

# Guide to Workplace Safety and Health for Management Corporation Strata Title (MCST)



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## 1. Introduction

The Management Council of a Management Corporation of Strata Title (MCST) development plays an important role to ensure that all work activities by their contractors and/or workers are carried out in a safe and healthy manner in compliance with the Workplace Safety and Health Act. This guide aims to provide the Management Council as well as some other relevant stakeholders, particularly the managing agents, complex managers and condominium managers, an insight into the roles and responsibilities of the MCSTs in safeguarding the safety and health of the workers, residents, tenants as well as visitors.

This guide also recommends some safe management practices for MCST's reference and adoption, where appropriate.

### 1.1 Management Corporation Strata Title

A management corporation is constituted by virtue of the Land Title (Strata) Act Cap. 158 in respect of a Strata Title Plan. When constituted, the management corporation is called "The Management Corporation Strata Title Plan No. \_\_\_\_ (the number to be specified being the number of the strata title plan), hereinafter refers to the "MCST".

The MCST is a body corporate comprising all the subsidiary proprietors of the strata lots in the development. The management council, elected by the subsidiary proprietors at every General Meeting has the power, duties, and functions conferred or imposed upon it under the Building Maintenance and Strata Management Act and subsidiary legislations, and shall have the control, management and administration of the common property comprised in the strata title plan.

There are two main types of strata developments, namely the single-use strata developments and the mixed-use strata developments. Single MCSTs are normally constituted for single-use strata development, while multi-tier MCSTs may be constituted for mixed-use strata developments.

In the case of mixed-use strata developments, a strata title plan may have limited common property, to be managed by a subsidiary MCST, while rest of the common property will be managed by the main MCST.

Some examples of amenities which can be considered as common property or limited common property are swimming pool, SPA, children playground, park, gymnasium, carparks, water tanks, electrical switch rooms, façade, lifts and escalators, roof, etc. These amenities need to be managed, maintained by the MCST or Subsidiary MCST and at times, replaced, improved on or enhanced. Such work activities are carried out by contractors or workers engaged by the MCST or subsidiary MCST on the common property or limited common property, which would then be classified as workplaces under the Workplace Safety and Health Act.

Find out more about the two main types of strata development from the guide produced by the Building and Construction Authority, [Strata Living In Singapore – A General Guide](#).

## 2. Relevant Legislation

The management council, elected to represent the MCST or Subsidiary MCST, plays a vital role in managing and maintaining the common property or limited common property in such a way that workers or contractors can carry out work in a safe manner. Depending on the work activity that is being carried out, there may be numerous legal obligations that the MCST and the subsidiary MCST may have to fulfil.

This section briefly summarises the Workplace Safety and Health (WSH) Act and some of its subsidiary legislation as well as provide a list of other legislation that may be relevant to the MCSTs.

### 2.1 Workplace Safety and Health Act

The Workplace Safety and Health (WSH) Act is an essential part of the framework aiming to cultivate good safety habits in all individuals, and to create a strong safety culture in all workplaces.

Since September 2011, the Workplace Safety and Health (WSH) Act was extended to cover all workplaces. A workplace is defined as any premises where a person carries out work or is to work, including the compounds managed by MCSTs where various kinds of work activities will be carried out.

S/No	Agency in charge	Legislation	Brief Description (non-exhaustive)
1.	Ministry of Manpower	Workplace Safety and Health Act (Chapter 354A)	<ul style="list-style-type: none"> <li>States the Workplace Safety and Health obligations of relevant stakeholders such as occupiers, principals, employers and employees.</li> <li>Covers all workplaces unless exempted.</li> </ul>
2.	Ministry of Manpower	Workplace Safety and Health (Risk Management) Regulations	<ul style="list-style-type: none"> <li>States the relevant stakeholders who are responsible for identifying safety and health hazards at workplaces and taking measures to eliminate or reduce the risks.</li> <li>States that a Risk assessment (RA) shall be conducted for all workplaces.</li> <li>States the requirements for conducting RA. (refer to section 5 below for more details on RA)</li> </ul>
3.	Ministry of Manpower	Workplace Safety and Health (Work at Heights) Regulations	<ul style="list-style-type: none"> <li>Defines what “work at heights” means</li> <li>States the WSH requirements when working at height activities are carried out at workplaces.</li> </ul>
4.	Ministry of Manpower	Workplace Safety and Health (Incident Reporting) Regulations	<ul style="list-style-type: none"> <li>Defines what is a work-related accident</li> <li>States when and who should be reporting a work-related accident</li> </ul>

**Table 1: List of Relevant WSH Legislation**

**Table 1** briefly summarises the WSH Act and some of its relevant subsidiary legislation (non-exhaustive) that may be relevant to the MCSTs.

