

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 50 OF 2012
ABOUT
THE IMPLEMENTATION OF OCCUPATIONAL SAFETY AND HEALTH
MANAGEMENT SYSTEM

WITH THE BLESSING OF ALMIGHTY GOD
PRESIDENT OF THE REPUBLIC OF INDONESIA

Considering: That in order to implement Article 87 section (2) of the Law Number 13 of 2003 about Manpower, it is required to enact Government Regulation on the Application of Occupational Safety and Health Management System

In view of:

1. Article 5 section (2) 1945 Constitutions;
2. Law Number 13 of 2003 about Manpower Indonesian State Gazette number 39 of 2003, Supplementary State Gazette number 4279);
3. Law Number 1 of 1970 about Occupational Safety (State Gazette Number 1 of 1970, Supplementary State Gazette Number 2918);

DECIDES TO PROMULGATE:

Enactment of: GOVERNMENT REGULATION ABOUT THE
IMPLEMENTATION OF OCCUPATIONAL SAFETY AND HEALTH
MANAGEMENT

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Government Regulation, the following definitions shall apply:

1. Occupational Safety and Health Management System hereinafter referred to as OSHMS is a part of enterprise's comprehensive management system that is pertaining to occupational activity in order to create safe, efficient and productive work.
2. Occupational Safety and Health hereinafter referred to as OSH are all activities to insure and protect the workers' safety and health by preventing occupational accidents and disease.
3. Workforce is anyone who is capable of performing the job in order to create goods and/or provide service for self-use or other people's needs.
4. Worker/labor is anyone who works to earn remuneration or any in-kind compensation.
5. Company/enterprise is:
 - a. Any legal or non-legal undertaking belongs to an individual, alliance or legal entity either privately owned or state-owned that hires workers/labor, and pay their salary/wage or in-kind compensation;
 - b. Social undertakings and other undertakings with executive board and hire others by paying their salary/wage or in-kind compensation.
6. Entrepreneur is:
 - a. An individual, association or legal entity that runs his/her own company;
 - b. An individual, association or legal entity that is autonomous in running other people's company;
 - c. An individual, association or legal entity in Indonesia representing an enterprise as referred to in point a and point b that resides outside of Indonesia's region.
7. OSHMS Audit is a systematic and independent assessment on the fulfillment of determined criteria in order to measure the progress of activities that have been planned and implemented for OSHMS in the enterprise.
8. Minister is Minister responsible for employment administration.

Article 2

The implementation of OSHMS aims to:

- a. Increase the effective protection of occupational safety and health that is well-planned, measurable, structured and integrated;
- b. Prevent and reduce occupational accident and disease by involving the management, workers/labor, and/or trade union/worker union; and
- c. Create safe, comfortable and efficient working place to increase productivity.

Article 3

- (1) The implementation of OSHMS is based on national OSHMS policies.
- (2) The national policies on OSHMS as referred to in section (1) is attached in Annex I, Annex 2, and Annex III and an inseparable part of this Government Regulation.

CHAPTER II

OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT SYSTEM

Part One

General

Article 4

- (1) National policy on OSHMS as referred to in Article 3 is used as a guideline for the company/enterprise in implementing OSHMS.
- (2) The institution/agency responsible for improving capacity of enterprises in a particular sector may develop a guideline for implementing OSHMS as referred to in section (1) upon assessing the needs as mentioned in the legislation.

Article 5

- (1) Every enterprise shall implement the OSHMS in their company.
- (2) The obligation as referred to in section (1) applies to company that:
 - a. Hires at least 100 (one hundred) workers; or
 - b. Has higher hazard risk.

- (3) The provision about high hazard risk as referred to in Article (2) point b shall follow the prevailing legislations' definitions;
- (4) In implementing OSHMS the employers shall refer to this Government Regulation and other prevailing legislations and take into consideration international convention or standards.

Article 6

- (1) OSHMS as referred to in Article 3 section (1) includes:
 - a. Setting OSH policy;
 - b. OSH Planning;
 - c. Implementation of OSH Plan;
 - d. Monitoring and evaluation of OSH Performance; and
 - e. Review and improvement of OSH Performance.
- (2) The implementation of OSHMS as referred to in section (1) is in the guideline in Annex I and is an inseparable part of this Government Regulation.

Part Two

Setting OSH Policy

Article 7

- (1) The setting of OSH policy as referred to in Article 6 section (1) point a is undertaken by the Employer.
- (2) In setting the policy as referred to in section (1) the employer shall at least:
 - a. Conduct preliminary review of OSH condition, which includes:
 - 1. Identification of potential hazard, risk assessment and control/management;
 - 2. Develop benchmark to other company and other sector with better performance;
 - 3. Review the causes of hazardous events;

4. Compensation and disturbance as well as to consider result of previous assessment related to safety; and
 5. Assessment of efficiency and effectiveness of the available resources.
- b. Continuously monitor any improvement in performance of OSH Management; and
 - c. Taking into consideration any input from workers/labors and/or trade/workers' union.
- (3) OSH Policy as referred to in section (1) should at least contain:
- a. Vision;
 - b. Company's mission;
 - c. Company's commitment and intention to enforce the policy;
 - d. General and/or operational framework and working program that covers comprehensive company's activities.

Article 8

Employer shall disseminate OSH policy to all workers/labors, others within company's or enterprise's premise.

Part Three

OSH Planning

Article 9

- (1) The planning as referred to in Article 6 section (1) point b is done to generate OSH Plan.
- (2) The OSH Plan is drafted and set by employers by referring to OSH policy as referred to in Article 7 section (1).
- (3) In making OSH Plan as referred to in Article (2) the employer shall consider:
 - a. Result of initial/preliminary review;
 - b. Identification of hazard, risk assessment and management;
 - c. Other prevailing regulations and requirements; and
 - d. Existing resources.

- (4) In drafting OSH Plan as referred to in section (2) the Employer shall involve OSH Expert, OSH Advisory Committee, representatives of workers/labors, and other relevant party to the enterprise.
- (5) OSH Plan should at least contain:
 - a. Objectives and targets;
 - b. Priority scale;
 - c. Hazard control efforts;
 - d. Resource setting
 - e. Timeline of implementation;
 - f. Indicators of achievement; and
 - g. Accountability system.

Part Four

The Implementation of OSH Plan

Article 10

- (1) the implementation of OSH Plan is undertaken by employer based on the OSH Plan referred to in Article 6 section (1) point c and Article 9.
- (2) In implementing OSH Plan, the employer is supported by human resources who are experts on OSH, Facility and infrastructure.
- (3) The human resources referred to in section (2) shall have:
 - a. Working competency proven by certificate; and
 - b. Authority in OSH proven by work/operational permit and/or official letter of appointment from authorized institution.
- (4) The facility and infrastructure referred to in section (2) should at least consist of:
 - a. OSH organization/unit;
 - b. Proper budget;
 - c. Operational/working procedure, information and reporting and documentation; and
 - d. Working instruction.

Article 11

- (1) in implementing OSH Plan employers shall undertake activities in meeting OSH requirements.

- (2) The activities as referred to in section (1) should at least include:
- a. Control measures;
 - b. Design and engineering;
 - c. Working procedure and instruction;
 - d. Submission of partial work;
 - e. Purchasing/procurement of goods and services;
 - f. Final product;
 - g. Occupational and industrial disaster emergency situation measures; and
 - h. Emergency rehabilitation and planning.
- (3) Activities as referred to in section (2) point a to f are implemented based on hazard identification, risk assessment and management.
- (4) Activities as referred to in section (2) point g and point f are implemented based on hazard potential, investigation, and accident analysis.

