

Are Turban-Wearing Sikhs Exempt from the Need to Wear Head Protection in the Workplace?

Description

Yes. Sections 11 and 12 of the Employment Act 1989 as amended by Section 6 of the Deregulation Act 2015 exempt turban-wearing Sikhs from any legal requirement to wear head protection at a workplace. A workplace is defined broadly and means any place where work is undertaken including any private dwelling, vehicle, aircraft, installation or moveable structure (including construction sites).

Detailed Explanation

The law in the UK provides a specific exemption for turban-wearing Sikhs from the requirement to wear head protection in the majority of workplaces. This exemption, under Sections 11 and 12 of the Employment Act 1989 as amended by Section 6 of the Deregulation Act 2015, applies to any place where work is undertaken, including private dwellings, vehicles, aircraft, installations, or movable structures, including construction sites.

However, there is a limited exception for particularly dangerous and hazardous tasks performed by individuals working in occupations which involve providing an urgent response to an emergency where a risk assessment has identified that head protection is essential for the protection of the individual. For example, a firefighter entering a burning building or dealing with hazardous materials.

It's important to note that this exemption applies only to head protection. Sikhs are required to wear all other necessary personal protective equipment required under the Personal Protective Equipment Regulations 1992. The exemption does not differentiate between employees and other turban-wearing Sikhs that may be in the workplace, such as visitors. However, it applies solely to members of the Sikh religion and only those Sikhs that wear a turban.

Employers are still required to take all necessary actions to avoid injury from falling objects by putting in place safe systems of work, control measures, and engineering solutions, such as restricting access to areas where this may be an issue. Where a turban-wearing Sikh chooses not to wear the head protection provided, the exemption includes a limitation on the liability of the duty-holder should an incident occur.

For more detailed information on this topic, you can visit the official government website or consult a legal expert. Remember, safety should always be a priority in the workplace.

CATEGORY

1. Occupational Health & Safety

POST TAG

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3. Turbans

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