

## Protecting our workers: safe road transportation of workers

**This technical update looks at the issues facing companies that provide road transportation for their employees in Singapore, and the risk and controls needed to ensure safe travel.**

Liberty Specialty Markets (Liberty) explores the current trend of incidents relating to lorry transportation, and measures taken by proactive employers to mitigate the risks.

### This Fact Sheet will cover

- ▶ The legal responsibility of employers
- ▶ Current modes of transportation
- ▶ Recent incidents involving the transportation of workers
- ▶ References for safe transportation of workers
- ▶ Proactive measures to ensure safe transportation of workers.

### The legal responsibility of employers

Under section 8(1) of the Work Injury Compensation Act 2019 (WICA), it states that:

*An accident is deemed to arise out of and in the course of the employee's employment if -*

- (a) *the accident happens to the employee while the employee is (with the express or implied permission of the employer) travelling as a passenger by any means of transport to or from the employee's workplace; and*
- (b) *at the time of the accident, the means of transport mentioned in paragraph (a) -*
  - (i) *is operated by or on behalf of the employer, or by some other person who operates the means of transport pursuant to arrangements made with the employer; and*
  - (ii) *is not operated in the ordinary course of a public transport service.*

This section highlights the need for employers to ensure the safe transportation of its workers.





## The current modes of transportation

In Singapore, buses and vans are increasingly being deployed by companies in the marine and construction sectors.

However, lorries (similar to the one in the image on the left) are still being allowed to transport workers, albeit with restrictions and conditions prescribed by the Land Transport Authority (LTA).

While the use of lorries is not ideal, the governance and oversight of the LTA has enabled the setting of minimum standards for the safe transportation of workers.

## Recent incidents involving the transportation of workers

The risks of transporting workers have been amplified with the recent spate of accidents on the roads of Singapore.

These include an accident on 24 April 2021 after which ten workers were taken to hospital following a collision involving a lorry in Upper Bukit Timah Road, and another accident on 20 April 2021 along the Pan-Island Expressway (PIE) that resulted in the death of a migrant worker.

The above accidents involved the use of lorries to transport construction workers. Subsequently, the LTA conducted a comprehensive enforcement drive during the final week of April 2021.

## References for safe transportation of workers

According to the LTA's *Safety Regulations For Lorries Carrying Workers*, there are four key references that lorry owners must abide by:



Lorry owners who wish to use their lorries to carry their workers must display a Maximum Passenger Capacity (MPC) label on the right side of lorry's rear tailboard indicating the maximum number of workers that can be transported on the carriage deck.



If goods are also transported, the number of workers that may be carried is reduced according to the remaining floor area available.



Workers in the cargo deck/compartment must be seated and have a minimum deck space of 0.372 square metres each.



Lorries transporting workers are required to adhere to the road speed limit or 60kmh, whichever is lower.

## Proactive measures to ensure safe transportation of workers

While employers decide the type of vehicles that they provide to transport their workers, there are common proactive measures that employers should implement on these commutes for their workers.

The following actions will assist to promote the safety of drivers and roadworthiness of vehicles:

- a) Proper driver training - this includes familiarisation of both company's vehicle and routes for travel by licensed drivers.
- b) Proper vehicle maintenance regime - companies should ensure that preventive maintenance schedules are planned and followed diligently. In addition, drivers must be trained to conduct daily checks and visual inspections of their vehicles with proper records and avenues for feedback.
- c) Safe number of employees per ride - supervisors should conduct real-time checks of the number of workers being transported, and adhere closely to road safety and safe management measures during the journey.
- d) Journey planning for the drivers - companies should provide preferred routes for travel with consideration to avoid heavily congested areas and preferred timings to avoid peak hour traffic.
- e) Drivers' wellbeing - companies should provide yearly medical assessment of designated drivers and provide access to wellbeing programs to mitigate chronic fatigue and other medical issues.

## Conclusion

Employers have options as to the type of vehicles used to transport their workers, but should constantly be aware and ensure the state of readiness of both the driver and vehicle being used to provide the transport.

While traffic accident rates involving transportation of workers are reducing, every single incident can result in serious injuries or fatalities for multiple workers. For this reason, employers should provide safe transportation for their workers.

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