

HEALTH, SECURITY & SAFETY

Responsibilities of Malaysia Organisations
when Employees are on Business Travel
and on Overseas Assignments

> FOREWORD

The need to travel has become part of work for many employees. Whether travelling domestically or overseas, the workplace is no longer static for these employees. This reality creates a challenging scenario for the employees who may be exposed to various hazards in an uncertain environment while performing their jobs. Duty of care and appropriate risk assessment are crucial to the health, safety and well-being of all employees as well as business sustainability.

To prepare companies for an ever changing work environment, MEF advises employers on many aspects of Safety and Health at work and travelling arrangements in accordance with the Occupational Safety and Health Act 1994 (OSHA). By understanding their legal obligations and recognising the inter-relationship of work, safety and health, employers will learn that it is good business practice to ensure adequate protection for employees travelling abroad.

This document serves as a guideline for employers on their duty of care with regards to the health, safety and security of employees travelling overseas for work. We hope employers find this document a valuable resource and of practical use in formulating their organisational work health and safety policies.

YBhg Datuk Hj. Shamsuddin Bardan
Executive Director
Malaysian Employers Federation



Compiled & Produced by: In Appreciation of:

International SOS
Foundation



Shearn Delamore & Co

prevent:

> INTRODUCTION

Duty of Care is no longer a vague concept, but a reality for organisations that want to demonstrate a tangible commitment to the protection of their most valuable assets - their employees. This Duty of Care publication, produced by International SOS Foundation intends to provide Malaysian employers with a summary of the best references in terms of duty of care on workplace health, safety and security which extends to overseas travel due to work.

We thank the Malaysian Employers Federation and Shearn Delamore & Co respectively for their advice on good practices in risk assessment for overseas work assignments and a summary of the state of the law relating to workplace safety and health laws in Malaysia.

This publication aims to provide awareness by giving perspectives in terms of regulatory, legal and health and security to employers. Employers' obligation in protecting employees and preventing or mitigating incidents is an important part of corporate social responsibility as well. An employer's Duty of Care should be effective to protect its employees during the course of and outside of work while on overseas mission or assignment.

Finally, to assist organisations embarking into this process, a self-assessment Travel Risk Mitigation Checklist is available as a tool to implement actions on improving travel and assignment safety, health and security related to work. By better understanding the value of duty of care, it is expected that Malaysian organisations involved in international activities, will be able to address it for the direct benefit of their business.

> ABOUT US

INTERNATIONAL SOS FOUNDATION

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Established in 2011, the International SOS Foundation has the goal of improving the safety, security, health and welfare of people working abroad or on remote assignments through the study, understanding and mitigation of potential risks.

The escalation of globalisation has enabled more individuals to work across borders and in unfamiliar environments; exposure to risks which can impact personal health, security and safety increases along with travel. The Foundation is a registered charity and was started with a grant from International SOS. It is a fully independent, non-profit organisation.

MALAYSIAN EMPLOYERS FEDERATION

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Malaysian Employers Federation (MEF) is the apex organisation of private sector employers in Malaysia recognised nationally, regionally and internationally. Established in 1959, MEF promotes and safeguards the rights and interests of employers. MEF provides a forum for consultation and discussion among members on matters of common interest, and seeks for the adoption of sound principles and practices of human resource and industrial relations through information, advice, research and information, training and other activities.

SHEARN DELAMORE & CO

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Shearn Delamore & Co is one of the oldest and largest law firms in Malaysia, with over 350 staff, comprising a team of 52 partners providing full range of legal solutions in all practice areas of a commercial law practice. Shearn Delamore & Co has also recently won the award for Malaysian Law Firm of the Year by the Chambers Asia Pacific 2014. The firm's vision is to consistently provide solutions for the real world with a practical and results oriented approach by meeting the challenges of the business world without compromising on integrity or quality.

PREVENT

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Prevent is a research and consultancy firm that supports companies, on a day-to-day basis, to prevent workplace accidents and occupational diseases. It has a practical knowledge of hazards, risks and injury prevention within a large range of sectors of activities.

