



Independent State of Papua New Guinea

GENERAL ORDER 18

OCCUPATIONAL HEALTH & SAFETY **AND WORKERS COMPENSATION**

Being a General Order to inform agency heads of their obligations to the health and welfare of their staff and employees in compliance with legislation regulating physical and environmental conditions and safety at the work place, and to inform agency heads of their obligations to their staff and employees in facilitating the functions of the Worker's Compensation Act.

Made under the:-

Public Services (Management) Act 1995 (as amended)

I, **John M Kali**, Departmental Head of the Department of Personnel Management, by virtue of the powers conferred by Section 70 of the *Public Services (Management) Act 1995*, and all other powers me enabling, hereby issue **General Order 18** which reflects the changes in the **Constitution**, the *Organic Law on Provincial & Local Level Governments*, the *Public Services (Management) Act* and the **Regulations** up to 31st December 2011 to come into force on 1st January 2012 and remain in force until further notice.

JOHN M KALI OBE
Secretary

GENERAL ORDER NO. 18

**OCCUPATIONAL HEALTH & SAFETY
AND WORKERS COMPENSATION**

TABLE OF CONTENTS

<u>Subject Matter</u>	<u>Section</u>
General Policy Objectives	18.1 - 18.4
Workers' Compensation	18.5 - 18.9
Recording Lost Time Accidents	18.10 - 18.11
Agency Head to Seek Guidance from Worker's Compensation Office	18.12

GENERAL ORDER NO. 18

OCCUPATIONAL HEALTH & SAFETY AND WORKERS COMPENSATION

GENERAL POLICY OBJECTIVES

- 18.1 Each agency head is responsible for ensuring that the buildings and the offices in which they are located by the **Office Allocation Committee** of the Department of Personnel Management are safe and fit for occupation in accordance with the standards published from time to time by the Department of Labour & Industrial Relations and the City or Town authorities.
- 18.2 Each agency head is responsible for ensuring that the industrial safety officers of the Department of Labour & Industrial Relations have inspected their premises from time to time to provide a report on the working conditions, and the state of the office premises in relation to the health and safety of the public servants working therein, including:
- (a) the ventilation and the ability to maintain temperatures within the allowable limits;
 - (b) the water supply including potable water for refreshment and water for sanitation;
 - (c) the operation of toilets and general sanitation;
 - (d) the cleanliness of the offices and surroundings;
 - (e) the safe condition of the mechanical and electrical equipment; and
 - (f) the safe condition of the building fabric and the access to and from;
- 18.3 Each agency head is responsible for ensuring that the Fire Service has inspected the premises at the specified instances to ensure that the premises are free of fire hazards, that legislation regarding access is complied with and that the required fire fighting equipment within the office is certified for operation.
- 18.4 Each agency head is responsible for ensuring that utility bills are paid on time, and for informing the Secretary, Department of Personnel Management in the event that the owners of the leased office accommodation have failed for whatever reason to comply with the health and safety standards required by law from time to time.

WORKERS COMPENSATION

- 18.5 The *Workers Compensation Act* “is an Act to provide for compensation to workers and their dependants in respect of injuries suffered by workers arising out of or in the course of their employment, and for related purposes.”
- 18.6 The *Workers Compensation Act* provides that for purposes of the Act: “**employer**” includes—
- (a) **the State; and**
 - (b) **a Provincial Government; and**
 - (c) **an authority or instrumentality constituted under any law in force in the country.**

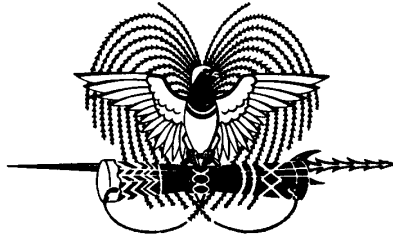
- 18.7 A “**statutory authority**” means a body corporate or un-incorporate constituted by an Act in respect of which the Head of State, acting on advice, appoints one or more of the persons comprising the body or concerned in its management.” Hence, the State and all of its organisations including the Public Service are subject to the Act.
- 18.8 The Government has determined that the State’s obligations under the Act are to be self-funded, and that successful claims for compensation by individual officers approved by the Workers Compensation Commission are to be met by the Department of Finance from funds budgeted for this purpose.
- 18.9 Therefore the purpose of this General Order directs all agency heads to take responsibility for their obligations to the staff and employees of their organisations in facilitating the processes under the *Workers Compensation Act*

RECORDING OF LOST TIME ACCIDENTS

- 18.10 Each agency head is required to maintain a “**Lost Time Accident Register**” in which individual officers are able to report accidents suffered at the work place or elsewhere arising from and as a result of their normal duties at work, or elsewhere.
- 18.11 In the event that an injured officer is absent from work due to a compensable accident or disease, as verified by the Workers Compensation Commissioner, and subsequently suffers a permanent disability, the record of the lost time accident or disease will be made available to assist the officer to make a claim against Worker’s Compensation.

AGENCY HEAD TO SEEK GUIDANCE FROM WORKER’S COMPENSATION OFFICE

- 18.12 It is the responsibility of each agency head to seek advice from the Worker’s Compensation Commissioner on the application of the *Worker’s Compensation Act*.



Independent State of Papua New Guinea

**NATIONAL PUBLIC SERVICE
GENERAL ORDERS**

**RECOMMENDATION TO THE SECRETARY, MR JOHN M KALI OBE, TO APPROVE
GENERAL ORDER 18 OF 1ST JANUARY 2012**

**OCCUPATIONAL HEALTH & SAFETY
AND WORKERS COMPENSATION**

To: Secretary

Date: 08 March 2012

We, the under-signed, confirm that **General Order 18 of 1st January 2012**, hereto attached, has been drafted in accordance with Government policies and the appropriate Sections of the *Public Services (Management) Act*, and the **Regulations** and reflects:

- (a) all policy changes made by the National Executive Council in the period 1st June 2002 to 31st December 2011;
- (b) all changes to the *Organic Law on Provincial & Local Level Governments* and the *Public Services (Management) Act 1995*, to effect implementation of the Provincial and Local Level Government Reforms; and,
- (c) all other changes to the *Public Services (Management) Act 1995*, which have been brought into force since 1st June 2002.

On behalf of the Executive Management Team, we recommend that the Secretary authorise this General Order for publication and distribution to line Departments and Agencies.

EMMA FAITELI
Executive Manager, I&ER

ISIKEL MESULAM
Director, Legal & Investigations

RAVU VERENAGI
Deputy Secretary, Policy

RAVU VAGI
Deputy Secretary, Operations