



**WITH A LAW DECREE OF P AND**

**On Occupational Safety**

*(Bulletin of the Verkhovna Rada of Ukraine (BVR),*

*{Into effect of VR Resolution*

*N 2695-XII ( 2695-12 ) of 14.10.92, BD, 1992, N*

*{Amended by Laws*

*N 196/96-VR of 15.05.96, BD, 1996, N 31, art. 1*

*N 783-XIV ( 783-14 ) of 30.06.99, BD, 1999, N 3*

*version shall take effect simultaneously with t  
the Law on the State Budget of Ukraine for 2000*

*{As amended by Law*

*N 229-IV ( 229-15 ) of 21.11.2002, BD, 2003, N*

*{Amended by Laws*

*N 1331-IV ( 1331-15 ) of 25.11.2003, BD, 2004, N*

*N 1344-IV ( 1344-15 ) of 27.11.2003, BD, 2004, N*

*N 2285-IV ( 2285-15 ) of 23.12.2004, BD, 2005, N*

*N 2505-IV ( 2505-15 ) of 25.03.2005, BD 2005, N*

*N 3108-IV ( 3108-15 ) of 17.11.2005, BD, 2006, N*

*N 1026-V ( 1026-16 ) of 16.05.2007 , BD, 2007, N*

*N 345-VI ( 345-17 ) of 02.09.2008, BD, 2008, N*

*N 1454-VI ( 1454-17 ) of 04.06.2009 , BD, 2009,*

*N 2185-VI ( 2185-17 ) of 13.05.2010, BD, 2010, N*

*N 2367-VI ( 2367-17 ) of 29.06.2010, BD , 2010,*

*N 2562-VI ( 2562-17 ) of 23.09.2010, BD, 2011, N*

*N 3038-VI ( 3038-17 ) of 17.02.2011, BD, 2011 ,*

*N 3395-VI ( 3395-17 ) of 19.05.2011, BD, 2011, N*

N 3458-VI ( 3458-17 ) of 02.06.2011, BD, 2011, N  
 N 5459-VI ( 5459-17 ) of 16.10.2012, BD, 2013, N

{The text of the Act the words "specially authori  
 body of executive power "in all cases replaced  
 "central body of executive power" in appropriat  
 pursuant to the Law N 1454-VI ( 1454-17 ) of 04

{The text of the Act the words "central executive  
 health "and" central body of executive  
 power in health care "in all cases shall be rep  
 by "central executive agency that provides  
 public policy in health care "I" in  
 the appropriate case, the word "central executi  
 body in the field of Education and Science "in  
 "central executive body, to form  
 public policy in education and science "in an a  
 case, the words "central authority executive wi  
 oversight of safety "in all cases - the words  
 "central executive body that implements the sta  
 policy in the field of labor "in appropriate ca  
 pursuant to the Law N 5459-VI ( 5459-17 ) of 16

This law defines the provisions for the implem  
 of the constitutional right of workers to protectio  
 the workplace, in the proper, safe and healthy cond  
 of work, regulating the participation of relevant p  
 the relationship between employer and employee safe  
 work and environment and establishes a uniform proc  
 the organization of labor in Ukraine.

## **Section I**

### TERMS

#### **Article 1.** Definitions and terms

Safety at work - a system of legal, social, ec

organizational, technical, sanitary and health care measures and means to preserve life, health and disability rights in the work.

Employer - owner of the company, institution, or body authorized by it, regardless of ownership, business, management and the individual who uses hired labor.

Worker - a person who works in the enterprise, institution and performs duties or functions under agreement (contract).

## **Article 2.** Scope of the Law

This Law shall apply to all legal and natural persons who, in accordance with the laws of using h labor, and to all employees.

## **Article 3.** legislation on occupational safety

Occupational safety legislation consists of th the Labor Code of Ukraine ( 322-08 ), the Law of Uk Mandatory State Social Insurance Accident accidents and occupational diseases that caused disability "( 1105-14 ) and adopted in accordance with these legal acts.

If an international treaty ratified by the Verkhovna Rada of Ukraine establishes rules other t provided for by the legislation of Ukraine on prote , the rules of the international treaty.

## **Article 4.** State policy in the field of labor

The national policy on occupational safety is in accordance with the Constitution of Ukraine ( 25 of Ukraine and to create the appropriate, safe and working conditions, prevention of accidents and occ diseases.

The national policy on occupational safety is following principles:

priority of life and health of employees, total liability of the employer for creating appropriate, healthy working conditions;

improving industrial safety by providing continuous technical monitoring of industries, technologies, and assist enterprises in creating a safe friendly working environment;

complex solution of the conservation work on the national, sectoral and regional programs on the subject and without prejudice to other areas of economic advances in science and technology and the environment;

social protection, full reparation to persons affected by accidents at work and occupational diseases;

establish uniform safety requirements for all enterprises and businesses, regardless of ownership and activities;

adapting work processes to the capabilities of workers, considering his health and mental state;

use of economic methods of management of labor, the state's participation in the financing of measures, involvement of voluntary contributions and other measures the receipt of which is not against the law;

public awareness, training, vocational training and retraining of employees on occupational safety;

ensure coordination of the activities of public institutions, organizations and associations of citizens of health, hygiene and safety, as well as

cooperation and consultation between employers and employees (or their representatives) among all social decision-making on health and safety at the local and national levels;

using the experience of work on improving the environment and enhancing safety through cooperation.

## **Section II**

### Rights to labor protection

#### **Article 5.** rights to labor protection when entering contract

Conditions of employment contract does not contradict to the laws and other normative legal acts of labor.

Upon conclusion of the employment contract, the employer must inform the employee on receipt of working conditions, presence at his workplace dangerous and harmful production factors that are not yet resolved, the conditions on health and the rights of the employee benefits a work in such circumstances in accordance with the labor agreement.

