

Course: Professional Issues in Information Technology

Week 11: Health and Safety at Work

Lecturer: Martha Gichuki

Lecture learning outcomes

At the end of this lecture, the learner should be able to:

1. Describe the Health and Safety at Work Act
2. Describe the Employer, employee, and supervisor roles in health and safety at work
3. Describe Ergonomics
4. Describe the safety, health and welfare issues surrounding workers at the workplace

1.1 Introduction: Health, Safety and Welfare at Work Acts

The Health, safety and Welfare Work Act is the main legislation providing for the health and safety of people in the workplace¹

- ✓ It applies to all employers, employees (permanent and temporary) and the self-employed people in their workplaces.
- ✓ The Acts set out the rights and obligations of employers, employees and inspectors among other groups in an organization. The acts provide for substantial fines and penalties for breaches of the health and safety legislation.²

1.1.1 Employer's Duties

The employer has a duty to ensure the employees' safety, health and welfare at work as far as is reasonably practicable. In order to prevent workplace injuries and ill health the employer is required, among other things, to:

- i. Provide and maintain a safe workplace e.g. use of safe plant and equipment
- ii. Prevent risks from use of any article or substance and from exposure to physical agents, noise and vibration

¹ UK Legislation (Health and Safety)/UK Parliament: Statutes/Health and Safety at Work etc Act 1974 (1974 c 37) Pg. 1-2

² Ethics in Information Technology, 4th ed. Reynolds, G. *Course Technology, Boston, USA.* (2011) Pg. 276

- iii. Prevent any improper conduct or behaviour likely to put the safety, health and welfare of employees at risk
- iv. Provide instruction and training to employees on health and safety
- v. Provide protective clothing and equipment to employees
- vi. Appoint a competent person as the organization's Safety Officer³

1.1.2 Employees' duties ⁴

Employee duties while at work include the following:

- i. Take reasonable care to protect the health and safety of themselves and of other people in the workplace
- ii. Not to engage in improper behaviour that can endanger themselves or others
- iii. Not to be under the influence of drink or drugs in the workplace
- iv. To undergo any reasonable medical or other assessment if requested to do so by the employer
- v. To report any defects in the place of work or equipment which might be a danger to health and safety

1.1.3 Inspector Duties⁵

- i. Examine premises when necessary to enforce the Act
- ii. Be accompanied by a constable if he has reasonable cause to fear any serious obstruction in duty execution
- iii. Dismantle any article of substance that is dangerous to health and safety
- iv. Conduct investigations with scenes left undisturbed

³ UK Legislation (Health and Safety)/UK Parliament: Statutes/Health and Safety at Work etc Act 1974 (1974 c 37) Pg. 3

⁴ UK Legislation (Health and Safety)/UK Parliament: Statutes/Health and Safety at Work etc Act 1974 (1974 c 37) Pg. 10

⁵ UK Legislation (Health and Safety)/UK Parliament: Statutes/Health and Safety at Work etc Act 1974 (1974 c 37) Pg. 33

- v. Take photos and recordings of scenes whenever necessary for examination purposes
- vi. Take samples of any article of substances found for examinations and ensure the evidence is not tampered with
- vii. Inspect books or documents necessary depending on investigations being carried out
- viii. Require all persons to accord him/her the necessary cooperation and respect to exercise powers conferred

2.1 Risk assessment and safety statement

Under the Safety, Health and Welfare at Work Act 2005 every employer is required to carry out a risk assessment for the workplace which should identify any hazards present in the workplace, assess the risks arising from such hazards and identify the steps to be taken to deal with any risks.⁶

- ✓ The employer must also prepare a safety statement which is based on the risk assessment. The statement should also contain the details of people in the workforce who are responsible for safety issues.
- ✓ Employees should be given access to this statement and employers should review it on a regular basis.

