The overall objective of the Strategy is to promote and maintain health of active able-bodied population, and/or to promote working conditions to prevent injuries at work and work-related and occupational diseases and its minimising, and/or elimination of professional risks.

The Strategy seeks to reduce injuries at work by 5% within the reference period.

Specific objectives of the Strategy:
1) Adopt the law, by-laws and other general acts on safety and health at work with view to alignment to the EU and ILO regulations, and their implementation simultaneously encouraging social partners to regulate safety and health issues primarily through collective bargaining;
EU Strategy for Health and Safety at Work (2007-2012)

REPUBLIC OF SERBIA

STRATEGY FOR HEALTH AND SAFETY AT WORK (2013 – 2017)

2) Develop further and adopt mechanisms and procedures for enforcement and application of the occupational safety and health legislation (integrated labour inspection);

3) Define options for introduction of a separate insurance in case of injuries at work and occupational diseases, to ensure indemnification;

4) Raise awareness on relevance of health and safety at work among pupils and students at primary and secondary schooling;

5) Continuously deliver trainings and education on safety and health at work for professional officers for health and safety at work and other persons;

6) Introduce a unified register of injuries at work;
7) Promote role of occupational health services integral to safety and health at work system through monitoring workers’ health;

8) Promote preventive culture and good practice of safety and health at work at all levels of organisng of employers, employees, educational institutions, and state (employers’ associations, trade unions, school system, pension and disability insurance funds, and health insurance, etc.).

NOTE:
The Action Plan to the Strategy is foreseen for adoption by the end of July 2014.
Institutional Framework

Government of the Republic of Serbia
- Council for Safety and Health at Work

- Ministry of Labour, Employment, Veterans and Social Affairs:
  - Occupational Safety and Health Directorate
  - Labour Inspectorate

Social and Economic Council
- Permanent Working Party for Occupational Safety and Health Issues

Non-governmental organisations
- Occupational Safety and Health Associations
COOPERATION

• Inter - sectorial cooperation within the Ministry
• Cooperation with other institutions
• Cooperation with representative trade unions (CATUS and TUC Nezavisnost) and Union of Employers of Serbia

Regional and international cooperation
• International Labour Organisation
• Occupational Safety & Health Administration
• Macedonia (MOSHA), Slovenia, Croatia, Montenegro, Bulgaria, Slovakia, etc.

Cooperation at national level
• Social and Economic Council
• Council for Safety and Health at Work of the Government of the Republic of Serbia
• Occupational Safety and Health Associations
on the introduction of measures to encourage improvements
in the safety and health of workers at work

NATIONAL LEGAL FRAMEWORK

• Constitution of the Republic of Serbia – Article 60 and 97
  - Art.60 - Everyone shall have the right to respect of his person at work, safe and healthy working conditions, and necessary protection at work…
  - Art. 97, point 8 system in the area of labour relations, protection at work, employment, social insurance and other forms of social security

• Law on Safety and Health at Work
• Labour Law
• Law on Health Care
• Law on Health Insurance
• Law on Pension and Disability Insurance
• Law on General Safety of Products
• Law on Protection against Fire
• Republic of Serbia Strategy of Safety and Health at Work (2013 – 2017)

NATIONAL LEGAL FRAMEWORK

• Rulebook on methodology of risk assessment at work place in work environment
• Rulebook on equipment and procedure for first aid provision and organisation of rescue service in case of injury at work
• Rulebook on occupational safety and health records
• Rulebook on the issuance content and manner of the injury at work, professional disease and work-related disease report form
• Rulebook on pre-emptive and periodical medical examinations of workers at high-risk jobs
• Rulebook on conditions and amount of costs to issue licences for undertaking activities in the area of safety and health at work
• Rulebook on program, manner and expense amount of taking professional exam for activities concerning safety and health at work and activities of the responsible person
• Rulebook on procedures for work equipment inspection and testing and for testing work environment conditions

LAW ON SAFETY AND HEALTH AT WORK
BASIC PROVISIONS

In effect as of 29 October 2005, and published in the Official Gazette of RS, 101/05

Regulating:

• Implementation and promotion of safe and healthy work
• Rights, obligations and responsibilities of the employer and employees
• Competences and measures to ensure safety and healthy at work
• Meaning of terms used in the Law (22 terms)

Art.1.- 4.

LAW ON SAFETY AND HEALTH AT WORK

- Special rights, liabilities and measures related to workplace safety and health of youth (particularly in connection with their mental and physical development), women employed at the workplaces with increased risk of jeopardizing maternity, disabled and professionally ill persons - shall be governed by this Law, other regulations, Collective Contract, General Employer’s Act and Labor Contract.

Article 6.

LAW ON SAFETY AND HEALTH AT WORK
PREVENTIVE MEASURES IN ACHIEVING SAFETY AND HEALTH AT WORK

• Preventive measures in achieving workplace safety and health shall be provided by applying up-to-date technical, ergonomic, health, educational, social, organizational and other measures and means to eliminate risks of injuring or damaging health of Employees, and / or their bringing to a least possible extent

Article 7.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYER’S OBLIGATIONS AND RESPONSIBILITIES

General obligations

Employer shall

• ensure work to the employee at the workplace and in the working environment, with applied safework and occupational health measures.

• such application and enforcement of occupational safety and health measures is solely upon the employer

• provide that the implementation of safework and occupational health measures does not give rise to financial liabilities to the employer and employee’s representative, and that it does not affect their material and social status

• preventive measures in order to protect life and health of Employees, as well as to provide necessary financial means for implementation thereof.

• not be liable in the sense of this Law, in case of injury at work due to unusual and unpredictable circumstances, beyond Employer’s control or due to extraordinary events with consequences which are impossible to avoid in spite of all efforts.

