L.N. 43 of 2002

OCCUPATIONAL HEALTH AND SAFETY AUTHORITY ACT, 2000 (ACT No. XXVII of 2000)

Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations, 2002

IN exercise of the powers conferred by article 12 of the Occupational Health and Safety Authority Act, 2000, the Deputy Prime Minister and Minister for Social Policy, in consultation with the Occupational Health and Safety Authority, has made the following regulations :

Citation and commencement.

1. The title of these regulations is the Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations, 2002.

Interpretation.

2. (1) In these regulations, unless the context otherwise requires –

"Act" means the Occupational Health and Safety Authority Act, 2000;

"display screen equipment" means any alphanumeric or graphic display screen, regardless of the display process involved;

"equipment" means display screen equipment;

"eye and eyesight test" means a test to determine the presence and the nature of any defects of sight and the correction, remedy or relief of any such defect by means of an optical appliance prescribed on the basis of the determination;

"worker" includes a person who is not an employee, but who has been assigned work by an employer involving the habitual or regular use of display screen equipment provided by the employer, as well as an employee who uses display screen equipment at a workstation provided by the employer at home;

"workstation" means an assembly comprising:

(a) display screen equipment, whether or not provided with a keyboard or input device and, or software determining the operator/machine interface,

(b) any optional accessories to the display screen equipment,

(c) any disk drive, telephone, modem, printer, document holder, work chair, work desk, work surface or other item peripheral to the display screen equipment, and

(d) the immediate work environment around the display screen equipment.

(2) In these regulations, words and expressions shall have the same meaning as defined in article 2 of the Act.

Non-applicability of these regulations.

3. These regulations shall not apply to drivers' cabs or control cabs for vehicles or machinery, display screen equipment on board a means of transport, display screen equipment which is mainly intended for public use or operation, portable systems which are not in prolonged use at a workstation, calculators, cash registers or any equipment having a small data or measurement display required for direct use of the equipment, typewriters of traditional design, of the type known as "typewriter with window":

Provided that in those instances where these regulations are not applicable, any display screen equipment provided shall, as far as reasonably practicable, be without risk to the health and safety of the user, and in conformity with any other regulations in force and which are applicable under the circumstances.

Employers' obligations.

4. (1) An employer shall identify all display screen equipment and workstations provided by him, or used at his place of work, for the purposes of his undertaking, and for such workstations and equipment, the employer shall keep and adequately maintain a written record thereof, including the names of the person or persons using the equipment, and of the measures taken to safeguard occupational health and safety.

(2) For each workstation, the employer shall perform suitable and sufficient analysis for the purpose of assessing the health and safety risks to which workers are exposed in consequence of that use, including any possible risks to eyesight, physical problems and problems of mental stress.

(3) Any assessment made by an employer in pursuance of the forgegoing shall be reviewed by the employer if there is reason to suspect that it is no longer valid or if there has been a significant change in the matters or circumstances to which it relates.

5. Where the assessment reveals a risk to health and safety, an employer shall take appropriate measures to remedy the risks found, taking account of the additional and, or combined effects of the risks so found. Employer to remedy risks.

6. An employer shall ensure that any workstation or display screen equipment in use meets the minimum requirements laid down in the Schedule to these regulations. Conformity with requirements.

7. (1) It shall be the duty of an employer to provide such information and training to workers on all aspects of health and safety relating to their workstation and display screen equipment. Information for, and training of, workers.

(2) In all cases, workers and their Health and Safety Representatives shall be informed of any health and safety measure taken in compliance with these regulations.

(3) Every worker shall receive training in the safe use of the workstations before commencing work and whenever the organization of the workstation is substantially modified.

8. The employer must plan the worker's activities in such a way that daily work on a display screen is periodically interrupted by breaks or changes of activity reducing the workload at the display screen: Daily work routine.

Provided that when determining the duration and frequency of any break, the employer shall take into consideration the nature of the work, the work activities and the precautionary and preventive measures already taken.

9. (1) An employer shall consult workers and, or their Health and Safety Representatives, on any measure which may substantially affect health and safety, on the information requested to be given by virtue of regulation 7, as well as on the organization and planning of the training referred to in the same regulation. Worker consultation and participation.

(2) Workers and, or their Health and Safety Representatives shall have the right to make proposals to an employer on any matter affecting health and safety which is related to the use of display screen equipment, and shall be allowed to participate on any decision that needs to be taken.

10. (1) Workers shall be entitled to appropriate eye and eyesight tests which shall be carried out by a person having the necessary capabilities before they become habitual or regular users of display Protection of workers' eyes and eyesight.

screen equipment, at regular intervals thereafter, and if they experience visual difficulties which may be due to display screen work.

(2) Workers shall be entitled to an ophthalmological examination if the results of the test referred to in subregulation (1) show that this is necessary.

(3) The Director General of the Health Division shall determine the competencies and the qualifications required in the case of persons who will be carrying out eye and eyesight tests and ophthalmological examinations.

