



Safety in construction in the Caribbean Netherlands

During the period from January 2015 through July 2016 the Labor Inspection conducted 38 inspections in the construction sector in the Caribbean Netherlands. Furthermore the Labor Inspection organised two information meetings for construction companies during the current inspection project.

Number of inspections and enforcement

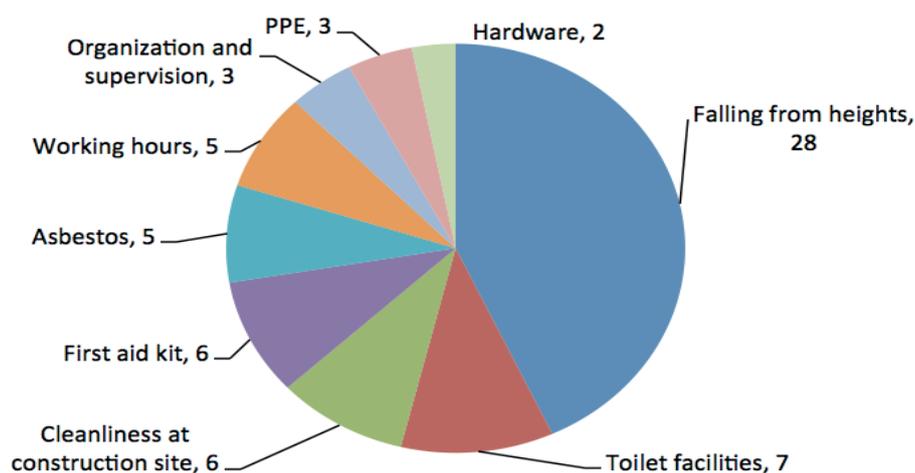
The 38 inspections which were conducted in construction were focused on occupational safety and working hours. At 30 inspections the Labor Inspection issued a written warning 29 times and once it drew up an official report. At 8 other inspections no violations were detected. There safety was in order. 65 violations of the BES Occupational Safety Act [Arbeidsveiligheidswet BES] and the BES 2000 Labour Code [Arbeidswet 2000 BES] were laid down in the warning letters. Five times the written warning was accompanied by an order to halt the activities in the relevant cases. This means that the labour inspector shuts the work down. In those cases it was not allowed to continue the construction activities and the employer first had to take measures and implement safety provisions.

It then mainly concerned safety provisions to prevent falling from heights (3x) and to prevent exposure to carcinogenic asbestos dust (2x).

Violations

The table below shows which aspects of occupational safety and health were not in order at the different construction sites. 28 of the 65 violations were related to falling from heights. Scaffoldings did not have rails, stairs were not in order and floor and well holes were not covered. At seven construction sites a warning was issued because a proper toilet was lacking. Six construction sites were cluttered with so much rubbish that a warning was issued due to insufficient cleanliness. At six construction sites there was no first aid kit (6 violations). Most employees had proper personal protective equipment (PPE). Only at 3 inspections violations were detected in this respect.

The 65 violations by subject



Information

Information meetings were organised on Bonaire and Saba. On Bonaire it was very well attended, well over 100 employers and employees obtained information on how occupational safety and health in construction can be organised. Furthermore, the Labor Inspection indicated what inspectors will inspect during the performance of inspections in construction. On Saba approximately 10 employers attended the meeting. In view of the small scale of the island this still was a reasonable attendance.



In order to inform the employers and employees, information material was developed and distributed in four languages. Apart from a Dutch, Papiamentu and English version there also was a Spanish version because a large number of construction workers speaks Spanish. The contents have also been made available via the Internet.

Difference between large and small constructions

In September 2015 the Labor Inspection performed an inspection together with the KPCN (Politiekorps Caribisch Nederland; Caribbean Netherlands police force) at a large construction on Bonaire. The action was aimed at observance of the BES Labour Law Foreigners [Wet arbeid vreemdelingen BES], the BES 2000 Labour Code, the BES Minimum Wage Act [Wet minimum loon BES], as well as the BES Occupational Safety Act.

Although a considerable number of violations of the Labour Law Foreigners were detected during the action, safety at the construction was well in order. Although no official inspections were performed at several other large constructions, the impression still is that those main contractors also organise safety at the construction site well. Perhaps partly because the large clients like the Central Government also impose requirements on the organisation of occupational safety. The smaller construction companies have more difficulty organising occupational safe-

ty. Partly because they often do not have the appropriate tools such as proper scaffolding material.

Asbestos

The BES Occupational Safety Act and the Occupational Safety Ordinances do not include a prohibition on the treatment and processing of asbestos. In addition no specific regulations regarding the cleaning up asbestos have been laid down. The main application of asbestos in the Caribbean Netherlands is the use



of asbestos cement slabs. The largest supplier of building materials no longer sells asbestos cement slabs. However, until approximately 2004 asbestos cement slabs were still sold in large quantities on Bonaire.

The windward islands used asbestos cement slabs to a lesser degree through the years, there they use more metal roofs. Due to the climate the slabs can be used for a very long time. On the other this also means that there will be roofs with asbestos cement slabs for a long time. Furthermore there is a strong urge to reuse asbestos slabs.

Various asbestos cleanup activities have been performed at large constructions (schools and hospitals) over the past 18 months by professional asbestos cleanup experts. Although there is no general prohibition on asbestos, the large clients and main contractors know what they should do. On the other hand, smaller clients and contractors have insufficient knowledge of the dangers of asbestos and of what they should do. Where appropriate, the Labor Inspection has shut down asbestos demolition work. In one case the contractor ignored the shutdown and an official report was drawn up.

Physical burden

The SZW Unit is responsible for the implementation of the BES Medical Expenses Insurance Act [Wet ziektekostenverzekering BES] and the BES Occupational Accidents Insurance Act [Wet Arbeidsongevallenverzekering BES]. The examining doctor of the SZW Unit indicated at the beginning of this inspection project that 80% of the cases of illnesses relate to the musculoskeletal system. This involves knee, shoulder, back and wrist complaints.

Not many aids have been developed so far relating to physical burden. One specific measure has been developed by a provider. At the urgent request of the Labor Inspection, the local building materials trade offers bags of cement of 20 kilograms. The use of these bags has not yet been broadly adopted by the construction sector. This occupational health risk has not yet been included in occupational safety legislation. However, in view of the extent to which physical complaints occur, the risk has been included in the inspection project.

The inspections have shown that apart from the lifting of heavy loads, the local building blocks of 8 kilograms are also processed manually. There still is little awareness regarding incorrect working postures and the occurrence of physical complaints. The employees have been informed both during inspections and via the developed information material. During this provision of information the three following rules of thumb were offered: (1) Prevent or restrict lifting weights exceeding 25 kilograms, (2) prevent or restrict stooping down low and (3) prevent or restrict reaching up high. Since the BES Occupational Safety Act does include provisions on physical burden, the Labor Inspection could not perform enforcement activities regarding this risk.

Follow-up

Enforcement measures for laggards

Inspectors mainly used a warning to correct companies during the inspection project. The companies which received a warning more than once, will undergo extra inspections in the second half of 2016. If those companies still do not have their business in order, they will receive an official report.

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