Article 12

- (1) Employers in undertaking the activities as referred to in Article 11 shall:
- a. Appoint/assign human resource that has working competency and authority in OSH;
 - b. Involve all workers/labor;
 - c. Make OSH instructions that shall be followed by all workers/labor, other people who are not workers/labor who are currently in the enterprise premise, and other relevant party;
 - d. Make information procedure;
 - e. Make reporting procedure; and
 - f. Document all of activities.
- (2) The activities as referred to in section (1) shall be integrated with company's management activities.

Article 13

- (1) the information procedure as referred to in Article 12 section (1) point d shall provide assurance that OSH information is well communicated to everyone in the company and other relevant external party.
- (2) The reporting procedure as referred to in Article 12 section (1) point e consists of reporting on:
 - a. Occurrence of accident in the workplace;
 - b. Deviation/violation of legislations and/or standard non-compliance;
 - c. OSH performance;
 - d. Hazard source identification; and
 - e. Any mandatory provision stipulated by the legislation.
- (3) Documentation as referred to in Article 12 section (1) point f should at least be performed to:
 - a. Legislation on OSH and OSH standards;
 - b. OSH performance indicators;
 - c. Work permit;
 - d. Outcomes of identification, assessment and risk management.
 - e. OSH training activity;
 - f. Inspection, calibration and maintenance;
 - g. Data monitoring note;
 - h. Result of accident analysis at the workplace and its follow up;
 - i. Product identification including its composition;
 - j. Information about supplier and contractor; and
 - k. Audit and review of OSHMS.

Part Five

Monitoring and Evaluation of OSH Performance

Article 14

- (1) Employer shall monitor and evaluation of OSH performance.
- (2) OSH Performance monitoring and evaluation as referred to in section (1) are undertaken through thorough examination, assessment, measurement, and internal audit of OSHMS, which are performed by competent human resource.

- (3) Should the company does not have resource to perform the OSH performance monitoring and evaluation as referred to section (2), the company may hire external collaborator.
- (4) The OSH performance monitoring and evaluation as referred to in section (2) are reported to the employer.
- (5) The OSH performance monitoring and evaluation as referred to in section (2) are used for improvement.
- (6) The OSH performance monitoring and evaluation as referred to in section (2) are undertaken in accordance with prevailing legislation and/or standards.

Part Six

OSHMS Performance Review and Improvement

Article 15

- (1) To ensure appropriate and effective application of OSHMS, the employer shall review the implementation.
- (2) The review as referred to in section (1) is done to policies, planning, implementation, monitoring and evaluation.
- (3) The review result as referred to in section (2) is done for improvement and correction of performance.
- (4) Performance improvement and correction as referred to in section (3) are done when one of the following things happened:
 - a. Amendment in legislation;
 - b. Demand from relevant party and market;
 - c. Any change in the product and company's activity;
 - d. Any change in company's organizational structure;
 - e. Advancement in science and technology, which includes epidemiology;
 - f. Any result of accident analysis in the workplace; and/or
 - g. Any report/complaint; and/or
 - h. Any input from worker/labor.

CHAPTER III

OSHMS ASSESSMENT

Article 16

- (1) Any assessment on the implementation of OSHMS is performed by an independent audit institution appointed by Minister upon request made by company.
- (2) It is mandatory for company with higher hazard risk to assess the implementation of OSHMS in accordance with provisions from legislation.
- (3) The review as referred to in section (1) is done through OSHMS Audit, which includes:
 - a. Commitment development and assurance;
 - b. The drafting and documentation of OSH Plan;
 - c. Planning management and contract review;
 - d. Document management;
 - e. Product purchase and management;
 - f. Work safety following OSHMS;
 - g. Monitoring standard;
 - h. Reporting and improvement of any shortcoming;
 - i. Material management and its transfer;
 - j. Data collection and utilization;
 - k. OSHMS assessment; and
 - l. Skill and capacity development.
- (4) OSHMS assessment as referred to in section (3) in the guideline in Annex II and is an inseparable part of this Government Regulation.

Article 17

- (1) The audit result as referred to in Article 16 is reported to the Minister and provides a copy for relevant sectoral Minister, governor, and head of district/mayor to be used as consideration in improving the OSHMS.
- (2) The audit report format as referred to in section (1) is in the guideline in Annex III and is an inseparable part of this Government Regulation.

CHAPTER IV

OVERSIGHT

Article 18

- (1) OSHMS oversight is undertaken by labor inspector at the national, provincial and/or district/city level in accordance with their respective authority.
- (2) The oversight as referred to in section (1) includes:
 - a. Commitment development and assurance of its implementation;
 - b. Organization;
 - c. Human resources;
 - d. Implementation of OSH legislation;
 - e. Safety of work;
 - f. Assessment, testing and measurement of OSHMS implementation;
 - g. Management of emergency condition and industrial hazard;
 - h. Reporting and improvement of shortcoming; and
 - i. Follow up to audit.

Article 19

- (1) Institution responsible for capacity building of sector may oversee the OSHMS developed in accordance with prevailing legislation.
- (2) The oversight as referred to in section (1) is undertaken in coordination with labor inspector in accordance with prevailing legislation.

Article 20

The oversight as referred to in Article 18 and Article 19 are used as basis for capacity building.

CHAPTER V

TRANSITIONAL PROVISION

Article 21

In the case when this Government Regulation comes into force, Companies that have already implemented OSHMS shall adjust their practice with the provisions in this Government Regulation within 1 (one) year.

CHAPTER VI
CLOSING PROVISION

Article 22

This government regulation is effective on the date of its promulgation.
IN order that every person may know hereof order the promulgation of this
Government Regulation by placing in the State Gazette of the Republic of
Indonesia.

Promulgated in Jakarta

April 12, 2012

PRESIDENT OF THE REPUBLIC OF INDONESIA

Signed

DR. H. SUSILO BAMBANG YUDHOYONO

Promulgated in Jakarta

On April 12, 2012

MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF
INDONESIA

Signed

AMIR SYAMSUDIN

STATE GAZETTE OF THE REPUBLIC OF INDONESIA 2012 NUMBER 100

Copy as original

MINISTRY OF STATE SECRETARIAT

ASSISTANT TO THE DEPUTY OF LEGISLATION

POLITIC AND PEOPLE'S WELFARE

Wisnu Setiawan

ELUCIDATION OF
GOVERNMENT REGULATION OF REPUBLIC OF INDONESIA
NUMBER 50 OF 2012
ABOUT
THE IMPLEMENTATION OF OCCUPATIONAL SAFETY AND HEALTH
MANAGEMENT SYSTEM

I. GENERAL

Trade globalization has affected all aspects of competition including employment sector that requires more protection on workers' safety and health.

In order to increase effective protection of occupational safety and health, a well-planned, measured, structured and integrated occupational safety and health's activity is required through OSHMS, to ensure the attainment of occupational safety and health system in the workplace by involving the management, workers/labor, and/or trade/labor union to prevent any occupational accident and disease and to create safe, efficient and productive workplace.

Many countries have implemented better occupational safety and health through OSHMS in guideline and standards. In order to ensure that all companies implement OSHMS in a uniform way, hence protection of occupational safety and health for workers, improvement of efficiency and company's productivity can be attained, a Government Regulation that stipulates about OSHMS is required.

This Government Regulation contains:

- General Provisions;
- Occupational Safety and Health Management System;
- OSHMS assessment;
- Oversight;
- Transitional provision; and
- Closing provision.

II. ARTICLE BY ARTICLE

Article 1

Self Explanatory

Article 2

Self Explanatory

Article 3

Self explanatory.

Article 4

Section (1)

Self explanatory.

Section (2)

The legislations here are legislations in health, oil and natural gas,
or mining.

Article 5

Section (1)

Self explanatory.

Section (2)

Point a

Self explanatory.

Point b

“higher hazard potential” is a company with high
hazardous risk that may cause life-threatening accident,
disturb production process and working environmental
pollution.