Please refer to **Annex A** for some possible penalties for failing to comply with the WSH Act.

Find out more about the WSH Act and its subsidiary legislation at : <https://www.mom.gov.sg/workplace-safety-and-health/workplace-safety-and-health-act>

## 2.2 Other Relevant Legislation

When managing and maintaining the common property or limited common property, other than the Workplace Safety & Health (WSH) Act and relevant subsidiary legislation, there are many other legislations that must be complied with as well. **Table 2** lists out some of the other legislation (non-exhaustive) which may be relevant to the MCSTs while fulfilling their duties.

S/No	Agency in charge	Legislation
1.	Building and Construction Authority (BCA)	Building Maintenance and Strata Management Act and subsidiary legislation
2.	Building and Construction Authority (BCA)	Building Control Act and subsidiary legislation
3.	Energy Market Authority (EMA)	Electricity Act and subsidiary legislation
4.	National Environment Agency (NEA)	Environmental Public Health (Swimming Pools) Regulations
5.	National Environment Agency (NEA)	Destruction of Disease-Bearing Insects Bill
6.	Singapore Civil Defence Force (SCDF)	Fire Safety Act and subsidiary legislation
7.	Public Utilities Board (PUB)	Public Utilities (Water Supply) Regulations
8.	Public Utilities Board (PUB)	Sewage and Drainage Act and subsidiary legislation
9.	National Parks (NPARKS)	The Parks & Trees Act

**Table 2: Legislation relevant to MCSTs**

Find out more about the other relevant legislation listed in **Table 2** here: <https://sso.agc.gov.sg/>

### 3. WSH Roles and Responsibilities

The WSH Act is the key legal instrument supporting the WSH framework in Singapore to safeguard the safety, health and welfare of persons in all workplaces. The Act aims to cultivate good safety and health habits and practices in all corporations and working individuals, extending from the top management down to the last worker. In order to achieve safer and healthier outcomes, the WSH Act outlines the responsibilities of various stakeholders.

Some of the stakeholders defined in the WSH Act are:

- Occupier
- Principal
- Employer
- Employee

Under the Building Maintenance and Strata Management Act, the management council of a MCST has control of the common property and the Executive Committee of a Subsidiary MCST has control of the limited common property. The common property or limited common property where works are carried out by contractors or workers would be deemed as workplaces.

In this regard, depending on the circumstances, a management council of a MCST or an Executive Committee of a Subsidiary MCST may assume the roles and responsibilities of a Principal, Employer or Occupier, where appropriate.

#### 3.1 Occupier

An occupier of a workplace is the party that has charge, management or control of the premises, whether on their own account or as an agent of another person, regardless of whether they are the owner of those premises.

The occupier must ensure that the following are safe for everyone in the premises, even if the person is not an employee (e.g. contractors and members of the public):

- Workplace;
- All pathways to and from the workplace; and
- Machinery, equipment, plants, articles and substances kept on the workplace.

An occupier may also be responsible for the common property used by workers. Common property can include the following (non-exhaustive):

- Electric generators and motors;
- Hoists and lifts, lifting gears, lifting appliances and lifting machines;
- Entrances and exits; and
- Machinery and plants.

#### 3.2 Principal

A principal is any person or organisation who engages another person or organisation (i.e. the contractor) to supply labour or perform work under a contract for service.

The principal must ensure that the contractor he/she engages:

- has the necessary expertise to perform the work they are engaged for; and
- Has made sure that any machinery, equipment, plant, article or process that is used at work is safe.

In addition, if the case is one where the principal directs the contractor or the employees of the contractor on how the work is to be carried out, the principal's duties will include duties similar to that of an employer (see **Section 3.3**) in so far as ensuring the safety and health of the contractor or the employees of the contractor.

### 3.3 Employer

An employer refers to a person who, in the course of the person's trade, business, profession or undertaking, employs any person to do any work under a contract of service.

