



# Occupational Safety and Health Policy

## GOVERNMENT OF THE COOK ISLANDS

Effective: January 2016

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### Policy Statement

This policy requires agencies to establish and maintain a safe and healthy work environment for employees, contractors, and visitors.

It also requires that employers, employees and contractors take responsibility for their safety and the safety of others in the work environment.

### Scope

All agencies must aspire to eliminate health and safety risks, and where elimination is not practicable, reduce safety and health risks at the workplace.

This policy should be read in conjunction with other government policies and plans which address other workplace health and safety risks:

- Risk management policy
- Code of Conduct policy
- Motor Vehicle policy
- Disaster risk management policies
- Public Health disease outbreaks
- Air, sea and land transport accidents
- Hazardous material incidents
- Other national emergency events.

### Principles

The Public Service Act 2009 identifies the following values for public servants to adhere to:

Honesty	acting honestly, being truthful, and abiding by the laws of the Cook Islands
Impartiality	providing impartial advice, acting without fear or favour, and making decisions on their merits
Service	serving the people well through faithful service to the Government of the Cook Islands
Respect	treating the people, the Government of the Cook Islands and colleagues with courtesy and respect
Transparency	taking actions and making decisions in an open and transparent manner
Accountability	being able to explain the reason for actions taken and taking responsibility for those actions
Efficiency and Effectiveness	achieving good results for the Cook Islands in an economical way

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The duty to act as a good employer requires employers to ensure the fair and proper treatment of employees during employment, and the provision of good and safe working conditions.

### Legislation and Regulations

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Public Service Act 2009, Employment Relations Act (ER) 2012, Employers Liability Ordinance 1964, Workers Compensation Ordinance 1964, Disaster Risk Management Act 2007, Public Health Act 2004, Dangerous Goods Act 1984 and other relevant legislation.

## Definitions

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**Accident** means an unfortunate incident that happens unexpectedly and unintentionally resulting in damage or injury.

**Agency** means any public service department, instrument, or agent of the Government and includes a body corporate or organisation that is wholly owned or controlled by the Crown.

**Contractor** for the purposes of this policy means a person or company that undertakes a contract to provide materials or labour to perform a service or do a job.

**Disaster** means an actual event of high probable risk, involving serious disruption to the functioning of a community causing widespread human, material, economic or environmental loss, which exceeds the ability of the affected community to cope by using its own resources.

**Emergency** for the purposes of this policy, means an actual or imminent event that endangers or threatens life, property or the environment, and requires a significant coordinated response.

**Employee** means, for the purposes of this policy, any person who is an employee, intern or volunteer.

**Employer** means the Public Service Commissioner and Heads of Agencies or their delegated authority.

**Employers Liability Insurance** is a form of insurance for employers which protects them from major financial loss if a worker experiences a job-related injury or illness that is not covered by the Workers Compensation Ordinance 1964.

**Hazard** for the purposes of this policy, means a danger, threat or a risk to business operations.

**Health and Safety Representative** means the person appointed by the head of the agency to represent employers in matters relating to health and safety.

**Incident** refers to an instance of something happening, an event or occurrence.

**Injury** for the purposes of this policy, means serious bodily harm which causes the injured person to be hospitalised for a period of 48 hours or more within 7 days of the incident.

**Public Service Commissioner** means the Public Service Commissioner appointed under Article 73 of the Constitution and Section 5 of the Public Service Act 2009.

**Risk** means the probability or threat of damage, injury, liability, loss, or any other negative occurrence caused by external vulnerabilities, which may be avoided through preemptive action.

**Visitor** for the purposes of this policy means a person visiting the agency.

## **Procedures**

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Employers are responsible for administering this policy and ensuring all policies are easily accessible for employees. Failure to properly administer the policy reflects poorly on performance. Employees must read, understand and adhere to this policy. Breaches of the policy may be considered misconduct and be subject to disciplinary action (see Code of Conduct Policy).

Employers must take all reasonably practical steps to maintain a safe and healthy work environment for employees. This includes communication, training, injury and hazard reporting, investigations and resolution.

Annex 01 lists key Occupational Health and Safety Hazards and Annex 02 outlines a Risk Management Process, identical to that referred to in the Risk Management Policy.

