Construction Hazards and Risks Control

Lecture Title: Health & Safety in Construction: Risks, Hazards, & Legislation Overview

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21 ACADEMY

Undergraduate Diploma in Occupational Health and Safety

Let's get to know each other!

Something about myself...

Tell me about yourself & your future ambitions

Self Assessment time!!

Introduction on Construction

- Construction is one of the most hazardous industries, with workers exposed to numerous risks on a daily basis.
- Accidents, injuries, and fatalities are unfortunately common, which makes it essential for health and safety professionals to understand these risks and implement effective preventive measures.

What do you understand by the term

“Occupational Health & Safety”

??

International Labour Organisation (ILO) Definition

According to the ILO - OSH can be defined as the discipline **dealing with the prevention of work-related injuries and diseases as well as the protection and promotion of the health of workers.**

It aims at the improvement of working conditions and environment

Health and Safety

Health - We sometimes forget health as health effects take time to develop. A state of wellbeing, both physiological and psychological (example: not suffering from noise induced deafness, metal fatigue/stress).

Safety - Absence of danger and physical harm to people (safety matters; falls from height, fire, electricity).Lack of safety causes instant harm unlike health which might take time.

The Importance of OHS in Construction

- **High-Risk Industry:** Construction involves hazardous materials, heavy machinery, and elevated sites, leading to significant risks of fatal and non-fatal injuries.
- **Accident-Prone:** Among the most dangerous sectors, requiring robust OHS measures to protect workers (OHSA, 2022).
- **Challenges for Foreign Workers:** Language and cultural barriers heighten risks, making safety awareness and training essential.
- **Highest Injury Rate:** Construction surpasses manufacturing in per capita injury rates (NAO, 2016, 2020).

Primary Objectives of H&S in Construction

- Ensure worker safety
- Prevent accidents and illnesses
- Comply with local and international health & safety regulations

Statistics

- The Occupational Health and Safety Authority (OHSA) reported 20 fatalities at work in 2022 and 2023.
- 60% of all fatal accidents that occurred in the past two years involved Maltese nationals.
- 55% of all fatalities at work occurred in the construction sector.

NSO (2024)

