary action.
26. Flammable liquids are to be handled and stored only in safety containers. Proper lids and caps must always be used on storage containers. Cloth, paper, and other "make-shift" lids and caps are prohibited.
27. Gasoline should be dispensed into a fuel tank when the engine is not running, and preferably when the motor is cool.
28. Do not dispose of any hazardous materials or flammable liquids by pouring them down a sewer or drain. Guidance in proper disposal of hazardous materials should be sought from the Head of Department or other appropriate authorities.
29. Compressed gas cylinders should be stored in an upright position and chained or otherwise secured. Where not connected to a service line or manifold system, the protective caps for these cylinders shall be in place.
30. Refrain from cleaning clothing or blowing dust from your body with the use of compressed air. Compressed air presents real health hazards; it is dangerous and can be fatal.