Prevent invests in research and development of information and tools to facilitate and improve occupational safety and health practices. One of its fields of research is the cost-benefit of well-being at work policies.

In 2010, Prevent conducted the benOSH (Benefits of Occupational Safety and Health) project, a study aimed to evaluate the costs of accidents at work and work-related ill health and to demonstrate the incremental benefit to enterprises if they develop an effective prevention policy in occupational safety and health (OSH). The project was funded by the European Commission under the heading 'Socioeconomic costs of accidents at work and work-related ill health'.

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> THE MALAYSIA EMPLOYER'S DUTY OF CARE ON WORKPLACE SAFETY & HEALTH

Overview Of the Malaysia Employer's Duty Of Care on Workplace Safety And Health When Employees Travel Overseas For Work

The purpose of this write up is to provide a brief overview of an employer's obligation of health and safety towards its employees under the laws of Malaysia. In Malaysia, the principal legislation that deals with employment health and safety is the Occupational Safety and Health Act 1994 (OSHA). Such obligations exist side by side with an employer's common law duty to provide a safe system of work at the workplace. Aside from the OSHA, other laws such as the Employees' Social Security Act 1969 (SOCSO) provides for employees compensation in the event of an employment injury.

Occupational Safety and Health Act 1994 (OSHA)

A. An Overview of the Duty of Care

The primary purpose of the OSHA is to provide for legal framework for securing the safety, health and welfare of employees at the workplace and for protecting others against risks to safety or health at the workplace. At the forefront, OSHA imposes a statutory duty upon all employers to ensure, so far as practicable, the safety, health and welfare at work of all the employees. Such duty extends to the following specific duties:-

- > Providing and maintaining plans, facilities and systems of work that are safe and without risks to health
- > Making arrangements for ensuring the safety and absence of risk to health in connection with the use, operation, storage and transport of plant and substances
- > Providing training and supervision to ensure the safety and health at work
- > Formulating safety and health policies
- > Maintaining any place of work which is within the control of the employer or self-employed persons and providing a safe access and exit from it

The parameters of such duties are subject to phrase "so far as is practicable".

Occupational Safety and Health Act 1994 (OSHA)

To supplement OSHA and provide further guidance to employers, several regulations have been passed to cover the following areas:-

- > Classification and labelling of hazardous substances
- > Notification of accident, dangerous occurrences, occupational poisoning and disease
- > Use and standards of exposure to hazardous chemicals
- > Safety and health officers
- > Safety and health committee
- > Control of industrial major accident hazards; and
- > Employer's general policy statements

Furthermore, a number of Code of Practices were approved by the Department of Health and Safety under OSHA which covers safe working in confined spaces, the prevention and management of HIV/AIDS at work, indoor air quality and the prevention and elimination of drug, alcohol and substance abuse at the workplace. Employers must be mindful that the duty is on them to prove that they had taken sufficient compliance steps that are practicable under the OSHA.



Occupational Safety and Health Act 1994 (OSHA)

B. Persons Owing a Duty of Care

While the phrase 'every employer and every self-employed person' is used with regard to persons who owe their employees a Duty of Care, the Act also extends that duty to occupiers of a work place towards persons other than his employees. Manufacturers, suppliers, designers etc. of plants or substances to be used at work similarly owe a duty to ensure the plants are designed and constructed in a manner that is safe for proper use. Independent contractors are imposed the same duties as employers or self-employed persons.

C. Penalties and Sanctions

A failure to comply with the OSHA obligation attracts a legal penalty, whereby an employer, upon conviction in court would be liable for a fine not exceeding RM50,000.00 or an imprisonment term not exceeding two years or both.