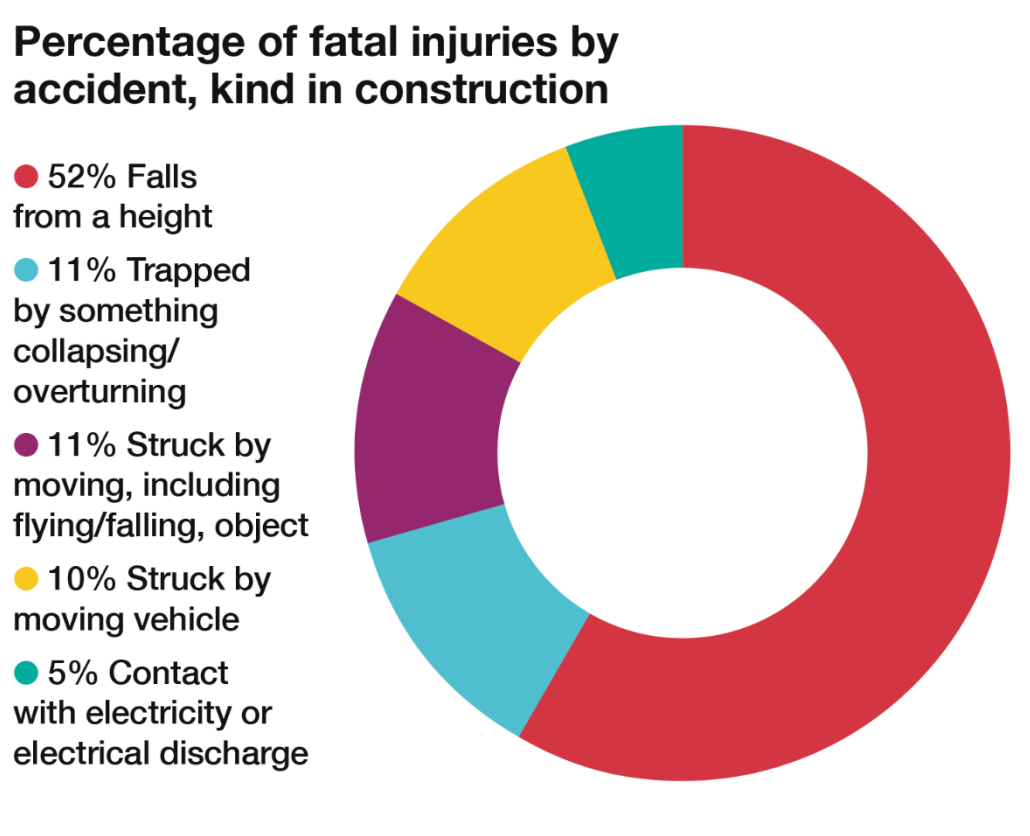
Statistics

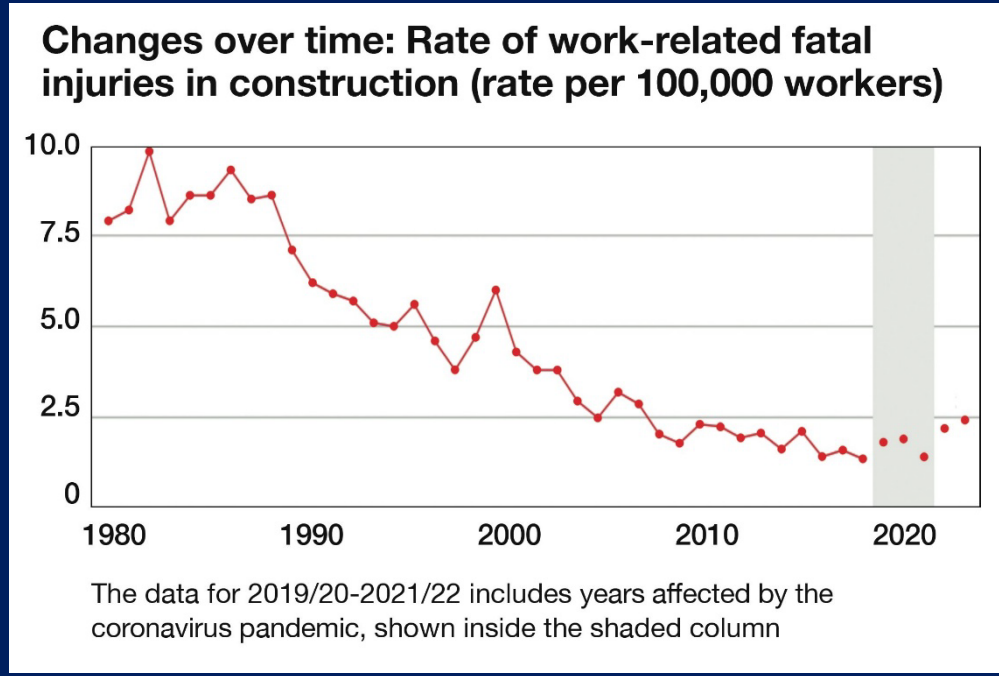
Year	Total number of persons employed	Workers in the construction industry	Injuries in the construction industry	Fatalities at work	Fatalities in construction sector
2016	208,132	14,063	473	7	**4**
2017	220,489	15,186	485	1	**1**
2018	232,306	14,578	482	4	**4**
2019	251,398	16,149	444	3	**3**
2020	261,839	15,195	407	8	**4**
2021	266,226	17,176	389	9	**9**
2022	283,341	17,526	362	16	**9**
2023	298,502	18,770	288	5	**2**
2024	317,582	22,399	288	4	**2**

Table shows that **52 work-related deaths were reported in Malta between 2016 and 2024, of which 73% occurred in the construction industry. This statistics does not include health related deaths (dust, asbestos…)**

NSO (2024)

The Top Causes of Fatalities in Construction





HSE report Construction Statistics in Great Britain, 2024.

Hazard vs Risk

Hazard

A source or a situation with the potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these.

Examples of Hazards;

- Defective surfaces or wet conditions
- Unguarded edges
- Unstable or unsecured Material
- Moving vehicles
- Sharp edges
- Electricity
- Poor housekeeping

Risk

The likelihood that a person may be harmed or suffers adverse health effects if exposed to a hazard.

Examples of Emerging Risks

- Defective surfaces or wet conditions – Slips & Trips
- Unguarded edges – Falls from height
- Unstable or unsecured Material – Falling objects
- Moving vehicles – Crushed or hit
- Sharp edges – cuts or puncture wounds
- Electricity – electrocution, fire
- Poor housekeeping – stress, fire, pests & diseases

