

Disciplinary Procedures

Procedures for dealing with breaches of employee safety duties

Apart from any enforcement action by the Health and Safety Authority relating to breach of employee duties, any employee who fails to adhere to the requirements of the relevant statutory regulations and /or site safety rules may be liable to disciplinary action in line with the employers disciplinary procedure up to and including dismissal.

Breaches of safety procedures are very serious matters, however, some breaches are more serious than others and may warrant summary dismissal. The following list, although not exhaustive, outlines examples of serious breaches of safety procedures.

- Using plant, equipment or tools in a manner that would cause harm to yourself or others.

- Failure to use Collective Protective Equipment or Personal Protective Equipment where such failure endangered one's own or another's safety.
- Reporting for work whilst under the influence of alcohol or drugs.
- Interfering with safety measures, equipment, warning signs and notices.

These examples could be considered as acts of gross misconduct warranting summary dismissal, however, all allegations of such breaches will be fully investigated and will comply with recognised procedures and natural justice.

'Your continued compliance will make a real difference'

The Joint Safety Council has also agreed and provided:

- **Guide to Site Welfare Facilities**
- **Site Inspection Checklist**
- **Guide to using Consultation to Improve Safety on Construction Sites.**

Further Information from:

ICTU
31/32 Parnell Square
Dublin 1
Tel: 01 8897777
Fax: 01 8872012

CIF Safety Services
Construction house
Canal Road, Dublin 6
Tel: 01 4066000
Fax: 01 4966953



Safety on Construction Sites

'Compliance of Workers'

A Joint Safety Council Guide as provided for in the Construction Safety Partnership Plan '03-05'



Introduction

The aim of this guide is to explain legal duties and operational compliance arrangements for workers in the construction industry.

The Joint Safety Council guide is intended to assist workers and management to understand the duties of workers, compliance requirements and disciplinary procedures for non-compliance.

The Construction Safety Partnership included in the CSP Plan 03-05 a requirement to provide guidelines on Compliance of Workers.

The Joint Safety Council (ICTU/CIF) was assigned the responsibility to develop appropriate guidelines.

The Joint Safety Council recognises that overall responsibility for safety rests with employers and those who design and control places of work.

In labour intensive, high-risk sectors the need for consultation, co-operation and compliance of employees is of critical importance in the drive to further improve accident prevention.

Much emphasis to date has been on 'unsafe conditions' on sites but 'unsafe acts' also have to be dealt with.

Our behaviour as workers in terms of consistent compliance has a major contribution to make and apart from 'caring

for ourselves' we must not put others on the site or members of the public at risk.

If you are unclear about any safety procedures or you can assist in some way, talk to your employer, Safety Officer and Site Safety Representative.

The Joint Safety Council's objective is to encourage and facilitate co-operation and compliance and avoid confrontation.

We hope this Workers Safety Compliance Guide will clarify matters and assist in our common aim to continuously improve safety standards in the Irish Construction Industry.

The Joint Safety Council has also produced a site poster as a reminder of key duties and to avoid complacency.



Duties of Workers

It is your duty to:

Take reasonable care for your own safety, health and welfare and that of any other person who may be affected by your acts or omissions while at work.

Co-operate with your employer and any other person to such extent as will enable your employer or other person to comply with any of the relevant statutory provisions.

Present yourself for work in a fit and sober state and not under the influence of alcohol or drugs.

Co-operate in any agreed medical screening system for assessment by a competent person.

Comply with company or site specific safety rules and procedures including: smoking restrictions, use of site welfare facilities, controlled entry to site, permits to work, fire safety, emergency procedures, accident investigation.

Comply with any safety signs on site and instruction on safe working practice.

Show respect for all site personnel and members of the public in the vicinity of the workplace and do not engage in any forms of bullying or racism.

Make full and proper use of safety helmets, protective clothing, harness or other protective equipment provided.

Use such equipment in accordance with the instructions provided.

Take all reasonable steps to ensure that such equipment is returned to storage after use.

Accept reasonable offers of training and assessment without loss of remuneration, made by your employer.

In applying for a registration card as specified from FÁS or another competent authority, do not make a false statement with intent to deceive, forge or alter a registration card, or with intent to deceive, make or possess any document closely resembling a registration card

When requested by your employer or the Project Supervisor appointed for the Construction Stage to show relevant Safe Pass Card and/or Construction Skills cards (Scaffolders, Plant Operators, Roofers) or other approved cards

Make correct use of machinery, apparatus, tools, dangerous substances, transport equipment and other means of production, and

No person shall intentionally or recklessly interfere with or misuse any appliance, protective clothing, convenience, equipment or other means or thing provided in pursuance of any of the relevant statutory provisions or otherwise, for securing the safety, health or welfare of persons arising out of work activities

Report to your employer or your immediate supervisor, without unreasonable delay, any defects in plant, equipment, place of work or system of work, which might endanger safety, health or welfare, of which he becomes aware co-operate with any accident investigation at your workplace and provide any appropriate information