



GOVERNMENT OF BERMUDA  
Ministry of Health and Seniors  
**Department of Health**

REF: 143/2014

May 21<sup>st</sup> 2013

Mr. Dan Simmons  
Director of Public Transportation  
# 26 Palmetto Road  
Devonshire DV 05  
Bermuda

**RE: Occupational Safety and Health Act 1982**  
**Occupational Safety and Health Regulations 2009**  
**St. George Bus Depot- Employee Bathroom/Rest Facilities W&E Bldg #0784**

Mr. Simmons,

In accordance with the Occupational Safety and Health Act 1982, Section 13, I attended the above-mentioned place of employment on Friday, May 9<sup>th</sup> 2013 to review the current condition of the premises. Several observations were made which represent an increased level of risk to your employees<sup>1</sup> and those not in your employment<sup>2</sup>.

Please note that this review is not exhaustive and the premises should undergo thorough assessment and review through an in-house risk assessment process. Security issues appear to present additional need for this risk assessment. A photographic appendix is also provided.

Please provide a written timeline for execution of suitable works to remedy the matters identified herein as “**Specific Items Requiring Improvement**” by **June 1<sup>th</sup> 2014**.

Sincerely,

Crystal Baxter, MSc (Mrs.)  
Environmental Health Officer  
cc: Ms. Doris Foley, Senior Safety and Health Officer  
cc: Mr. Yuri Lightbourne, Safety and Health Officer  
cc: Mr. Myron Burchall, Assistant Building Manager  
cc: Mrs. Kathy Landy, Occupational Safety and Health President DPT

<sup>1</sup> *Occupational Safety and Health Act 1982 Section 3 (1)* “It shall be the duty of every employer to ensure so far as is reasonably practicable, the health, safety and welfare at work of all his employees”.

<sup>2</sup> *Occupational Safety and Health Act 1982 Section 4 (1)* “ It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety”

### **Specific Items Requiring Improvement**

*Occupational Safety and Health Regulations 2009 5 (1) "It shall be the duty of every employer, in relation to their place of employment or in relation to premises of which they have control as the case may be to comply with these Regulations, including ensuring that their place of employment, premises, machinery, equipment and operations meet the requirements of these Regulations."*

#### **1. State of Personal Service Rooms**

Occupational Safety and Health Regulations 2009 PART 11 Sanitation

The toilet rooms are in-operable and have no running water. There is a lack of proper and clear door markings indicating male/female bathrooms. The toilet rooms are not sufficiently vermin and/or rodent-proofed.

Please note that drivers were observed washing their hands at the refillable drinking water taps which increases the risk for transmission of disease considerably. The only possible drinking water supply may be contaminated. Have the unit cleaned thoroughly.

Additionally, it is advised in accordance with the Regulations that no toilet or urinal is visible when the door of the toilet room is open. The toilet is visible from an external location when doors are open to the first toilet room.

#### **2. Potable Water Supply**

Occupational Safety and Health Regulations 2009 Section 136

As identified above there is no potable water supply piped to the premises. The potable water supplied is potentially contaminated through improper use. REF (253/2013) Please provide and alternative piped supply of water for hand-washing.

#### **3. Ventilation**

Occupational Safety and Health Regulation 2009, Section 106

Windows for ventilation purpose are boarded. Under the regulations above a place of employment shall be adequately vented. Operable windows are recommended.

#### **4. Electrical Safety**

Occupational Safety and Health Regulations 2009, 54

The electrical safety at the St. Georges Bus Depot will require further review by a reputable electrician/engineer. The panel box is installed within a wet room, easily accessible and presents a risk to employees.

Additionally all of the electrical outlets should be installed correctly and all light outlets should have an operable bulb.

#### **5. Overall Building Safety**

Occupational Safety and Health Act 1982 2(a)

There is evidence of cracking to the roof of the structure and plausible water intrusion as a result. This should be examined by a reputable contractor and remedied to ensure that the building is not leaking.

There are areas that require repair near the front door and have been previously remedied with the use of interior building materials. Please ensure that repairs are made using suitable building materials.

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