The employer can not be offered a job that a medical opinion it is contraindicated for health reasons. Persons of high hazard and those in need of professional selection, allowed a person in the presence of the results of psychophysiological assessment.

All workers are by law subject to compulsory state social insurance against accidents at work and occupational diseases that caused disability.

**Article 6.** rights of workers on health and saf

Conditions in the workplace, safety technology processes, machines, equipment and other means of production, the status of collective and individual used work and sanitary conditions must comply with the law.

An employee may refuse to assigned work if production created a situation dangerous to life or health or to the people around him or industrial environment or the environment. It shall immediately supervisor or employer. The presence of such a situation, if necessary, supported by specialists of labor enterprises with participation of trade union he is a national or a person authorized employee of (if the trade union at the enterprise not created), an insurance expert on occupational safety.

Over a period of downtime for reasons provided article, which arose through no fault of the employee average earnings.

An employee may terminate the employment contract request, if the employer does not fulfill the law if work fails to comply with the terms of the collective. In this case, the employee shall be paid severance prescribed by the collective agreement, but not less of work.

An employee who for health reasons according to opinion needs to provide an easier job, the employer transfer the employee to the consent of such work if stated in the medical report, and if necessary to provide a shorter working day and organize the training of the employee to acquire another profession in accordance

At the time of suspension of operation of the enterprise or individual manufacturing facilities of state supervision of occupational safety or service work, the worker kept job and average earnings.

## **Article 7.** employee's right to benefits and co and hazardous working conditions

Workers employed in jobs with difficult and ha  
conditions, provided free health care  
food, milk or equivalent food,  
carbonated salt water, are entitled to paid breaks  
sanitary and health improvement, reduction of worki  
time, additional paid leave, reduced pension , paym  
work in a higher rate and other benefits and compen  
provided in accordance with the law.

If traveling nature of the work the employee s  
cash compensation for the purchase of health care  
food, milk or equivalent him food to  
conditions stipulated by the collective agreement.

The employer may at his own expense to install  
collective agreement (agreement, employment contrac  
benefits and compensation provided by law.

During the Contracts of employment contract wi  
, the employer must, not later than 2 months, writi  
to inform employees about changes in operating cond  
and compensation, including those provided to him l

## **Article 8.** Providing employees clothing and ot personal protection equipment, washi decontaminating agents

To work with hazardous conditions, as  
well as studies related to pollution or adverse  
weather conditions, employees are given free of cha  
the established rules of special clothes, special f  
personal protective equipment, as well as cleaning  
agents. Employees who are involved in one-off works  
the accident, natural disaster, etc., which are not  
provided by the employment contract should be provi  
specified facilities.

The employer must provide at his own expense the purchase, acquisition, issue and maintenance of individual defense in accordance with the legal safety and collective bargaining.

In case of premature deterioration of credit the employer must replace them at your expense. If an employee purchase clothing, other personal protection, washing and decontaminating facilities the employer must compensate all expenses for the c stipulated by the collective agreement.

According to the collective agreement the empl in excess of the norm, give the employee some means of individual protection if the actual working cond employee require their use.

**Article 9.** compensation for damage to health workers or in case of death

Compensation for damage caused as a result of 's health injury or the death of an employee is made by the Fund against accidents under the Law of Ukraine "On Mandatory State Social Insurance against accidents at work and occupational diseases that caused disability " ( 1105-14 ).

The employer may at its own expense to perform the victims and their families additional benefits collective agreement or employment.

For employees who are unable to work due to an accident at work or occupational disease, saved job (position) and the average salary for the entire period until rehabilitation or to establ a continuing loss of employability. If you can not perform the victims of previous work carried out hi and retraining, and employment in accordance with medical advice.



Time on disability due to an accident at work or occupational disease is included in the length of service for a pension by age and experience in hazardous conditions, which entitles you to work on favorable terms and preferential sizes in order established by law. (Article 9 as amended by adding pursuant to Law N 3108-IV ( 3108-15 ) of 17.

## **Article 10.** Occupational Safety Women

Prohibits the employment of women in heavy work in hazardous or dangerous conditions in underground works, except for some underground work (non-physical-related health and consumer services) and the involvement of women in lifting and moving things which exceeds the limits for them, according to a list of hard work and the work of the hazardous of work, the limits of lifting and moving heavy objects are approved by the central executive body to public policy in the health sector .

Of pregnant women and women with minor children is regulated by law.

## **Article 11.** Protection of minors

Not allowed to attract minors to work on heavy work and work in hazardous or dangerous working conditions at the workplace, to the night, overtime and work on weekends as well as lifting and moving things, which exceeds the limits for them according to the list of hard work and the work of the hazardous of work, the limits of lifting and moving heavy objects are approved by the central executive body to public policy in the health sector.

Minors are hired only after a preliminary medical examination.

Procedure for employment and training of juven occupations involving heavy labor and work in hazar or dangerous conditions, determined by the position is approved by the central executive body to public policy in the field of labor.

*{Part three of Article 11 as amended by the Law N 5459-VI ( 5459-17 ) of 16.10.2012}*

Age from which allowed the employment, duratio of working time, holidays and certain other conditi by law.

