

HSSE Regulatory Update



Occupational Safety and Health Guide for Flexible Work Arrangement (FWA) 2026

Summary

The Occupational Safety and Health Guide for Flexible Work Arrangement (FWA) 2026 (*Panduan Keselamatan dan Kesihatan Pekerjaan Bagi Pelaksanaan Aturan Kerja Fleksibel (AKF) 2026*) was highlighted by the Human Resources Minister on 10 February 2026 to support the structured implementation of flexible work models in Malaysia. This guide was developed by the Department of Occupational Safety and Health (DOSH) to supplement the requirements of the Occupational Safety and Health Act 1994 (Act 514) and the Employment Act 1955 regarding the safety, health, and welfare of employees working under flexible conditions.

The guidelines provide a framework for managing diverse work arrangements such as flexible workplaces, days, and hours while ensuring that statutory employee rights and benefits remain protected. A significant focus is placed on the dual responsibility of workplace safety where employers are mandated to update policies, conduct risk assessments, and provide suitable equipment. Simultaneously, employees must maintain a safe workspace and report health concerns promptly. Unlike traditional safety manuals, this guide places heavy emphasis on modern work-life challenges by requiring organizations to identify and mitigate not only physical hazards but also psychosocial risks and mental health considerations arising from remote or hybrid work environments.

Basic Info & Links

Agency: Department of Occupational Safety and Health (DOSH)

Official Guidance Document: [Occupational Safety and Health Guide for Flexible Work Arrangement \(FWA\) 2026](#)

Review/ Q&A

What are the employer's primary responsibilities regarding OSH during FWA implementation?

Employers are fully responsible for the safety, health, and welfare of employees even when they work outside the office. This includes providing updated FWA policies, conducting risk assessments, ensuring the provision of safe work equipment, and establishing effective supervision and communication systems.

What are the employee's primary responsibilities regarding OSH during FWA implementation?

Employees are responsible for taking reasonable care of their own safety and health and that of others affected by their work. This includes maintaining a hazard-free workspace, following established work procedures and schedules, attending required OSH training, and promptly reporting any accidents or health issues including mental health and physical discomfort to the employer.

What specific hazards must be identified and prevented during FWA implementation?

Employers and employees must identify and prevent various hazards to ensure the safety and well-being of the employee are protected including:

- *Physical risks such as noise, extreme temperatures, and tangled electrical cables*
- *Ergonomic hazards through the provision of chairs and desks that support proper posture to prevent muscle strain*
- *Psychosocial hazards to address risks of stress, mental fatigue, and burnout while maintaining work-life balance*
- *Environmental factors such as inadequate lighting, glare, and poor ventilation*
- *Chemical and biological risks including exposure to hazardous substances, viruses, bacteria, or even threats from harmful insects and pests*

Is there any fine or penalty if a company fails to follow the FWA guidelines?

While this guide does not state a specific fine amount, it is developed based on the Occupational Safety and Health Act 1994 [Act 514]. Under Section 15 of Act 514, employers have a legal duty to ensure the safety, health, and welfare of all employees, including those under FWA. Failure to comply with these statutory duties under Act 514 can lead to legal action or penalties as prescribed by the Act.

What is the step-by-step process for approving an FWA request?

- *Phase 1: Application – The employee submits an FWA application to the employer.*
- *Phase 2: Initial Assessment – The employer conducts an initial review to determine if the job is suitable for FWA.*
 - *If the job is not suitable, the application is rejected and the process ends.*
 - *If the job is suitable, the process moves to the next stage.*
- *Phase 3: Risk Assessment – A formal OSH risk assessment is conducted for the proposed work location*
- *Phase 4: Decision – The employer determines if safety control measures can be implemented.*
 - *If control measures cannot be practically implemented, the FWA request is rejected.*
 - *If control measures can be implemented, the FWA application is officially approved.*