

General Guidance on Taiwan Occupational Safety and Health Management System

2007.8.13

The Council of Labor Affairs (CLA) of Taiwan continues implementing programs to protect the safety and health of labors. Taiwan occupational injury rate has decreased dramatically in recent year, such as the fatality rate per million workers decreased 51% from 77 of year 2000 to 38 of year 2006, approaching the performance of developed countries. However, as compared with the UK (7 fatality rate per million workers), Taiwan still has to improve especially in the area of risk assessment of occupational safety and health (OSH). Thus the CLA adapts international management system framework to encourage organizations integrating occupational risk assessment into their best practices of business operation.

The CLA refers the frameworks of OHSAS 18001 (2007) and ILO-OSH (2001) to issue the “Guidelines of Taiwan Occupational Safety and Health Management System”, simplified as TOSHMS, in August 2007. The TOSHMS shall lead the traditional OSH system towards a proactive, risk-based systematic management system. Major features of TOSHMS are as follow:

- I. **In line with international standards and easily validated:** Content of the TOSHMS not only conforms to main structural elements of ILO-OSH (2001) guidance but also incorporates relevant requirements of OHSAS 18001 (2007). Further validation specifications of TOSHMS will be developed to mutual compliance with the OHSAS 18001 (2007) so as to achieve the aim of “one validation for two certifications”.
- II. **Reduce organizational risks by integrating OHS into corporate governance:** Top management of organization is requested to openly pledge their commitment to integrate OSH into business strategy and operation. Management system should comprise items of the OSH policy, organization, system planning and implementation, assessment and improvement measures, and OSH related corporate social responsibility. Risk management, procurement management, change management, contracting management are also as the key elements of the TOSHMS.
- III. **Principle-based specifications applicable to all organizations:** System configuration of the TOSHMS is based on the fundamental elements of ILO-OSH and OHSAS 18001. But detailed requirements of fundamental elements are not incorporated; i.e., it is a general

guidance of OSH Management System, acting as basic requirements, applicable to all organizations.

IV. Adopting PDCA approach to improve Safety and Health Management performance:

Application of the P-D-C-A, a well-known management approach widely used by quality and environment management, enables Standardization, Documentation, and Implementation of all safety and health tasks through the cycle of “Plan, Do, Check and Action”, so that the organization could be able to accomplish its OSH management targets, and to correct deviations in time by continuous inspection and problem searching.

The Taiwan TOSHMS guidance, providing a systematic PDCA management structure, shall enable organizations implementing effective OHS management. In addition, in view of possible future application impacts to small and medium enterprises, the CLA will cooperate with relevant authorities and leading institutes to revise the TOSHMS and its implementation strategy. It is believed that Taiwan OSH performance will be further improved through effective implementation of this TOSHMS system.

Taiwan Occupational Safety and Health Management System Guidelines

1. Purpose

Taiwan occupational safety and health management system guidelines (called these guidelines hereafter) should provide the instruction to employer and workers for building-up occupational safety and health management system together leading to enhance voluntary management, continual improve the occupational safety and health performance, reduce occupational accident and disease, and protect workers' safety and health.

2. Scope

These guidelines are applicable to any organization that should and wishes to establish an occupational safety and health management system.

3. Terms and definitions

3.1 Active monitoring

The ongoing activities which check that hazard and risk prevention and protection measures, as well as the arrangements to implement the OSH management system, conform to defined criteria.

3.2 Audit

A systematic, independent and documented process for obtaining evidence and evaluating it objectively to determine the extent to which defined criteria are fulfilled. This does not necessarily mean an independent external audit (an auditor or auditors from outside the organization).

3.2 Continual improvement

Iterative process of enhancing the OSH management system to achieve improvements in overall OSH performance.

3.4 Contractor

A person or an organization providing services to an employer at the employer's worksite in accordance with agreed specifications, terms and conditions.