Section (3)

Self explanatory.

Section (4)

Self explanatory.

Article 6

Self explanatory

Article 7

Self explanatory

Article 8

Dissemination of occupational health and safety policies can be carried out through various media, such as notice board, brochures, verbal dissemination through briefing/morning briefing, and/or other electronic media.

Other party here is sub-contractor, tenant, guests, customer, supplier.

Article 9

Section (1)

Self explanatory

Section (2)

Self explanatory

Section (3)

Point a

“preliminary assessment” is activity carried out by employer in order to know about the position/condition/level of occupational safety and health in the company in their effort of implementing legislation on OSH. The activities include evaluation on existing OSH policies, participation of workers/labor and/or trade/labor union, accountability of working unit leader, occupational accident and disease analysis and statistics, and the control measures.

Point b

Identification of hazard, risk assessment and management of machines, engines, working tool, other equipment, materials, working condition, job's nature, working procedure, production process, and etc.

Point c

“Other requirement” is standards, guideline and company regulation.

Point d

“resource” here is personnel with qualification and competency for occupational safety and health, occupational safety and health facilities, personal protective device, securing device, and budget allocated for OSH program.

Section (4)

Other relevant party in the company includes public accountant, consultant, service provider and tenant.

Section (5)

Self explanatory

Article 10

Section (1)

Self explanatory

Section (2)

Self explanatory.

Section (3)

Point a

“working competency” is individual’s ability that includes knowledge, skill, and work attitude that are in accordance with the prevailing standards.

Point b

“authorized institution” here among other is Ministry of Health.

Section (4)

Self explanatory

Article 11

Section (1)

Self explanatory

Section (2)

Control measure includes control/management of activities, goods and services that may induce occupational accident risk

and disease at least cover control/management of materials, tools/equipment, working environment, working procedure, job's nature and working process.

Point b

Design and engineering includes development, verification of review, validation and adjustment based on hazard source identification, occupational accident and disease risk assessment and management.

Point c

The drafting of working procedure and instruction shall pay attention to requirements of occupational safety and health and subject to review when accident happens, any change to equipment, change in process and/or change in raw material and periodic review.

Point d

In the contract for submission of partial result of work, information about the ability of company that provides the service in meeting occupational safety and health shall be included.

Point e

In the procurement/purchasing of goods and services shall pay attention to the technical specification and occupational safety and health as well as information about material's safety.

Point f

End product should be equipped with operational manual, technical specification, material safety data, label and/or other occupational safety and health information.

Point g

Self explanatory

Point h

Self explanatory

Section (3)

Self explanatory.

Section (4)

The definition of “hazard potential” is a condition of a person, equipment, machine, engine, installation, material, working procedure, job’s nature, production process, and the environment that may induce any disturbance, damage, loss, accident, fire, explosion, pollution and occupational disease.

The definition of “investigation” is series of activities to collect statement/data on any disturbance, damage, loss, accident, fire, explosion, pollution and occupational disease.

The definition of “analysis of accident” is series of activities to analyze and investigate in order to know/prove the truth or wrong of a fact that will conclude why the accident, fire, explosion, pollution and occupational accident happens, which is an important part of accident prevention program.

Article 12

Self explanatory

Article 13

Self explanatory

Article 14

Self explanatory

Article 15

Self explanatory

Article 16

Section (1)

Self explanatory

Section (2)

The definition of company with high hazard risk among others include companies in mining, oil and natural gas sectors.

Section (3)

Self explanatory

Section (4)

Self explanatory

Article 17

Self explanatory

Article 18

Self Explanatory

Article 19

Self explanatory

Article 20

Self explanatory

Article 21

Self explanatory

Article 22

Self explanatory.

SUPPLEMENTARY STATE GAZETTE OF THE REPUBLIC OF INDONESIA
NUMBER 5309

ANNEX I

GOVERNMENT REGULATION OF REPUBLIC OF INDONESIA
NUMBER 50 OF 2012
ABOUT
THE IMPLEMENTATION OF OCCUPATIONAL SAFETY AND HEALTH
MANAGEMENT SYSTEM

GUIDELINE FOR THE IMPLEMENTATION OF OCCUPATIONAL SAFETY
AND HEALTH MANAGEMENT SYSTEM (OSHMS)

In implementing OSHMS, it is mandatory for each company to:

- A. set OSH policies;
- B. making OSH planning;
- C. implement OSH Plan;
- D. Monitor and evaluate OSH performance; and
- E. Review and improve OSH performance.

A. SETTING OSH POLICIES

1. The setting of OSH policies is done through:
 - a. Initial review of OSH condition; and
 - b. Consultation process between the company's management and representatives of workers/labor.
2. The setting of OSH policies shall follow the following requirements:
 - a. Subject to validation by the top leader of the company;
 - b. Written, dated and signed;
 - c. Clearly state the objectives and targets of OSH;
 - d. Elaborated and disseminated to all workers/labor, guests, contractors, suppliers, and customers;
 - e. Well documented and maintained;
 - f. Dynamic; and

- 1) Set, maintained, compiled into inventory and identified by company; and
- 2) Disseminated to all workers/labor.

d. Existing resources

In making planning, existing resources such as the availability of competent human resources, good facility and infrastructure as well as fund shall be considered.

(2) OSH Plan should at least contain:

a. Objectives and Targets

The objectives and targets are subject to periodic review in response to any progress. They should at least meet the following criteria:

- 1) measurable;
- 2) measurement unit/indicator; and
- 3) targets of achievement.

In setting the OSH objectives and targets, the employers shall consult with:

- 1) Workers/labors' representatives;
- 2) OSH Experts;
- 3) OSH Committee; and
- 4) Other relevant parties.

b. Scale of Priority

It is a sequence of activities undertaken based on their level of risk, where jobs with higher risk will be higher in priority.

c. Hazard Control Measures

It is done based on risk assessment carried out through technical, administrative controls and the use of personal protective equipment.

d. Assignment of Resources

It is done to ensure the availability of competent human resources, facility and infrastructure, as well as sufficient funds for effective OSH implementation.

e. Period of Implementation

Each activity planning should also include period of implementation.

f. Indicators of achievement

In setting the indicators of achievement, measurable parameters as the basis for OSH performance assessment, which also includes information about the attainment of OSHMS objectives shall be determined.

g. Accountability System

It should be set in accordance with the function and level of management in respective company to ensure that the plan is feasible. OSH improvement will only be effective when all parties in the company are encouraged to take roles in implementing and developing OSHMS, and has supportive and contributing company's culture for the OSHMS. Based on these grounds, the employers shall:

- 1) decide, appoint, document and communicate any responsibility and accountability in OSH and authority to take action, and elaborate extensively about reporting chains to all at the management level, workers/labors, contractors, sub-contractor, and visitors;
- 2) have the procedure for oversight and communicating any change in responsibility and accountability that will affect the OSH System and program; and
- 3) provide swift and appropriate reaction to any deviation or occurrences.

C. IMPLEMENTATION OF OSH PLAN

The implementation of OSH plan should be carried out by employers and/or executives of company or workplace by:

1. providing human resources who meet the qualification; and

2. providing appropriate facility and infrastructure.

1. provision of Human Resources

a. Human Resources Procurement Procedure

In the procurement of human resources, company should compose effective procurement procedure, which includes:

1) Recruitment of human resource that meets the needs and has working competency and authority in OSH, which is proven through:

a) OSH Certificate issued by authorized institution; and

b) Working/operational permit and/or appointment letter from authorized institution.