Hazard vs Risk

https://www.youtube.com/watch?v=y3dQj1mYlOw

Key Risks & Hazards in Construction

Slips & trips	Explosion
Moving vehicles and use of machinery	Hazardous substances
Moving parts of machinery	UV, IR, laser & microwave radiation
Objects & parts with dangerous surfaces	Electrical installations
Hot or cold surfaces, material, etc	Noise
Hand & power tools	Lighting
High pressure tools/machinery	Electromagnetic fields
Whole-body vibration	Lifting & carrying loads
Hand-arm vibration	3rd Party contractor
Adverse weather conditions	Confined Spaces
Work involving poor posture	Structural Stability
Environment	3rd Parties
Fall from heights	Biological Hazards
Falling objects	Night Works
Fire	Risk of Drowning

Legislation

The Health and Safety at Work Act, 33 of 2024 CAP646

Cap. 646: *the Health and Safety at Work Act, 2024*

The new Act takes a wider look of health and safety at work, with a holistic approach to the wellbeing of workers including:

- Addressing both physical and psychosocial risks at work
- A more effective and efficient surveillance
- Proactive and preventive measures.

Cap. 646: *the Health and Safety at Work Act, 2024*

Part 1 : Preliminary, definitions

Part 2 : Establishment, Functions and Conduct of the Authority

Part 3 : Duties (Employers, HSRO, Workers)

Part 4 : Administrative Instruments

Part 5 : Health and Safety at Work Officers

Part 6 : The Health and Safety Tribunal

Part 7 : Offences and Administrative Penalties

Part 8 and 9 : Parts VII - IX: Administrative and Financial Provisions

Cap. 646: *the Health and Safety at Work Act, 2024*

Definitions include:

"***work***" means any duty, activity, task or service producing a product or result, carried out by a worker or self-employed person and being performed for payment or for free or in exchange for goods, for services, for profit or for benefit;

"duty holder": any person who has a duty or obligation to fulfil and, or the responsibility to ensure that a duty or an obligation is fulfilled

"***Employer***": any person for whom work or a service is performed by a worker or other person who has an employment relationship with a worker

For relationships under a **contract of service**, 'employer' includes **any of the persons in overall direction or having day-to-day management.**

Cap. 646: *the Health and Safety at Work Act, 2024*

"**self-employed person**" means a person who works for profit or gain other than under a contract of employment;

"**worker**" means any person employed by an employer to perform work, or who provides a service to another person under a contract of service or for service, **whether such contract is in writing or otherwise**, and includes a trainee, an apprentice, a volunteer, who were it not for the lack of remuneration, would essentially be undertaking responsibilities akin to those of a paid employee and a self-employed person, but shall not include the crew of a ship or an aircraft registered in Malta or any other person employed thereon as part of the ship or aircraft's complement;

Cap. 646: *the Health and Safety at Work Act, 2024*

This Act (and its subsidiary legislation) **applies to all sectors**, both **public and private**, and **to all work activities**, including those carried out by self-employed persons...

...excluding those specific activities of the disciplined forces or Civil Protection which may conflict with this Act.

…provided that for these exclusion, the health and safety of the workers concerned shall be protected for the purposes of the scope of this Act.

Cap. 646: *the Health and Safety at Work Act, 2024*

Employer:

...to ensure the **physical and psychological wellbeing** of his workers at all times and of all persons who may be affected by the work being carried out for such employer at their workplace.

Cap. 646: *the Health and Safety at Work Act, 2024*

The measures taken by employers **to prevent physical and psychological ill-health, injury or death** at work, shall be taken on the basis of the **general principles of prevention**:

a) the **avoidance** of risk;

b) the **identification** of hazards associated with work;

c) the **evaluation** of those risks which cannot be avoided;

d) the **control at source** of those risks which cannot be avoided;

Cap. 646: *the Health and Safety at Work Act, 2024*

e) taking all the necessary measures to **reduce risk and danger** as much as reasonably practicable, according to the particular case;

f) giving **collective protective measures priority** over individual protective measures;

g) **adapting the work to the worker**, particularly insofar as the design of workplaces, the choice of work equipment and the choice of working and production methods are concerned, in particular with a view to alleviating monotonous work and work at a predetermined work-rate, and to reducing their effect on health;

Cap. 646: *the Health and Safety at Work Act, 2024*

h) **adapting to technical progress** in the interest of health and safety at work;

i) the **development of a coherent overall prevention policy** which covers technology, the organisation of work, working conditions, social relationships and the influence of factors related to the working environment;

j) by **replacing the dangerous by the non-dangerous** or the less dangerous; and

k) by giving appropriate instructions to workers.

Cap. 646: *the Health and Safety at Work Act, 2024*

- Provide such **information, instruction, training and supervision** as is required to ensure OHS.
- Ensure that workers elect, choose or otherwise designate **WHS' Representatives**.
- Prepare and review as necessary, a general **OHS policy statement**.
- **Appoint a HSRO** when required by regulations or when directed by OHSA.

