



Definition & Legal Background on Health and Safety (Malaysia)

The health and safety of the workforce is protected and where provided workers have access to safe, secure and hygienic living conditions - Workers are protected from exposure to occupational health and safety hazards that pose a risk of injury, illness or death. Provision is made in case of accident and injury. All workers have access to accident insurance. When provided by the employer, living conditions are safe and hygienic and workers' health is protected. Segregated accommodation for families, single women and single men is provided. There is access to potable water and sanitation facilities for all workers.

- EF Respect for Workers Principles, Principle 6

DEFINITION & LEGAL BACKGROUND

General duties of employers in regards to Occupational Safety and Health (OSH) are outlined in the Occupational Safety and Health Act 1994. Under Malaysia's OSH legislative framework, all workers including foreign workers have an equal right and opportunity to work in a safe and healthy workplace.

In regard to compensation for occupational hazards and injuries, Malaysia currently has different systems for foreign and local workers. Foreign workers are covered by the Workmen's Compensation Act 1952, while Malaysian workers are covered by a system known as the Social Security Organization Coverage Scheme (SOCSO), which is enforced under the Employees' Social Security Act 1969.

The [Department of Occupational Safety and Health \(DOSH\)](#) publishes several guidance documents.

Some of the main guidelines can be accessed by clicking the following links:

[Guidelines on Occupational Safety and Health in Agriculture](#)

[Guidelines On Occupational Safety And Health Management Systems](#)

[Guidelines for Hazard Identification, Risk Assessment and Risk Control \(HIRARC\)](#)

The sample documents in this Implementation Guidance are based largely on the DOSH guidance documents.

For more information, please refer to the [DOSH website](#).



Definition and Legal Background

CORONAVIRUS DISEASE 2019 (COVID-19) GENERAL GUIDELINES FOR THE PALM OIL INDUSTRY

Due to COVID-19 crisis, some measures to prevent the spread of COVID-19 were taken place to protect the health and safety of the workers. [National Security Council Malaysia](#) has provided a [Standard Operating Procedure \(SOP\) for Agri-commodities sector](#). Below are some important general preventive measures that companies can emulate in the workplace and also at the workers accommodation.

- Each worker's body temperature must be checked using non-contact thermometer.
- Workers' attendance must be recorded and kept by the owner/management of the estate/plantation/mill.
- All workers to maintain good personal hygiene and practice physical distancing at least one meter from the other workers.
- All workers should wear face mask.
- Disinfection to be conducted at least twice a week using alcohol based disinfectant cleanser
- Hand sanitizers must be provided at strategic places

Companies that are found to not comply with the SOP could be subjected to compounding of offenses under the [Prevention and Control of Infectious Disease Act 1988 \(Section 25\)](#) and could be charged a fine not exceeding RM1000.

OTHER COVID-19 GUIDELINE RESOURCES

[Malaysia Palm Oil Board \(MPOB\)](#) has developed a guidance as to response to the crisis.

Companies such as Cargill has released their own technical guidance which can be found [here](#).

Organization such as Social Accountability International (SAI) also has also published COVID-19 guidance [here](#).

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