Article 8. – 11.
The preventive measures shall be provided by Employer starting from the following principles:

1) avoiding of risk;
2) assessment of the risk that cannot be avoided at the workplace;
3) elimination of risks at their source by applying up-to-date technical solutions;
4) adjustment of work and workplace to Employee, in particular with a view to selecting work equipment and method of work, as well as to selecting technological procedure, in order to avoid monotony of work, and to reduce its impact on Employee’s health;
5) substitution of dangerous technological processes or work methods with harmless or less hazardous technological processes or work methods;
6) giving priority to collective over individual safework and occupational health measures;
7) adequate training of Employees for safe and healthy work and issuing safework instructions.

Article 12.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYER’S OBLIGATIONS AND RESPONSIBILITIES

• Employer shall adopt Risk Assessment Act in written form for all workplaces in the working environment, and lay down the method and measures for risk elimination.

Article 13.

• Employer shall lay down rights, liabilities and responsibilities in the field of safety and health at work by virtue of general act, collective agreement or employment contract (up to 10 employees – employment contract)

Article 14.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYER’S OBLIGATIONS AND RESPONSIBILITIES

General obligations

• Employer shall:

1) appoint the person responsible for workplace safety and health by virtue of written act;

2) assign employee to carry out tasks with already implemented safework and occupational health measures;

3) inform employees and their representative on introduction of new technologies and instruments of labor, as well as on hazards from injuries and health damage, which appear due to their introduction, and to adopt in such cases adequate instructions for the safework;

4) train employees for safe and healthy work;

5) ensure that employees use means and equipment for personal protection at work;

6) ensure maintenance of instruments of labor and means and equipment for personal protection at work in regular condition;

Article 15.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYER’S OBLIGATIONS AND RESPONSIBILITIES
General obligations

7) hire a certified legal person in order to implement preventive and periodic examinations and testing of work equipment, as well as the preventive and periodic testing of working environment conditions;

8) provide, based on Risk Assessment Act and evaluation from Occupational Health Service, prescribed medical examinations of employees, in accordance with this Law;

9) provide first aid, as well as to train adequate number of employees to provide first aid, rescue and evacuation in case of emergency;

10) stop any type of work that presents an immediate life or health threat to employees.

Article 15.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYER’S OBLIGATIONS AND RESPONSIBILITIES

General obligations

• Employer shall be liable to, on the basis of Risk Assessment Act and evaluation from Occupational Health Service, determine special health conditions to be met by Employees concerning performance of particular operations at the workplace in the working environment, or concerning utilization of particular work equipment.

• Employer shall be liable to allow conditions for independent carrying out of operations concerning health care of Employees, to the hired Occupational Health Service.

Article 16.

• When two or more Employers share the workspace during operations, they shall be liable to cooperate concerning the application of prescribed safework and occupational health measures for Employees.

Article 19, paragraph 1
Training of employees

- When taking up employment – before beginning the assignment;
- Reassignment to other jobs.
- When introducing a new technology or new means for work;
- In case of alteration of the work process that may cause change of safework and occupational health measures;
- If employer appoints employee to perform simultaneously jobs at two or more workplaces
- Employer shall ensure that the access to a workplace in the working environment, in case of immediate threat from injury or health damage at such workplace (poisoning, suffocation, and other), is allowed only to persons capable for safe and healthy work, who received special work instructions for such place and who are furnished with adequate means and equipment for personal protection at work.

Article 27. – 31.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYEE’S OBLIGATIONS AND RESPONSIBILITIES

• Employee shall have the right and liability to introduce himself/herself with
safework and occupational health measures on jobs or at workplace of his/her
appointment, as well as to train for implementation.

• Employee shall have the right:
  1) to give suggestions and observations and to provide information to employer
     on issues concerning safety and health at work;
  2) to control his/her health with regard to workplace risks, in accordance with
     health care regulations.

• Employee that works at the workplace with increased risk, shall have the right and
liability to take medical examination, and shall be instructed to the latter by
employer.

• Employee shall be liable to work at the workplace with increased risk, based on the
report from Occupational Health Service, which will determine whether he/she is fit
to work at such workplace.

Article 32.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYEE’S OBLIGATIONS AND RESPONSIBILITIES

• When there is an immediate life or health threat to employee, he/she shall have the right to undertake adequate measures, in accordance with his/her knowledge and available technical means and to leave the workplace, work process, i.e. work environment.

• In the case from paragraph 1 of this Article, employee shall not be responsible for damage caused to employer.

Article 34.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYEE’S OBLIGATIONS AND RESPONSIBILITIES

Employee shall:

• Apply prescribed safework and occupational health measures;
• Specifically use instruments of labor and hazardous substances;
• Examine his/her workplace before he/she starts working, including instruments of labor used, as well as means and equipment for personal protection at work, and in the case of detected deficiencies, to report to Employer or other authorized person;
• Implement prescribed safework and occupational health measures in his line of duty;

Article 35. and 36.

LAW ON SAFETY AND HEALTH AT WORK
ORGANIZATION OF SAFETY AND HEALTH AT WORK OPERATIONS

- Employer shall organize workplace safety and health operations
- The workplace safety and health operations may be carried out by a person who has passed professional exam in accordance with this Law
- The workplace safety and health operations may be carried out by Employer himself in trade, catering and tourism, trades/crafts and personal services, financial and technical and business services, education, science and information, health and social care, and in housing and communal activities, if there is up to ten Employees and he shall not be liable to pass professional exam
- For the implementation of workplace safety and health operations, employer may appoint one or more of its employees, or to hire a legal person, i.e. entrepreneur with the license.

Article 37.
Employer shall decide on the method for organization of safety and health at work operations subject to:

1) technological process,
2) organizations, nature and scope of the work process,
3) number of Employees who participate in the work process,
4) number of work shifts,
5) estimated risks,
6) number of units separated by locations,
7) type of activity.

Article 37.

LAW ON SAFETY AND HEALTH AT WORK
ORGANIZATION OF SAFETY AND HEALTH AT WORK OPERATIONS

• Safety and Health Officer shall be independent and autonomous in performing delegated assignments.

• Safety and Health Officer shall be immediately responsible to the employer and may not suffer harmful consequences as a result of his/her activity.

• Employer shall ensure advanced training for Safety and Health Officer.

• Employer who in order to ensure performance of occupational safety and health activities contracts legal person or entrepreneur shall inform them in advance on technological process, risks in the process of work and measures for elimination of risks.