## **Employer Obligations**

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### **Employers must:**

- Maintain a safe working environment and assets for employee use including: buildings, vehicles, furniture and fixtures, tools and equipment
- Establish and maintain relevant OSH procedures and processes for the agency
- Commit to providing sufficient financial and physical resources to ensure effective implementation of OSH processes, including induction and regular training for employees
- Monitor the effectiveness of the OSH processes and amend these where appropriate
- Support investigations into breaches of OSH processes and continuously improve these
- Ensure employee job descriptions require compliance with OSH processes
- Integrate measurable targets to mitigate injuries into performance management systems
- Ensure Employer Liability Insurance premiums and requirements are met
- Provide appropriate safety equipment and working conditions to reduce injury e.g. hard hats, ear muffs, gloves, high viz jackets, ergonomic desks and chairs
- Comply with reasonable inspector requests made in accordance with the Employment Relations Act 2012

Employers are obliged for ensuring contractors and visitors are aware of health and safety procedures and processes within the Agency and adhere to these.

## **Manager/Supervisor Obligations**

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### **Managers/Supervisors must:**

- Ensure employees use personal protective equipment and adhere to safe work processes
- Ensure new employees receive safety training and instructions as part of their induction
- Identify workplace hazards regularly and implement plans to mitigate risks
- Conduct regular inspections for unsafe work practices and promptly take corrective action
- Disseminate information e.g. signage and warnings of where hazards may exist
- Maintain records of OSH-related training provided to employees
- Investigate all accidents fully and advise management of preventative measures
- Maintain an accidents/injuries register and report all accidents in adherence with the ER Act
- Support external investigations on accidents in adherence with the ER Act
- Arrange for medical treatment or transportation to a doctor or hospital as necessary
- Assist staff in understanding their obligations in relation to workers compensation requests
- Hold regular safety staff meetings to communicate safety processes and practice

## **Managers/Supervisors**

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Managers/Supervisors must ensure compliance with the agency safe processes and practices.

Managers/Supervisors must:

- Adhere to safety processes approved by the employer and required by law
- Raise and enquire on health and safety risks to employees
- Record information and report to senior management on injuries, illness, damage and productivity loss, including risk mitigation and the prevention of recurrence
- Resolve OSH issues concerning employees
- Coordinate or implement health and safety seminars or training
- Report workplace accidents to the employer and ensure an employer's report of accident is filed promptly with the Ministry responsible for administering the ER Act
- Assist with all workplace accidents reported by employees

## **Employee Obligations**

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All employees have a responsibility to take all reasonable steps to ensure their safety while at work and ensure their actions or inaction causes harm to any other person.

Employees must:

- Work in a manner that does not create a hazard to their own safety or the safety of others
- health and safety of self and others, particularly temporary or new employees
- Identify and report hazards and ways to eliminate or mitigation risks in the workplace
- Use the correct tools and equipment in the manner prescribed for the job
- Use the required safety equipment and protective clothing (where required)
- Report defects in vehicles, furniture, fixtures, tools and equipment
- Read, understand and comply with the OSH work processes and practices
- Comply with reasonable instructions from Managers on OSH work processes and practices
- Report OSH-related incidents, accidents, or illnesses to managers and/or employers

## **Other Provisions**

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All documentation relating to occupational health and safety must be retained for audit purposes. All records must be kept for at least seven years and only accessible by the employer and/or authorised staff. After the seven year period, the agency may destroy the documentation in adherence with government official information management policies.

The Office of the Public Service Commissioner is responsible for reviewing and updating this policy and associated documents from time to time.