The employer must protect the safety and health of his/her employees or workers working under his/her direction, as well as persons who may be affected by the employer's work at the Workplace. Amongst other things, the employer must:

- conduct risk assessments to identify hazards and implement effective risk control measures;
- make sure the work environment is safe;
- make sure adequate safety measures are taken for any machinery, equipment, plant, article or process used at the workplace;
- develop and implement systems for dealing with emergencies;
- ensure workers are provided with sufficient instruction, training and supervision so that they can work safely; and
- provide appropriate personal protective equipment (PPE) for workers and ensure their proper use.

### 3.4 Employee

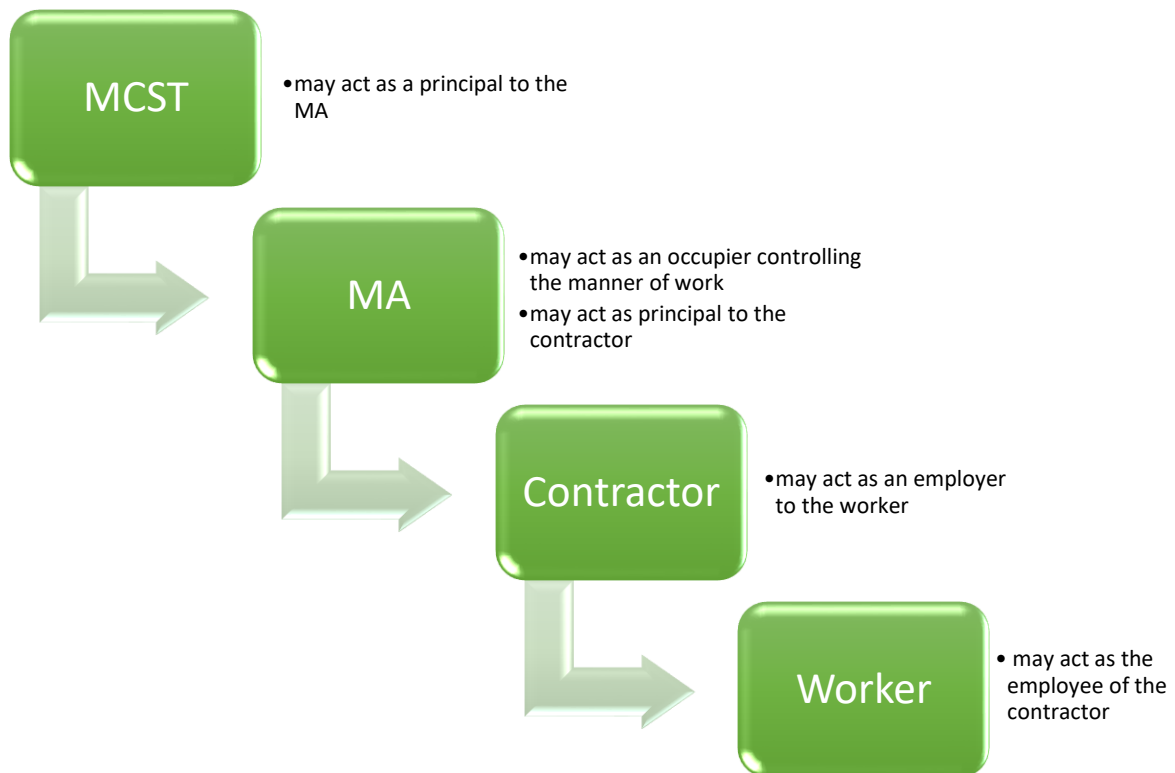
An employee refers to any person employed by an employer to do any work under a contract of service.

The employee must:

- follow the workplace safety and health system, safe work procedures or safety rules implemented at the workplace;
- not engage in any unsafe or negligent act that may endanger himself/herself or others working around him/her; and
- use personal protective equipment provided to him/her to ensure his/her safety while working. He/she must not tamper with or misuse the equipment.