(4) If the results of the test referred to in subregulation (1) or of the examination referred to in subregulation (2) show that it is necessary, and if normal corrective appliances cannot be used, workers must be provided by the employer, with special corrective appliances prescribed to correct vision defects at the viewing distance or distances, used specifically for the display screen work concerned and which are appropriate for the work concerned.

Non-liability for charges.

11. A worker shall in no circumstances suffer any deduction in wages or any loss of benefit, and shall not be liable for any expense in respect of any measure taken by the employer pursuant to these regulations.

Onus of proof.

12. In any proceedings for an offence under these regulations consisting of a failure to comply with a duty or requirement to do something, or to do something so far as is reasonably practicable, it shall be for the accused to prove (as the case may be) that it was not practicable or not reasonably practicable to do more than was in fact done to satisfy the duty or requirement, or that there was no better practicable means than was in fact used to satisfy the duty or requirement.

Offences.

13. Any breach of any provision of these regulations shall be deemed an offence.

Repeals L.N. 211 of 2000.

14. The Minimum Health and Safety Requirements for Work with Display Screen Equipment Regulations, 2000 are hereby repealed.

SCHEDULE

Minimum health and safety requirements for workstations and display screen equipment

Preliminary comments

The obligations laid down in this Schedule shall apply in order to achieve the objectives of these regulations and to the extent that the components concerned are present at the workstation, and that the inherent requirements or characteristics of the task do not preclude it.

1. Equipment

(a) General comment

The use as such of the equipment must not be a source of risk for workers.

(b) Display screen

The characters on the screen shall be well-defined and clearly formed, of adequate size and with adequate spacing between the characters and lines.

The image on the screen should be stable, with no flickering or other forms of instability.

The brightness and/or the contrast between the characters and the background shall be easily adjustable by the worker, and also be easily adjustable to ambient conditions.

The screen must swivel and tilt easily and freely to suit the needs of the worker.

It shall be possible to use a separate base for the screen or an adjustable table.

The screen shall be free of reflective glare and reflections liable to cause discomfort to the worker.

(c) Keyboard

The keyboard shall be tiltable and separate from the screen so as to allow the worker to find a comfortable working position avoiding fatigue in the arms or hands.

The space in front of the keyboard shall be sufficient to provide support for the hands and arms of the worker.

The keyboard shall have a matt surface to avoid reflective glare.

The arrangement of the keyboard and the characteristics of the keys shall be such as to facilitate the use of the keyboard.

The symbols on the keys shall be adequately contrasted and legible from the design working position.

(d) Work desk or work surface

The work desk or work surface shall have a sufficiently large, low-reflectance surface and allow a flexible arrangement of the screen, keyboard, documents and related equipment.

The document holder shall be stable and adjustable and shall be positioned so as to minimise the need for uncomfortable head and eye movements.

There shall be adequate space for workers to find a comfortable position.

(e) Work chair

The work chair shall be stable and allow the operator easy freedom of movement and a comfortable position.

The seat shall be adjustable in height.

The seat back shall be adjustable in both height and tilt.

A footrest shall be made available to any one who wishes for one.

2. Environment

(a) Space requirements

The workstation shall be dimensioned and designed so as to provide sufficient space for the worker to change position and vary movements.

(b) Lighting

Room lighting and/or spot lighting (work lamps) shall ensure satisfactory lighting conditions and an appropriate contrast between the screen and the background environment, taking into account the type of work and the worker's vision requirements.

Possible disturbing glare and reflections on the screen or other equipment shall be prevented by co-ordinating workplace and workstation layout with the positioning and technical characteristics of the artificial light sources.

(c) Reflections and glare

Workstations shall be so designed that sources of light, such as windows and other openings, transparent or translucid walls, and brightly coloured fixtures or walls cause no direct glare and, as far as possible, no reflections on the screen.

Windows shall be fitted with a suitable system of adjustable covering to attenuate the daylight that falls on the workstation.

(d) Noise

Noise emitted by equipment belonging to any workstation shall be taken into account when a workstation is being equipped, with a view in particular to ensuring that attention is not distracted and speech is not disturbed.

(e) Heat

Equipment belonging to any workstation shall not produce excess heat which could cause discomfort to workers.

(f) Radiation

All radiation with the exception of the visible part of the electromagnetic spectrum shall be reduced to negligible levels from the point of view of the protection of workers' health and safety.

(g) Humidity

An adequate level of humidity shall be established and maintained.

3. Interface between computer and worker

In designing, selecting, commissioning and modifying software, and in designing tasks using display screen equipment, the employer shall take into account the following principles:

(a) software must be suitable for the task;

(b) software must be easy to use and, where appropriate, adaptable to the level of knowledge or experience of the worker; no quantitative or qualitative checking facility may be used without the knowledge of the workers;

(c) systems must provide feedback to workers on the performance of those systems;

(d) systems must display information in a format and at a pace which are adapted to workers;

(e) the principles of software ergonomics must be applied, in particular to human data processing.

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