• Safety and Health Officer shall perform activities under this Law, and in particular:
  1) participate in preparation of the Risk Assessment Act;
  2) control and advise the employer on planning, choice, use and maintenance of work tools, hazardous matters and substances, and personal protection equipment;

     Article 38. – 40.
• Occupational Health Service shall perform activities laid down in Article 41 of the Law.

• Employer shall ensure pre-emptive and periodical medical examinations for employees working at high-risk jobs.

• Personal data on the employee related to the medical examination shall be confidential and under supervision of the Occupational Health Service.

  Article 41. – 43.

• The license for carrying out of examinations and testing of work equipment and testing of working environment may be acquired by a legal person who fulfills prescribed requirements in terms of providing adequate professional staff, technical equipment, methodology for carrying out of particular examinations and testing, and who employs the person-in-charge.

  Article 56.

LAW ON SAFETY AND HEALTH AT WORK
EMPLOYEES’ REPRESENTATIVE FOR SAFETY AND HEALTH AT WORK

• Right to select one or more representatives for safety and health at work
• At least three Employees’ representative shall form Board for safety and health at work
• Employer who has 50 or more employees shall appoint in the Board at least one representative
• The selection procedure and method of work of Employees’ representatives and Board, number of Employees’ representatives under employer, as well as its relation with the trade union shall be governed by the collective agreement.
• Entitled to have insight into the matter concerning safety and health at work at level of company

Article 44. – 48.

LAW ON SAFETY AND HEALTH AT WORK
RECORDS, COOPERATION AND REPORTING

- Employer shall maintain and keep records of:
  1) workplaces with increased risk;
  2) Employees assigned to workplaces with increased risk and medical examinations of Employees assigned to these workplaces;
  3) injuries at work, occupational diseases and work-related diseases;
  4) trained Employees for safe and healthy work;
  5) hazardous substances used in the work process;
  6) performed tests of the working environment;
  7) performed examinations and testing of work equipment and means and equipment for personal protection at work;
  8) reports on injuries at work and occupational diseases.

Article 49, paragraph 1

LAW ON SAFETY AND HEALTH AT WORK
RECORDS, COOPERATION AND REPORTING

• Employer shall be liable to, immediately and not later than 24 hours from occurrence, report verbally and in written form to the competent Labor Inspection and competent body of internal affairs every fatal, collective or serious injury at work, injury at work which rendered employee to be unable to continue working for at least three consequent working days, as well as hazardous occurrence, which could jeopardize safety and health of employees.

• Employer shall be liable to, not later than three consecutive days from the day of awareness, to report the occupational disease to the competent Labor Inspection, i.e. work-related disease of an employee.

Article 50.

LAW ON SAFETY AND HEALTH AT WORK
RECORDS, COOPERATION AND REPORTING

• Employer shall submit the report on injury at work, occupational disease and work-related disease which occurred at the workplace, to employee that suffered injury, i.e. disease and to organizations authorized for health and pension and disability insurance. The content and method of issuing the report form shall be prescribed by the Minister of Labor.

• Employer shall at the request of Labor Inspector or Employees’ representative, submit the report on the conditions of employees’ safety and health at work, as well as on implemented measures.

Article 51.

LAW ON SAFETY AND HEALTH AT WORK
PROFESSIONAL EXAM AND ISSUING OF LICENSES

- In order to perform safety and health at work activities and duties of the Person-in-charge, an adequate professional exam shall be taken.
- Professional exam shall be taken before respective Commission formed by the Minister of Labor
- The program, method and amount of costs for undergoing exam shall be prescribed by the Minister of Labor
- The Minister of Labor shall issue a license to:
  - a legal person or entrepreneur for carrying out of safety and occupational health activities;
  - a legal person for carrying out of examinations and testing of work equipment and testing of working environment.

Article 54. and 55.

LAW ON SAFETY AND HEALTH AT WORK

OCCUPATIONAL SAFETY AND HEALTH DIRECTORATE

- The Occupational Safety and Health Directorate shall be established within the Ministry of Labor, and it shall carry out duties of the state administration, aiming at promotion and development of safety and health at work, i.e. reducing injuries at work, occupational diseases and work-related diseases
- The Directorate shall carry out the activities as follows:
  1) prepare regulations in the field of safety and health at work, as well as opinions concerning its application;
  12) organize counseling, carry out training for Employees, Employer, persons for safety and health at work, inspectors etc, publish various materials and inform the public about the condition in the field of safety and health at work;
  13) ensure implementation of international acts in the field of safety and health at work;
  14) encourage education and development of the work culture in the field of safety and health at work;

Article 59. and 60.

LAW ON SAFETY AND HEALTH AT WORK
SUPERVISION

• Of compliance with the Law, regulations adopted on the basis of the Law, technical and other measures, general company-level acts, collective agreements and/or employment contracts in part pertaining to occupational safety and of supervision over health and of safety and health at work carried out by the labour inspection.
• The powers of labour inspectors – right and obligation to undertake measure falling within the powers delegated to the inspector
• Employers’ obligation to have supervision conducted

Article 61. – 64.

LAW ON SAFETY AND HEALTH AT WORK
PENAL PROVISIONS

• Fines in different amounts in RSD

- 800.000 - 1.000.000, (Art. 69.)
- 600.000 - 800.000, (Art. 70.)
- 100.000 - 150.000, (Art. 71.)
- 400.000 - 600.000, (Art. 72.)
- 400.000 - 600.000, (Art. 73.)
- 20.000 - 50.000, (Art. 74.)
- 10.000 - 20.000, (Art. 75.)