## **Article 12.** Occupational Safety disabled

Businesses that employs disabled people are ob to create conditions for them to work with the advi the medical-social expert commissions and individua of rehabilitation, to take additional measures of s meet the specific characteristics of this category

In the cases provided by law, the employer is obliged to organize training, rehabilitation and employment of disabled persons in accordance with m

Involving disabled people to work overtime and can only with their consent and provided that it do the recommendations of medical and social expert co three of Article 12 as amended by Law N 1331-IV ( 1331-15 ) of 25.11.2003)

## **Section III**

### **ORGANIZATION OF PUBLIC WORK**

## **Article 13.** OSH management and responsibilitie of the employer

The employer must create a workplace in every structural unit labor conditions in accordanc normative legal acts and to ensure observance of

the legislation on the rights of workers in the field

For this purpose, the employer shall maintain safety management, namely:

provides appropriate services and appoint officials to provide solutions to specific issues of labor, provides instructions on their duties, rights and responsibilities, ensures the performance of their functions and controls their observance;

develops with the parties of the collective agreement comprehensive measures to achieve the set standards and improve the existing level of safety;

ensures that preventive measures are taken according to changing circumstances;

introduces advanced technology, advances in science and technology, mechanization and automation requirements of ergonomics, positive experiences with health and safety;

ensures proper maintenance of buildings, production equipment and facilities, monitoring of their technical condition;

ensures the elimination of the causes that lead to cases of occupational diseases and the implementation of measures outlined by the Commission on the results of investigations;

organizes occupational safety audits, laborator research conditions, assessment of industrial machinery and equipment, certification of workplace compliance with laws and regulations on health and safety and within the terms defined by law, and their results shall take measures to improve safety and harmful production factors;

develops and approves the regulations, instructions on safety, operating within the company (hereinafter - of the enterprise), and establishes rules of conduct

of employees in the enterprise, industrial premises construction sites, workplaces according to regulations and regulations for safety, provides for workers regulatory acts and acts of the company health and safety;

monitors the compliance officer technological processes, the handling of cars, machinery, equipment and other means of production, the use of collective and individual protection, works according to the health and safety;

organizes the promotion of safe working method collaboration with workers in the field of labor;

take immediate action to help the victims, by necessary professional rescue formation in case of occurrence of accidents in the company and accidents

The employer is directly responsible for violating these requirements.

#### **Article 14.** Duties employee regarding observance of legal acts on labor protection

The employee must:

care for personal safety and health, as well as the health of people around them in the performance of duties while you are on the premises;

Know and comply with the requirements of legal acts of labor, for the treatment of vehicles, machinery, and other means of production, to use means of collective and personal protective equipment;

undergo periodic medical examinations held in accordance with law and previous periodic medical examinations.

The employee is directly responsible for violating

these requirements.

## **Article 15.** Protection Service in the enterpri

The company employing 50 or more persons employer creates public service work in accordance provisions approved by the central executive body which provides public policy in the field of labor. {Part one of Article 15 as amended pursuant to the N 5459 -VI ( 5459-17 ) of 16.10.2012}

The company has less than 50 employees functio of labor services can perform the procedure combini individuals with appropriate training.

The company has less than 20 people to carry out the functions of labor services may invol experts on a contractual basis, with appropriate training.

Service safety reports directly to the employer.

Managers and specialists of labor services in position and salary equal to managers and professionals the basic technical and production se

Specialist of safety in case of violations of labor are entitled to:

issue heads of structural divisions binding regulations to address the existing deficie to obtain from them the necessary information, docu health and safety issues;

require the dismissal from work of persons who provided by the legislation of medical examinations instruction, knowledge test and do not have access work or do not fulfill the requirements of legal ac safety;

stop work production, station, vehicles, machinery equipment and other capital goods in the event of v threaten the life or health of workers;

send submissions to prosecute the employer to liability of employees who violate the requirements of labor.

Prescription specialist safety can only cancel the employer.

Elimination of labor services is allowed only liquidation or cessation of the use of hired labor by an individual.

### **Article 16.** Commission on health enterprise

The company in order to ensure balanced participation of employees in resolving any issues of safety, occupying the working environment for the solution of the state be established committee on health.

The Commission is composed of representatives of trade union and employees authorized persons, specialists in occupational safety and health businesses under the model regulations to be approved by the central executive body, to form public policy in the field of labor.

*{Part two of Article 16 as amended by the Law N 5459-VI ( 5459-17 ) of 16.10.2012}*

The commission are advisory.

### **Article 17.** Mandatory medical examinations of categories of

The employer must provide the funds for their financing and organizing the previous (when hiring) and periodic (for work), medical examinations of workers engaged in heavy work

in hazardous or dangerous conditions, or those where a need for professional selection, annual compulsory examination of persons under the age of 21. According to examinations if necessary, the employer must ensure appropriate health measures. Medical examinations are conducted in the respective health care offices, which are responsible under the law for compliance with the medical report of the actual health worker. The procedure for conducting medical examinations is determined by the Council of Ministers of Executive Power, which provides public policy in health care.

The employer has the right to a legal way to bring a worker who avoids passing the obligatory medical examination, disciplinary responsibility and is required to remove him from work without pay.

The employer must provide at his own expense extraordinary medical examination of employees:

at the request of the employee, if he considers his health is associated with conditions;

on its own initiative, if the state of health allows it to perform their work duties.

During the medical examination of workers, their job (position) and average earnings.

## **Article 18.** Studies on safety

Workers in the hiring and on the job must pass through an employer coaching, training on safety, providing first aid to victims of accidents and rules in case of an accident.

Workers employed in occupations with high risk where there is a need for professional selection shall be provided by the employer specific training and testing

relevant laws and regulations on labor protection.

List of works with high-risk approved by the central executive body, to form public policy in the field of labor.

*{Article 18 changed and amended according to Law N 5459-VI ( 5459-17 ) of 16.10.2012}*

Officials whose activities are related to the of safe work, while hiring and periodically, every three years, trained, and testing of safety with labor unions.

The procedure of training and testing official on safety specified by the default provisions approved by the central executive body to public policy in the field of labor.

*{Part five of Article 18 as amended by the Law N 5459-VI ( 5459-17 ) of 16.10.2012}*

Not allowed to work employees, including office persons who are not trained, instructed and testing safety.