The Employer's Statutory Duty Towards Travelling Employees under OSHA

OSHA adopts a broad definition of when an employee is deemed to be at work. Under OSHA, an employee is so deemed for the duration that he is at his place of work. OSHA further provides that an employee's workplace is 'premises where persons work or premises used for the storage of plant or substance'. 'Premises' here include any 'offshore installation' and any 'movable structure'. In view of these broad terms, an employee's work place may very well extend beyond the four walls of an office cubicle or workstation in a factory. By extension, it would follow that the duties to provide a system of work would still arise even when the employee is abroad so long as it is for work purposes. The whereabouts of his workplace are inconsequential, as long as the travel is necessitated by employment. This notion is strengthened when one considers that the very objective of the OSHA is to protect and secure the safety and welfare of persons at work and also persons at a place of work. A place of work can vary according to the job description of an employee, especially if he is assigned overseas.

Furthermore, one particular duty that is imposed on employers in respect of its employees travelling overseas for work is the requirement to provide information, instruction, training and supervision to ensure an employee's safety and health. This simply means that employers must prepare or advise travelling employees with relevant information and training for places abroad they are to travel to.

It will be a matter of good practice for employers to brief or make aware to the employees the potential risks they may encounter at the foreign places of work. As such, the employer should himself be aware of the risks and the dangers of the work destination and take measures to eliminate or minimise them. Employers must also have regard for any diseases, political unrests, disasters, danger, laws or practices in the country that may prove to be detrimental to the safety or health of an employee. In addition, an employer cannot compel an employee without his or her concurrence to be transferred to a location which will pose danger to his security, life or health.

Turning to the issue of practicability, the OSHA uses the phrase 'so far as is reasonably practicable' with regards to ensuring the safety, health and welfare of employees. OSHA adopts a broader definition by using the words 'so far as is practicable'. Having said that, although the Act seem to have adopted a broader definition, the issue of practicability ultimately is dictated by what is reasonably expected of an employer taking into account the severity of the risk, knowledge of the risk, ways to eliminate or minimise it and the costs of doing so. An employer is not expected to take unproportioned or unrealistic measures to remove all risks.

The Employer's Common Law Duty of Care when Employees Travel

At Common law, employers owe a Duty of Care to their employees to provide a safe system of work. Reasonable care must be taken so as not to expose employees to danger. The duty that is imposed on an employer is not one where 'one size fits all' i.e. the duty varies according to each individual circumstance. An employer cannot claim he was ignorant of the dangers in a workplace. It must be noted that while an employer may entrust this duty to another person, he will be liable vicariously for that person's lack of care. At common law, an employer's obligation is three-fold, namely to provide:-

- > A competent staff of employees for safety
- > Adequate safety material
- > A proper system of work and effective supervision

In the instance of a worker travelling overseas frequently, the employer must be aware of the nature and probability of the risks involved and weigh it against the suitability and cost of mitigating these risks. There would be external factors beyond the control of the employer but he should do all that is practicable to protect travelling workers like providing relevant information of the particular country, travel policies etc.

Compensation for Employment Injury

Apart from OSHA 1994, another relevant legislation to consider is the Employees' Social Security Act 1969 (SOCSCO). SOCSCO provides for social security for employment injury contingencies in favour of employees under its scope. It provides for the right to claim for benefits such as invalidity pension, disablement benefit, dependant's benefit, funeral benefit and survivors' pension. SOCSCO operates under the 'no-fault' principle. To make a claim under SOCSCO for compensation, all the employee needs to do is establish that he had incurred an employment injury in the course of employment. There is no need to establish fault on either side. An accident arising in the course of an employee's employment shall be presumed to have arisen out of that employment. Similarly, an accident that occurs when the employee travels to or from his place of work is deemed to be in the course of employment. By extension, this would also apply when the employee travels overseas for work because no distinction was made with regards to workers travelling to work locally or to a foreign country.

Conclusion

With increasing international business growth, it is only natural that employees are mobilised to different parts of the world. What follows is the widening of the duty of care that is owed by employers. However, an employee who travels for work must fall within the ambit of one of the legislations that relate to workplace health and safety. The specifics of each case must be looked at in order to determine if a Duty of Care is owed to the travelling employee. Hence, to reduce the risk of civil and criminal penalties under the applicable legislations as stated above, Malaysia employers should take practical steps to ensure the safety of their employees who travel.

