

*Government Notice No. 210 of 2014***THE OCCUPATIONAL SAFETY AND HEALTH ACT****Regulations made by the Minister under section 100(1) of
the Occupational Safety and Health Act**

1. These regulations may be cited as the Occupational Safety and Health (Transportation of Employees) Regulations 2014.

2. In these regulations –

“anchorage points” means points designed to hold a seat belt securely in position on the vehicle;

“public service vehicle” has the same meaning as in the Road Traffic Act;

“seat belt” means a belt designed to prevent restraint for the upper and lower parts of the trunk of the wearer in order to prevent or lessen injury to the wearer in the event of an accident;

“vehicle” –

(a) means a vehicle used by an employer for the transportation of employees on a private road;

(b) does not include –

(i) a private car; or

(ii) a public service vehicle.

3. (1) These regulations shall apply to every employer who uses a vehicle to transport employees on a private road.

(2) For the purposes of these regulations, any road in any area which has not been dedicated to public use, or does not fall under the responsibility of Government, the Road Development Authority or a local authority, shall be deemed to be a private road.

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4. Every employer shall ensure that –
 - (a) every vehicle is inspected by a competent person, as per the manufacturer’s specifications, before the vehicle is used for any work shift; and
 - (b) a record of the inspection is kept.

 5. (1) Every employer shall ensure that –
 - (a) materials, goods, tools, equipment or other items carried in a portion or compartment of a vehicle are located and secured to prevent injury to the employees in the vehicle;
 - (b) there is a designated area for transporting materials, goods, tools, equipment or other items in every vehicle;
 - (c) where transportation of goods and articles is likely to constitute a risk to the safety and health of employees, a separate compartment is provided for the transportation of the employees;
 - (d) all emergency exits in a vehicle are properly indicated, regularly maintained and kept in good working order;
 - (e) the seats provided for the employees are properly maintained, fitted with suitable backrest and positioned in such manner as to prevent fall of employees being transported;
 - (f) where anchorage points are provided for seat belts in a vehicle, the vehicle is equipped with appropriate seat belts in the event the vehicle is not already so equipped; and

- (g) every seat belt is properly secured to the structure of the vehicle by the anchorage points provided for it.

(2) Every employee shall, while travelling in a vehicle, wear the seat belts, if the vehicle is fitted with seat belts.

- (3) In this regulation –
“goods” includes animals, whether living or dead.

6. Every employer shall ensure that any enclosed portion or compartment of a vehicle has sufficient and suitable lighting and adequate ventilation.

7. (1) Every employer shall cause a driver who is –
- (a) 60 years of age or above; and
 - (b) involved in the transportation of employees pursuant to these regulations,

to undergo a medical examination once every 12 months, at the expense of the employer, to ascertain his fitness to drive.

(2) Any medical practitioner who examines a driver under paragraph (1) shall –

- (a) issue a health fitness certificate to the driver; and
- (b) send a copy of the certificate to the employer.

(3) Every employer shall keep a record of the health fitness certificate issued under paragraph (2).

8. (1) Where a driver detects any abnormality in a vehicle that may adversely affect the safety and health of the employees, the driver shall immediately report the matter to his employer.

(2) The employer shall ensure that appropriate remedial measures are taken to remedy any abnormality reported under paragraph (1) before the vehicle is used for the transportation of employees anew.

9. These regulations shall come into operation on 31 October 2016.

Made by the Minister on 31 October 2014.
