



BERMUDA

OCCUPATIONAL SAFETY AND HEALTH (COVID-19) TEMPORARY
REGULATIONS 2020

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WHEREAS COVID-19 is a public health threat globally;

AND WHEREAS COVID-19 is an unprecedented and severe threat to public health in Bermuda;

AND WHEREAS the Government is committed to arresting the transmission of COVID-19 in Bermuda;

AND WHEREAS allowing employees to work remotely from home is a way of reducing the risk of transmission of COVID-19;

AND WHEREAS section 3 of the Occupational Safety and Health Act 1982 imposes a statutory duty on every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees;

The Minister of Health, in exercise of the power conferred by section 9 of the Occupational Safety and Health Act 1982, makes the following Regulations:

Citation

1 These Regulations may be cited as the Occupational Safety and Health (COVID-19) Temporary Regulations 2020.

Employers to make arrangements for employees to work remotely from home wherever reasonably practicable

2 (1) In so far as it is reasonably practicable for an employee to do some or all of his work remotely from home rather than at his place of employment, it shall be the duty of the employer—

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- (a) so far as is reasonably practicable, to make arrangements for the employee to work remotely from home, using electronic means or otherwise; and
- (b) to allow the employee to do from home the work that he can do remotely.

(2) An employer who does not comply with his duty under subsection (1) commits an offence under section 21 of the Occupational Safety and Health Act 1982 and is liable to the penalties set out in that section.

No derogation from Occupational Safety and Health Regulations 2009

3 These Regulations are in addition to, and not in derogation of, the Occupational Safety and Health Regulations 2009.

Commencement and expiration

4 These Regulations shall come into effect on 1 April 2020 and shall expire when revoked.

Made this 31st day of March 2020

Minister of Health

[Operative Date: 01 April 2020]