In the case of the employees, including office poor knowledge of the safety they need to go a month re-training and testing.

Learning the basics of occupational safety and advanced training of specialists in health and safe the features of respective economic facilities provided by the central executive body to public policy in the sphere of education and science schools of the program agreed with the central executive body that implements the state policy in occupational safety.

## **Article 19.** Financing safety

Financing of labor performed by the employer.



Financing preventive measures for safety, implementation of national, sectoral and regional programs for improving safety, occupational health and the other government programs aimed at preventing accidents and occupational disease cases, it is assumed, along other sources of funding as determined by law, in the public and local budgets. (The effect of Article 23.12.2004, as amended by the Law N 2505-IV ( 2505 - 15 ) of 25.03.2005) suspended for 2005 regarding the allocation of expenses as a separate line in accordance with the Law N 228 of 23.12.2004, as amended by the Law N 2505-IV ( 2505 - 15 ) of 25.03.2005)

For enterprises, regardless of ownership or nature of persons who, in accordance with the laws of using hired labor, the cost of labor protection is not less than the cost of payroll for the previous year.

*{Part three of Article 19 of the Law N 3458-VI ( 3458 - 15 ) of 02.06.2011}*

*(Of part four of Article 19 stopped in 2004 according to the Law N 1344-IV ( 1344-15 ) of 27.11.2003) plants kept out of the budget, the cost of labor protection provided for in the state or local budget account for at least 0.2 percent of payroll.*

Amount of expenses for safety, belonging to the legal or natural person who, in accordance with the laws of using hired labor are determined according to the level of activities and facilities for safety, approved by the Cabinet of Ministers of Ukraine ( 994-2003-P ).

## **Article 20.** Regulation of labor in the collective agreement

In the collective agreement parties provide social security for employees in the field of work at a level no lower than provided by law, their responsibilities, and comprehensive measures to achieve standards of safety, hygiene and working environment, improve the existing level of labor, preventing injuries, occupational diseases, accidents and fires, determine the amount and sources of funding

activities.

**Article 21.** Complying with the requirements for design, construction (production) or reconstruction of enterprises, facilities for production

Industrial buildings, vehicles, machinery, equipment are put into effect after construction (production) or reconstruction, major repairs, etc. processes must meet the requirements of legal acts on labor protection.

Design and production facilities, development technologies of production, of collective and personal protection should be carried out taking into account the requirements for safety. No introduction of new technologies for the enterprise without prior examination of the working documents for their compliance with laws on labor protection. Funding for these activities after obtaining the positive results of the examination of construction projects carried out in accordance with the Law of Ukraine "On regulation of urban development" ( 3 {Part two of Article 21 as amended by Laws N 1026-V ( 1026-16 ) of 16.05.2007, N 3038-VI ( 17.02.2011}

The employer must obtain a permit to perform work with increased risk for exploitation (use) of vehicles, machinery, equipment with increased risk (hereinafter - central executive body that implements the state policy in the field of occupational safety issues permits the conclusion examination of the state of safety of an industrial entity's ongoing expert technical center belonging to the jurisdiction of the central executive body that implements the state policy in the sphere of labor, or by independent expert bodies that provide scientific and technical support to state supervision in the field of industrial safety

use on vehicles, machinery and equipment increased danger manufacturer or supplier of equipment increased danger is permitted to enter into commitments on de {Part of Article 21 of the Law N 1454-VI ( 1454-17 04.06.2009, N 3395-VI ( 3395-17 ) of 19.05.2011 adding pursuant to Law N 5459-VI ( 5459-17 ) of 16.

Procedure ( 1 107-2011-P ) permitting or d issuance, renewal, issuance of duplicate, revocatio central executive body that implements the state policy in the field of occupational safety, lists o machinery and equipment increased risk, conducting operation (application) which requires a permit, an limiting the size of tariff protection state examin of labor and industrial safety entity whose conclusion is the basis for the issuance of p by the Cabinet of Ministers of Ukraine.  
{Part of Article 21 of the Law N 3395-VI ( 3395-17 19.05.2011, N 5459-VI ( 5459-17 ) of 16.10.2012}

The term of the permit is:

to perform work or to operate machinery, tools equipment increased risk - five years (followed by sequel);

on the use of vehicles, machinery and equipmen risk - in perpetuity.  
{Part of Article 21 of the Law N 3395-VI ( 3395-17 19.05.2011}

The reason for re-approval document are:

change the name of the entity - a legal entity or surname, name and patronymic of the individual -

change the location of the entity.  
{Part of Article 21 of the Law N 3395-VI ( 3395-17 19.05.2011}

The grounds for refusal of renewal, issuance of permit are:

filing the incomplete package of documents required for renewal, issuance of a duplicate permit in accordance with established laws exhaustive list;

detection in documents filed by the employer, information;

change the identification code for the Unified Enterprises and Organizations of Ukraine (register) the registration number of taxpayer's registration in the State register of natural persons - taxpayers in the permit.

*{Part of Article 21 of the Law N 3395-VI ( 3395-17 19.05.2011)}*

Renewal, issuance of a duplicate permit made on charge.

*{Part of Article 21 of the Law N 3395-VI ( 3395-17 19.05.2011)}*

The right to performance of high danger and exploitation (the use of) vehicles, machinery and equipment increased risk may be based on the declaration of conformity of logistics requirements of the legislation. List of works, machinery, tools and equipment increased risk, performance or operation (application) which can be carried out on the basis of declaration, established by the Cabinet of Ministers *{Article 21 added a new part according to the Law N ( 2185-17 ) of 13.05.2010, as amended pursuant Law N 3395-VI ( 3395-17 ) of 19.05.2011}*

The central executive body that implements the policy in the sphere of labor, within 10 working days from receipt of the application for a permit required to make a decision on a permit or refusal to issue it, indicating the reasons set out in this Article.