LAW ON SAFETY AND HEALTH AT WORK


- Provisions regarding which there has been no full alignment yet:
  - Article 2.2 (obligation to exclude the armed forces and the police);
  - Article 3.1.4 (the term “prevention” left out);
  - Article 6.2.1.5 (the principle “adapting to technical progress” is not fully defined“);
  - Article 6.2.1.7 (the principle “developing a coherent overall prevention policy at level of company” is left out);
  - Article 6.3.1.3 (“the planning and introduction of new technologies are the subject of consultation with the workers” is left out);
  - Article 7.1 (the employers obligation to designate person to carry out activities of safety and health at work is partially aligned);
  - Article 10.1.2 (not transposed);
  - Article 11.4 (not transposed);
  - Article 11.5 (not transposed);
  - Article 12.3 (not transposed);
  - Article 13.2.3 (not transposed)

Plans for further alignment: Law Amending the Law on Safety and Health at Work by the end of 2014, and further to 2018.
concerning the minimum safety and health requirements for the workplace
(first individual directive)

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK
AT THE WORKPLACE

In effect as of April 2012, proscribing minimum requirements the employer is bound to meet to ensure implementation of preventive measures for safe and healthy work at the workplace.

Key provisions:
For the purpose of this Rulebook, proscribed meaning of the following terms:
• workplace
• outdoor workplaces
• ancillary premises (Article 2.)

There are means that are provided for which this Rulebook is not applicable to.
(Article 3.)
The employer is obligated to ensure that employee is undertaking his work at the workplace where health and safety measures provided for by the Overview of measures for healthy and safe work at the workplace, have been previously undertaken.

Such an Overview refers to: stability and solidity; installations; emergency routes and exits; fire detection and fire fighting; ventilation of enclosed workplaces; room temperature; natural and artificial room lighting; floors, walls, ceilings and roofs; windows and skylights; doors and gates; danger areas; stairs; safety fences; escalators and travelators; loading bays and ramps; free unoccupied area for workers; rest rooms; pregnant women and nursing mothers; sanitary equipment; first aid rooms; rooms enabling workers to intermittently warm themselves; persons with disability; workplaces in the structures intended for outdoor work. (Article 4.)
Rulebook on preventive measures for safe and healthy work at the workplace is aligned with Directive 89/654/EEC.

NATIONAL LEGAL FRAMEWORK

- Rulebook on machine safety;
- Rulebook on inspection and examination of work equipment and working environment.

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK WHILE USING WORK EQUIPMENT

RULEBOOK amending the Rulebook on preventive measures for safe and healthy work while using work equipment

The basic version text of the Rulebook is in effect as of April 2009, laying down minimum requirements the employer is bound to meet to ensure preventive measures for the use of working equipment (Article 1), and the revised version of the Rulebook includes Annexes 1 and 2 and is applicable as of January 2013.
Directive 2009/104/EC

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK WHILE USING WORK EQUIPMENT

Key provisions:

- Work equipment is a machine, device, plant, installation, tool, etc. used in work process (Article 2.);
- The employer shall ensure application of occupational safety and health measures when work equipment is used at work (Art. 5. and 6.);
- In case of the appearance of specific risks of incurring injuries and health damage to employees while using the work equipment, the employer shall ensure: that the work equipment should be used only by the operators and that the repair works by which the purpose of use, maintenance, servicing and specific cleaning shall not be changed should be performed by the employees nominated fro such activities. (Art. 8.)
- The employer shall ensure that ergonomic principles should be fully observed while using the work equipment. (Art. 9.).
- Preventive and periodical examinations and inspections of the work equipment (Art.10);
- Notifications and information (Art. 11.); Such information include: conditions of use of the work equipment; unusual situations that may be envisaged and conclusions made on the basis of experience gained while using the work equipment. The information must be clearly formulated to the employees they refer to.
Key provisions:

- Training of employees (Article 12)
- The employer shall inform the employees on all types of risks in the course of occupational safety and health training delivery;
- Cooperation between the employer and employees (Article 13).
- There are two Annexes integral to the Rulebook – Annex 1 – The overview of general measures; Annex 2 – the overview of the measures when using work equipment.
- The Rulebook on preventive measures for safe and healthy work while using work equipment and its amendments are partially aligned with the Directive.
- Full alignment is not achieved regarding:
  Article 4, paragraph 3 defining procedures to achieve level of safety as provided for in Annex II of the Directive;
  Article 5 Inspection of work equipment (partially aligned);
  Article 10 Consultation of workers (partially aligned).

- Plans for further harmonisation: Revision of the NPAA 2014-2018

NATIONAL LEGAL FRAMEWORK

• Rulebook on preventive measures for safe and healthy work concerning the use of means and equipment for personal protection at work;
• Rulebook on personal protective equipment;
• Law on Technical Requirements for Products and Assessment of Compliance;
• Law on General Product Safety

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK CONCERNING THE USE OF MEANS AND EQUIPMENT FOR PERSONAL PROTECTION AT WORK

In effect as of October 2008, laying down minimum requirements the employer is bound to meet to ensure application of preventive measures concerning the use of means and equipment for personal protection at work.
Key provisions:

• The means and equipment for personal protection at work are all means and equipment which an employee wears, carries or holds, or otherwise uses at work, the purpose of which is to protect an employee against one or multiple simultaneous hazards and/or harms, namely to eliminate or minimise the risk of injury or damage to health (Article 2).

• **Employer shall**: provide employees with means and equipment for personal protection at work which must be made in accordance with the regulations on product safety; correspond to the existing conditions at the workplace and in the working environment; be designed with the purpose of eliminating or minimising risks at the workplace and as such, must not increase the existing or produce new health and safety risks for employees; be in compliance with specific ergonomic requirements of the workplace and employee’s health condition; (Article 5).
Key provisions:

• An employer shall determine means and equipment for personal protection at work based on risk assessment of injury occurrence and damage to employees’ health, which is based on identified and determined hazards and adversities that employees are exposed to at the workplace and in the work environment as well as to conduct a review of hazards and adversities that require the use of means and/or equipment for personal protection at work and to determine means and equipment for personal protection at work that correspond to the review of means and equipment for personal protection at work (Article 6).

• Employer shall at the proper time and before means and/or equipment for personal protection are put into use, inform employees about the risks of injuries and damage to health that require compulsory use of means and/or equipment for personal protection at work and organise theoretical and practical training for employees to ensure the correct use of means and/or equipment for personal protection at work (Article 11).
Key provisions:

Providing information for employees:

• An employer shall provide employees and their representative for health and safety at work with all information regarding health and safety at work, in particular on measures undertaken with the aim of protecting the safety and health of employees at work while using means and/or equipment for personal protection at work.