The legal information provided in this write up has been prepared by Shearn Delamore & Co. It only provides a brief summary for the legal position relating to workplace safety and health laws in Malaysia, with an elaboration on the potential risks that employers should be mindful in relation to their employees who travel on work. This write up is not legal advice and cannot be viewed as a substitute to obtaining proper legal or other professional advice.



MALAYSIAN EMPLOYERS FEDERATION

> GUIDE TO RISK MANAGEMENT FOR EMPLOYEES ASSIGNED TO TRAVEL AND WORK OUTSIDE OF THEIR HOME COUNTRY

Business travel is increasing in range and frequency and this inevitably brings on more risk to an organisation's most valuable asset – its employees. The health and well-being of international assignees and business travellers is the responsibility of the employer. Obligation of an organisation to assume its responsibility for protecting its employees from risks and threats while working abroad refer as an employer's Duty of Care.

There is a need to have clear organisational policies and strategies in place that are aimed at mitigating any risks and promoting the health of employees abroad. The principal legal framework that deals with employment health and safety in Malaysia is the Occupational Safety and Health Act 1994 (OSHA) alongside with Employees' Social Security Act 1969 (SOCSO).

Organisations are encouraged to adopt an integrated assessment of all risks in the environment they have assigned the employees to, including safety, health, security and well-being. This approach requires continued and active participation and interest by all employers and employees.

It is the responsibility of employer and employees to look after their health and safety when on official overseas business trips away from home country and on international travel assignments.

Responsibilities of Employers

- Establish an OSH Policy on overseas travel and overseas assignment
- Establish a Safe System of Work including Safe Travel Procedure for every business travel and to ensure its conformity
- Ensure that employees who undertake travel or overseas assignment as part of their work are healthy and fit for travel or to perform the assigned tasks
- Inform the employee on the nature of work, location, culture and norms of the country of destination
- Conduct pre-departure briefing on the accommodation and logistic arrangement and vaccination if needed
- Take into account health and safety considerations such as availability of emergency services and arrangement of emergency evacuation if necessary
- Ensure the place of work is kept clean, safe and healthy
- Provide personal protective equipment (PPE) such as glove, mask, apron, boots to all employees based on the nature of work of travelling location
- Provide clear procedures and take action to manage incidents which may arise during the course of travel
- Report to the nearest Department of Occupational Safety and Health Office if there is any accident, dangerous occurrence, occupational poisoning and occupational disease
- Keep records on prevention control activities



Responsibilities of Employees

- Familiarise themselves with health and security briefings given before departure
- Abide by the travel procedure and safety protocols established by the employer
- Abide by the directives of employers to undergo medical examination at the nearest clinic or hospital
- Practice strict personal hygiene at all times during travel and to get vaccination if necessary
- Take care of their own health and safety and to take adequate rest
- Bring along sufficient supplies of medication when aboard
- Report for duty once they reach destination and inform employer of whereabouts if being assigned to high risk destinations
- Use and maintain PPE provided by the employer at all times of work especially at off-site environment
- Avoid location identified as risky or dangerous by the local authority or by the Consulate
- Report immediately to the employer of the presence of any symptoms of illness
- Render any form of cooperation as directed by employers in assisting to prevent or during emergencies



DUTY OF CARE



International SOS
Foundation

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THE RESPONSIBILITY OF DUTY OF CARE FOR PEOPLE TRAVELLING AWAY FROM HOME

WHO?

People working away from home can be from a variety of backgrounds. They may be:

- > Executives
- > Business Travellers
- > Seafarers
- > Government Officials
- > Construction Workers
- > Miners
- > Technicians
- > Service And Sales People
- > Researchers
- > Teachers
- > Missionaries

They may be long or short-term employees, volunteers, aid workers, contractors, or family members.

The person may be travelling on a short or a long trip to one or multiple countries, or even within their own country. They may even have an expatriate assignment or posting.

In all cases the person is an employee sent elsewhere by their employer for work.