*{Part of Article 21 of the Law N 1454-VI ( 1454-17*

04.06.2009}

The central executive body that implements the policy in the field of occupational safety, decides issue a permit if:

failure to submit documents required by the em registration in violation of the applicable require

submitting false information or conclusion of examination, approved or made more than one year be of application;

installation in accordance with the conclusion inconsistencies object examination requirements of legal acts on labor protection.

*{Part of Article 21 of the Law N 1454-VI ( 1454-17 04.06.2009)}*

The reason for the withdrawal of authorization

application of the employer or his authorized of permit;

termination of a legal entity (merger, divisio transformation or dissolution) or business individuals - entrepreneurs;

detection of false documents submitted by an e information about the performance of high hazard or exploitation (use) equipment increased dangers to which granted permission;

repeated violations of the legislation on occu the time of performance of high hazard or exploitat (use) equipment increased risk, which issued a permit;

of the accident, explosion, fire, accident, if act of investigation revealed that the cause of thi non-observance of legislation on safety in the

performance of high hazard or exploitation (use) equipment increased risk, which issued a permit;

creating obstacles during the officials of the central executive body that implements the policy in the field of occupational safety, or a te checking compliance with the legislation on safety performance of high hazard or exploitation (use) equipment increased risk for which published permission.

*{Article 21 added a new part according to the Law N ( 3395-17 ) of 19.05.2011}*

The list of grounds for revocation of authoriz twelve of this article is not exhaustive.

*{Article 21 added a new part according to the Law N ( 3395-17 ) of 19.05.2011}*

On withdrawal of authorization employer is inf writing indicating the reasons for the cancellation permit within five days after the decision by the a issued the permit

*{Article 21 added a new part according to the Law N ( 3395-17 ) of 19.05.2011}*

*{Part of Article 21 is excluded by Law N 2367- ( 2367-17 ) of 29.06.2010}*

The central executive body that implements the policy in the field of safety, publish details of a permits issued and revoked by the media.

*{Part of Article 21 of the Law N 1454-VI ( 1454-17 04.06.2009}*

Examination of design and other documentation implementation of new technologies and means of pro collective and individual protection, registration, tests, etc. manufacturing facilities, engineering i

of social and cultural facilities are made in the o  
( 687-p-two thousand and four ), established by the  
{Part of Article 21 changed and amended according t  
Law N 3038-VI ( 3038-17 ) of 17.02.2011}

If the employer has not received this resoluti  
local executive authority or local  
self-government, upon the submission of a central e  
which implements the state policy in the sphere of  
steps to cancel the state registration of the Compa  
accordance with the law, provided that within one m  
time of detection of these shortcomings employer fa  
measures to address them.

Processes and machinery, equipment,  
vehicles, chemicals and their compounds and other  
hazardous products purchased abroad are allowed to  
operate (to use) only if the examination  
for compliance with their laws and regulations on h  
force in Ukraine.

{Part of Article 21 is excluded by Law N 3038-  
( 3038-17 ) of 17.02.2011}

Not allowed to use in the production of harmfu  
in the absence of hygienic regulation and state  
registration.

All permits provided for in this Article, the  
activities within the territory of the exclusive (m  
Ukraine and on the continental shelf in terms of th  
of products, done according to the Law of Ukraine "  
production sharing "( 1039-14 ), provided investo  
established by the Cabinet of Ministers of Ukraine.  
{Article 21 added part by the Law N 2562-VI  
( 2562-17 ) of 23.09.2010, as amended pursuant  
Law N 3395-VI ( 3395-17 ) of 19.05.2011}

## **Article 22.** investigation and registration of

## occupational diseases and accidents

The employer should organize and conduct an in records of accidents, occupational diseases and acc in accordance with regulations approved by the Cabi Ukraine in agreement with the national associations

Following the investigation of accidents, occu disease or accident is an act of the employer in th form, a copy of which he is obliged to give to the or any other person concerned within three days of completion of the investigation.

The failure of the employer to make a protocol victim or disagreement with its content issues are officials of the state supervision of safety, whose decision is binding on the employer.

Decision of a public authority for supervision labor can be challenged in court.

**Article 23.** Information and statements about t

The employer must inform employees or persons authorized to exercise public control over complian the requirements of legal acts on labor protection, of social insurance against accidents on the state work, cause accidents, accidents and occupational d and on the measures taken to address them and to pr the enterprise environment and safety at the level

Workers and / or their representatives, provid to information and documents containing the results jobs scheduled employer health interventions, outcome of the investigation, recording and analysi occupational diseases and reports on these issues, reports, submissions and regulations of state super labor protection.

*{Part two of Article 23 as amended by the Law N 5459-VI ( 5459-17 ) of 16.10.2012}*



Governments OSH in the prescribed manner inform the population of Ukraine, members of government policy on health and safety, implement sectoral or regional programs in this area, the level causes of accidents, occupational injuries and illnesses on the implementation of its decisions on health of workers.

At the state level is the only state statistic reports on safety, form agreed upon by the central executive body that implements the policy in the field of labor, trade unions and the of social insurance against accidents.

#### **Article 24.** Voluntary associations, profession specialists in health and safety

In order to unite the efforts of employees, specialists in occupational safety and individuals safety, protect workers from occupational injuries occupational diseases can be established associations foundations and other voluntary associations, act in to law.

### **Section IV**

#### PROMOTING HEALTH WORK

#### **Article 25.** stimulate economic safety

Before employees can apply any incentives for active participation and initiative in implementing the safety and working conditions. Types of incentives determined by a collective agreement.

In calculating the premiums for each company by the Fund from accidents, with achievement of good status of health and safety

or absence of injuries and occupational diseases as the implementation of appropriate preventive measures be found to discount him or premium size of the insurance premium for the high rate of injuries and diseases and poor state of health and safety.

