



Prevention of Construction Accident: The Role and Responsibility of DOSH

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Seksyen Kejuruteraan

**Bahagian Keselamatan Tapak Bina,
Jabatan Keselamatan & Kesihatan Pekerjaan**



At a glance

Much of the good efforts are undertaken by the industry to improve OSH performance

Many areas for further improvement



Prevention of accident

{Prevention}

{Accident}

“We can’t really prevent the accident if we can’t identify the risk”

We look at the 3 main functions





From the outset, in 2013

The construction industry remains one of the largest in Malaysia, creating employment to around 1 million people

Represents 6.2% of total employment

Contributes RM 29.3 billion to GDP

Source: Economic Planning Unit, PMD



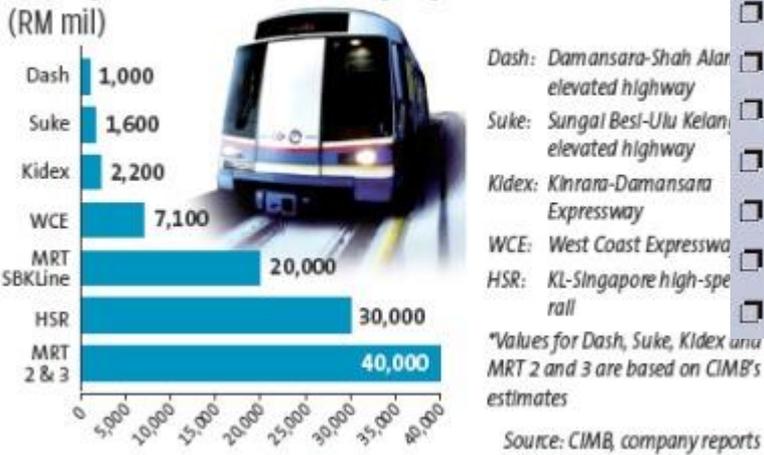
Build-in characteristics

It also remains hazardous and a cause for significant concern.

The characteristics of the industry and the challenges they create for safety and health are well documented.

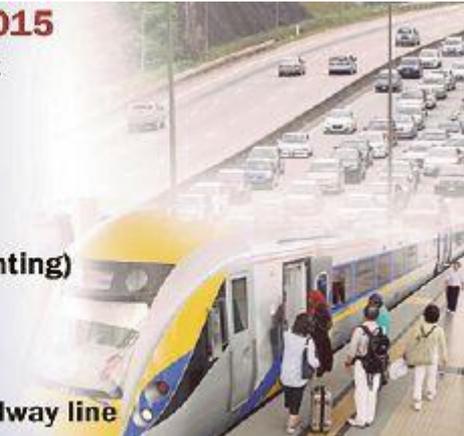
Construction industry outlook

Transport infrastructure projects (RM mil)



SOME PROJECTS PLANNED FOR 2015

- Line 2 of Klang Valley My Rapid Transit
- Pan-Borneo Highway
- Third light rail transit line
- Sungai Besi-Ulu Klang Expressway
- West Coast Expressway (Taiping to Banting)
- Damansara-Shah Alam Highway
- Eastern Klang Valley Expressway
- Upgrading of KTM Bhd's east-coast railway line



GST
 Expected to be 10% on goods and services, but not on land and buildings. This will have a significant impact on the construction industry. The industry is expected to be hit hard by the GST. The industry is expected to be hit hard by the GST. The industry is expected to be hit hard by the GST.

COST OF LIVING

Cost of living index (CLI) rose 0.1% in May 2014. The index is a measure of the relative cost of living in different parts of the country. The index is a measure of the relative cost of living in different parts of the country.

BRIM & HANDOUTS

BRIM (Basic Resident Income) and handouts are expected to be increased in 2014. This will help to reduce the cost of living for many Malaysians.

INFRASTRUCTURE

Infrastructure projects are expected to be completed in 2014. This will improve the transportation network and boost the economy.

HEALTH
 Health care costs are expected to rise in 2014. This is due to the aging population and the increasing cost of medical services.

HUMAN
 Human resources are expected to be in short supply in 2014. This is due to the lack of training and development programs.

Iskandar outlook 2014

Will Iskandar Malaysia be able to sustain its momentum in 2014? In a three-part series, KiniBiz talks to market analysts and industry players to examine the factors that could impact growth in Iskandar.

ISKANDAR



TOURISM

Tourism is expected to be a major driver of growth in Iskandar in 2014. This is due to the increasing number of tourists and the development of new attractions.

