

Q&A Responses for bizSAFE Convention 2023 Panel Discussion – In Conversation: “Regulations are robust but not foolproof: What is good enough?”

Abbreviations

GCK	Panellist Goh Chin Keong [MOM / Deputy Director (Investigations and Inspectorate Specialists Group)]
NIL	Moderator Chan Yew Kwong [WSH Council / Senior Consultant]
LN	Panellist Lawrence Nah [Shing Leck Engineering Service Pte Ltd / General Manager]
BN	Panellist Basil Nurilham [Chye Joo Construction Pte Ltd / Corporate HSE Manager]
WSHC	Workplace Safety and Health Council

Q&A

1. Workplace fatal and major injury rates continued their upward trend to pre-COVID figures. Is there a need to introduce more stringent regulatory and enforcement measures to arrest the rising trend?

GCK: Every worker deserves a safe and healthy working environment. We are guided by the Vision Zero mindset and our [WSH 2028](#) goals, and we will pursue all appropriate measures, such as the prevailing [SAFE \(Safety Accountability Focus & Empowerment\) measures](#), to build strong WSH culture and WSH ownership at the sectoral, company and worker level.

2. Employers are responsible for their employees while at work. Will the employer be liable if an employee sustains injuries while commuting to work or during break time?

GCK: In general, the [WSH Act](#) applies when persons are at work in workplaces, as defined under the Act. We are not able to advise on legal liability without knowing the full facts and circumstances behind each specific case.

3. Are employees liable for injuries which take place before work or during lunch hour happening outside work?

GCK: In general, the WSH Act applies when persons are at work in workplaces, as defined under the Act. We are not able to advise on legal liability without knowing the full facts and circumstances behind each specific case.

4. What were the challenges or roadblocks faced by Chye Joo and Shing Leck when implementing WSH? And what can companies do to overcome them?

LN: We have WSH buy-in from the pioneers and long serving employees, many of whom have been with the company since Day 1. They are one of the company's key pillars towards implementing a strong WSH culture. Thus it is important for senior management to spend the time and have the patience to work with these pioneers and employees to appreciate the importance of having a strong WSH programme.

BN: On building a strong WSH culture, we have staff who are in the industry for over 40 years. Strong top management directives and continuous training on safety helped our organisation overcome many challenges. Safety compliance and adherence of every employee and sub-contractor are integrated with productivity appraisal and contract terms. All these have enhanced safety compliance within our organisation.

On striking a balance between work productivity and safety, we work on setting the right fundamentals to improve safety, planning, and allocation of resource and materials which are key for physical safety provision. Having a systematic management is also key to ensuring smooth operations while protecting the safety of employees and stakeholders.

5. Is it fair to say personal behaviour of individuals (e.g. taking shortcuts, not following safe work procedures) has resulted in accidents or injury? Can regulations then shape behaviour or are there other means?

GCK: Causes of accidents are often multi-factorial and it will not be appropriate or fair to attribute accidents to any one particular factor.

LN: The root cause of injuries or accidents usually is due to making poor behavioural choices (e.g. preference for taking shortcuts). While regulations act as deterrence, they must not be overly prescriptive to inhibit work productivity.

BN: Regulations are important, as is it not possible to shape every individual's behaviour. Companies strive to improve safety behaviour with training, provision of resources and PPEs for safety. But there would still be individuals who may want to take shortcuts. Therefore, regulations and house rules as set by companies are essential, as safety is not an option but a mandate.

6. What happens if my company's Top Management does not attend the Top Executive WSH Programme (TEWP)? Will our bizSAFE Level Star be affected?

GCK: The CEOs or Board Directors of companies in the Construction, Manufacturing, Transport & Storage, and Marine sectors must attend the TEWP [by 1 March 2024](#). For more information, please refer to the [WSH Council website](#).

7. What is the biggest challenge for SMEs to implement WSH? How do you overcome the challenge?

GCK: For a start, organisations must first believe that inculcating a WSH mindset starts from the top, and thereafter take the necessary actions to set up the right structures and to dedicate resources to provide safer and healthier workplaces. Refer to the [ACOP on Chief Executives' and Board of Directors' WSH Duties](#), which is relevant to all organisations regardless of industry and size, on what should be done.

