



Safety helmets on construction sites

This information bulletin provides guidance for wearing helmets on construction sites in accordance with the Occupational Safety and Health Act 1984 and Occupational Safety and Health Regulations 1996

The regulations specify requirements regarding the use of safety helmets on construction sites. It is the responsibility of the employer or self employed person to carry out a risk assessment and to supply a recommended helmet. The employee has an obligation to wear and correctly use a helmet, as instructed.

When should a helmet be worn?

In accordance with regulation 3.36 - Safety helmets at construction site, main contractors duties - a safety helmet must be worn at a construction site if there is a risk of being struck on the head.

This includes:

- being struck on the head by a falling object; and
- hitting the head against an object.

Employer responsibilities

Employers have a responsibility under the Act to provide and maintain a safe working environment. Fulfilling this obligation includes abiding by the requirement that it is the responsibility of the employer, the main contractor, a self employed person, a person having control of the workplace or a person having control of access to the workplace to, as far as practicable:

- identify each hazard to which a person at a construction site is likely to be exposed;
- assess the risk of injury or harm to a person resulting from each hazard;
- consider the means by which that risk may be reduced; and
- if that risk may be reduced by personal protective equipment such as a helmet, then provide a helmet complying with Australian Standard *AS/NZS 1801 : Occupational protective helmets*.

If the employer, main contractor or self employed person identifies a hazard and assesses that the risk of injury or harm would be reduced by the use of a helmet then they must ensure that:

- the person using the helmet is instructed in relation to the correct fitting, use, selection, testing, maintenance and storage of the helmet;
- the person using the helmet is aware of its limitations;
- the helmet is maintained in good working order; and
- the helmet is replaced when damaged or worn.

It is also a legal requirement that the employer or main contractor ensure each entrance to the workplace is clearly signposted in accordance with Australian Standard AS 1319:

SAFETY HELMET AREA – HELMETS MUST BE WORN AT THIS SITE

Employee responsibilities

Employees have a responsibility under the Act to take reasonable care for their own safety and health and that of others.

In accordance with regulation 3.35, fulfilling this obligation includes:

- wearing a helmet when instructed by their employer or the main contractor;
- not misusing or damaging a helmet; and
- reporting any damage to the person who provides the helmet.

Penalties

There are serious consequences for individuals and organisations resulting from a failure to abide by the law relating to helmets.

Failure by employers and employees to comply with occupational safety and health laws can attract significant penalties and terms of imprisonment.

Further information

The Commission for Occupational Safety and Health's [Guidance note General duty of care in Western Australian workplaces](#) provides guidelines for employers, main contractors and self employed people to analyse and assess risks at the workplace and control risks through personal protective equipment such as helmets.

This bulletin has been prepared in collaboration with the Commission for Occupational Safety and Health's Construction Industry Safety Advisory Committee.

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