• The employer and employees, namely employees’ representatives for health and safety at work, shall work together in relation to all issues pertaining to the use of means and/or equipment for personal protection at work (Art. 12 and 13).

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK CONCERNING THE USE OF MEANS AND EQUIPMENT FOR PERSONAL PROTECTION AT WORK

• There are 3 Appendices to this Rulebook:
  Appendix 1. Review of hazards and adversities requiring the use of means and equipment for personal protection at work
  Appendix 2. Review of means and equipment for personal protection at work
  Appendix 3. Review of means and equipment for personal protection at work based on job requirements

• Partially aligned with Council Directive 89/656/EC.

Provisions pending full alignment:
• One part of the Rules of use (Article 6, point 3 of the Directive)
• Consultation of workers and workers’ participation (Article 8 of the Directive)
• Plans concerning further alignment: Revision of the NPAA 2014-2018

RULEBOOK ON PROVISION OF SAFETY AND/OR HEALTH SIGNS AT WORK

• In effect as of December 2012, laying down minimum requirements the employer is bound to meet to ensure provision of safety and/or health signs at work.

Key provisions:
• The Rulebook may not be applicable to: signs used when hazardous matters, mixtures, products and/or equipment is marketed, except in cases provided for by laws; signs used in road, rail, inland waterway, sea and air transport. (Article 2)
• Meaning of certain terms used in the Rulebook is determined, including (signs for safety and/or health at work, prohibition sign, warning sign, mandatory sign, emergency escape, information sign, signboard, supplementary signboard, safety colour, symbol or pictogram, illuminated sign, acoustical signal, verbal communication, hand signal) (Article 3)
Requirements concerning safety and/or health signs are proscribed in appendices 1 – 9 (Article 4)

- Employer shall, **taking into account risk assessment**, provide and place safety and/or health signs at work.
- Employer shall, in addition to the signs referred to in Appendix thereof, place relevant signs proscribed in legislation governing **road, rail, inland waterways, sea or air transport** (Article 5)
- Employer shall **provide information** to **employees and their safety and health at work representatives** which relate to safety and/or health sings, in particular on measures undertaken regarding provision of signs of safety and/or health at work (Article 6)

RULEBOOK ON PROVISION OF SAFETY AND/OR HEALTH SIGNS AT WORK

Training for employees and cooperation between the employer and employees

- In the course of the training on safety and health at work the employees shall become informed on all the measures undertaken with regard to provision of signs for safe and/or health signs, and shall obtain instructions in written form (Article 7)
- Cooperation between the employer and employees, and/or their representative for safety and health at work shall be established with regard to all the issues concerning provision of safety and/or health signs at work (Article 8)

The Rulebook on provision of safety and/or health signs is fully aligned with Directive 92/58/EEC


NATIONAL LEGAL FRAMEWORK

• Rulebook on Occupational Diseases

MANDATORY PENSION AND DISABILITY INSURANCE

• Occupational diseases are defined in Article 24, paragraph 1 of the Law.
• The Rulebook on Occupational Diseases – defines occupational diseases, workplaces, and/or jobs at which such diseases occur and conditions under which they are regarded as of occupational diseases.
• The Law on Pension and Disability Insurance for the case of injury at work and occupational disease – foresees entitlement to disability pension and cash benefit for bodily impairment
LAW ON HEALTH INSURANCE

- Under Article 33 of the Law the right to health care in the case of work-related injuries or diseases covers the health care in the case of work-related diseases and injuries provided at primary, secondary and tertiary level.
- Under Article 96, paragraph 2, the amount of the benefit provided from the compulsory health insurance funds in case of injury at work or occupational disease equals 100 percent of the average wage the insured person generated in the preceding three months.
LAW ON HEALTH CARE

- Social care for health at the level of company:
- Implementation of the measures for prevention and early detection of occupational diseases, work-related diseases and prevention of injuries at work
- Informing employees on occupational safety and health measures and use of devices for protection
- Monitoring conditions of work and safety and health at work, as well as assessment of professional risks with view to promoting working conditions and ergonomic measures, adapting work to mental and physiological characteristics of employees.
- Under Article 124 of the Law, an occupational health institute competent for the territory of the Republic – is established by the Republic. The occupational health institute is a healthcare establishment pursuing activity concerning occupational health, and/or safety of health at work.

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK CONCERNING THE MANUAL HANDLING OF LOADS

In effect as of December 2009 proscribing minimum requirements the employer is bound to meet to ensure application of preventive measure for manual handling of loads entangling the risk of the backbone injury or disease.

Key provision:
• The term 'manual handling of loads' means any transporting or supporting of a load, by one or more workers, including lifting, putting down, pushing, pulling, carrying or moving of a load, which, by reason of its characteristics or of unfavourable ergonomic conditions, involves a risk particularly of backbone injury to workers. (Article 2)

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK CONCERNING THE MANUAL HANDLING OF LOADS

Employer shall:

• take appropriate organizational measures, or shall use the appropriate means, in particular mechanical equipment, in order to avoid the need for the manual handling of loads by workers. (Article 4)

• Where the need for the manual handling of loads by workers cannot be avoided, the employer shall take the appropriate organizational measures, use the appropriate means or provide workers with such means in order to reduce the risk of backbone injury involved in the manual handling of such loads (Article 4)

• Wherever the need for manual handling of loads by workers cannot be avoided, the employer shall organize workstations in such a way as to make such handling as safe and healthy as possible and: assess the health and safety conditions of the type of work involved, and in particular examine the characteristics of loads; take care to avoid or reduce the risk particularly of back injury to workers, by taking appropriate measures, considering in particular the characteristics of the working environment and the requirements of the activity. (Article 5)

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK CONCERNING THE MANUAL HANDLING OF LOADS

Employer shall:

• ensure the adaption of the work procedure to physical and psychical possibilities of workers, respectively to take account of individual risk factors for the workers in the assignment of activities where manual handling of loads by workers cannot be avoided, taking account of individual risk factors. (Article 5)

• Wherever the need for manual handling of loads by workers cannot be avoided, the employer shall organize workstations in such a way as the workers manually handle loads which weight does not exceed the set values; pregnant women do not manually handle loads; the cumulative load mass handled by workers does not exceed the appropriate values (Article 7 and 8)

• There are two Appendices to this Rulebook. Appendix 1 – Overview of risk factors: Appendix 2 – Overview of individual risk factors.
Informing, training and consultation and participation of employees:

- Workers and/or their representatives shall be informed of all measures to be implemented with regard to the protection of safety and of health. Employers must ensure that workers and/or their representatives receive general indications and, where possible, precise information on the weight of a load, the center of gravity of the heaviest side when a package is eccentrically loaded. (Article 9)

- Employers must ensure that workers receive proper training on how to work safely and be healthy at work and information on how to handle loads correctly and the risks they might be exposed at their workplaces. (Article 10)

- Consultation and participation of employees and/or of their representatives for safety and health shall take place on matters related to manual handling of loads. (Article 11)

Rulebook on preventive measures for safe and healthy work concerning the manual handling of loads is aligned with Directive 90/269/EEC.

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK WITH DISPLAY SCREEN EQUIPMENT

In effect as of December 2013 lays down minimum safety and health requirements the employer shall be obliged to meet in securing preventive measures for work with display screen equipment.

Key provisions:

• This Rulebook shall not apply to (drivers' cabs or control cabs for vehicles or machinery, portable computer systems, calculators, cash registers, etc.). (Article 2)

• Display screen equipment is the equipment with an alphanumeric or graphic display screen, regardless of the display process employed. (Article 3)

• Workstation is an assembly comprising display screen equipment, which may be provided with a keyboard or input device and/or software determining the operator/machine interface, optional accessories, peripherals including the diskette drive, telephone, modem, printer, document holder, work chair and work desk or work surface, and the immediate work environment; (Article 3)

RULEBOOK ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK WITH DISPLAY SCREEN EQUIPMENT

• **Worker** is any worker who habitually uses display screen equipment as a significant part of his normal work (Article 3)

• Employers shall perform a **risk assessment for** at workstations where display screen equipment is used as regards possible risks to eyesight physical and mental and physiological impairment of health, and/or **partially revise risk assessment act.** (Article 4)

• The employer shall ensure **adequate breaks** during work or change of activities for the employees to the effect of reducing mental and physiological stress as a result of use of display screen equipment. (Article 5)

• Employers must take the appropriate steps to ensure that workstations meet the minimum requirements laid down in the Overview of measures for safe and healthy work with display screen equipment. (Article 5)

• Employers shall ensure for workers using display screen equipment: **eyesight examination; targeted ophthalmological examination and use of special corrective devices adequate for the performed tasks.** (Article 6)
Informing, training and consultation and participation of employees:

- The employer shall provide all information on safety and health at work to the employees or their representatives for safety and health at work (Article 8).
- The employer shall inform the employees using display screen equipment on all the risks they may be exposed to when using such equipment (Article 9).
- Both the employer and employees, and/or their representatives for safety and health at work shall cooperate in connection to all the issues regarding use of display screen equipment. (Article 10)

The Rulebook on preventive measures for safe and healthy work with display screen equipment is aligned with Directive 90/270/EEC, except Article 2, point (b) laying down meaning of the term workstation, whereas the Rulebook lays down the meaning of term workplace.

- Plans for further alignment: Plan of revision of the NPAA 2014-2018

NATIONAL LEGAL FRAMEWORK

- Law on Maritime Navigation;
- Decree on the minimum requirements and conditions for the provision of medical care on board maritime vessels.
DECREE ON THE MINIMUM REQUIREMENTS AND CONDITIONS FOR PROVISION OF MEDICAL CARE ON BOARD MARITIME VESSELS

Adopted in January 2014 laying down minimum requirements which depending upon the category of navigation, deadweight tonnage, number of crew members and type of cargo the vessel are bound to meet, as well as their equipment and devices in order to provide medical care to the crew, the requirements concerning the surgery on board the vessel, and mandatory content of the ship’s pharmacy, method of control of medical supplies and form and method of keeping the register on the content of ship’s pharmacy.

KEY PROVISIONS:

• Minimum medical supplies are given in the Annexes;

DECREES ON THE MINIMUM REQUIREMENTS AND CONDITIONS FOR PROVISION OF MEDICAL CARE ON BOARD OF MARITIME VESSELS

The Decree has 9 Annexes:

Annex 1 Minimum quantities of medicines for maritime vessels
Annex 2 Minimum quantities of medical equipment for maritime vessels
Annex 3 Hazardous items transported by maritime vessels
Annex 3a Antidotes any maritime vessel must have
Annex 3b Minimum quantities of medicines and medical equipment for maritime vessels transporting hazardous items
Annex 4 Minimum content of the first aid kit
Annex 5 Minimum quantities of quantities and medical equipment for rescue boats
Annex 6 Register of medicines and medical equipment on board of maritime vessels
Annex 7 Register of medicines and medical equipment on board of maritime vessels
Annex 8 Register of medicines and medical equipment on board of maritime vessels
Annex 9 Certificate on conducted control of the ship’s pharmacy, medicine box/dispenser and first aid kit for rescue boats

Aligned with Directive 92/29 EEC

NATIONAL LEGAL FRAMEWORK

- Law on Maritime Navigation;
- Decree on the preventive safety and health measures on board fishing vessels;
- Decree on the minimum requirements and conditions for the provision of medical care on board fishing vessels;
- Rulebook on preventive measures for safe and healthy work while using personal protective equipment at work.

DECREE ON THE PREVENTIVE SAFETY AND HEALTH MEASURES ON BOARD FISHING VESSELS

Adopted in September 2010, laying down minimum safety and health requirements at work the owner of a fishing vessel is bound to meet to ensure implementation of preventive measures for safe and healthy work on board fishing vessels.