WHERE?

The person may go to locations ranging from relatively safe to high-risk. Note that a relatively safe destination can rapidly degenerate into a high-risk destination due to health, safety, security, political or social reasons, or natural disasters.

WHY?

Mobility is increasing due to globalisation, new markets and the need for services. Employers therefore should ensure adequate health, safety, security and legal protection for their employees on international or remote travel assignments for the following reasons:

- > Prevention, response to, and mitigation of incidents reduce costly interruptions to business activities, improves morale and strengthens productivity
- > The adequate management of risk during an incident may allow for the continuation of activities or the development of new opportunities, which could have otherwise been lost
- > Meeting these responsibilities can mean a positive return on investment
- > This protection is an important part of corporate social responsibility
- > It is important to ensure that protection typically required domestically under national occupational safety and health legislation is offered to those working abroad, in order to comply to legal legislation & avoid litigation costs

HOW?

An initial step is for a company or organization to create and agree upon important competencies for protecting the health, safety, security and legal status of international or remote assignees and travellers. Ownership and implementation of these competencies is a core executive responsibility.

prevent:

> NEW STUDY REVEALS BENEFITS OF PREVENTION PROGRAMMES TO THE BOTTOM LINE

Pre-Travel Health Checks & Malaria Prevention Programmes Benefit Businesses & Employees

Companies are Increasingly Sending Employees on Global Assignments

- > Average investment in an international assignment is US\$311,000 per annum
- > Cost of a failed assignment ranges between US\$570,000 to US\$950,000
- > Pre-travel health check programmes reduce the occurrence of failed assignments
- > Investing in pre-travel health checks results in up to 2.5X cost savings
- > Employee malaria prevention programmes could reduce the number of fatal cases by 70%

A new study reveals the benefits of implementing pre-travel health checks and malaria prevention measures for business travellers and international assignees.

Return on Prevention, published by Prevent and commissioned by the International SOS Foundation, analyses the average monetary investment required to relocate an employee for an international assignment and the costs that incur when an assignment fails due to an employee's inability to fulfil the assignment due to poor health.

The study shows how the benefits of implementing a travel health prevention strategy significantly outweigh the operating costs of the programme.

prevent:

1 A medical check for travellers and international assignees aimed at identifying pre-existing medical issues before assigning employees to a foreign country. This ensures employees are fit for the proposed assignment and its working conditions. It identifies general and work-related health problems before the assignment begins:

- > The cost-benefit analysis showed that \$1.00 invested returns a benefit ranging from \$1.60 (minimum scenario) to \$2.53 (maximum scenario).

2 A malaria prevention programme aimed at employees travelling and working in malaria-risk regions. Employees are given information before departure and receive prophylaxis medication and other technical protection means such as mosquito-nets, insecticide sprays and repellents as well as a malaria curative kit:

- > The malaria prevention programme reduced the occurrence of fatal cases by 70%. The benefits also outweigh the costs in the case of this programme: For each \$1.00 invested, the return was estimated at \$1.32.

Laurent Fourier, Director of the International SOS Foundation, said:

"Over the years we have released many reports on why an organisation has a duty of care - a moral, and at times legal, responsibility - to protect their people working overseas or on assignment. This study proves there are tangible commercial incentives to investing in preventive programmes, in addition to fulfilling an organisation's duty of care. Implementing quality, appropriate pre-travel health and malaria programmes can save lives and cut costs. Businesses should not ignore these findings."

Marc De Greef, Managing Director of Prevent, said:

"This latest financial analysis proves there is a return on investment resulting from good preventive health and safety practices when managing mobile employees. Companies who invest in the prevention of health risks commonly experience many benefits. These prevention programmes should be essential management practices for a sound business."

prevent:

> RETURN ON PREVENTION

COST OF FAILURE

\$950,000

The cost of failed assignments ranges between US\$570,000 and \$950,000

MEDICAL CHECK PROGRAMME: COST-BENEFIT

\$2.53 return

\$1 invested

Cost-benefit analysis showed that US\$1.00 invested returns a benefit ranging from US\$1.60 (minimum scenario) to US\$2.53 (maximum scenario)

> TRAVEL RISK MITIGATION CHECKLIST

This self-assessment checklist is a tool for implementing actions to improve travel and assignment safety health and security related to work. It is based on the International SOS Foundation's Global Framework for Safety, Health and Security for Work-Related International Travel and Assignment.

