

Jailed for Negligent Acts that Breach Workplace Safety

(Singapore) Is a known fact that in Aver Asia's home base, laws are more stringent than the other parts of Asia. On legislative intent relating to workplace safety, which is close to our hearts, the High Court has just upped the sentencing from paying fines to serving jail terms.

On Friday, 2 Nov, a judge has handed down the first jail sentence – 25 weeks' jail over negligence on the safety of workers in the Fusionopolis worksite accident in 2014.

The construction foreman has instructed his workers to load an air compressor onto a loading platform that was suspended on the edge of the seventh floor of a building. The platform was not properly secured and suspended by a tower crane.

When the air compressor was loaded on the platform, it rolled away from the edge of the building. Two workers standing on the platform fell out of the building together with the air compressor.

The unfortunate accident resulted in the death of two workers.

The High Court judge and law practitioners have evaluated and conclude that past sentences on workplace safety breaches were too light. Since 2011, for all the past workplace accidents which resulted in death, the accused persons received fines in the range of \$5,000 to \$12,000.

Under the Workplace Safety and Health Act, a person who carries out a negligent act that endangers the safety of himself or others at work can be fined up to \$30,000 or jailed for up to 2 years, or both.

In sending the construction foreman to jail for 25 weeks, the judge has laid out sentencing guidelines for future cases. The provision must have sufficient deterrent effect to ensure that people comply with workplace safety rules.

If death is caused, an additional 8 to 40 weeks' jail is added, depending on the number of fatalities. For serious injuries, an additional sentence of up to 10 weeks' jail may be added.