KEY PROVISIONS:

• Proscribes what is fishing vessel, new fishing vessel, existing fishing vessel, vessel, employee, owner of the vessel, skipper, and workplace (Article 2).
• The owner is bound to take into account all hazards that may occur for employees in case other employees have left their workplaces due to immediate threat to life or health and to ensure that all events on board vessel which may or have put at risk safety and health of the employees are described in a detailed report to be forwarded to a competent inspection authority and noted down with care and attention into the log, or any other document adequate for such a purpose (Articles 3, 4 and 5).

DECREE ON THE PREVENTIVE SAFETY AND HEALTH MEASURES ON BOARD FISHING VESSELS

Key provisions:

• The owner is bound to, taking into account responsibility of the skipper, ensure the vessels, and in particular parts and equipment are technically maintained, and all the shortcomings which may affect safety and health of the employees be eliminated in as short period as possible; that measures are undertaken for regular cleaning of the vessel in order to preserve adequate level of hygiene; that there is sufficient adequate equipment in operation for case of emergency, rescue or survival; for the employees to use equipment and devices for personal protection at work (Article 6).

• Informing, training, and cooperation between the owner and employees (Article 8. and 9).

• The Decree has 4 Annexes:
  Annex 1 Overview of the measures for safe and healthy work on board fishing vessels
  Annex 2 Overview of the measures for safe and healthy work on board existing fishing vessels
  Annex 3 Overview of the measures concerning rescue and survival equipment
  Annex 4 Overview of the measures concerning use of the means and equipment for personal protection at work

Fully aligned with Directive 93/103/EC

NATIONAL LEGAL FRAMEWORK

• Law on Planning and Construction;
• Decree on safety and health at work at temporary and mobile construction sites
• Rulebook on safety at work during construction

DECREE ON SAFETY AND HEALTH AT WORK AT TEMPORARY AND MOBILE CONSTRUCTION SITES

Came into force on 1 March 2009, and fully applicable as of 1 July 2011, sets forth the minimum requirements that an investor or the investor representative for project implementation, coordinator for safety and health at work in project development stage, coordinator for safety and health at work in the construction phase, the employer and other persons are required to meet in order to ensure implementation of preventive measures on temporary or mobile construction sites.

DECREE ON SAFETY AND HEALTH AT WORK AT TEMPORARY AND MOBILE CONSTRUCTION SITES

Key provisions:

Scope: Not applicable to ground and underground mineral extracting industries and of deep-sea drilling (Article 2).

The terms used:

• temporary or mobile construction sites are all construction sites, or places in the area where works are executed;

• investor is a legal person, an entrepreneur or an individual for whose needs the facility is being constructed, or is financing the construction of the facility;

• investor representative is a legal entity or an individual entrepreneur who is, on behalf of the investor, responsible for design and/or construction and/or professional supervision of contractors;

• any other person - is a self-employed person carrying out activities independently, does not have the status of an employer (Article 3).
Key provisions:
Project Coordinator is a legal person that the investor, or the investor representative authorized in writing to carry out activities: to coordinate implementation of the principles of prevention when it is decided on architectural, technical, technological and/or organizational solutions in order to plan various activities or stages of works to be executed simultaneously or successively and estimated the time required for completion of works or stages of works;

- When the Plan of preventive measures is developed, the Project Coordinator shall take into account all the specific measures for safe and healthy work at the construction site, and all industrial activities ongoing in the vicinity;

- Prepare the document, which in accordance with the characteristics of the project, contains relevant information on the safety and health at work that should be taken into account when executing any works on the site (Article 10 and 11).
Construction Coordinator:

- shall decide on technical, technological and/or organizational solutions in order to plan for various elements or stages of works to be executed simultaneously or successively, assess the deadlines for completion of these works and work stages;
- coordinate implementation of planned activities in order to ensure that employers and other persons; consistently apply preventive measures;
- implement specific measures from the Plan of Preventive Measures, propose procedure for amendments to the Preventive Measures Plan taking into account the resulting changes to the site;
- organize cooperation and mutual exchange of information between all employers and other persons executing works on the site simultaneously or successively at the construction site;

DECREE ON SAFETY AND HEALTH AT WORK AT TEMPORARY AND MOBILE CONSTRUCTION SITES

Key provisions:

Construction Coordinator:

• shall coordinate their activities regarding implementation of measures for safety and health at work to prevent injuries and occupational diseases;
• ensure that all employers and other persons on site are familiar with the Plan of Preventive Measures, and amendments to the Plan;
• coordinate arrangements to verify that the work activities are carried out properly; undertake measures to ensure that only persons who have permission to be able to enter the site have access to the site;
• inform the competent labour inspection on cases where employers and other persons do not apply measures for a safe and healthy work (Article 13).

DECREE ON SAFETY AND HEALTH AT WORK AT TEMPORARY AND MOBILE CONSTRUCTION SITES

Employer shall:

• provide the employees with a workplace and working environment with applied measures for safety and health at work,

• take into consideration during the execution of works on site, instructions received from Project Coordinator and Construction Coordinator;

• cooperate with other employers and persons on implementation of safety and health at work;

• provide all information relating to safety and health at work to workers or their representatives for safety and health at work (Article 15).

The Decree has 3 Annexes:

Annex 1 Overview of works executed in construction of facilities
Annex 2 Summary of works carrying a specific risk of injury and health damage for employees
Annex 3 Site Registration

DECREES ON SAFETY AND HEALTH AT WORK AT TEMPORARY AND MOBILE CONSTRUCTION SITES

Annex 4 Summary of measures for safe and healthy work on temporary and mobile construction sites

Annex 5 Plan of Preventive Measures

- Not fully aligned regarding:

The definition of the supervisory body of the project and Project Coordinator and Construction Coordinator – (Article 2 of the Directive).

