

Refusal to work on health and safety grounds:

An employee may refuse to work or do particular work where the employee believes that:

Any equipment, machine, device, substance or article that the employee is to use or operate presents an imminent or serious danger to the life or health of himself or herself or another worker;

OR

The physical condition of the workplace or part thereof in which the employee works or is to work, presents an eminent or serious danger to his work;

until such time as the employee believes that measures have been undertaken by the employer to address the employees concerns.



A Safe and Healthy Working Environment: A Fundamental Right

CONTACT US

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DEPARTMENT OF LABOUR



**A short guide on the
Labour Act, Chapter 16.04**





What you should know

Occupational Safety & Health : The Law

Employees' duties include:

- You have a responsibility to yourself and others
- Raise safety and health concerns with your employer, report work related injuries or illnesses without the fear of being victimized
- Request an inspection of your workplace and copies of the reports including air quality assessment reports
- Follow safety procedures and instructions including the use of PPE



Employers' duties include:

- Making your workplace safe without risk to health
- Training employees on safety hazards and safety procedures
- Providing information and training to all workers in a language they can understand
- Making sure the workplace satisfies all safety and health requirements e.g. proper ventilation, lighting, welfare facilities, first aid devices etc
- Regularly inspecting equipment and facilities for safety hazards.
- Reporting certain injuries, diseases and dangerous occurrences to the Occupational Safety and Health agency
- Investigating and recording all work-related injuries and illnesses

Notification of Occupational Accidents

Where the employee suffers an accident arising out of and in the course of his/her employment and the accident:

- cause the loss of the employees' life, written notice of the accident shall **immediately** be sent by the employer to the Labour Commissioner.
- disable the employee for more than 3 days from earning full wages at the work at which he or she was employed at the time of the accident, written notice of the accident shall be sent within **four days** by the employer to the Labour Commissioner.

Personal Protective Equipment (PPE)

The employer shall provide free of charge and maintain in good condition, any protective clothing and equipment reasonably required to ensure the effective protection of employees exposed to risk which cannot be eliminated by other means.