2) Identification of necessary working competency required at all management levels and organize necessary training;

3) Making provision for effective communication of OSH information;

4) Making regulation to gain opinions and advices from experts; and

5) Making regulation for the consultation and active participation of workers/labor.

b. Consultation, Motivation and Awareness

In showing their commitment for OSH, employers and/or the management must consult, motivate and have the awareness by involving workers/labor or other relevant parties in implementing, developing and maintaining OSHMS so that everyone will have that sense of belonging and experience the outcome of this activity.

In the consultation, motivation and improvement of awareness on OSHMS, employers and/or management should impart

information about physical, chemical, ergonomic, radiation, biology, and psychological harms to the workers/labor that may harm and injure them at work, as well as the understanding about those possible harms. The understanding aims to identify and prevent any action that may lead to incident.

c. Accountability and Responsibility

The accountability and responsibility of OSH shall be done by the company by:

- 1) appointing, documenting and communicating responsibility and accountability in OSH;
- 2) appointing authorized human resources to take action and explain to everyone at all levels of management, workers/labor, contractors, sub-contractors, and visitors, which include:
 - a) appointed chairperson/leader to be responsible in ensuring that OSHMS has been implemented and the expected outcome in each location and type of activities in company;
 - b) management should be able to identify workers' ability and treat them as precious resource and, these workers may be appointed to receive authority and responsibility to implement and develop OSHMS;
- 3) having the procedure to oversee and communicate every change in responsibility and accountability that will affect OSH system and program;
- 4) provide rapid reaction to any deviation or occurrences.

d. Training and Competency of Work

The training and competency of work are done by identifying and documenting standard of OSH working competency.

OSH working competency can be identified and developed in response to the needs by:

- 1) Using existing working competency standards;
- 2) Review job and occupational description;
- 3) Analyzing job assignment;
- 4) Analyzing inspection and audit result; and
- 5) Review any incident report.

The working competency identification is used as the basis for organizing training program, and a consideration in recruitment, selection and performance assessment.

2. Provide appropriate facility and infrastructure

The facility and infrastructure include:

a. Unit/Organization Responsible for OSH

Company shall establish Advisory Committee of Occupational Safety and Health hereinafter referred to as ACOSH (P2K3) that will be responsible in OSH issues. ACOSH is an agency that will host collaboration between employers and workers to develop mutual understanding and effective participation in implementing OSH.

Members of ACOSH consist of representatives of employers and workers, in which the structure consist of Chairman, Secretary and Member.

ACOSH has the task to provide advise and considerations on OSH regardless whether employers or management request them or not.

b. Budget

Company shall allocate budget for implementing OSH comprehensively, which is used for:

- 1) sustainability of OSH organization;
 - 2) Human resources training, in improving working competency; and
 - 3) Procurement OSH facility and infrastructure, which includes equipment for evacuation, control, and personal protection.
- c. Working/operational procedure, information, and reporting and documentation
- 1) Working/operational procedure should be provided for every job and drafted based on Job Safety Analysis by competent personnel.
 - 2) OSH Information procedure should guarantee the fulfillment of needs to:
 - a) communicate the result of management system, audit finding and management review to all parties who are responsible and involved in the improvement of company's performance;
 - b) identifying and receiving OSH information from outside of company; and
 - c) ensuring that relevant OSH information are well-communicated to external parties.

The information include:

- a) external/legislation requirement and internal OSH performance indicators;
- b) work permit;
- c) results of identification, risk assessment and management as well as hazard source, which includes conditions of engines, installation, working tools, equipment, materials, working condition, nature of job,

working procedure and production process;

- d) OSH Training;
- e) Inspection, calibration and maintenance
- f) Data monitoring
- g) Analysis of accident, incident, complaint and follow-up;
- h) Identification of product including its composition;
- i) Information about supplier and contractor; and
- j) Audit and review of OSHMS.

3) Relevant information reporting procedure shall be determined in order to ensure that the report is submitted timely and to oversee the implementation of OSHMS hence the performance might be improved. Reporting procedure consists of:

- a) internal reporting procedure, which is determined to handle:
 - (1) incident report;
 - (2) any report on inappropriateness;
 - (3) report on OSH performance; and
 - (4) report on the source of hazard
- b) External reporting procedure, which is determined to handle:
 - (1) reporting on any requirements by the law; and
 - (2) reporting to stakeholders or relevant parties.

Report shall be delivered to the management and/or government.

- 4) OSH Activity documentation is used for:
 - a) Systematically integrate any policy, objective and target of OSH;
 - b) Elaborate means of achieving OSH objectives and targets;
 - c) Document role, responsibility and procedure;
 - d) Provide any direction about relevant document and elaborate other elements of company's management system; and
 - e) Showing how the OSHMS elements are suitable for the company.

IN documenting OSH Activities, company shall ensure that:

- a) document containing information about the tasks and responsibilities in the company;
- b) documents shall be reviewed periodically and revised as necessary;
- c) prior to publishing the documents shall be approved by authorized personnel;
- d) newest document should be available in places as necessary;
- e) all obsolete documents shall be destroyed; and
- f) documents should be accessible, useful and easily understood.

d. Work Instruction

Work instruction is a written or verbal instruction for completing a task with the purpose to ensure that any job is completed in accordance with OSH requirements.

OSH planning should include at least:

1. Control measures

All companies shall administer control measures to all activities, goods and services that may generate occupational accident and disease risk.

Control measures are carried out by documenting and implementing policies on:

- a. workplace standards;
- b. factory and material design; and
- c. work procedure and instruction to manage and control goods and service production process.

Occupational accident and diseases risk prevention are carried out through:

- a. identification of hazard potential by considering:
 - 1) any condition and incident that may generate hazard potential; and
 - 2) the possible type of occupational accident and disease.
- b. Risk assessment is carried out to determine scale of identified risk, hence it can be used to decide on the priority of occupational accident or disease risk control measure.
- c. Control measures are carried out through:
 - 1) technical/engineering control, which includes elimination, substitution, isolation, ventilation, hygiene and sanitation;
 - 2) education and training;
 - 3) incentive, award and self-motivation;
 - 4) evaluation through internal audit, incident investigation and etiology; and
 - 5) law enforcement.

2. Design and Engineering

Design and engineering include:

- a. development;
- b. verification;
- c. review;
- d. validation; and
- e. adjustment.

In design and engineering the following elements shall be considered:

- a. hazard potential identification;
- b. occupational accident and disease risk control and measurement procedure;
- c. competent personnel shall be appointed and be given authority and clear task for OSHMS requirements verification.

3. Work Procedure and Instruction

Work procedure and instruction should be implemented and reviewed periodically most importantly when any change to equipment, process or material used by personnel happens; this review should involve anyone with working competency to make use of the procedure.

4. Partial Submission of Work

Company that intends to submit partial implementation of the work to other company shall guarantee that the company meets OSH requirements. Competent and authorized personnel shall verify OSH requirements.

5. Procurement/Purchasing of Goods and Services

Procurement/Purchasing of Goods and services shall:

- a. Integrated into the occupational accident and disease prevention strategy;
- b. Guarantee that all products and services, as well as the partners meeting the OSH requirements; and
- c. When the goods and services arrive at the workplace, the company shall explain to all parties who will use the goods and services about

occupational accident and disease risk identification, assessment and control.

6. Final Product

The final products of goods and services shall be guaranteed their safety in packaging, storing, distribution, utilization as well as destruction.

7. Industrial Hazard and Emergency Management

Company shall have a procedure in handling industrial accident and disaster, which includes:

- a. provision of personnel and first-aid facility with sufficient and appropriate quantity to provide first response prior to appropriate medical care; and
- b. continuous treatment process.

Emergency Procedure should periodically be tested by competent personnel, and for close coordination with relevant institution shall be maintained especially for highly hazardous installation in order to ensure response capability when disaster/incident occurs.

8. Emergency Plan and Rehabilitation

In implementing emergency plan and rehabilitation, all companies should have quick disaster response and rehabilitation plan to restore the situation into normal and help workers recuperate from trauma.