- Plans for further alignment: Revision of the NPAA 2014-2018

NATIONAL LEGAL FRAMEWORK

- Law on Mining and Geological Researches
- Regulation on preventive occupational safety and health measures for underground borehole exploitation of mineral feedstock

REGULATION ON PREVENTIVE OCCUPATIONAL HEALTH AND SAFETY MEASURES FOR UNDERGROUND BOREHOLE EXPLOITATION OF MINERAL FEEDSTOCK

Adopted in August 2010, and will become applicable within five years as of August 2015, provides for minimum requirements that employer is bound to ensure in the implementation of preventive occupational health and safety measures for underground borehole exploitation of mineral feedstock.
Key provisions:

- **Terms used**: the mining operations on borehole construction, exploitation of oil, natural gasses, underground waters and other mineral feedstock extracted by underground drilling; mining operations on exploration of oil, gasses, ground waters and other mineral feedstock; preparation of feedstock for sale, excluding processing operations.

- **Workplace** is the space intended for performing business operations for the employer in the facilities intended for work and adjoining auxiliary space either within the facilities intended for work in the open-air or in the open-air involving underground borehole exploitation of mineral feedstock, where employees spend time or to which employees have access during work hours and which is directly or indirectly controlled by the employer. (Article 2).

REGULATION ON PREVENTIVE OCCUPATIONAL HEALTH AND SAFETY MEASURES FOR UNDERGROUND BOREHOLE EXPLOITATION OF MINERAL FEEDSTOCK

Key provisions:
Employer shall:

carry out, in respect of all workplaces in the working environment, an assessment of risk, of possible injuries and potential health damage, in keeping with the regulations concerning professional health and safety (Article 4).

The employer responsible for the working area coordinates the activities related to the application of the joint measures in order to remove the risk of injuries, i.e. damage to the health of employees, between the employers who should agree, in writing, on the manner of cooperation as well as on the measures to provide for the health and safety of all employees (Article 5).

REGULATION ON PREVENTIVE OCCUPATIONAL HEALTH AND SAFETY MEASURES FOR UNDERGROUND BOREHOLE EXPLOITATION OF MINERAL FEEDSTOCK

Employer shall:
immediately, and within 24 hours from possible occurrence at the latest report to the Mining Inspection, to the Labour Inspectorate and Internal Inspection Control any possible death, collective or serious work injury; provide and maintain adequate equipment and material-technical means necessary for carrying out evacuation and rescue, in order to enable the employees to rapidly and safely evacuate workplace in case of danger; to provide for relevant system of monitoring, early warning, alerting and advising in order that evacuation and rescue action could be undertaken as soon as necessary (Article 6 - 9).

REGULATION ON PREVENTIVE OCCUPATIONAL HEALTH AND SAFETY MEASURES FOR UNDERGROUND BOREHOLE EXPLOITATION OF MINERAL FEEDSTOCK

Informing employees:
Employer shall provide to the employees or their representatives in charge of professional health and safety all information related to professional health and safety, especially those concerning measures undertaken as to ensure safe and healthy working conditions in respect of underground borehole exploitation of mineral feedstock (Article 10).

Medical check-ups: It is employer’s duty to ensure the obligatory medical check-ups of the employees working or those that are to work in workplaces concerning underground exploitation of mineral feedstock, that, based on Risk Assessment Regulation have been determined as workplaces with increased risk of professional injuries or health damage (Article 11).

Supervision: Inspection and supervision of the implementation of this regulation is carried out by the ministry in charge of mining, through mining inspectors (Article 13).

REGULATION ON PREVENTIVE OCCUPATIONAL HEALTH AND SAFETY MEASURES FOR UNDERGROUND BOREHOLE EXPLOITATION OF MINERAL FEEDSTOCK

The Regulation has 3 Annexes:
Annex 1 Measures for professional health and safety
Annex 2 Special measures ensuring professional health and safety underground borehole ashore
Annex 3 Special measures for professional health and safety underground borehole at sea and other water surface

Not fully aligned regarding:
Definitions (Article 2 of the Directive); Health Surveillance, partially (Article 8 of the Directive).

• Plans for further alignment: Revision of the NPAA 2014-2018

NATIONAL LEGAL FRAMEWORK

- Law on Mining and Geological Researches
- Regulation on preventive measures for safe and healthy work in underground and opencast exploitation of mineral feedstock

REGULATION ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK IN UNDERGROUND AND OPENCAST Exploitation of Mineral Feedstock

Adopted in September 2010, to be applicable after nine years, i.e. as of September 2019, prescribe the minimum requirements that the employer is bound to meet to provide prevention measures in underground and opencast exploitation of mineral feedstock.

REGULATION ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK IN UNDERGROUND AND OPENCAST EXPLOITATION OF MINERAL FEEDSTOCK

Key provisions:

• **Terms used**: mining works on opening, preparation and excavation of underground and near the surface deposits; works for the purposes of exploration of mineral feedstock; pre-processing of mineral feedstock for sale, with the exception of processing operations; mining operations performed on waste and tailing dumps (Article 2).

• Employer responsible for a work facility shall coordinate the activities in relation to the application of joint measures for prevention of risk from injuries and/or danger to the health of employees, among the employers that in a written agreement stipulate the manner of their mutual cooperation and measures to provide safety and health of all the employees. (Article 5).

REGULATION ON PREVENTIVE MEASURES FOR SAFE AND HEALTHY WORK IN UNDERGROUND AND OPENCAST EXPLOITATION OF MINERAL FEEDSTOCK

Three Annexes
Annex 1 General measures in underground and opencast mines for exploitation of mineral feedstock
Annex 2 Special measures in open pit mine exploitation of mineral feedstock
Annex 3 Special measures in underground exploitation of mineral feedstock

• Partially aligned with Council Directive 92/104/EC.

Not fully aligned regarding:
Definitions (Article 2 of the Directive),
Health Surveillance, partially (Article 8),
Mineral-extraction by dredging (Article 12).

Plans for further alignment: After 2019, implementation will be reviewed and further alignment conducted.
REPUBLIC OF SERBIA

Negotiating Team for Accession of the Republic of Serbia to European Union

Ministry of Labour, Employment, Veterans and Social Affairs
Occupational Safety and Health Directorate

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THANK YOU FOR YOUR ATTENTION