Senior managers as well as occupational safety, health, security and risk managers should be involved in the completion of this assessment and the identification of priorities for action.

The checklist is divided into five major parts:

- > Policy
- > Roles and Responsibilities
- > Planning
- > Implementing
- > Evaluating and Action for Improvement

Additional checklist items should be considered as necessary.

HOW TO USE THIS CHECKLIST

- 1 Review each item:**
 - Think of how the item can be applied
 - If clarification is needed, ask the relevant manager
 - Check **YES** or **NO** for all items
 - Add comments, suggestions or reminders under Comments
- 2 Individually review items marked No and mark the ones that you consider are critical or important as Priority**
- 3 Prepare suggestions immediately after completion of the assessment. These suggestions should address what action should be taken, by whom and when**
- 4 If necessary, seek clarification from travel safety, health, security and risk management specialists with specialised knowledge in applying these competency items**

Person completing checklist:

Date:

Organisation:

Location:

		Yes	No	Priority	Comments
PART 1: POLICY					
1.	Has an organisational policy been developed and implemented that aligns travel and assignment safety, health and security with the organisation's objectives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.	Has the policy statement been signed and dated by top management?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.	Is the policy statement integrated into the organisation's broader policies, in particular the occupational safety and health policy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Policy: Statement of Intent					
4.	Does the policy include a statement of intent addressing the following? <ul style="list-style-type: none"> • Aims and objectives • Compliance • Threat and hazard identification and risk assessment • A commitment to prevention, protection, mitigation and response to incidents 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Policy: Organisation					
5.	Does the policy have an organisation section that defines key roles and responsibilities, and who will carry out specific tasks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.	Does the organisation section describe the delegation of certain tasks to competent persons or an outside organisation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Policy: Arrangements					
7.	Does the arrangements section describe mechanisms to deal with general issues related to travel and assignment safety, health and security?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
Policy: Arrangements (Continued)					
8.	Does the arrangements section define special mechanisms to deal with the identification of specific threats, hazards and the management of risks identified during the risk assessment and control measures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Policy: Review and Modification					
9.	Is the policy periodically reviewed and modified as necessary?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
PART 2: ROLES AND RESPONSIBILITIES					
Roles and Responsibilities: Senior Management					
10.	Is a clear policy with measurable objectives implemented and reviewed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
11.	Are there clear lines of responsibility indicated for senior management?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.	Is line-management responsibility known and accepted at all levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13.	Are responsibilities defined and communicated to all relevant parties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14.	Are on-location organisational policy and procedures integrated with local arrangements? <p>For example:</p> <ul style="list-style-type: none"> • Notification and approval of incoming assignees or visitors • Safe systems of work • Emergency procedures 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
15.	Are adequate resources available allowing persons responsible for travel and assignment safety, health and security to perform their functions properly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
Roles and Responsibilities: Manager Responsible for Travel and Assignment Safety, Health and Security					
16.	Does a manager (whether centrally or on location) have responsibility and accountability for the development, implementation, periodic review and evaluation of the system to manage travel and assignment safety, health and security?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17.	Is a manager ensuring that a competent person plans work-related travel and assignments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Roles and Responsibilities: Workers Travelling on International Assignment					
18.	Do workers actively cooperate in ensuring that travel and assignment safety, health and security policies and procedures are followed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19.	Do workers maintain situational awareness and report to their line manager (immediate supervisor) any changing situations which they perceive could affect their safety, health or security?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20.	Are workers knowledgeable of, and do they comply with, national occupational safety and health legislation and the organisation's occupational safety and health directives?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Roles and Responsibilities: Contractors					
21.	Are arrangements made with all contractors to ensure that responsibilities are assigned and understood to address the safety, health and security of contractors, their employees and sub-contractors for travel and assignment or when carrying out work for the organisation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22.	Are contractors competent, and do they have access to resources to function in a safe, healthy and secure manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
PART 3: PLANNING					
Planning: Initial Review					
23.	Has an initial review been conducted, including identification of applicable legislation, administrative rules, codes of practice and other requirements (such as insurance requirements) the organisation has an obligation to comply with - addressing travel and assignment safety, health and security - both in the organisation's home country as well as in destination countries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Planning: System Planning, Development and Implementation					
24.	Has a plan been developed and implemented addressing the organisation's travel and assignment safety, health and security system? Is this plan in compliance with national laws and regulations in the organisation's home country as well as in countries where workers may travel or be assigned?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25.	Does the scope of the planning process cover the development, implementation and evaluation of the management of the travel and assignment safety, health and security system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Planning: Travel and Assignment Safety, Health and Security Objectives					
26.	Are there measurable objectives and key performance indicators in line with the policy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
PART 4: IMPLEMENTING					
Implementing: Training					
27.	<p>Do training programmes address the following?</p> <ul style="list-style-type: none"> Workers and their dependents either travelling or on assignment Individuals organising travel Other relevant internal stakeholders <p>Do these programmes take into account the profile of the traveller, location-specific information as well as ethical and cultural considerations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28.	<p>Is adequate training provided to ensure workers and contractors:</p> <ul style="list-style-type: none"> Are competent to carry out their work in a safe, healthy and secure manner? Can address travel and assignment-related risks prior to and during travel, while on assignment and upon return? 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