Cap. 646: *the Health and Safety at Work Act, 2024*

"*HSRO*" means the **Health and Safety Reporting Officer** appointed in accordance with article 12(8) and who is a high-ranking employee at management level, or such other person which an employer may appoint, as may be established by regulations issued in terms of this Act or by an order issued by OHSA - **where serious and consistent breaches of this Act and the regulations made thereunder become apparent.**

Cap. 646: *the Health and Safety at Work Act, 2024*

The statutory provisions **applicable to employers shall also apply to a self-employed person**. E.g. duty to :

- carry out risk assessments
- take all appropriate measures according to the general principles of prevention as established in this Act.

Cap. 646: *the Health and Safety at Work Act, 2024*

(1) It shall be the **responsibility of each worker** to take care as far as possible of his own health and safety and that of other persons affected by his acts or omissions at work in accordance with his training and the instructions given by his employer.

(2) Workers shall in accordance with their training and the instructions given by their employer:

- make correct use of machinery, apparatus, tools, dangerous substances, transport equipment and other means of production;
- make correct use of the personal protective equipment provided to them and, after use, return it to its proper place;

Cap. 646: *the Health and Safety at Work Act, 2024*

- refrain from disconnecting, changing or removing arbitrarily fitted safety devices, including those fitted to machinery, apparatus, tools, plant and buildings, and use such safety devices correctly; and
- immediately inform the employer and, or the workers with specific responsibility for the health and safety of workers of any work situation they have reasonable grounds for considering represents a serious and immediate danger to health and safety and of any shortcomings in the protection arrangements.

Cap. 646: *the Health and Safety at Work Act, 2024*

(3) It shall be the duty for every worker to cooperate with the employer and with the workers' health and safety representative or representatives at work, on all matters relating to health and safety.

(4) A worker shall not engage in any improper conduct or behaviour that is likely to endanger his own health and safety at work or that of any other person.

Cap. 646: *the Health and Safety at Work Act, 2024*

NEW POWERS OF OHSA

- OHSA, with the approval of the Minister, may issue **Administrative Instruments** to ensure adequate H&S standards at work.
- Administrative Instruments may reinforce and supplement any legal provision and may even apply to particular cases or matters.
- May also be limited to such periods of time as OHSA deems fit.
- Administrative Instruments to be published on OHSA's website.
- **Administrative instruments shall have the force of law and be binding in their generality.**

Cap. 646: *the Health and Safety at Work Act, 2024*

Different classification of offences:

- Administrative breaches
- Offences covered by a ‘special compromise procedure’
- Action through Court

Cap. 646: *the Health and Safety at Work Act, 2024*

Offences against the Act;

- **Furnishes** (knowingly / recklessly) **false information**,
- **Produces, furnishes, sends or otherwise make use of a false document** with intent to deceive,
- **Wilfully refuses** or without lawful reason withholds any **material information, proof** of which shall be brought by such person...
- **Knowingly or recklessly makes an incorrect statement or entry** in any record or return or on any document kept or furnished under OHS legislation,
- **Unlawfully refuses or fails to answer questions** made by OHSA or **fails to co-operate** fully with OHSA,
- **Hinders** an OHSA Officer in the performance of such Officer's duty.

Subsidiary Legislation

Chapter	Title
Cap. 646	Health and Safety at Work Act
S.L. 646.01	Work Places (Extension of Definition) Order *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.02	Dock Safety Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.03	Work Places (Health, Safety and Welfare) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.04	Protection of Young Persons at Work Places Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.05	Protection of Maternity at Work Places Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.06	Work Place (First Aid) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.07	Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.08	Work Place (Minimum Health and Safety Requirements) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.09	Work Place (Provision of Health and, or Safety Signs) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.10	Protection against Risks of Back Injury at Work Places Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.11	General Provisions for Health and Safety at Work Places Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.12	Control of Major Accident Hazard Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*