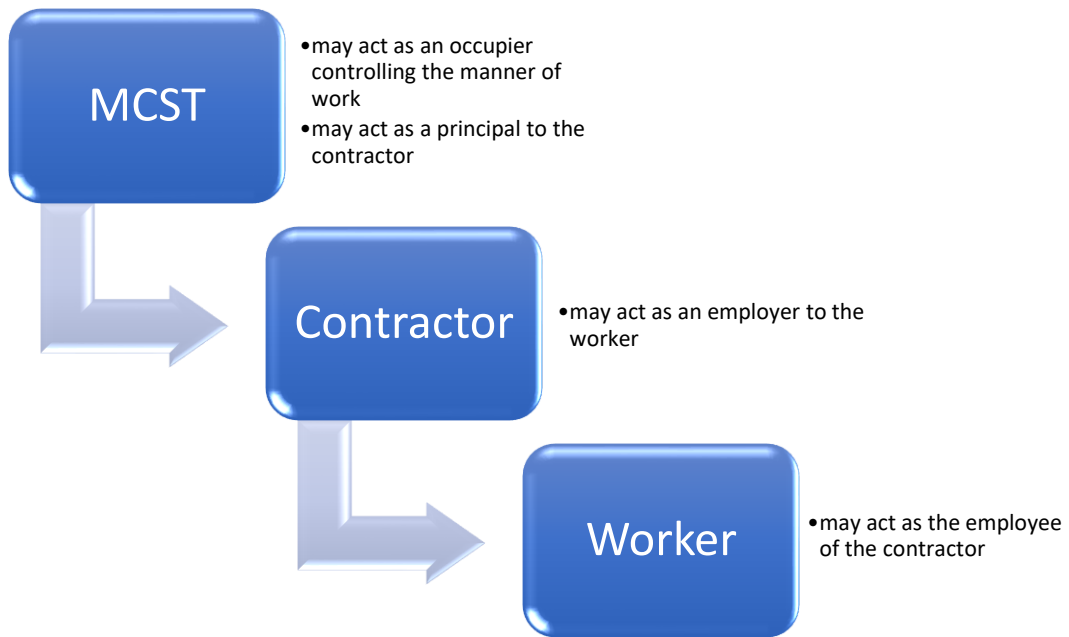
### 3.5 Examples of WSH Relationship Between MCST and Relevant Stakeholders

The WSH relationship between MCST and the other relevant stakeholders (e.g. Managing Agent (MA), contractor) can come in various permutations. **Figures 1 and 2** below are two examples illustrating the possible WSH relationship between MCST and other relevant stakeholders. Do note that the information provided in **Figures 1 and 2** are not to be construed as implying liability on any party. It also does not encapsulate all the responsibilities and obligations under the law.



**Figure 1: Example where MCST may act as a principal to the MA**





**Figure 2: Example where MCST may act as an occupier as well as a principal to the contractor**

## 4. Safe Management Practices

The management council and/or subsidiary executive committee of a MCST/subsidiary MCST respectively may consider adopting the following safe management practices to reduce or prevent the occurrence of workplace incidents such as slips, trips and falls and fall from height:

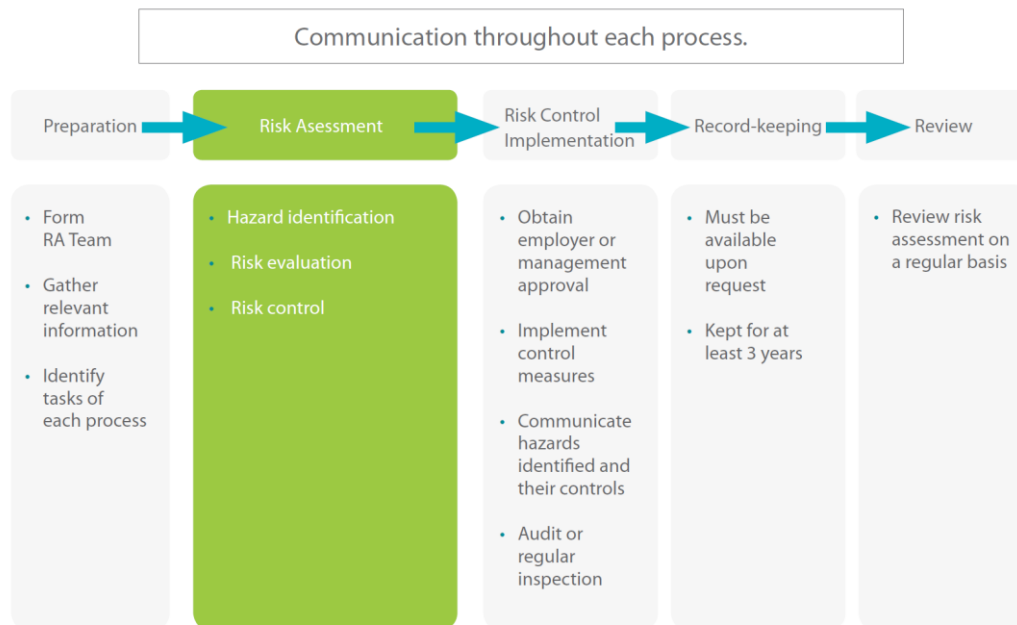
1. Ensure risk assessment is conducted for all works activities (carried out by MCSTs employees or contractors etc) – Find out more about RA in **Section 5**.
2. Embark on the bizSAFE program – Find out more about bizSAFE in **Section 6**.
3. Make it an in-house requirement for all contractors to attain at least bizSAFE level 3.
4. Subscribe to Workplace Safety and Health (WSH) Council's WSH bulletin (subscribers will be updated with the latest WSH news and regulatory announcements, recent workplace accidents, WSH forum, seminars etc)
5. Create a safe culture. For more information on how to create a safer culture, please go to: <https://www.tal.sg/wshc/Programmes/CultureSAFE/WSH-Culture-Why-Build-It>
6. Encourage near miss reporting. For more information on near miss reporting, please go to: <https://www.tal.sg/wshc/Topics/General-Safety/Near-Miss-Reporting>

