



Employment Relations Fact Sheet

Ministry of Internal Affairs
Government of the Cook Islands

Health, Welfare and Safety in Employment

This fact sheet provides general guidance to workers and employers on their obligations and rights in regards to health, welfare and safety in employment.

Why is health, welfare and safety in employment important?

- Good health and safety practices encourage higher staff retention and increased productivity and efficiency.
- It also helps to ensure a safe and healthy work place for workers and customers, and minimizes avoidable, and costly accidents.

Employer's obligations

Every employer has a legal obligation to take all reasonably practicable steps to maintain a safe and healthy work place and work environment for their workers.

Additionally, an employer must comply with any reasonable request of an inspector to enter a work site and examine or inquire into any matter.

What happens if an employer does not comply?

Failure by an employer to take all reasonably practicable steps, or comply with any associated regulation, or comply with any reasonable request of an inspector commits an offence and is liable on conviction, in the case of an individual, to a fine not exceeding \$1000; or in any other case, to a fine not exceeding \$5000.

Workers' duties and responsibility

Every worker has a legal obligation to take all reasonably practicable steps to ensure their safety while at work and that no action or inaction of the worker while at work causes harm to any other person.

Accidents at work

Every employer is required to keep a registry of every accident that occurs at work.

Accidents to be reported to the Ministry

Where an accident at work, or in the course of a worker's work, causes death or serious bodily injury, the employer must report this accident to the Ministry of Internal Affairs within 48 hours.

Every report to the Ministry must specify:

- the nature of the accident;
- the name, residential address and age of the worker; and
- the measures (if any) taken by the employer as a result of the accident.

After receiving notice of an accident, an inspector will conduct inquiry into the accident and the nature and extent of any injuries caused by the accident.

What is serious bodily injury?

Serious bodily injury means an injury which causes the injured person to be hospitalised for a period of 48 hours or more within 7 days of the accident.

Dangerous machinery and occupations

It is very important that every worker who is employed to operate dangerous machinery, or employed in a dangerous occupation is given appropriate training before carrying out the work.

A person under the age of 18 years is prohibited from using dangerous machinery and working in a dangerous or hazardous occupation.

An employer who fails to provide appropriate training and/or employs a person under the age of 18 years to operate a dangerous machine or work in a dangerous or hazardous occupation commits an offence and is liable on conviction in the case of an individual, to a fine not exceeding \$1000; or in any other case, to a fine not exceeding \$5000.

Emergency Plans

Every employer should have an emergency plan and should ensure that it is easily accessible by workers and customers.

To assist with your emergency plans, the Ministry has developed a simple template for you to use and may request you to produce this plan in their next inspection.

It is important that the plan is kept up to date and that emergency drills are conducted annually.

Further information

Contact the Ministry of Internal Affairs
employment@cookislands.gov.ck
or +682 29370

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