2.1.1 Protective equipment and measures

- ✓ The employer should tell employees about any risks that require the wearing of protective equipment.
- ✓ The employer should provide protective equipment (such as protective clothing, headgear, footwear, eyewear, gloves) together with training on how to use it, where necessary.
- ✓ An employee is under a duty to take reasonable care for his/her own safety and to use any protective equipment supplied.
- ✓ Protective equipment should be provided free of charge to employees if it is intended for use at the workplace only.
- ✓ Usually, employees should be provided with their own personal equipment to avoid sharing personal items and for the best fit to be achieved⁷

⁶ Ethics in Information Technology, 4th ed. Reynolds, G. *Course Technology, Boston, USA.* (2011) Pg. 393

⁷ UK Legislation (Health and Safety)/UK Parliament: Statutes/Health and Safety at Work etc Act 1974 (1974 c 37) Pg. 117, 120

3.1 ERGONOMICS

Ergonomics is the study of **how people and their work interact**.

3.1.1 Ergonomics and human factors

- These are different terms with the same meaning and one term may be more in favour in one country or in one industry than another i.e. The two terms can be used interchangeably
- Ergonomics is about designing for people, good products, systems or processes that they interact with.
- Normally, people don't notice good design (unless perhaps, it's exceptional) because it gives us no cause to, however, people will always notice poor design.
- Ergonomics aims at **ensuring that designs complement the strengths and abilities of people while minimizing the effects of their limitations, rather than forcing them to adapt**.
- To achieve this, it becomes necessary to understand and design for the variability represented in the population, spanning such attributes as **age, size, strength, cognitive ability, prior experience, cultural expectations and goals**.
- Qualified ergonomists are the only recognised professionals to have competency in optimising performance, safety and comfort.
- The goals of ergonomic studies to *reduce injuries, improve performance, and in general make your work more comfortable and safer*.
- **Wrist aches** after a session at your computer, means you are experiencing a **problem with ergonomics**. A lot that can happen to people working with computers improperly e.g. carpal tunnel syndrome, severe headaches, and eyestrain.

3.1.2 Visual Display Units (VDUs)

Employers must take several measures in regard to Visual Display Units (VDUs).

- i. These include examining the **reflection and glare**, the operator's position in front of the VDU, the keyboard and the software used.
- ii. Operators must be **given adequate breaks from the VDU**.
- iii. In addition, employers must arrange for eye tests and, if required, make a contribution towards the purchase of prescription eyeglasses.

In many organizations, there is no set of rules for how tall or wide or high your equipment should be. But there are some guidelines for the characteristics of an **ergonomically sound workstation**.

1. **Posture** (Sitting or standing position)

- Feet on the floor; feet & knees comfortable; no pressure points from chair
- Head is facing forward and not bent most of the time
- Work items within easy reach
- Neutral positions for wrists, arms and shoulders (no strain or stretch)

2. **Equipment Design Features**

- Adjustable height for table, seat surface, monitor height and angle
- Adjustable back support
- Work surface large enough
- Document holders that place documents at height and distance for easy viewing without having to move head.

3. **Footrest**

- To avoid hanging feet

3.1.3 Reporting accidents

- All accidents in the workplace should be reported to the employer, who should record the details of the incident.
- Reporting the accident will help to safeguard social welfare and other rights which may arise as a result of an occupational accident.
- An employer is obliged to report any accident that results in an employee missing three consecutive days at work (excluding the day of the accident) to the Health and Safety Authority.

3.1.4 Health and Safety Leave

- An employer should carry out separate risk assessments in relation to pregnant employees.
- If there are particular **risks to an employee's pregnancy**, these should be either removed or the employee moved away from them.
- If neither of these options is possible, the employee should be given health and safety leave from work, which may continue up to the beginning of maternity leave.
- If a doctor certifies that night work would be unsuitable for a pregnant employee, the employee must be given alternative work or health and safety leave.