The above-mentioned safe management practices can be promoted to all contractors providing the following services (non-exhaustive):

- a. Cleaning services
- b. Security services
- c. Landscape maintenance
- d. Pest control treatment
- e. Swimming pool maintenance
- f. Air-conditioning repair and maintenance
- g. General builders' works
- h. Lift and escalator maintenance
- i. Fire safety and equipment maintenance
- j. Electrical and generator maintenance
- k. Repainting and repair works

## 5. Risk Management

Risk management (RM) consist of preparation, risk assessment, risk control implementation, record-keeping, review and continual communication (see **Figure 3**). Risk assessment (RA) is a key component of RM. If the control measures identified in the RA are implemented appropriately, it will reduce risks at work.



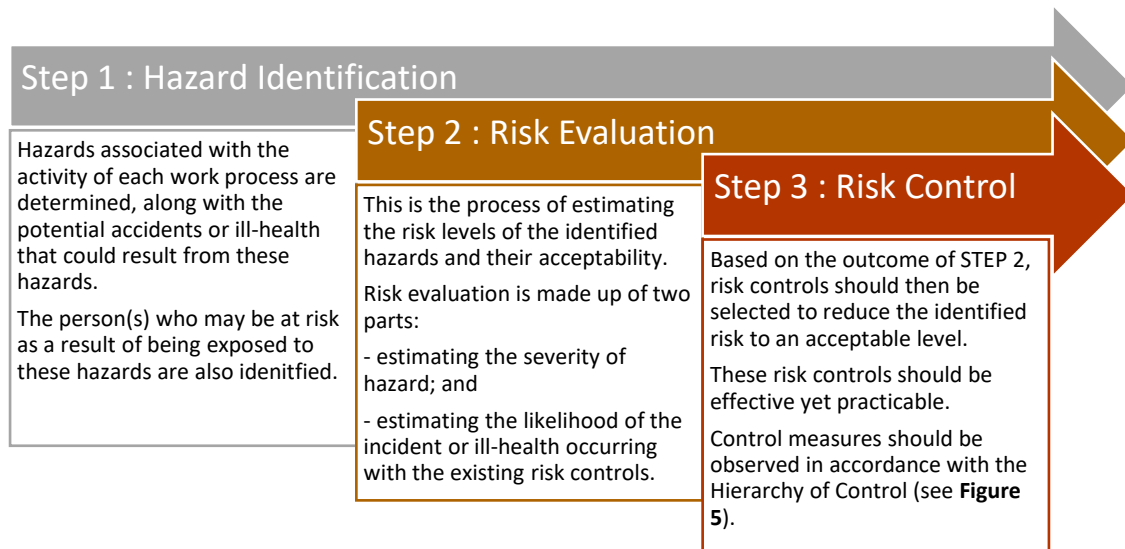
**Figure 3: The Risk Management (RM) Process**

### 5.1 Risk Assessment

Under the WSH (Risk Management) Regulations, every workplace must conduct Risk Assessment (RA) for all work activities. RA shall be carried out and risk control measures are to be implemented before commencement of any work activity. In every workplace, the occupier, the employer, self-employed person and principal shall conduct a risk assessment in relation to the safety and health risks posed to any person who may be affected by his undertaking in the workplace.