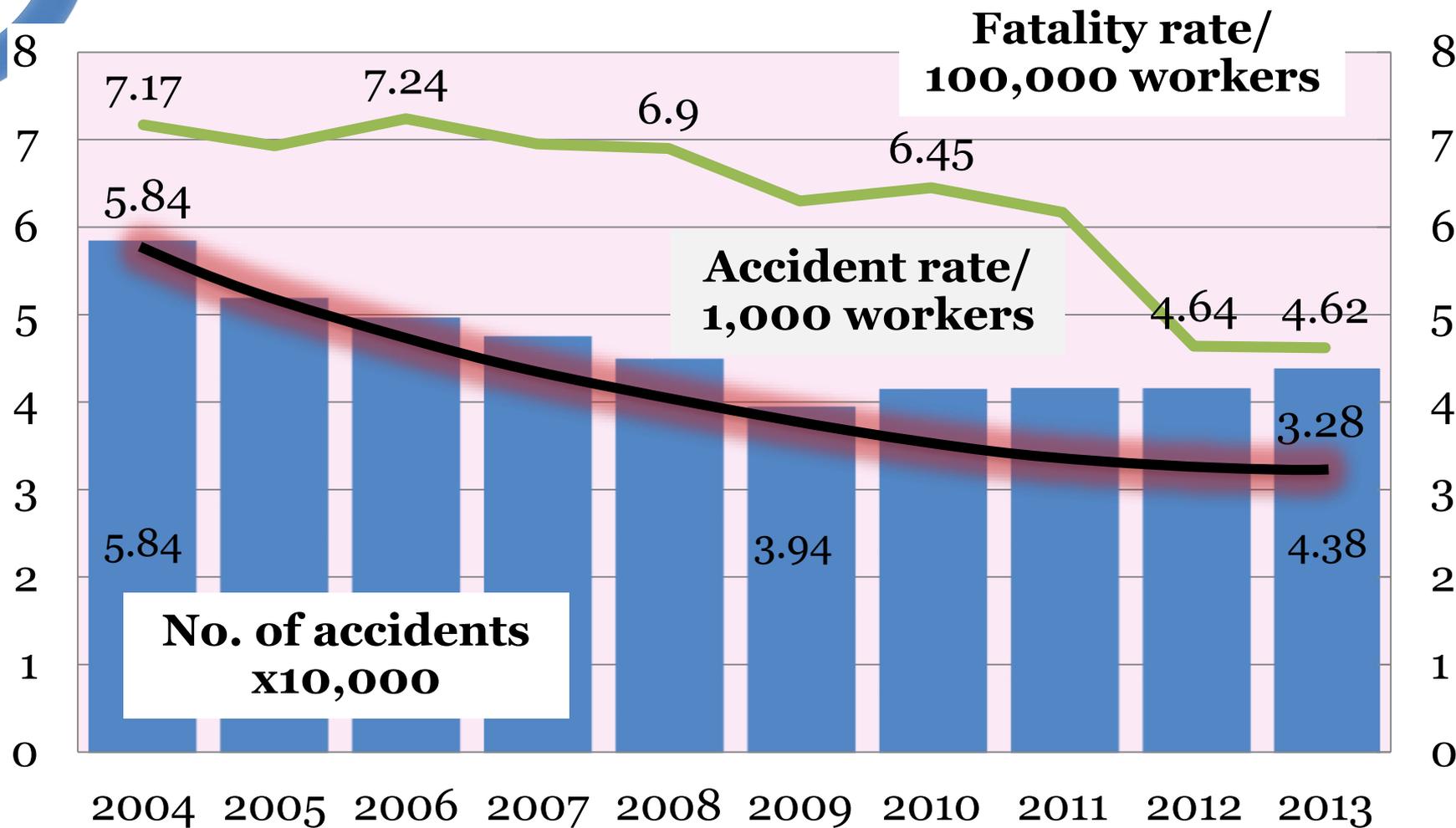
IT

IT is expected to be a major driver of growth in Iskandar in 2014. This is due to the increasing number of IT companies and the development of new IT services.

