

## Safety Corner

What are employee's obligations for health and safety at workplace?

Under the Occupational Safety and Health Ordinance (OSHO), every employer must, so far as reasonably practicable, ensure the safety and health of all employees at work. Failure to do so, an employer is liable to a \$200,000 fine. The employer will also be subject to 6-month imprisonment, if found intentional, knowingly or recklessly violating this requirement.

While everyone expects employers held responsible for health and safety management under the law, employees and the self-employed have important responsibilities too. Under OSHO, an employee while at work must, so far as reasonably practicable, take care for the safety and health of persons, including other employee(s) who are at the employee's workplace and who may be affected by the employee's acts or omissions at work. Employees are also required to cooperate with the employer or other person to enable the OSHO requirement to be complied with. In short, employees at work must take care of others and to cooperate with employer to meet the requirements of OSHO. An employee who fails to comply with OSHO commits an offence and is liable on conviction fine and imprisonment, similar to the penalty to employers.

Safety is a team effort. Safety and health are employers and employees joint responsibility. To ensure the health and safety of employees in the workplace, employers should establish safety management systems, set procedures and protocols and make sure the workplace is in compliance with OSH standards. However, regardless of how many risk assessments employers have done and hazards controlled, accidents will continue to happen if employees don't take responsibility and ownership for their actions.

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