3.5 Competent person

A person with suitable training, and sufficient knowledge, experience and skill, for the performance of the specific work.

3.6 Employer

Any physical or legal person that employs one or more workers.

3.7 Hazard

The inherent potential to cause injury or damage to people's health.

3.8 Incident

An unsafe occurrence arising out of or in the course of work where no personal injury is caused.

3.9 Interested parties

The person or group concerned with or affected by the OSH performance of an organization.

3.10 Occupational safety and health management system (OSH management system)

A part of an organization's management system used to develop and implement its OSH policy and manage its OSH risks.

3.11 Occupational health and safety

These conditions and factors that affect, or could affect, the health and safety of employees, temporary workers(including contractor personnel and visitors), and any other person in the workplace.

3.12 Occupational health and safety objective

The goal, in terms of OSH performance, that an organization sets itself to achieve.

3.13 Organization

A company, operation, firm, undertaking, establishment, enterprise, institution or association, or part of it, whether incorporated or not, public or private, that has its own functions and administration. For organizations with more than one operating unit, a single operating unit may be defined as an organization.

3.14 Reactive monitoring

Checks that failures in the hazard and risk prevention and protection control measures, and the OSH management system, as demonstrated by the occurrence of injuries, ill health, diseases and incidents, are identified and acted upon.

3.15 Risk

A combination of the likelihood of an occurrence of a hazardous event and the severity of injury or damage to the health of people caused by this event.

3.16 Risk assessment

The process of evaluating the risk(s) arising from a hazard(s), taking into account the adequacy of any existing controls, and deciding whether or not the risk(s) is acceptable.

3.17 Safety and health committee

A committee with representation of workers' safety and health representatives and employers' representatives established and functioning at organization level according to national laws, regulations and practice.

3.18 Worker

Any person who performs work, either regularly or temporarily, for an employer.

3.19 Workers and their representatives

Where reference is made in these guidelines to workers and their representatives, the intention is that, where representatives exist, they should be consulted as the means to achieving appropriate worker participation. In some instances it may be appropriate to involve all workers and all representatives.

3.20 Workers' representative

Any person who is recognized as such by national law or practice, whether they are:

- (a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions; or
- (b) elected representatives, namely, representatives who are freely elected by the workers of the [organization] in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned.

3.21 Work-related injuries, ill health and diseases

Negative impacts on health arising from exposure to chemical, biological, physical, work-organizational and psychosocial factors at work.

3.22 Workers' health surveillance

A generic term which covers procedures and investigations to assess workers' health in order to detect and identify any abnormality. The results of surveillance should be used to protect and promote the health of the individual, collective health at the workplace, and the health of the exposed working population. Health assessment procedures may include, but are not limited to, medical examinations, biological monitoring, radiological examinations, questionnaires or a review of health records.

3.23 Worksite

Physical area where workers need to be or to go due to their work which is under the control of an employer.

4. Occupational safety and health management system

Occupational safety and health, including compliance with the OSH requirements pursuant to national laws and regulations, are the responsibility and duty of the employer. The employer should show strong leadership and commitment to OSH activities in the organization, and make appropriate arrangements for the establishment of an OSH management system.

The OHS management system should contain the main elements of policy, organizing, planning and implementation, evaluation and action for improvement.

4.1 Policy

4.1.1 Occupational safety and health policy

- (1) The employer, in consultation with workers and their representatives, should set out in

writing an OSH policy, for demonstrating the commitment of compliance with applicable OSH national laws and regulations, prevention of work-related injuries and diseases and continual improvement.

- (2) The OSH policy should be communicated and readily accessible to all persons at their place of work and interested parties.
- (3) The OSH management system should be compatible with or integrated in other management systems in the organization.

4.1.2 Worker participation

- (1) Worker participation is an essential element of the OSH management system in the organization.
- (2) The employer should make arrangements for workers and their representatives to have the time and resources to actively participate in the processes of organizing, planning and implementation, evaluation and action for improvement of the OSH management system.
- (3) The employer should ensure the establishment and efficient functioning of a safety and health committee that have workers' representatives to participate, in accordance with national laws.