As far as possible, RA should be conducted in consultation with relevant stakeholders (e.g., the premise owners, contractors and managing agents). This will ensure that the RA will holistically take into consideration factors such as personnel involved, all aspects of the work activity and environmental conditions.

RA can be conducted in 3 simple steps as shown in **Figure 4** below.



**Figure 4 : The Risk Assessment (RA) Process**

Some common work activities that will require RA to be conducted are (non-exhaustive):

- Painting works
- Sweeping of compound
- Clearing of rubbish bin / bulk bin / bin chutes
- Tree pruning
- Grass cutting
- Use of ladder
- Fogging (in vector control)

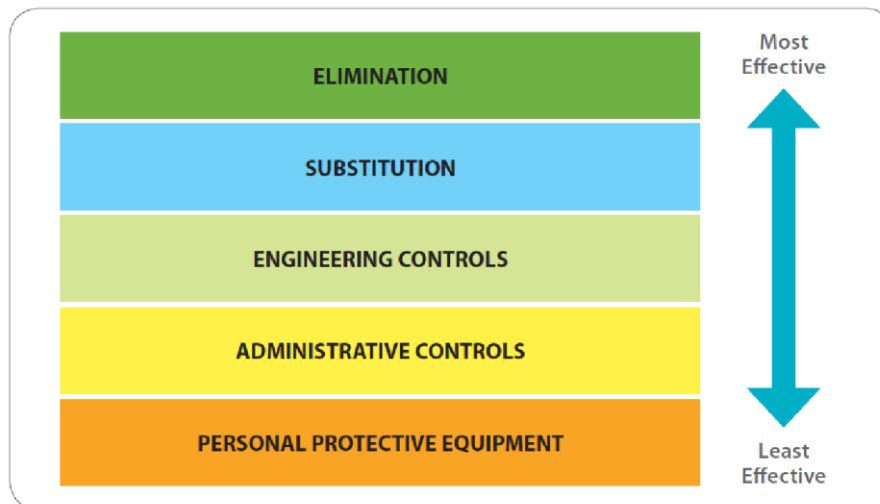
These RA need to be available upon request by inspectors from the Ministry of Manpower.

Please refer to **Annex B** for a sample RA form.

#### **Hierarchy of Control**

Control measures in the Hierarchy of Control (refer to **Figure 5**) are ranked in order of effectiveness. As far as possible, priority should be given to upstream risk control measures.

It may be necessary to use more than one risk control measure to reduce risks to the lowest possible level when no single measure is sufficient on its own. For example, engineering controls, such as using safer equipment, can be implemented together with administrative controls, such as training and safe work procedures (SWPs), to reduce a workplace risk.



**Figure 5: The Hierarchy of Control**

### **Elimination**

Elimination of risk refers to the removal of a worker's exposure to the hazards, effectively making all identified possible accidents and ill-health impossible. As elimination is the most effective method of risk control, it should be considered first. Also, once eliminated, the risk should not appear in subsequent RA forms. For example, let's assume that the hazard is damaged flooring on a walking path which may lead to slips, trips and falls accidents. This hazard can be eliminated after the flooring is being repaired.

### **Substitution**

This involves replacing a hazard with one that presents a lower risk. For example, if there is a need for a cleaner to use a A-frame ladder to access higher grounds, one can replace it with a mobile step platform which is a more stable option. Although using a mobile step platform does not remove falling from heights hazards, the risk is significantly reduced.

### **Engineering Controls**

Engineering controls are physical means that limit the hazard. These include structural changes to the work environment or work processes. One example can be erecting barriers at suitable areas where security officers are exposed to frequent vehicle movement. These barriers can be designed to reduce impact in the event of a vehicle collision.

### **Administrative Controls**

These controls reduce or eliminate exposure to a hazard by adherence to procedures or instructions. Documentation should emphasise all steps in the work processes and all controls needed for work activities to be carried out safely. Examples of administrative controls are establishment of safe work procedures and installation of signages.