29.	Are training programmes instructed by competent persons?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
30.	Do they include relevant risk, induction and refresher training for all workers and contractors as appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
31.	Do training programmes include whom to contact in case of an incident, procedures to follow and post-incident reporting requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
32.	Do training programmes include a mechanism to evaluate, assess and certify whether the participant has developed the necessary competencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
Implementing: Medical and Security					
33.	<p>Is there a process that ensures the following?</p> <ul style="list-style-type: none"> All relevant workers are medically fit to travel (having completed a pre-travel medical evaluation where appropriate) All necessary medications are prescribed Vaccinations are up to date 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
34.	Is a briefing on safety, health and security arrangements conducted for all relevant workers and contractors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
35.	Is adequate 24/7 security provided, where appropriate, to support individuals in their movement to and from location and in the functioning of their work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
36.	Is there an effective system to monitor the location of relevant workers, to be used when indicated by the risk level protocol?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implementing: Documentation					
37.	Is there a system documenting that workers and contractors have been made aware of associated risks, and measures to avoid or mitigate these?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
38.	Is travel and assignment safety, health and security documented, and are the documents maintained in a systematic manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
39.	Are all documents in the system clearly written, understandable and easily accessible for those who need to use them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
40.	Are specific documents, especially site-specific documents, translated into a language the workers and visitors will easily understand?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
41.	Are relevant documents periodically reviewed, revised as necessary and traceable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
42.	Are affected workers aware of documents relevant to them, and do they have easy access to these?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
Implementing: Communications					
43.	Are relevant parties kept informed about travel and assignment issues as an integral part of the travel and assignment safety, health and security system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
44.	Are resilient procedures established for adequate two-way communications between the organisation and the travellers and assignees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
45.	Are there mechanisms to inform workers and dependents of developing situations and potential increased risk levels where they are travelling or where they are assigned, including access to a 24/7 reliable and timely information source?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
46.	Are effective communications maintained between all parties – addressing work practices as well as prevention, control and emergency procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
47.	Are workers encouraged and regularly consulted on travel and assignment safety, health and security issues?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
48.	Is there a mechanism to gather, consider and share ideas, concerns and good practice suggestions from workers, visitors and dependents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implementing: Threat and Hazard Identification and Risk Assessment					
49.	Has the scope of threats, hazards and assessed risks been defined, taking into account elements such as the following? <ul style="list-style-type: none"> The geographic perspective The environment Travel and work-related processes and activities, such as commuting from a hotel to a work site 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
Implementing: Threat and Hazard Identification and Risk Assessment					
50.	Are up-to-date threat and hazard identification and risk assessments carried out and appropriate for every travel and assignment destination? Do they include measures to prevent, eliminate or control travel and assignment risks for workers and their dependents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
51.	Has a determination been made during the risk assessment who could be harmed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
52.	Have the risks been evaluated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
53.	Is there a system to establish types and categories of risk levels and protocols that require specific actions, including measures to address high-risk locations and escalating risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
54.	Are risk prevention and control measures implemented in the following hierarchical order? 1. Eliminating the risk 2. Controlling the risk 3. Minimising the risk	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
55.	Have the risk assessments been regularly reviewed and updated as necessary, taking into account significant changes impacting the risk?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implementing: Emergency Management					
56.	Are global and local arrangements in place to manage an emergency or crisis, including preparedness, mitigation, response and recovery?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
57.	Does the organisation have a written emergency action plan which describes the authorities and responsibilities of key personnel, including the emergency/crisis management team?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
Implementing: Emergency Management					
58.	Does the emergency/crisis plan cater for all workers including travellers, assignees, dependents and local employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
59.	Does the organisation have a multidisciplinary emergency/crisis management team, led by the senior manager and supported by a designated crisis coordinator and a communications professional (or their designates)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
60.	Can the emergency/crisis management team call on other functions (as needed)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
61.	Has the organisation assessed its capacity to respond to a critical incident including emergency medical plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
62.	Does the organisation have access to information and adequate medical and security support on location, including local or deployable dedicated resources, local medical, security and emergency services, and external providers?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
63.	Do workers and their dependents on work-related travel or international assignments have access to adequate health care and medical emergency plans (including 24/7 medical contact)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
64.	Are information and communications protocols in place factoring in the above-mentioned response components?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implementing: Procurement					
65.	Does the organisation provide regular training for emergencies, including exercises in preparedness, mitigation, response, and recovery procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
66.	Are goods, equipment materials or services for use prior to and during travel or assignment specified to incorporate safety, health and security requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