4.2 Organizing

4.2.1 Responsibility and accountability

- (1) The employer should have overall responsibility for the protection of workers' safety and health. All management should provide resources essential to establish, implement and improve the OSH management system, and should demonstrate their commitment to the continual improvement of OSH performance.
- (2) The employer and senior management should allocate responsibility, accountability and authority for the development, implementation and performance of the OSH management system and the achievement of the relevant OSH objectives.
- (3) A person or persons at the senior management level should be appointed, where appropriate, with responsibility, accountability and authority for the development, implementation, periodic review and evaluation of the OSH management system, and promoting the participation of all members of the organization.

4.2.2 Competence and training

- (1) The employer should have, or should have access to, sufficient OSH competence to identify and eliminate or control work-related hazards and risks, and to implement the OSH management system.
- (2) The necessary OSH competence requirements should be defined by the employer, and arrangements established and maintained to ensure that all persons are competent to carry

out the safety and health aspects of their duties and responsibilities.

- (3) Training should be provided to all participants at no cost and should take place during working hours, if possible.

4.2.3 Occupational safety and health management system documentation

- (1) According to the size and nature of activity of the organization, OSH management system documentation should be established and maintained to describe the main elements of the OSH management system and their interaction, and reference to related documents.
- (2) OSH records should be established, managed and maintained locally and according to the needs of the organization, for demonstrating conformity to the requirements of its OSH management system and of these guidelines, and the results achieved.
- (3) Workers should have the right to access records relevant to their working environment and health, while respecting the need for confidentiality.

4.2.4 Communication

Arrangements and procedures of internal and external communication should be established and maintained for ensuring that the concerns, ideas and inputs of workers and interested parties on OSH matters are received, considered and responded to.

4.3 Planning and implementation

4.3.1 Initial review

- (1) The organization's existing OSH management system and relevant arrangements should be evaluated by an initial review. The result of the initial review should be documented and communicated to workers and interested parties.
- (2) The initial review should be carried out by competent persons, in consultation with workers and their representatives. It should:
 - (a) identify the current applicable national laws and regulations, national guidelines, tailored guidelines, voluntary programmes and other requirements to which the organization subscribes;
 - (b) identify, anticipate and assess hazards and risks to safety and health arising from the existing or proposed work environment and work organization;
 - (c) determine whether planned or existing controls are adequate to eliminate hazards or control risks; and
 - (d) analyse the data provided from workers' health surveillance.

4.3.2 System planning, development and implementation

- (1) Arrangements should be made for adequate and appropriate OSH planning, based on the results of the initial review, subsequent reviews or other available data. These planning arrangements should comply with national laws and regulations, continual

improvement in OSH performance, and contribute to the protection of safety and health at work.

- (2) The OSH planning arrangements of the organization should cover the development and implementation of all the OSH management system elements, as described in these guidelines.

4.3.3 Occupational safety and health objectives

- (1) The OSH objectives should be established based on the OSH policy, the result of initial or subsequent reviews and the views of interested parties. The OSH objectives should be consistent with the relevant national laws and regulations, realistic, measurable and achievable.
- (2) The OSH objectives should be focused towards continually improving workers' OSH protection to achieve the best OSH performance.

4.3.4 Prevention and control measures

- (1) Procedures should be established and maintained for identifying and assessing the hazards and risks to workers' safety and health on an ongoing basis. Preventive and protective measures should be implemented in the following order of priority:
 - (a) eliminate the hazard/risk;
 - (b) control the hazard/risk at source, through the use of engineering controls or organizational measures;
 - (c) minimize the hazard/risk by the design of safe work systems, which include administrative control measures; and
 - (d) where residual hazards/risks cannot be controlled by collective measures, the employer should provide for appropriate personal protective equipment, including clothing, at no cost, and should implement measures to ensure its use and maintenance.
- (2) Plans, Procedures or Programs should be established and maintained to eliminate or control the hazards and risks that had been identified.
- (3) Procedures should be established and maintained for identifying, accessing and assessing the national laws regulations, national guidelines, tailored guidelines and other OHS requirements that are applicable to it, and for periodically evaluating their compliance on an ongoing basis.