Calculation of premiums by applying discounts and surcharges for each company, provided for by this Article shall be conducted in accordance with compulsory state social insurance accident accidents and occupational diseases that caused disability.

**Article 26.** Compensation of corporate, individual state losses caused by breach of health and safety

The employer is obliged to compensate damages violation of safety of other legal entities, individuals and the state, on general grounds provided by law.

The employer reimburses the expenses for rescue victims in the accident and the elimination investigation and examination of the accident, an accident or occupational disease, the assembly of sanitary-hygienic characteristics of working conditions held survey the availability of occupational diseases other expenses required by law.

## **Section V**

### LEGAL ACTS OF PUBLIC WORK

**Article 27.** Documents relating to regulatory acts on labor protection

Normative legal acts on labor protection - the regulations, regulations, standards, guidelines and binding.

**Article 28.** elaboration, adoption and repeal  
of legal acts on labor protection

Developing and adopting new, revision and cancellation of legal acts on labor protection are made central executive authority to form public policy on health and safety, involving trade unions the Social Insurance Fund against accidents and in consultation with state oversight of work.

*{Part one of Article 28 as amended pursuant to the N 5459-VI ( 5459-17 ) of 16.10.2012}*

Sanitary rules and regulations approved by the executive power, which provides public policy in health care.

Normative legal acts on labor protection are implementation of science and technology to help improve safety, occupational health and the working environment once every ten years.

Standards, specifications and other documents processes should include requirements for safety and agree with the state oversight of safety.

**Article 29.** Temporary termination of normative  
acts on labor protection

Failure to complete the removal of hazardous health conditions the employer must inform the competent organs of the State Supervision of work and can appeal to that body with a request for the establishment of the required deadline for improving the working conditions at a particular work object to regulatory requirements.

Relevant state oversight of safety considering the request of the employer, holds if an expertises planned events, determine their adequacy availability reasons may exceptionally decide on

installing another term application of Regulations safety.

The employer is obliged to immediately inform the workers concerned of the decision of this body of state oversight of safety.

**Article 30.** extension of the normative acts for labor in the field of employment and

Normative legal acts on labor protection are implemented in production workshops, laboratories, stations and other places of employment and vocational training equipped with any schools.

The organization of labor at these sites as well as the procedure for the investigation and recording of students in employment and vocational training in educational institutions are determined by the central executive body that provides public policy in the field of Education, in consultation with relevant trade union body.

To students and students who are working and receiving training (practical training) in enterprises under staff, the laws on labor protection in such a manner as to employees.

## **Section VI**

State Department of LABOR

**Article 31.** Governments OSH

State Department of Labor shall:

The Cabinet of Ministers of Ukraine;

central executive body that implements the state policy in the field of labor;

ministries and other central bodies of executi

The Council of Ministers of the Autonomous Rep  
administrations and local self-government.

**Article 32.** Competence of the Cabinet of Minis  
health and safety

The Cabinet of Ministers of Ukraine:

ensure the implementation of state policy in t  
labor {Paragraph two of Article 32 as amended by  
adding pursuant to Law N 5459-VI ( 5459-17 ) of 16.

submit for approval by the Verkhovna Rada of U  
national program for improving safety, occupational  
and the working environment;

directs and coordinates the activities of mini  
central executive authorities to create safe and  
healthy working conditions and supervision of work;

establishes a single state statistical reports  
health and safety.

*{Part two of Article 32 is excluded by Law  
N 5459-VI ( 5459-17 ) of 16.10.2012}*

**Article 33.** Powers of ministries and other cen  
bodies of executive power in the fi

**Ministries and other central bodies of executi**

conducting a single scientific and technical p  
labor;

develop and implement sectoral programs  
of safety, hygiene and working environment with

trade unions;

carry out methodical management of the enterprise field of safety;

conclude with the relevant sectoral agreements on improving conditions and safety;

participate in the elaboration and revision of acts on labor protection;

organize training and testing of the protection of labor;

create if necessary emergency services, administer their activities, ensure compliance with requirements of the law regulating relations in the proceedings;

carry out departmental monitoring of safety in the industry.

To coordinate, improve work safety and monitoring of this work, ministries and other central executive power created within the maximum number of subdivisions safety pin or the implementation of health and safety responsibilities in any of the units or individual officials of relevant agencies.  
{Part two of Article 33 of the Law N 5459-VI ( 5459 of 16.10.2012)}

The central executive body responsible for implementation of policy on supervision and control over observance of labor law, provides the state examination conditions involving the central executive body that implement state policy in the field of sanitary and epidemiological surveillance of the population, monitors the quality of the certified workplaces on working conditions.  
{Part three of Article 33 of the Law N 5459-VI ( 5459 of 16.10.2012)}

Control over the quality of certification of working conditions defines a central executive body provides public policy in the field of employment and social protection.

*{Part of Article 33 of the Law N 5459-VI ( 5459-17 16.10.2012)}*

The central executive body that implements the policy in the sphere of labor:

provides comprehensive health and safety management level to implement the national policy in this area control over the execution of the functions of management labor ministries and other central executive bodies, the Council of Ministers of the Autonomous state administrations and local authorities;

develops with ministries and other central executive authorities, social insurance against accidents, national employers' associations and trade union nationwide program for improving occupational safety and the working environment and monitor its implementation

has Lawmaking activities, developing rules, norms, regulations, guidelines and other regulations for the sphere of labor or changes to them and make appropriate proposals to the central body of executive power, to form public policy in this area; {Paragraph four of the Ukrainian 'yatoyi Article 33 of the Law N 5459-VI ( 5459-17 16.10.2012)}

coordinate the work of ministries and other central executive authorities of the Autonomous Republic of local state administrations, local authorities, enterprises, other business activities in the field of occupational safety and environment;

receive free of charge from ministries and other central executive authorities of the Autonomous Republic of local state administrations, statistics, businesses

other businesses information and  
information necessary to carry out its tasks;

issues permits for commencement of the works o  
and the start of operation (use) vehicles, machiner  
equipment increased risk {Part supplemented by Arti  
paragraph pursuant to Law N 1454-VI ( 1454-17 ) of

participates in international cooperation and  
the implementation of international treaties ratifi  
Verkhovna Rada of Ukraine, safety, occupational hea  
the working environment, examines, summarizes and e  
experience with these issues, processes and submits  
suggestions for improvement and gradual approximat  
legislation on labor protection to the relevant int  
European standards.