## **Associated Documents**

Inquiries and Investigations Guide

### **Other information**

For policy queries contact the Office of the Public Service Commissioner on phone (682) 29421 or email: [opscinfo@cookislands.gov.ck](mailto:opscinfo@cookislands.gov.ck)

## **Annex 01 Occupational Safety and Health Hazards**

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### **There are four key types of occupational safety and health hazards:**

- Physical hazards are the most common hazards and are present in most workplaces at some time. Examples include: frayed electrical cords, unguarded machinery, exposed moving parts, constant loud noise, vibrations, working from ladders, scaffolding or heights, spills, and tripping hazards;
- Ergonomic hazards occur when the type of work you do, your body position and/or your working conditions put a strain on your body. They are difficult to identify because you don't immediately recognise the harm they are doing to your health. Examples include: poor lighting, improperly adjusted workstations and chairs, frequent lifting, repetitive or awkward movements;
- Chemical hazards are present when you are exposed to any chemical preparation (solid, liquid or gas) in the workplace. Examples include: cleaning products and solvents, vapours and fumes, carbon monoxide or other gases, gasoline or other flammable materials;
- Biological hazards come from working with people, animals or infectious plant material. Examples include: blood or other bodily fluids, bacteria and viruses, insect bites, animal and bird droppings.

### **Poor or unsafe work practices which create hazards**

Examples of unsafe work practices creating physical hazards include:

- Using machinery or tools without authority
- Operating at unsafe speeds or in violation of safe work practices
- Removing or disabling guards or other safety devices on machinery or equipment
- Using defective tools or equipment or using tools or equipment in unsafe ways
- Using hands or body instead of tools or push sticks
- Overloading, crowding or failing to balance or handle materials in unsafe or improper ways
- Repairing or adjusting equipment that is in motion, under pressure, or electrically charged
- Failing to use and/or maintain or improperly using personal protective equipment or devices
- Creating unsafe, unsanitary or unhealthy conditions by improper personal hygiene, poor workplace maintenance or by smoking in unauthorised areas
- Standing or working under suspended loads, scaffolds, shafts, or open hatches

Examples of unsafe work practices creating ergonomic hazards include:

- Sitting with poor posture for extended periods of time
- Poor lighting in the workplace
- Improper lifting heavy material or substances

Examples of unsafe work practices creating chemical hazards include:

- Using dangerous chemicals or products without safety gear (gloves, masks etc...)
- Storing flammable materials in dangerous or exposed areas
- Poor controls over access to dangerous chemicals or materials

Examples of unsafe work practices creating biological hazards include:

- Allowing employees with viral infections to work and expose others to the virus
- Being exposed to biological hazards without proper safety gear (masks/gloves etc...)

## **Annex 02 Risk Management Process**

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Risk management is a four step process which includes identifying workplace hazards, assessing the risk of those hazards and implementing risk control measures, to eliminate or minimise the risk of injury from the hazards identified. Control measures must be reviewed periodically to ensure they address the problem, without creating another.

### **Step 1: Hazard Identification**

Hazards can be identified through:

- Workplace inspections
- Incident reporting or a Register of accidents or injuries
- Consultation with and feedback from employees

### **Step 2: Risk Assessment**

Risk assessment determines how likely and how serious the effects will be on people in the workplace. It identifies which hazards are most serious. The following should be considered:

- The type of hazard
- How severely could the hazard injure or cause illness (consequence)
- How likely the consequence may happen (likelihood)
- The frequency and duration of exposure
- Who it may effect
- Capabilities, skills, experience and age of people
- Condition and layout of the working environment

### **Step 3: Risk Control**

Risk control considers what needs to be done to eliminate or control risks. The removal or elimination of the problem from the workplace can be done by using a different process or changing the way the work is done. Risk control measures can be used to minimise risk to the lowest level that is reasonable practicable.

Risk Control Measures include:

- Ensuring hazards are identified and eliminated when new materials, equipment and work systems are being planned for the workplace
- Removing hazard or substituting it with less hazardous materials, equipment or substances
- Enclosing or isolating the hazard through the use of barriers or enclosed work areas
- Using the machine guards and ensuring effective ventilation systems etc.
- Ensuring safe work practices e.g. job rotation to reduce exposure time/boredom, routine maintenance and housekeeping procedures, training on hazards and correct work methods
- Providing suitable and properly maintained personal protective equipment and ensuring employees are trained in its proper use (e.g. gloves, earplugs)

### **Step 4: Review**

Periodic reviews of control measures and risk assessments should be conducted to ensure control measures implemented are appropriate and effective, and risk assessments are still valid. This can be achieved through safety audits, regular workplace inspections, consultation with employees and reviewing incident investigations. Risk management should be built into all work activities that can give rise to health and safety issues.