- Following an employee's return to work after maternity leave, if there is any risk to the employee because she has recently given birth or is breastfeeding, it should be removed.
- If this is not possible, the employee should be moved to alternative work or given a health and safety leave.
- If night work is certified by a doctor as being unsuitable after the birth, alternative work should be provided. If alternative work cannot be provided, the employee should be given health and safety leave.
- Time spent on health and safety leave is treated as though the employee has been in employment, and this time can be used to accumulate annual leave entitlement.
- The employee is not entitled to leave for any public holidays that occur during health and safety leave. During health and safety leave, employers must pay employees their normal wages for the first 21 leave after which other benefits may be paid

3.1.5 Health and safety and young people

- An employer should carry out a separate risk assessment in relation to an employee **under 18 years of age**.
- This risk assessment should be carried out before the young person is employed. If certain risks are present, including risks that cannot be recognised or avoided by the young person due to factors like **lack of experience**, the young person should not be employed.

3.1.6 Bullying

- One of the employer's duties is to prevent improper conduct or behaviour (which includes bullying). An employer should have established procedures for dealing with complaints of bullying in the workplace and deal with such complaints immediately.
- Ignoring complaints of bullying could leave an employer open to a possible claim for damages by an employee. It is advisable for an employer to have an established grievance procedure to deal with complaints of bullying.

3.1.7 Harassment:

- It is an obligation on all employers to prevent harassment in the workplace.
- Employees are entitled to bring a claim to the equality tribunal and your employer may be obliged to pay you compensation if you are harassed by reason of your **gender, civil status, family status, sexual orientation, age, disability, race or religious belief**.⁸

⁸ Professional Issues in Information Technology. Bott, F. *British Computer Society, UK*. (2005) Pg. 104-112

3.1.8 Violence in the workplace:

- The possibility of violence towards employees should be addressed in the safety statement.
- For example, **factors like the isolation of employees and the presence of cash on the premises need to be taken into account.** Proper safeguards should be put into place to eliminate the risk of violence as far as possible and the employee should be provided with appropriate means of minimising the remaining risk, e.g. **security glass.**

3.1.9 Assault:

- Assault is a **criminal offence** on its own and it is also an offence if you are made to fear immediate assault.
- Once assaulted or threatened with assault at work by another employee, one should report the matter immediately to the employer.
- In case of employer assault, one should contact a doctor or seek medical treatment for the injuries. One can also seek help from organizations providing support to victims of crime. By making a personal injury claim one can apply for compensation

3.1.10 Victimisation/Discrimination

- Under the Safety, Health and Welfare at Work Act 1970 the employee may not be victimized for exercising his or her rights under safety and health legislation such as making a complaint.
- This means that the employer may not penalise an employee by dismissal or in some other way, for example, by disciplinary action or by being treated less favourably than other employees.⁹

Summary: Health and Safety Authority

- The Health and Safety Authority is responsible for enforcing health and safety at work. It provides information to employers, employees and self-employed people on workplace health and safety.¹⁰

⁹ Professional Issues in Information Technology. Bott, F. *British Computer Society, UK.* (2005) Pg. 104-112

¹⁰ Ethics in Information Technology, 4th ed. Reynolds, G. *Course Technology, Boston, USA.* (2011) Pg. 276

Content Covered in Week 11: Health and Safety at Work

We have been able to cover the following:

1. Described the Health and Safety at Work Act
2. Described the Employer, employee, and supervisor roles in health and safety at work
3. Described Ergonomics and human factors
4. Described the safety, health and welfare issues surrounding workers at the workplace

Course Text Books and References

1. UK Legislation (Health and Safety)/UK Parliament: Statutes/Health and Safety at Work etc Act 1974 (1974 c 37)
2. Professional Issues in Information Technology. Bott, F. *British Computer Society, UK.* (2005)
3. Ethics in Information Technology, 4th ed. Reynolds, G. *Course Technology, Boston, USA.* (2011)
4. Computers in Society: Privacy, Ethics and the Internet. George, J.F. *Pearson Prentice Hall, New Jersey.* (2004)
5. Cyber-ethics: Morality and Law in Cyberspace, 5th ed., Spinello, R.A. *Jones & Bartlett, Burlington, Mass., USA.* (2013)
6. Contemporary Issues in Ethics and Information Technology. *Schultz, R.A. IRM Press, USA.* (2005)