D. PERFORMANCE MONITORING AND EVALUATION

OSH Performance Monitoring and Evaluation in the company includes:

1. Examination, inspection and measurement

Procedures of examination, inspection and measurement shall be in accordance with the OSH objectives and targets, and the frequency is meeting the object by referring to the prevailing legislation and standard.

The procedures of examination, inspection and measurement generally shall include:

- a. Personnel involved in the process must possess sufficient experience and expertise;
- b. Record/note on examination, testing and measurement shall be maintained and be made available for the management, workforce and relevant contractor;
- c. Examination tools and methods shall be used and applied accordingly to ensure OSH standards are met;
- d. Any improvement shall take place immediately should any inappropriate condition of OSH as the result of examination, inspection and measurement;
- e. Appropriate investigation shall take place in order to identify the cause of incident; and
- f. The finding shall be analyzed and reviewed.

2. OSHMS Internal Audit

OSHMS Internal Audit shall be performed periodically to know OSHMS effective application.

OSHMS Audit is performed systematically and independently by competent personnel using prevailing methodology.

Internal audit may use external audit criteria as referred to in Annex II of this regulation, and the reporting can use the reporting format as referred to in Annex III of this regulation.

Audit frequency is determined by reviewing result of the previous audit and any evidence of hazard resources at the workplace. Audit result shall be used by the manager in reviewing management process.

The finding of performance monitoring and evaluation of OSHMS Audit should be documented and used for improvement and prevention. OSHMS audit as well as the monitoring and evaluation of performance should be done systematically and effectively as guaranteed by the management.

E. OSHMS PERFORMANCE MONITORING AND IMPROVEMENT

In order to maintain objectives of OSHMS in track, the employer and/or manager of corporation or workplace should:

1. Review the implementation of OSHMS periodically; and
2. OSHMS review should be able to overcome OSH implication to all activities, products of goods and services, which include also company's performance.

OSHMS review should at least include:

1. OSH Policy evaluation;
2. OSH objectives, targets and performances;
3. OSHMS audit findings; and
4. Effective evaluation of OSHMS and the needs of OSHMS development.

Performance improvement and correction are done based on the following considerations:

1. revisions/amendment of legislation;
2. demand from relevant party and market;
3. change of the company's product and activity;
4. change of company's organizational structure;
5. change in science and technology, including epidemiology;
6. analysis of occupational accident and disease;
7. any reporting; and/or
8. suggestion from worker/labor.

PRESIDENT OF THE REPUBLIC INDONESIA

Signature.

DR. H. SUSILO BAMBANG YUDHOYONO

Copy as original

MINISTRY OF THE STATE SECRETARIAT

Assistant Deputy on Legislation

Politic and People's Welfare,

Wisnu Setiawan

ANNEX II

GOVERNMENT REGULATION NUMBER 50 OF 2012

ABOUT

THE APPLICATION OF OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT SYSTEM

GUIDELINE FOR OSHMS APPLICATION ASSESSMENT

The Guideline for OSHMS application assessment includes:

- A. OSHMS Audit criteria;
- B. The setting of audit criteria for each OSHMS application; and
- C. Provision on the OSHMS audit result assessment

A. OSHMS AUDIT CRITERIA

1. Commitment Building and Maintenance

1.1 OSH Policy

- 1.1.1 There are written, dated, signed OSH policies by employers or management, clearly stated OSH objectives and targets and commitment as well as commitment to improve OSH.
- 1.1.2 Employers and/or managers draft the policy upon consultation with workers representatives.
- 1.1.3 Company shall communicate OSH policy to all workers, visitors, contractors, customers and suppliers in accordance with good procedures.
- 1.1.4 Special policy for specific OSH issues is also drafted.
- 1.1.5 OSH policies and other specific policies should be reviewed periodically hence these policies meeting with any change that occurs in the company and in the legislation.

1.2 Responsibility and Authority to take action

- 1.2.1 All responsibilities and authorities to take actions and report to relevant parties in the company on OSH have been determined, informed and documented.
- 1.2.2 The appointment of OSH personnel should be in line with the legislation.
- 1.2.3 A leader of working unit in a company is responsible for OSH performance in their unit.
- 1.2.4 Employers or managers should be fully responsible in ensuring OSHMS is fully implemented.
- 1.2.5 Responsible personnel to handle emergency situation is appointed and appropriately trained.
- 1.2.6 Company will receive advise from experts in OSH who work inside and/or outside of the company.
- 1.2.7 OSH performance is elaborated in company's annual report or other report of the same level.

1.3 Review and Evaluation

- 1.3.1 Review on OSH includes review on policy, planning, implementation, monitoring and evaluation that have been implemented, recorded and documented.
- 1.3.2 The review is integrated into management planning.
- 1.3.3 Management shall review the OSHMS periodically to asses OSHMS appropriate application and effectiveness.

1.4 Workers' involvement and consultation

- 1.4.1 Workers' involvement and schedule of consultation are documented and disseminated to all workers.
- 1.4.2 There is a procedure that facilitates consultation on changes that will bring implication to OSH

- 1.4.3 Company establishes OSH Committee as stipulated by the legislation.
- 1.4.4 The Chairperson of OSH Committee is the top leader or manager in the company.
- 1.4.5 Secretary of OSH Committee is an OSH expert as advised by the legislation.
- 1.4.6 OSH Committee focuses on activities to develop policies and procedure for risk control/management.
- 1.4.7 OSH Committee management is documented and informed to all workers
- 1.4.8 OSH Committee meets regularly and the meeting outcome is disseminated in the workplace.
- 1.4.9 OSH Committee reports regularly about their activities in accordance with the legislation.
- 1.4.10 Smaller groups are established and the membership is selected from workers' representatives and appointed as OSH PIC in the workplace, appropriate training is administered to the respective member in accordance with the legislation.
- 1.4.11 The information on working groups is documented and informed to all workers.

2 The Drafting and Documentation of OSH Plan

2.1 OSH Strategic Plan

- 2.1.1 There is a well-documented procedure to identify hazard potential, OSH risk assessment and control.
- 2.1.2 Identification of hazard potential, OSH risk assessment and control is done by competent personnel.
- 2.1.3 OSH Strategic Plan should at least be based on initial review, identification of hazard potential,

risk assessment and control, and legislation and other OSH related information sourced internally or externally.

2.1.4 OSH Strategic Plan is used to control OSH risk by setting measurable objectives and targets, and setting priority and allocating resources.

2.1.5 Work Plan and Specific Plan related to the product, process, project or workplace is set by setting measurable objectives and targets, setting the timeline and allocation of resources.

2.1.6 OSH Plan will be synchronized with company's management system plan.

2.2 OSHMS Manual

2.2.1 OSHMS Manual includes OSH policy, objective, plan, procedure, working instruction, forms, notes and OSH responsibility and authority for all levels of the company.

2.2.2 There is a specific manual related to the product, process or specific work place.

2.2.3 OSHMS Manual should be accessible for all personnel in the company accordingly.

2.3 Other Regulation and Requirements of OSH

2.3.1 There is a well-documented procedure to identify, obtain, maintain and understand legislation, standard, technical guideline and other OSH related requirements for all workers in the company.

2.3.2 The PIC is responsible to maintain and distribute latest information on the legislation, standard, technical guideline, and other requirement.

2.3.3 The requirement as stipulated in the legislation, standards, technical guideline and other relevant

OSH requirements are included in the working procedures and instructions.

2.3.4 Any change in the legislation, standards, technical guideline and other relevant OSH requirements are used to review working procedures and instructions.

2.4 OSH Information

2.4.1 Any information required on OSH activities shall be systematically disseminated to all workers, guests, contractors, customer and supplier.