		Yes	No	Priority	Comments
PART 5: EVALUATING AND ACTION FOR IMPROVEMENT					
67.	Are these specifications in compliance with national legislation, and the organisation's policies and procedures both in the organisation's home country, as well as in other locations where workers may travel or be assigned?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
68.	Are arrangements made to see how effectively the organisation is carrying out travel and assignment safety, health and security policies, arrangements and procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
69.	Are reports submitted and evaluated on achieving key performance indicators?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
70.	Are travel and assignment related incidents including accidents, ill health, and security events reported according to a fixed reporting matrix and investigated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
71.	Does the organisation require the contractors to undertake performance reporting, including reports on incidents such as accidents, exposures, injuries, illness, near misses and security considerations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
72.	Are travel and assignment safety, health and security arrangements internally and externally audited?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
73.	Is there a provision for management to review the arrangements, procedures and evaluation reports for travel and assignment safety, health and security?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
74.	As a result of the evaluation mechanisms, are corrective actions implemented where appropriate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Evaluating and Action for Improvement: Continual Improvement					
75.	Is there a dynamic cycle of continuous improvement addressing the needs of stakeholders?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

> USEFUL LINKS

- > International SOS Foundation
<http://www.internationalsosfoundation.org>
- > International SOS Foundation White Papers
<http://www.internationalsosfoundation.org/resources/white-papers/>
- > Malaysian Employers Federation
<http://www.mef.org.my>
- > National Institute of Occupational Safety and Health
<http://www.niosh.com.my>
- > Department of Occupational Safety and Health (Malaysia)
<http://www.dosh.gov.my>
- > Prevent
<http://www.prevent.be/>
- > Return on Prevention Study and Benefits
http://pages.email.internationalsos.com/ISF_ROP/