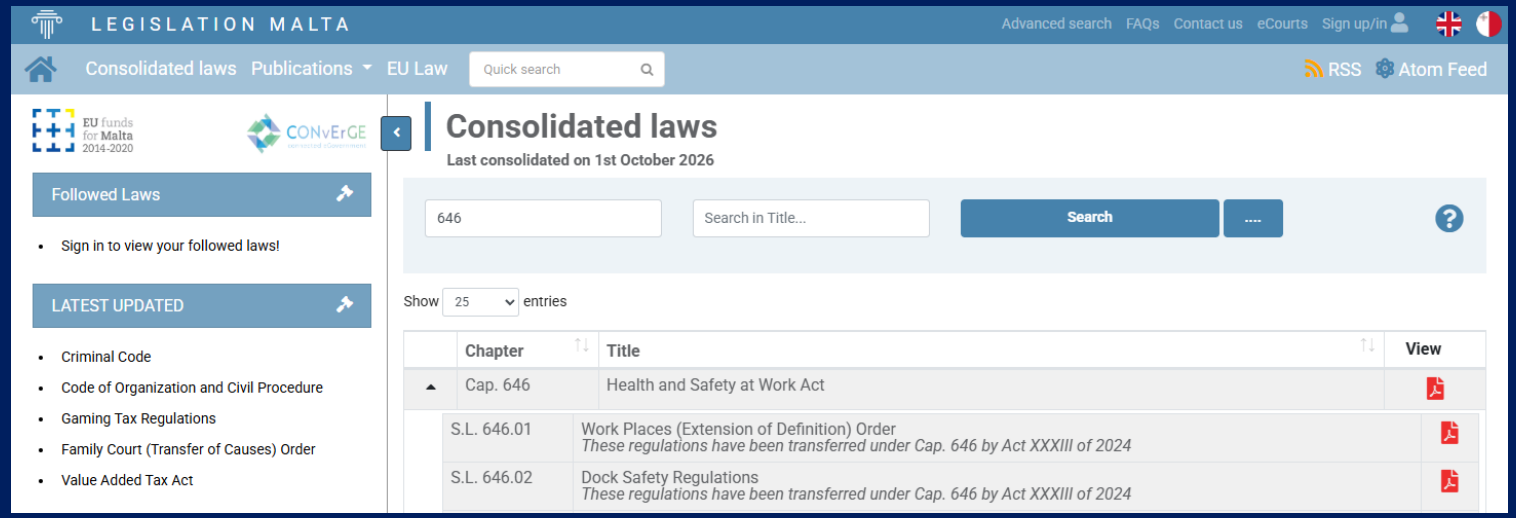
Subsidiary Legislation

S.L. 646.13	Minimum Requirements for the Use of Personal Protective Equipment at Work Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.14	Protection of Workers from the Risks related to Exposure to Carcinogens, Mutagens or Reprotoxic Substances at Work Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.15	Protection of Workers from the Risks related to Exposure to Asbestos at Work Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.16	Protection of the Health and Safety of Workers from the Risks related to Chemical Agents at Work Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.17	Protection of Workers from Risks related to Exposure to Biological Agents at Work Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.18	Protection of Workers in the Mineral Extracting Industries through Drilling and Workers in Surface and Underground Mineral Extracting Industries Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.19	Work Place (Minimum Requirements for Work) (Confined Spaces and Spaces having Explosive Atmospheres) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.20	Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Noise) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.21	Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Vibration) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.22	Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Artificial Optical Radiation) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.23	Work Place (Minimum Health and Safety Requirements for the Protection of Workers from Risks resulting from Exposure to Electromagnetic Fields) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*
S.L. 646.24	Work Equipment (Minimum Safety and Health Requirements) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024*

Subsidiary Legislation

S.L. 646.25(R)	Work Place (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations *These regulations have been transferred under Cap. 646 by Act XXXIII of 2024* *Repealed by Legal Notice 52 of 2025*
S.L. 646.26	Health and Safety at Work (Procedures in relation to the Issuance of Administrative Penalties) Regulations
S.L. 646.27	Health and Safety at Work (Minimum Health and Safety Requirements for Work at Construction Sites) Regulations
S.L. 646.28	Health and Safety at Work (Administrative Penalties and Compromise Fines Publication) Regulations

https://legislation.mt/Legislation;



Administrative Instruments

OHSA Administrative Instrument 01-2026

MT: Il-Protezzjoni tal-Ħaddiema u Persuni li Jaħdmu għal Rashom f'Kundizzjonijiet ta' Temp Estrem

EN: Protection of Workers and Self-Employed Persons from Extreme Weather Conditions

OHSA Administrative Instrument 02-2025

MT: Il-Protezzjoni tal-Ħaddiem mill-Heat Stress fuq is-Siti tal-Kostruzzjoni

EN: Protection of Workers from Heat Stress on Construction Sites

OHSA Administrative Instrument 01-2025

MT: Reġistru ta' Persuni Kompetenti għall-Prattikanti tas-Saħħa u s-Sigurtà fuq Ix-Xogħol

EN: Competent Person Register for Occupational Health and Safety Practitioners

https://www.ohsa.mt/admin-legislation

Any Questions?