LN: Of course size matters, but SMEs can see their relative size as an advantage, sometimes. We can be far more nimble than big companies, and push through strong WSH measures without the burden of red-tape and bureaucracy that plagues bigger companies.

BN: Firstly, cost is always a concern. One solution is working closely with agencies like the SME Centres, BCA and SCAL which can offer grants and support for SMEs to implement effective WSH measures to significantly reduce or eliminate risk. Another way is through participating in WSH related events, where we can get insights from other industry players who have implemented WSH measures and be aware of their effectiveness.

Secondly, the lack of knowledge may also pose as a challenge. Seek assistance from WSH professionals or consultants to get advice on suitable implementation of WSH measures for the SME.

Lastly, reactive mindset. We should foster a proactive approach. When reports of incidents are shared, do not wait for something similar to occur at your workplace. Instead, identify potential hazards at the workplace and make implement preventive measures to prevent accidents from occurring. Every incident is saddening but also serves as a lesson for others to learn from. Integrate safety into work processes.

8. Would like to ask Mr Goh if there will be heightened medical support onsite for high risk sites. For example, when there is a serious accident, will it be required to have nurses and medics onsite?

GCK: The prevailing requirements for trained first aiders and first aid facilities as prescribed under the [WSH \(First-Aid\) Regulations](#) will be applicable.

9. How do we encourage companies to be bizSAFE Partner and practise beyond what regulations call for? What about indicating this requirement in tender contracts, perhaps in government tenders?

GCK: The Multi-Agency Workplace Safety & Health Taskforce (MAST) is considering more stringent safety requirements and new measures in Government construction tenders, including introducing additional WSH requirements for public construction above a certain estimated procurement value. More details will be announced after further consultation.

LN: bizSAFE Partners, such as Shing Leck Engineering, in their procurement/ supplier onboarding processes, do outline the requirement for suppliers to be bizSAFE certified.

BN: We have observed that some statutory boards/ agencies' tenders require the inclusion of bizSAFE Partner.

10. There seems to be a lack of emphasis on the middle management and supervisors in the management of WSH. Should more be done?

GCK: For a start, organisations must first believe that inculcating a WSH mindset starts from the top, who have to take the necessary actions to set up the right structures and to dedicate resources to provide safer and healthier workplaces. Refer to the [ACOP on Chief Executives' and Board of Directors' WSH Duties](#) on what should be done.

BN: Supervisors hold the key responsibility to safety. An example would be the implementation of a permit-to-work (PTW) system for high-risk construction works. In situations like confined spaces or hazardous working-at-height, it is the supervisor's duty to ensure the safety of workers under his/her charge during the validity of the PTW.

We have implemented measures, such as appointing each supervisory person as a Safety Captain, to be responsible for the safety of his group of workers.

Companies should streamline guidelines and rules for supervisors or engineers as the middle management need to ensure compliance with safety.

On making WSH a part of a middle management staff's working requirements, other line functions such as HR can also help to implement reasonable/relevant measures.

11. Will there be grants to support SMEs to install more medical technology or onsite medical expertise to prescribe distinct medical directions and not putting pressure to stakeholders?

GCK: It is unclear the type of medical technology or expertise that is being referred to, but in terms of WSH Technology in general, a number of government funding support and programmes is available to the industry, especially SMEs, for the test-bedding and adoption of WSH Tech solutions. Please refer to [MOM website](#) for details (keyword search "Resource guide on grants and innovation challenges").

12. Will TEWP replace bizSAFE Level 1 in the future?

WSHC: bizSAFE Level 1 Workshop for CEOs/ Top Management will be replaced by TEWP by 1 April 2024.

For more information on the bizSAFE Convention 2023 and the resources shared at the event, please visit <https://www.tal.sg/wshc/events/ceremony/2023/bizsafe-convention-2023>.