Decisions taken by the central executive body  
implements the state policy in the sphere of labor  
competence are mandatory for all ministries and  
other central executive bodies, the Council of Mini  
of the Autonomous Republic of Crimea, local state a  
local authorities , legal and natural  
persons who, in accordance with the laws of using h  
labor.

**Article 34.** Powers of the Council of Ministers  
Crimea and local administrations in  
health and safety

The Council of Ministers of the Autonomous Rep  
administrations within the respective areas:

ensure compliance with laws and implementing p  
policy in the field of labor;

formed with representatives of trade unions, t  
of social insurance against accidents and ensure  
implementation of targeted regional programs for im  
occupational health and the working environment, as  
labor as part of socio-economic and cultural



development;

provide social protection of employees, includ employees in jobs with hazardous and dangerous cond are taking steps to conduct job evaluation for compliance with laws and regulations on labor prote

submit proposals on the creation of regional ( emergency services to the relevant service areas and communal property;

monitor compliance by business activities of legal acts on labor protection.

To perform these functions, the Council of Min Republic of Crimea, local state administrations cre subdivisions on health, acting in accordance with t provisions, approved by the Cabinet of Ministers of confer such powers for the implementation of any of individual structural units or officials of relevan agencies

*{Part two of Article 34 of the Law N 5459-VI ( 5459 of 16.10.2012}*

### **Article 35.** Powers of local authorities in the field of labor

#### **Local governments within its jurisdiction:**

adopt targeted regional programs for improving safety, working conditions and working environment, health and safety as part of socio-economic and cultural development;

decide on the establishment of municipal emergency services to the relevant service areas and communal property.

The executive bodies of village, town and city provide proper maintenance, efficient and safe oper of housing and communal services, consumer,

trade services, transport and communication, which in municipal ownership respective local communities compliance with the requirements for the protection facilities.

To carry out the functions specified in part t article, village, city council created as part of i executive body appointed by the appropriate departm for safety.

**Article 36.** Powers of associations of enterpri  
health and safety

Authority in the field of labor associations, corporations and other organizations defined by the agreements between undertakings which have formed a association delegated functions in their devices created service work.

**Article 37.** Organization of research on the pr  
labor

Fundamental and applied scientific research on occupational safety, occupational identification of organized within the framework of a national progra issues and conducted research institutes, academic institutions and organizations, higher education institutions and professionals.

## **Chapter VII**

State supervision and public control  
over labor protection

**Article 38.** bodies of state supervision of wor

State supervision over compliance with laws an legal acts on labor protection shall:

central executive body that implements the sta

policy in the field of labor;

central executive body that implements the state policy in the field of nuclear and radiation safety

central executive body responsible for implementing policy on supervision and control over observance of laws in the field of fire safety and technological;

central executive body that implements the state policy in the field of sanitary and epidemiological welfare of the population.

*{Part one of Article 38 of the Law N 5459-VI ( 5459 of 16.10.2012)}*

Bodies of state oversight of safety does not include any economic bodies, entities, public associations, political groups, local state administrations and local self-government, they are not controlled.

Activities of state supervision of work governed by this Law, the laws of Ukraine "On the Use of Nuclear Energy and Radiation Safety " ( 39/95-VR Safety " ( 3745-12 ), "On ensuring sanitary and epidemiological welfare of population " ( 4004-12 ) regulatory legal acts and regulations of these bodies are approved by the President of Ukraine.

*{Part three of Article 38 changed and amended according to Law N 5459-VI ( 5459-17 ) of 16.10.2012}*

**Article 39.** Rights and responsibilities of officials of the central executive authority implementing the national policy on occupational safety

Officials of the central executive body that implements the state policy in the sphere of labor,

free to attend controlled enterprises (objects), produced by individuals who are under the law using hired labor, and exercise in

the presence of the employer or his representative legislation on matters within their competence;

obtain from the employer and officials written explanation, the findings of expert surveys, audits information on relevant issues and reports on the preventive work, the causes of violations of laws and measures to address them;

publish in the prescribed manner to employers, other officials of legal entities and natural persons with the laws of using hired labor ministries and other central executive bodies, the Council of Ministers of the Autonomous Republic of Crimea, local state and local authorities are required to perform orders (orders) to eliminate violations and shortcomings in labor, protection of natural resources, the safe operation of risk;

restrict, suspend, terminate, restrict the operation of enterprises, individual industries, shops, sites, buildings, structures, facilities, production and other machinery, equipment, vehicles and other means of work execution of certain works or new hazardous substances sale of products, as well as suspend authorizations and licenses to eliminate violations endanger the lives of workers;

bringing to administrative responsibility of persons guilty of violating the law on labor protection;

send to employers filing of non-compliance of officials of his post, transmit material bodies to prosecutors to bring these people to justice under law.

The decision of the officials of the central executive which implements the state policy in the sphere of the need to substantiate the results and conclusion of expert technical centers, research, testing laboratories and other units (groups) technical support, operation

stock of government supervision OSH in accordance with objectives of the inspection service or set up and law as an independent expert organization. Scientific support for the supervisory activities carried out research institutions.