3 Design Management and Contract Review

3.1 Design Management

3.1.1 Well-documented procedure considering hazard potential identification, risk assessment and control done in every stage of design and modification.

3.1.2 Procedure, working instruction in using products, operating machine and tools, installation, engine or other OSH related process and information have been developed during designing and/or modification.

3.1.3 Competent personnel verifies that the design and/or modification meets OSH requirements that have been set prior to the use of design.

3.1.4 Any change and modification to the design with OSH implication will be identified, documented, reviewed and approved by authorized personnel before operation.

3.2 Contract Review

3.2.1 A well-documented procedure should identify any hazard and OSH risk assessment for workers, environment and the public where such procedure

is used to supply goods and service as stipulated in a contract.

3.2.2 Identification of hazard and risk assessment is done in contract review by competent personnel.

3.2.3 Contract is reviewed to ensure that supplier can meet OSH requirement for customers.

3.2.4 Any note of contract review shall be maintained and documented.

4 Document Control

4.1 Document Approval, Issuance and Management

4.1.1 OSH Document contains status identification, authority, date of issuance and modification.

4.1.2 The recipients of distributed document are mentioned in the document.

4.1.3 Latest OSH document are stored systematically in designated place.

4.1.4 Obsolete documents are destroyed immediately while obsolete documents stored for specific purpose are marked.

4.2 Document amendment and Modification

4.2.1 There is a system to draft, approve and amend OSH document.

4.2.2 Should the amendment occurs, a reason for its amendment shall be provided and mentioned in the document or annex and informed to relevant party.

4.2.3 There is a procedure for document control or list of documents containing information about the document's status in order to prevent further use of obsolete document.

5 Product Purchase and Management

5.1 Specification for Goods and Service Purchase

- 5.1.1 There is a well-documented procedure that can ensure that technical specification and other OSH related information have been reviewed prior to the decision of purchasing.
- 5.1.2 All specific information regarding production, chemical substance or service should be complemented with specification pertaining in the OSH legislation and standard.
- 5.1.3 Consultation with competent workers for the decision of purchase is done to determine OSH requirements mentioned in the purchasing specification and informed to the workers using it.
- 5.1.4 Training needs, supply of personal protective equipment and any change in the working procedure should be considered prior to the purchase and use of the equipment.
- 5.1.5 OSH conditions should be regularly evaluated and considered in the selection of purchase.

5.2 Verification System of Purchased Goods and Services.

- 5.2.1 Purchased goods and services shall be reviewed and matched with the purchasing specification.

5.3 Management of supplied goods and services

- 5.3.1 Prior use all goods and services supplied by customer shall be identified for hazard potential and assessed for its risks, and the note of examination is maintained for procedural testing.

5.4 Product traceability capacity

- 5.4.1 All products being used in the production process shall be traceable for all process of production and installation, especially when OSH problems are identified.

5.4.2 There is a well-documented procedure to track sold products, especially if there is OSH problem identified in the usage.

6 Work Safety based on OSHMS

6.1 Working System

6.1.1 Competent workers who have identified hazard, assesses and controlled risks that may occur from working process.

6.1.2 If risk control measure is necessary, then the measure should be implemented through control level.

6.1.3 There is well-documented working procedure or instruction to control identified risks and is drafted based on the competent personnel's input as well as relevant workers, and validated by authorized personnel in the company.

6.1.4 Compliance to the legislation, standards and relevant technical guideline should be considered in the development or modification of working instruction.

6.1.5 There is a working license system for high-risk commission.

6.1.6 Personal Protective Equipment is provided as necessary and correctly used, and shall be regularly maintained in condition that is suitable for use.

6.1.7 The personal protective equipment should meet prevailing standards and/or regulation.

6.1.8 Risk control measure is evaluated periodically for any inappropriateness or change of the working process.

6.2 Oversight

- 6.2.1 Oversight is done to ensure that all jobs are performed safely and in accordance with procedures and working instruction.
- 6.2.2 Everyone is subject to oversight based on their level of competence and job risks.
- 6.2.3 Supervisor should also identify hazards and applying control measure.
- 6.2.4 Supervisor is involved in the investigation and drafting of report of any occupational accident and disease, and shall submit reports and provide suggestions to employers or managers.
- 6.2.5 Supervisor is involved in the consultation process.

6.3 Selection and placement of personnel

- 6.3.1 For the selection and placement of personnel specific identified job requirements and health requirements are used.
- 6.3.2 Assignment shall be made based on the capacity, skill and authority.

6.4 Limited Area

- 6.4.1 Employers or managers shall assess the working conditions' risks in order to identify areas that require restricted area entrance permit.
- 6.4.2 Restricted area is controlled by entrance permit.
- 6.4.3 The working condition facilities and services shall meet technical standards and guideline.
- 6.4.4 OSH signage shall be installed in accordance with technical standard and guidelines.

6.5 Maintenance, Repair and Change of Production facility

- 6.5.1 Schedule of production facility examination and maintenance as well as for the equipment include verification of safety equipment that meets

legislation, relevant standard and technical guideline.

- 6.5.2 All records contain detailed data for any examination, maintenance, repair and change shall be stored and maintained.
- 6.5.3 All facilities and production equipment shall have valid certificates as required by the legislation and standards.
- 6.5.4 Any examination, maintenance, treatment, repair and any change shall be performed by competent and authorized personnel.
- 6.5.5 There should be procedure to guarantee that any change to the facility and production equipment is meeting relevant legislation, standards and technical guideline.
- 6.5.6 There is a procedure for requesting production equipment and tools maintenance in which OSH condition is not meeting the requirement and shall be corrected immediately.
- 6.5.7 There is a system for marking unsafe equipment to use or no longer be used.
- 6.5.8 As necessary, the lock out system is applied in order to prevent early turn on of production facility.
- 6.5.9 There is a procedure to ensure workforce safety and health or anyone who is near the production equipment and facility during the examination, maintenance, repair and change.
- 6.5.10 There is an appointed personnel to approve that the production facility and equipment is safe to use after treatment, maintenance, repair or change.

6.6 Service

- 6.6.1 Should the service provider company contracted is in comply with the OSH standards and legislation, then a procedure to ensure the service is meeting the requirements shall be composed.
- 6.6.2 Should the company is provided with service through contractual service, and the service provided should be in comply with the OSH legislation, a procedure to ensure that the service meeting requirement is composed.

6.7 Emergency Situation preparedness

- 6.7.1 Internal and/or external emergency situations are identified and emergency response procedure is documented and informed for the recognizance of everyone in the workplace.
- 6.7.2 Emergency equipment and procedures are provided upon identification and routinely tested by competent and authorized personnel.
- 6.7.3 Workers obtain instruction and training on emergency response procedure in accordance with the risk level.
- 6.7.4 Emergency respondent personnel is assigned and provided with special training; and upon assignment the personnel in charge should be informed to anyone in the workplace.
- 6.7.5 Emergency response instruction/procedure and linkage of emergency situations is shown and visible for all workforces in the company.
- 6.7.6 Equipment, and emergency sign system are provided, examined, tested and periodically maintained in accordance with legislation, standard and relevant technical guideline.

6.7.7 The type, quantity, placement and easiness of obtaining the emergency response kit are in line with the legislations or standards and assessed by competent and authorized personnel.

6.8 First Aid to Accident

6.8.1 Company should evaluate First Aid kit and guarantee that the existing first response system is meeting legislation requirements, standards and technical guideline.

6.8.2 First Aid Responder is trained and appointed in accordance with the law.

6.9 Emergency Rehabilitation and Plan

6.9.1 Procedure to recover workers' condition or repair production facility and equipment that are damaged shall be determined and this procedure shall be implemented immediately after occupational accident and disease occurs.