### **Personal Protective Equipment**

Proper use of personal protective equipment (PPE) can help keep workers safe at work. However, PPE should only be used in addition to other control measures (e.g., engineering control measures) or when all other measures are not feasible or practical. For PPE to be effective, it must always be properly worn when the user is exposed to the hazards and must fit the user correctly. PPE should also be cleaned and maintained regularly and stored in an appropriate place when not in use. Examples of PPE that may be applicable to the security officers are safety shoes and reflective vest.

*For more information regarding RM and RA, see Code of Practice on Workplace Safety and Health (WSH) Risk Management.*

## 6. bizSAFE Programme

Developed by the Workplace Safety & Health Council (WSHC), bizSAFE is a five-step nationally recognised capability building programme (see **Figure 6**) that can help companies – including MCSTs, build WSH capabilities.

The level-by-level approach is designed with clear objectives to help companies build up Risk Management (RM) capabilities and meet the requirements of the Workplace Safety & Health (WSH) Act and relevant subsidiary legislation. The programme also includes SGSecure elements that can assist MCSTs to put in place measures to manage potential terror threats.

Find out more about SGSecure from the [SGSECURE GUIDE FOR WORKPLACES to raise preparedness against terrorism](#)



**Figure 6: Overview of bizSAFE**

In this programme, there are five levels to achieve.

To start, a company can set your beliefs and direction for WSH of your company. Through bizSAFE Level 1 Workshop for CEOs or Top Management, you will be guided to develop a WSH Policy for your company. Such policy illustrates your commitment to ensure a safe and healthy workplace for your employees.

The next step, you will need to develop a risk management implementation plan. You can identify a RM champion to help you on this. In bizSAFE Level 2, your RM champion will be guided through a 2-

day course in risk management. He will be equipped with the necessary knowledge to help your company to do risk assessment.

Through bizSAFE level 3, you can assess and ascertain the effectiveness of RM implemented in your workplace, through a MOM-Approved WSH Auditor. This is an important step towards complying with the requirements in the WSH Act and its subsidiary legislations.

To take a step beyond legislation requirement, you may consider developing a Workplace Safety and Health Management System (WSHMS). You can nominate a programme lead to attend the bizSAFE Level 4 course.

As an exemplary company, you can embark on bizSAFE Star.

Though it is structured as a 5-step programme, companies may apply for a level directly as long as it meets the level's requirements.

MCSTs can look forward to the following benefits by embarking on the bizSAFE programme:

- Comply with Risk Management Regulations
- Create a safer and healthier Workplace for workers
- Create a safer and healthier environment for the residents/tenants
- Free Onsite WSH Assistance Programmes
- Go on Free Learning Journeys
- Receive Special Invites to Conventions and Forums

*Please visit the WSH Council's website to find out more about bizSAFE.*



## 7. Pandemic Management

A pandemic is an outbreak resulting in the spread of an infectious disease and usually occurs when the whole population is not immune to the disease. Pandemics can be caused by different diseases (e.g. SARS, COVID-19) and it is important to note that each disease may require a different set of control measures.

Examples of control measures may include (non-exhaustive):

- Safe distancing as much as possible;
- Stagger work & break hours;
- Monitoring & declaration of health status of employees;
- Provision of Personal Protective Equipment (e.g. Masks, gloves, face shield); and
- observance of good personal hygiene.

MCSTs play an important role in effective pandemic management within a compound.

### 7.1 Roles and Responsibilities during a pandemic

During a pandemic, occupiers, employers, and employees should fulfil their duties under the Workplace Safety and Health Act as follows:

- Occupiers must ensure that the workplace and all pathways to and from the workplace do not pose transmission risks of disease to anyone within the workplace, including non-employees;
- Employers must implement measures to prevent transmission of disease at the workplace; and
- Employees must comply with measures implemented by their employers to prevent the spread of disease in the workplace.

### 7.2 Planning for a pandemic

At the planning stage, occupiers and employers should consider the following (non-exhaustive):

- Company's policy to prevent or limit the transmission of the disease
- Nature of the disease (e.g. transmission characteristics)
- The different types of risks that the company is exposed to due to the disease
- Where, how and to what sources of the disease that employees might be exposed to.
- The various types of control measures that can be implemented in a reasonably practicable manner.
- Most updated advisories and directives from relevant government bodies (e.g. Ministry of Manpower, Ministry of Health, Ministry of Trade & industry, National Environment Agency, Immigration & Checkpoints Authority etc)
- Existing business continuity plans

## 9. Acknowledgment

The Workplace safety and Health Council would like to thank the following for their valuable contribution towards this guide.