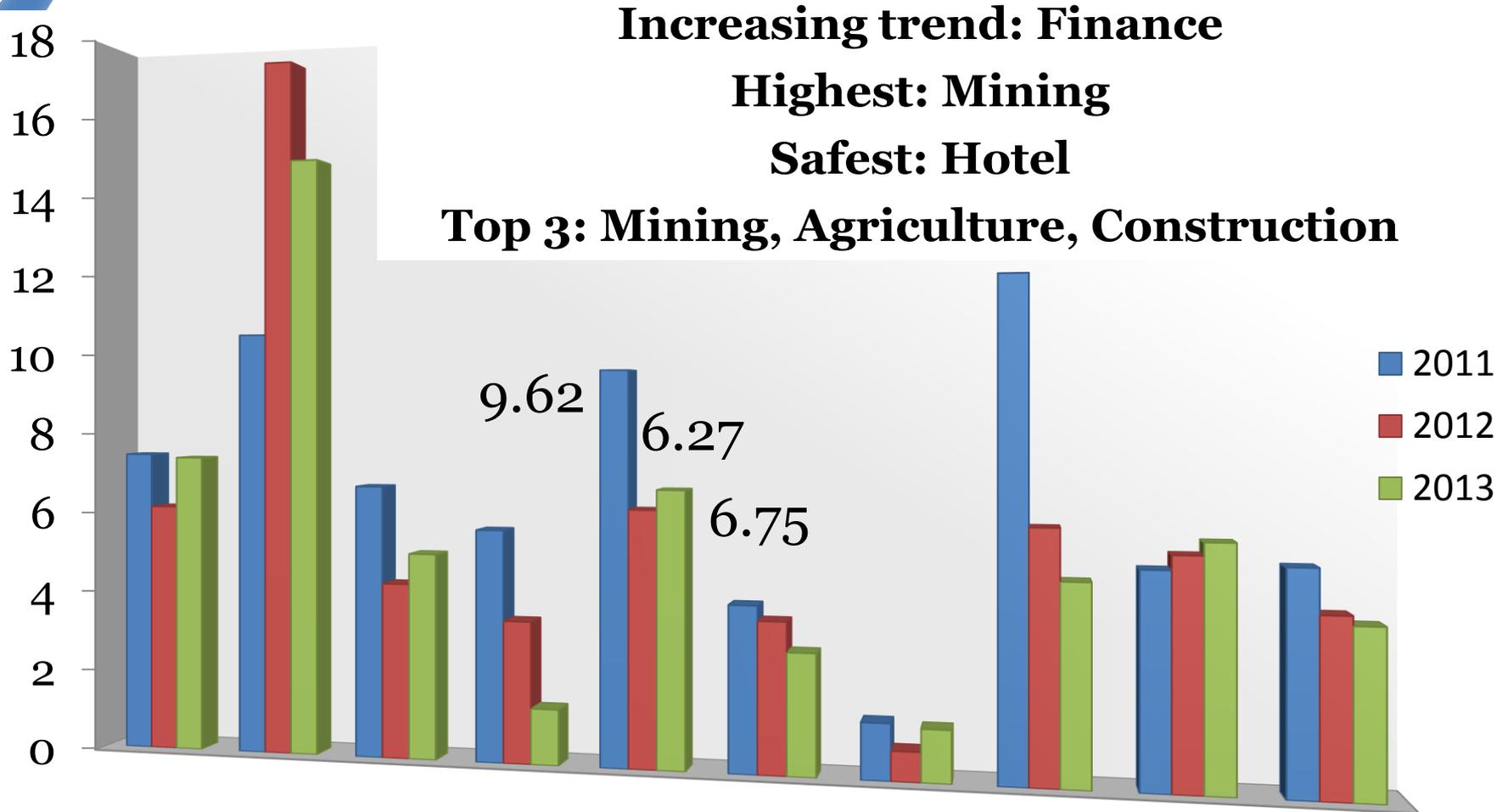
PETRONAS PIC

Petronas PIC is expected to be a major driver of growth in Iskandar in 2014. This is due to the increasing number of Petronas PIC stations and the development of new services.

Accident Statistics at Workplaces



Fatal accident/ 100,000 workers





Points to take home

Between 2004 and 2013...

460, 022 workers suffered from an injury
caused by their job.

810 workers died at construction sites.