7 Monitoring Standards

7.1 Hazard Inspection

7.1.1 Regular inspection of workplace and working procedure shall be implemented.

7.1.2 Competent and authorized personnel who is already trained to identify hazard shall perform the inspection.

7.1.3 Inspection is carried out to obtain workers' input in the area subject to inspection.

7.1.4 Workplace checklist shall be compiled to be used during inspection.

7.1.5 Inspection report contains recommendations of corrective actions and shall be proposed to manager and OSHMS Committee accordingly.

7.1.6 Employer or manager shall appoint Person in changer for any corrective measure as recommended by inspection report.

7.1.7 Any corrective measure shall be monitored in order to determine the effectiveness.

7.2 Monitoring/Assessment of Working Condition

7.2.1 Workplace monitoring/assessment is regularly performed and the outcome is documented, maintained and used for risk assessment and control.

7.2.2 Workplace monitoring/assessment includes physical, chemical, biological, ergonomic and psychological aspects.

7.2.3 Competent and authorized personnel or internal/external party performs the workplace monitoring/assessment.

7.3 Tools for Inspection, Assessment and Examination

7.3.1 There should be a well-documented procedure about the identification, calibration, maintenance and storage of OSH examination, assessment and testing tools.

7.3.2 Competent and authorized personnel or internal/external party maintains and calibrates the tool.

7.4 Health Monitoring of Workers

7.4.1 Health monitoring of workers who work in hazardous workplace is performed in accordance with the prevailing legislation.

7.4.2 Employer or manager shall identify the situation in which healthcare monitoring of workers is required and implement system to facilitate the examination.

7.4.3 Healthcare examination of workers is performed by appointed medical officer in accordance with the prevailing legislation.

7.4.4 Company shall provide healthcare service as stipulated by the legislation.

7.4.5 Healthcare monitoring notes are drafted in accordance with the legislation.

8 Reporting and Improvement of Shortcomings

8.1 Report on Hazard

8.1.1 There is a reporting procedure of OSH-related hazard and this procedure is recognized by workers.

8.2 Accident reporting

8.2.1 There is a well documented procedure that guarantees that all occupational accident, diseases, fire or explosion and other hazardous incidence in the workplace are recorded and reported in accordance with the prevailing legislation.

8.3 Accident Investigation and Analysis

8.3.1 Workplace/company has investigation and analysis procedure for occupational accident and disease.

8.3.2 The occupational accident and disease investigation and analysis are performed by appointed OSH expert or personnel in accordance with the legislation, or other competent and authorized external party.

8.3.3 Report on the investigation and analysis contains the cause and effect, as well as recommendations/advice and schedule of improvement measures.

8.3.4 The appointed person in charge shall take the corrective measures as a follow up of investigation and analysis report.

8.3.5 Any corrective measure taken is informed to the workers who are working in the workplace where the accident takes place.

8.3.6 Corrective measures are monitored, documented and informed to all workers.

8.4 Case handling

8.4.1 There is a procedure for handling any emerging occupational safety and health issue and in accordance with the prevailing legislation.

9 Material Management and Transfer

9.1 Manual and Mechanical handling

9.1.1 There is a procedure to identify hazard potential and assessing any risk related to the manual and mechanical handling

9.1.2 Hazard identification and risk assessment are performed by competent and authorized personnel.

9.1.3 Employer or manager apply and review risk handling measure related to the manual or mechanical handling.

9.1.4 There is a procedure to handle material, which includes prevention of any damage, spill and/or leakage.

9.2 System of Transportation, Storage and Disposal

9.2.1 There is a procedure that guarantees all materials are stored and transported in secure manner in accordance with the prevailing legislation.

9.2.2 There is a procedure that elaborates about the control requirement for damaged or expired material.

9.2.3 There is a procedure that guarantees that all materials will be disposed in a safe manner in accordance with the legislation.

9.3 Hazardous Chemical Material Management (HCM)

9.3.1 Company documents and implements procedures on storing, handling and transportation of HCM that is in accordance with the regulation, relevant technical standards and guideline.

9.3.2 There are Material Safety Data Sheets, which include information about material safety as stipulated by the legislation and easily accessible.

9.3.3 There is a system to identify and labeling of hazardous chemical materials.

9.3.4 Warning signage is installed in accordance with the legislation and/or relevant standards.

9.3.5 The HCM handling is performed by competent and authorized personnel.

10 Data Collection and Use

10.1 OSH Records

10.1.1 Employer or manager has documented and implemented procedure for identification, collection, archiving, maintaining, storing and replacing OSH records.

10.1.2 Relevant OSH Legislation, standards and technical guideline are stored in accessible location.

10.1.3 There is a procedure to determine requirement to maintain confidentiality of the records.

10.1.4 Records of accident compensation and rehabilitation of workforce are maintained.

10.2 OSH Data and Report

10.2.1 Recent OSH data are collected and analysed.

10.2.2 OSH Performance report is drafted and disseminated in the workplace.

11 OSHMS Audit

11.1 OSHMS Internal Audit

11.1.1 Scheduled OSHMS Internal Audit is implemented to check that the plan is effective.

11.1.2 OSHMS Internal Audit is performed by independent, competent and authorized personnel.

11.1.3 Audit report is distributed to employer or manager and other officer who is authorized, and closely monitored in order to ensure corrective measures are taken.

12 Skills and Competency Development

12.1 Training Strategy

12.1.1 OSH Training Needs Analysis is in accordance with the legislation.

12.1.2 OSH Training Plans at all levels are drafted.

12.1.3 Type of OSH training should be adjusted to the needs of hazard potential control.

12.1.4 Training is provided by a competent and authorized person or agency in accordance with the legislation.

12.1.5 There are sufficient facility and resources for effective training.

12.1.6 Employer or manager documents or keeps training records.

12.1.7 Training programs are regularly reviewed to ensure relevancy and effectiveness.

12.2 Training for Management and Supervisor

- 12.2.1 Members of executive management and board are involved in the training that includes elaboration about the OSH legal obligations, principles and implementation.
- 12.2.2 Manager and supervisor receive appropriate training to their role and obligation.
- 12.3 Training for Workers
 - 12.3.1 Training is given to all workers, including newly recruited and transferred workers to ensure the safe implementation of their work.
 - 12.3.2 The training is also given to workers should there are some changes in the production facility or process.
 - 12.3.3 Employer or manager provides refreshment training to all workers.
- 12.4 Introduction Training and Training for Visitors and Contractors
 - 12.4.1 There is a procedure for briefing of visitors and counterparts in order to ensure safe implementation OSH.
- 12.5 Special Skill Training
 - 12.5.1 Company has system to ensure compliance to licensing or qualification in accordance with legislation to perform special task, do the job or operating equipment.

B. SETTING AUDIT CRITERIA FOR EVERY LEVEL OF OSHMS ATTAINMENT

The assessment of OSHMS consists of three level, which are:

1. Initial Assessment

The OSHMS assessment for 64 (sixty four) criteria as mentioned in Column 3 in Table 1.

2. Transitional Assessment

OSHMS Assessment for 122 (one hundred and twenty two) criteria) as mentioned in Column 3 and 4 in Table 1.

3. Advanced Assessment

OSHMS Assessment for 166 (one hundred and sixty six) criteria as mentioned in column 4 and column 5 of Table 1.