<b>S/No.</b>	<b>Name</b>	<b>Organisation</b>
1.	Daniel T'ng	Starklit Consultancy
2.	Lim Chong Yong	Building and Construction Authority
3.	Toh Eng Shyan	Building and Construction Authority
4.	Tan Mei Peng	Association of Property and Facility Managers
5.	Joanne Koh	Singapore International Facility Management Association
6.	Darren Loh	Ministry of Manpower
7.	Ng Siak Chew	Workplace Safety and Health Council
8.	Dennis Choo	Workplace Safety and Health Council
9.	Royston Lim	Workplace Safety and Health Council

## 10. References

### Regulations

- Workplace Safety and Health Act and subsidiary legislations
- Building Maintenance and Strata Management Act and subsidiary legislations
- Building Control Act and subsidiary legislation
- Electricity Act and subsidiary legislation
- Environmental Public Health (Swimming Pools) Regulations
- Destruction of Disease-Bearing Insects Bill
- Fire Safety Act and subsidiary legislation
- Public Utilities (Water Supply) Regulations
- Sewage and Drainage Act and subsidiary legislation
- The Parks & Trees Act

### Guidance Materials

- WSH Council – Code of Practice on Workplace Safety and Health (WSH) Risk Management
- Building Construction Authority – Strata Living in Singapore, A General Guide

### Other Useful WSH Guidance material for MCST and Subsidiary MCST

- Workplace Safety and Health Guidelines for the Private Security Industry
- WSH Guidelines on Landscape and Horticulture Management
- Workplace Safety and Health Guidelines on Workplace Housekeeping
- Workplace Safety and Health Guidelines on Tent-related Works
- WSH Guidelines on Workplace Traffic Safety Management
- WSH Guidelines on Cleaning and Custodial Services
- WSH Guidelines for Working safely on Roofs
- WSH Guidelines on Contractor Management
- WSH Guidelines on Working Safely During Maintenance of Electric Passenger and Goods Lifts
- WSH Guidelines Management of Indoor Air Quality in Air-Conditioned Workplaces

## Annex A – Penalties under the WSH Act

**Tables 3 & 4** detail the possible general penalties that may be imposed on an individual person or corporate body for failing to comply with the WSH Act. Please note that certain offences may have its own prescribed punishment as well.

Offender Type	General Penalty
Individual Person	<ul style="list-style-type: none"><li>• Maximum \$200,000 fine, or maximum imprisonment of 2 years, or both</li><li>• Additional \$2,000 fine for each day that the offence is not rectified</li></ul>
Corporate Body	<ul style="list-style-type: none"><li>• Maximum \$500,000 fine</li><li>• Additional \$5,000 fine for each day that the offence is not rectified</li></ul>

**Table 3: General Penalties of the WSH Act (Section 50)**

When a person or corporation has a record of previous offenses that led to fatalities, the penalties will be more severe for repeating the same offence.

Offender Type	Penalties for repeat offenders that resulted in fatalities
Individual Person	<ul style="list-style-type: none"><li>• Maximum \$400,000 fine, or imprisonment, or both</li><li>• Additional \$2,000 fine for each day that the offence is not rectified</li></ul>
Corporate Body	<ul style="list-style-type: none"><li>• Maximum \$1,000,000 fine</li><li>• Additional \$5,000 fine for each day that the offence is not rectified</li></ul>

**Table 4: Penalties for repeat offenders of the WSH Act (Section 51)**

# Annex B – Sample Risk Assessment Form

Department:		RA Leader:		Approved by:		Reference Number								
Process:		RA Member 1:	Signature:											
Activity/Location:		RA Member 2:	Name:											
Assessment Date:		RA Member 3:	Designation:											
Last review Date:		RA Member 4:	Date:											
Next review Date:		RA Member 5:												
Hazard Identification			Risk Evaluation			Risk Control								
Ref	Sub-Activity	Hazard	Possible Injury/ Ill-health	Existing Risk Controls	S	L	RPN	Additional Controls	S	L	RPN	Implementation Person	Due Date	Remarks
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