Two main statutes

Occupational Safety and Health Act
1994 (OSHA)

Factories and Machinery Act 1967
(FMA)



Main regulations

Factories and Machinery (Building Operations and Works of Engineering Construction) (Safety) Regulations 1986 (BOWECS)

Factories and Machinery (Safety, Health & Welfare) Regulations 1970



Main guidelines

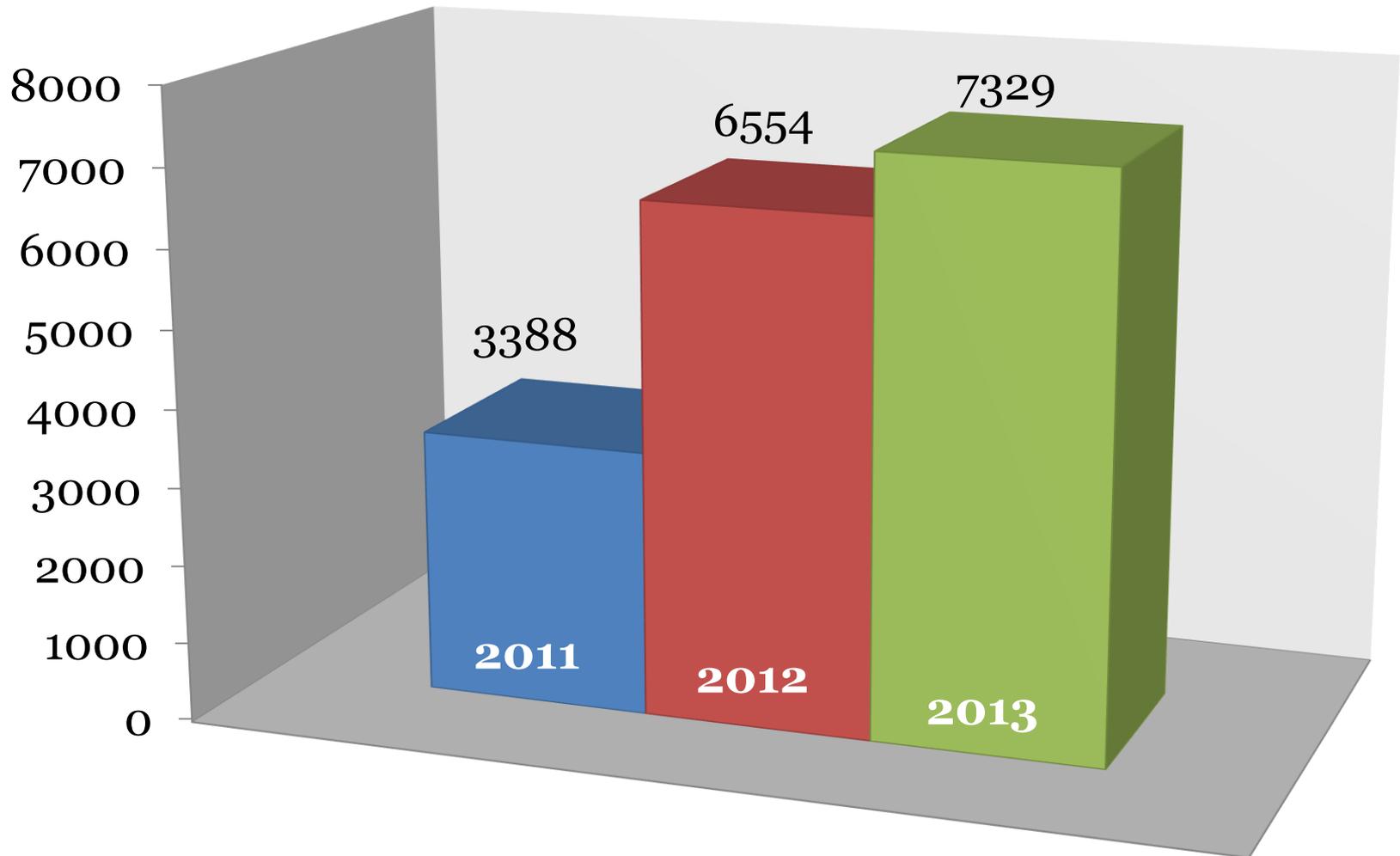
Guidelines for Public Safety and Health at
Construction Sites 2007

Guidelines for the Prevention of Falls at
Workplaces 2007

Guidelines on Trenching for Construction
Safety 2000

Guidelines on OSH in Tunnel Construction
1998

Work Site Inspection





Against all odds

- Registered construction site
 - 23,161
- Ratio of no. of inspection/ registered site
 - $7,329 / 23,161 = 0.32$
 - Inspections only cover 1/3 of registered site
- Ratio of registered site/ no. of officers
 - $23,161 / 106 = 218$