The Criteria used for the assessment are based on the following Table 1:

Table 1
Criteria of OSHMS Implementation Level

No	ELEMENT	INITIAL ASSESSMENT	TRANSITIONAL ASSESSMENT (All initial assessment and transitional)	ADVANCED ASSESSMENT (All initial, transitional and advanced)
1	2	3	4	5
1	Commitment Development and Maintenance	1.1.1, 1.1.3, 1.2.2, 1.2.4, 1.2.5, 1.2.6, 1.3.3, 1.4.1, 1.4.3, 1.4.4, 1.4.5, 1.4.6, 1.4.7, 1.4.8, 1.4.9	1.1.2, 1.2.1, 1.2.3, 1.3.1, 1.4.2	1.1.4, 1.1.5, 1.2.7, 1.3.2, 1.4.10, 1.4.11
2.	Documentation Strategy	2.1.1, 2.4.1	2.1.2, 2.1.3, 2.1.4, 2.2.1, 2.3.1, 2.3.2, 2.3.4	2.1.5, 2.1.6, 2.2.2, 2.2.3, 2.3.3
3	Design and Contract Review	3.1.1., 3.2.2		
4.	Document Control			

5.	Purchasing			
6.	Working Safety based on OSHMS			
7.	Monitoring Standard			
8.	Reporting and Corrective Measures			
9.	Material management and transfer			
10.	Service collection and use			
11	OSHMS Audit			
12	Skills and Competency Development			

C. SCORE OF OSHMS AUDIT RESULT

There are 3 categories of OSHMS Audit Result, which are:

1. Primary Category

Company meeting 64 (sixty four) criteria as referred to in Colum 3 in Table 1.

2. Transitional Category

Company meeting 122 (one hundred and twenty two) criteria, which contain in Column 3 and Column 4 of Table 1.

3. Advanced Category

Company meeting 166 (one hundred and sixty six) criteria, which are mentioned in Column 3, Column 4 and Column 5 in Table 1.

The scoring of OSHMS implementation is as followed:

1. For 0-59% of implementation is considered to be less good implementation.
2. For 60-84% of implementation is considered as good implementation.
3. For 85-100% is considered to be satisfactory level.

The scoring of OSHMS is in Table 2:

Table 2
Scoring of OSHMS

Category of Company	Level of Application		
	0-59%	60-84%	85-100%
Primary Category (64 criteria)	Less good application	Good level of application	Satisfactory level of application
Transitional category (122 criteria)	Less good application	Good level of application	Satisfactory level of application
Advanced Category	Less good application	Good level of application	Satisfactory level of application

Aside from assessment of OSHMS application, there is also another assessment on the company based on their nature, which is divided into 3 (three) categories, which are:

1. Critical category
Finding that will lead to fatality
2. Major category
 - a) not in comply with legislation;
 - b) not able to implement one of OSHMS principles; and
 - c) minor finding for one of audit criteria in several location.
3. Minor Category
Inconsistency in the meeting of legislation, standards, guideline and other reference.

In regards to the assessment of company that falls under critical or major category, hence the company is considered unable to implement OSHMS and the OSHMS score does not refer to Table 2.

PRESIDENT OF THE REPUBLIC OF INDONESIA

Signature

DR.H. SUSILO BAMBANG YUDHOYONO

Copy as original

Ministry of State Secretariat

Assistant to the Deputy of Legislation

Politic and People's Welfare Division

Wisnu Setiawan

ANNEX III

GOVERNMENT REGULATION OF THE REPUBLIC OF INDONESIA
NUMBER 50 OF 2012
ABOUT THE APPLICATION OF OCCUPATIONAL SAFETY AND HEALTH
MANAGEMENT SYSTEM

AUDIT REPORT
OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT SYSTEM
(OSHMS)

COMPANY'S NAME

WORKING UNIT

<NAME OF AUDITED WORKPLACE>

<LOCATION>

LEVEL AUDIT: < INITIAL/TRANSITIONAL/ADVANCED>

Number: <Report Number>

<NAME OF INDEPENDENT AUDIT ADMINISTRATOR>

REPORT DISTRIBUTION:

1. <NAME OF AUDITED WORKPLACE>
2. <MINISTRY RESPONSIBLE FOR EMPLOYMENT ISSUES>
3. <NAME OF INDEPENDENT AUDIT ADMINISTRATOR>
4. <LOCAL OFFICE RESPONSIBLE FOR EMPLOYMENT ISSUES>

Report Number	<Report Number>	AUDIT REPORT OF OCCUPATION AL SAFETY AND HEALTH MANAGEME NT SYSTEM <NAME OF WORKPLACE >	Page	<Page Number> of <Total Pages>

Report Date	<Report Date>		Audit Number.../Distribution	<Number of Distribution> of 3
Number of Occupation	<Number of Occupation>	Summary	Auditor	Head of Auditor Team

1. AUDITED COMPANY

Name of Company:

Type of Business

2. SCOPE OF AUDIT

Scope of OSHMS External audit in <name of workplace> includes:

a. <work unit process unit/workplace division> <location>

b. and etc.

3. AUDIT

Date : <from ... to commencement of audit>

Location: <address>

4. OBJECTIVES OF AUDIT

To prove the level of attainment and development and performance of OSH in <name of workplace> to be in line with OSHMS and other prevailing legislation in Indonesia.

5. AUDITOR TEAM

Auditor Team of (NAME OF INDEPENDENT AUDIT ADMINISTRATOR) consists of:

1. <NAME>, senior auditor

2. <NAME>, junior auditor

Report Number	<Report Number>	AUDIT REPORT OF OCCUPATIONAL SAFETY	Page	<Page Number> of <Total Pages>
---------------	-----------------	-------------------------------------	------	--------------------------------

		AND HEALTH MANAGEMENT SYSTEM <NAME OF WORKPLACE >		
Report Date	<Report Date>		Audit Number.../Distrib ution	<Number of Distributio n> of 3
Number of Occupati on	<Number of Occupatio n>	Summary	Auditor	Head of Auditor Team

6. GENERAL DESCRIPTION OF WORKPLACE

- a. <Production Process>
- b. <application of OSH>

7. AUDIT SCHEDULE

NO	ACTIVITY	TIME	REMARKS	CONTACT PERSON
1.	INITIAL MEETING			
2.	CRITERIAL EXAMINATION AND ASSESSMENT			
3.	FINAL MEETING			

Report Number	<Report Number>	AUDIT REPORT OF OCCUPATION AL SAFETY	Page	<Page Number> of <Total Pages>
------------------	--------------------	---	------	---

		AND HEALTH MANAGEMENT SYSTEM <NAME OF WORKPLACE >		
Report Date	<Report Date>		Audit Number.../Distrib ution	<Number of Distributio n> of 3
Number of Occupati on	<Number of Occupatio n>	MAIN REPORT	Auditor	Head of Auditor Team

8. LIST OF AUDIT CRITERIA

NO.	CRITERIA NUMBER	NOT APPLICABLE	FULFILLMENT OF CRITERIA		
			MEETING	NOT MEETING	
				MAJOR	MINOR

9. ELABORATION ABOUT THE NON-APPLICABLE CRITERIA

<non-applicable element/criteria>

10. ELABORATION OF UNMET CRITERIA

<elaboration about unmet minor/major finding>

11. FOLLOW UP

<recommendations for unmet situation>

12. RESULT OF AUDIT

<conclusion of audit outcome percentage>

Report Number	<Report Number>	AUDIT REPORT OF OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT SYSTEM <NAME OF WORKPLACE >	Page	<Page Number> of <Total Pages>
Report Date	<Report Date>		Audit Number.../Distribution	<Number of Distribution> of 3
Number of Occupation	<Number of Occupation>	Summary	Auditor	Head of Auditor Team

13. SUPPORTING DATA FOR AUDIT REPORT

- a. attendance list of audited company; and
- b. company's response to any follow up to unmet criteria.

PRESIDENT OF THE REPUBLIC OF INDONESIA

Signature

DR. H. SUSILO BAMBANG YUDHOYONO

Copy as the Original

MINISTRY OF THE STATE SECRETARIAT

Assistant to the Deputy of Legislation

Politic and people's welfare division

Wisnu Setiawan