4.3.5 Management of change

- (1) The impact on OSH of internal changes and of external changes should be evaluated and appropriate preventive steps taken prior to the introduction of changes.
- (2) A workplace hazard identification and risk assessment should be carried out before any

modification or introduction of new work methods, materials, processes or machinery.

- (3) The implementation of a "decision to change" should ensure that all affected members of the organization are properly informed and trained.

4.3.6 Emergency prevention, preparedness and response

Emergency prevention, preparedness and response arrangements should be established and maintained. They should provide relevant information and training to all members of the organization, at all levels, including regular exercises in emergency prevention, preparedness and response procedures.

4.3.7 Procurement

Procedures should be established and maintained to ensure that national laws and regulations and the organization's own OSH requirements are identified prior to the procurement of goods and services, and arrangements are made to achieve conformance to the requirements prior to their use.

4.3.8 Contracting

- (1) Arrangements should be established and maintained for ensuring that the organization's safety and health requirements, or at least the equivalent, are applied to contractors and their workers.
- (2) The organization should establish effective ongoing communication and coordination between appropriate levels of the organization and the contractor prior to commencing work. This should include provisions for communicating hazards and the measures to prevent and control them.

4.4 Evaluation

4.4.1 Performance monitoring and measurement

- (1) Procedures to monitor, measure and record OSH performance on a regular basis should be developed, established and periodically reviewed. Responsibility, accountability and authority for monitoring at different levels in the management structure should be allocated.
- (2) The selection of performance indicators should be according to the size and nature of activity of the organization and the OSH objectives. Both qualitative and quantitative measures appropriate to the needs of the organization should be considered.
- (3) If equipment is required to monitor or measure performance, the organization should establish and maintain procedures for the calibration and maintenance of such equipment.

4.4.2 Investigation of work-related injuries, ill health, diseases and incidents, and their impact on safety and health performance

- (1) The organization should establish and maintain procedures for investigation of the origin

and underlying causes of work-related injuries, ill health, diseases and incidents. The investigation should identify any failures in the OSH management system and should be documented.

- (2) Reports produced by external investigative agencies, such as inspectorates and social insurance institutions, should be acted upon in the same manner as internal investigations, taking into account issues of confidentiality.

4.4.3 Audit

- (1) Arrangements to conduct periodic audits are to be established in order to determine whether the OSH management system and its elements are in place, adequate, and effective in protecting the safety and health of workers and preventing incidents.
- (2) The audit includes an evaluation of the organization's OSH management system elements or a subset of these.
- (3) Audits should be conducted by competent persons internal or external to the organization who are independent of the activity being audited.

4.4.4 Management review

- (1) The organization shall, at intervals that it determines, review the OSH management system, to ensure its continuing suitability, adequacy and effectiveness.
- (2) The findings of the management review should be recorded and formally communicated to the persons responsible for the relevant elements of the OSH management system.

4.5 Action for improvement

4.5.1 Preventive and corrective action

- (1) Arrangements should be established and maintained for preventive and corrective action resulting from OSH management system performance monitoring and measurement, incident investigation, audits and management reviews.
- (2) When the evaluation of the OSH management system or other sources show those preventive and protective measures for hazards and risks are inadequate or likely to become inadequate, the measures should be addressed according to the recognized hierarchy of prevention and control measures, and completed and documented, as appropriate and in a timely manner.

4.5.2 Continual improvement

Arrangements should be established and maintained for the continual improvement of the relevant elements of the OSH management system and the system as a whole.