Officials of the central executive body that implements the state policy in the sphere of labor, servants and are subject to the Law of Ukraine "On Service "( 3723-12 ). They are responsible under law for the performance of their duties. Officials central executive body that implements the state policy in the sphere of labor, are allowed to wear examples of which are approved by the Cabinet of Mi

**Article 40.** Social security officials of the central executive body that implements the policy in the field of labor

Officials of the central executive body that implements the state policy in the field of labor, social protection.

Law enforcement officials assist persons of state supervision in the performance of duties and are taking steps to curb the illegal acts of persons who perform such duties prevent resort to threats, blackmail, bodily injury to officials of state supervision or members of their families and property.

For individuals who were fired in state oversight of their age or because of illness or injury the family or dependents of those killed in the performance of official duties retain the right to benefits under legislation.

Pension security officials of state supervision is carried out according to the law by

**Article 41.** Civil control over observance of law

## on occupational safety

Public control over observance of the legislation on labor engaged in trade unions, their associations and elected officials and representatives.

Trade unions exercise public control over observance of the legislation on labor protection, and harmless working conditions, adequate production sanitary conditions, workers' clothing, footwear and other means of individual and collective protection. In the event of a threat to life or health, unions have the right to require the immediate cessation of activities in the workplace, manufacturing sites, structural units or enterprises or industries where individuals who are under the law using hired labor in general for the period necessary to protect the life or health of employees.

Trade unions are entitled to conduct an independent examination of the working conditions and production facilities which are designed, constructed or operated in compliance with laws and regulations on labor protection, to participate in the investigation of the causes of accidents and occupational diseases in the production and to give its opinion on them to employers, public authorities and supervisory bodies on safety and get them reasoned response.

If there is no trade union in the company, public control over observance of the legislation on safety of work carried out by individual employees.

Provide technical inspections right trade union which exercises control over the conditions and safety of employees referred to in Article 1 of the Law of Ukraine 'On safety of work', stop doing work for the company in case of gross violations of safety requirements. {Article 41 is supplemented by the fifth paragraph of Law N 345-VI ( 345-17 ) of 02.09.2008}

## **Article 42.** Authorized employees of the person on health

Authorized employees face on the protection of labor have the right to freely check in enterprise meet the requirements for safety and to make binding proposals for consideration by the employer elimination of legal acts on safety and health requirements.

To fulfill these responsibilities the employer organizes training provides the necessary means and employees authorized persons of the safety of the work provided for in the collective agreement preservation for their average earnings.

They can not be violated any legitimate interest in connection with their performance of duties authorized staff person on health. Their dismissal or disciplinary or financial liability is carried out only with the consent of employees prescribed by the collective agreement.

If a person authorized employees on safety believe that preventive measures taken by the employer are insufficient, they can ask for to state oversight of safety. They also have the right to participate and to make appropriate inspections of undertakings or the production of in who, in accordance with the laws of using hired labor authorities.

Authorized employees face on the protection of labor force according to the standard regulation by the central executive body to the formation of public policy in the field of labor.

*{Part five of Article 42 changed and amended according to N 5459-VI ( 5459-17 ) of 16.10.2012}*

## **Section VIII**

## LIABILITY FOR VIOLATION OF LAW on Occupational Safety

**Article 43.** penalties for businesses and indiv  
which according to legislation usin  
hired labor, officers and employees

Violation of legislation on occupational safet  
prescriptions (orders) of officials of the executiv  
supervision of work legal and physical persons  
in accordance with the laws of using hired labor,  
attracted by the executive authorities for supervis  
to pay a fine in order prescribed by law. Payment o  
does not release the legal or natural person who un  
law uses hired labor to eliminate detected  
violations in the specified time frame.

The maximum fine may not exceed five  
percent of the average monthly payroll for the prev  
year legal or natural person who, in accordance wit  
using hired labor.

Violation of the requirements referred to in p  
four of Article 19 of this Law, a legal or natural  
under the law uses hired labor, pay  
a fine at the rate of 25 percent of the difference  
minimum amount of expenditure on public works durin  
the actual amount of expenses for such period.

Non-payment or partial payment of legal or nat  
who, in accordance with the laws of using hired lab  
fines entails imposing a fine on the outstanding am  
(or part thereof) at the rate of 120 percent annual  
National Bank of Ukraine, which operated during the  
each day of delay.

Due to the application of penalties to legal o  
natural persons who according to law using  
hired labor, officers and employees in accordance w  
Article shall be credited to the State Budget of Uk



Prosecution The officers and employees for violations of laws and other legal acts on work carried out in accordance with the Code of Ukr Administrative Offences ( 80731-10 , 80732-10 ).  
{Article 43 of the Law N 3458-VI ( 3458-17 ) of 02.06.2011}

**Article 44.** Responsibility for violation of re  
of labor

Violation of laws and other legal acts on labor protection, creating impediments of officials of state supervision of safety, as well as representatives of trade unions, their organization brought to disciplinary, administrative, financial, criminal liability under law.

**Section IX**

MISCELLANEOUS

1. This Act shall take effect on the date of p the fourth part of Article 19, which shall enter in 2003.

2. Cabinet of Ministers of Ukraine, within thr enactment of this Act:

submit to the Verkhovna Rada of Ukraine to bri legislation into conformity with this Act;

bring its regulations into conformity with thi Act;

ensure harmonization bodies of executive power their normative legal acts into conformity with thi

President of Ukraine Leonid Kravchuk

Kyiv, October 14, 1992

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### Publications document

- **Voice of Ukraine** from 24.11.1992
  - **Governmental Courier** on 27.11.1992
  - **Supreme Council of Ukraine** of 12.08.1992 - 1992, № 49, article 668
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