Looking forward

Inspection to be more focused to generic
issues

Accident-prone-based inspection

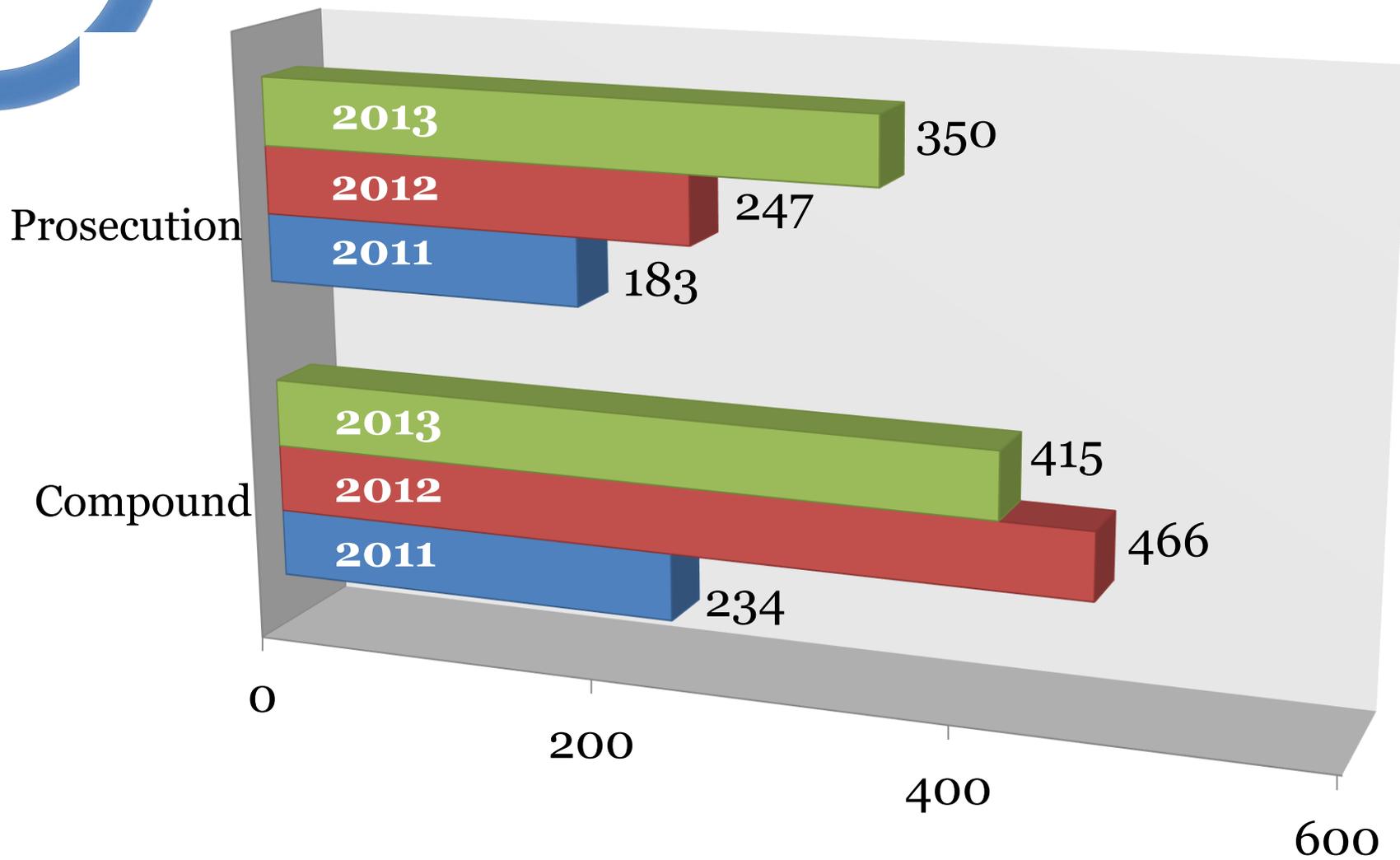
Working at height

Lifting operations

Trenching

Designated person

Securing justice



Securing justice

Litigation 2009/10

Construction, 28%

Others, 72%

Total

RM 0.98 million

* excl. compound

Securing justice

Litigation 2011

Construction, 33%

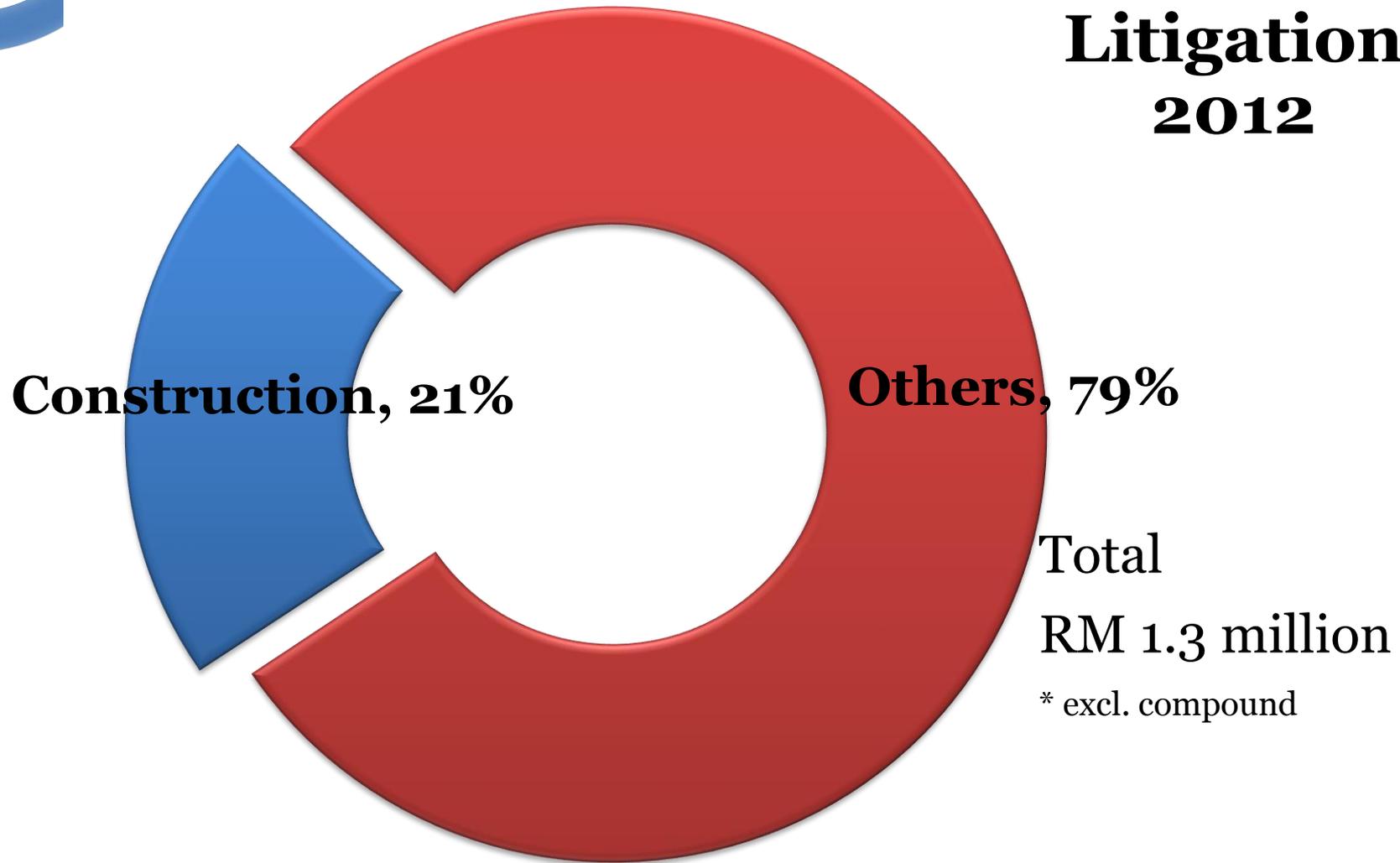
Others, 67%

Total
RM 1.1 million

* excl. compound

Securing justice

Litigation 2012





Points to take home

Between 2009 – 2012, the maximum fine imposed by the Court was RM 50,000, for breaching AKJ 19(1) and OSHA 15(1), respectively
and the maximum prison sentence was 2 years (USECHH, Reg. 9(1)).



Point to take home

The maximum fine imposed by the Court to a contractor was RM 35,000, for breaching OSHA 15(1)

Can you afford that to happen to you?



Widening prosecution net

Current prosecution mainly falls on the
main contractors under Section 15,
OSHA

Sufficient evidence will be seek to charge
client, consultant and self-employed
under Section 17, OSHA



Specific duties of employer

OSHA, Section 15(2)(a)

Provide and maintain risk-based work
procedure

Provide and maintain machinery, appliance,
equipment

That are safe and free from risk

Looking outside the site gate

Examining how clients and consultants have and can influence OSH standards on site





Planning to succeed

Continuing engagement with the
duty holders

Continuing proposals for revised
OSHA 1994 and BOWECS 1986

Let's end with the beginning



OSH
Research &
Development



Inspection



Litigation

Let's end with the beginning



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