

Pursuant to Article 13, Paragraph 4 of the Law on Health and Safety at Work ("Official Gazette RS" no. 101/05),

Minister of Labor, Employment and Social Policy hereby has passed

THE CODE OF RULES ON METHODOLOGY OF RISK ASSESSMENT AT WORKPLACE AND IN WORK ENVIRONMENT

Contents of the Code of Rules

Article 1

This Code of Rules determines methodology applied in assessing the risk of injuries at work or risk to health, i.e. disease of employee at workplace or in work environment, as well as method and procedure to eliminate such risks, which are governed by a risk assessment act of employer.

Grounds and purpose of the risk assessment

Article 2

Risk assessment and measures prescribed by employer, are ensured by applying regulations on health and safety at work and other regulations in order to eliminate hazards and harms at work place and work environment, i.e. to eliminate or reduce risk, at the extent preventing injury at work, damage to health or decease of employee.

Extent of the risk assessment

Article 3

Risk assessment is based on systematic recording and evaluating all the factors in the work process – possible types of hazards and harms at work place and work environment, which may cause injury at work, damage health or disease of employee.

The risk assessment considers the work organization, work processes, work equipment, row material and materials used in technological and work processes, work equipment and personal protective equipment, as well as other elements that may cause risk against injuries at work, damage to health or decease of employee.

The risk assessment includes:

- 1) general data on employer;
- 2) description of technological and work process, description of work equipment and their classification and description of personal protective equipment at work;
- 3) recording the work organization;

- 4) recognition and identification of the hazards and harms at workplace and in work environment;
- 5) risk assessment in relation to hazards and harms;
- 6) establishment of methods and manners to eliminate, reduce or prevent risks;
- 7) conclusion;
- 8) amendments and addendums to a risk assessment act.

General data on employer Article 4

General data on employer contain:

- 1) corporate name, head office, i.e. address of employer;
- 2) activity of employer;
- 3) data on persons carrying out and participating in the risk assessment and in risk assessment (name, surname, qualification etc.)

Description of technological and work process, description of work equipment (and their classification) and description of personal protective equipment at work

Article 5

Description of technological and work process, description of means for work (and their classification) and description of personal protective equipment at work is done in a manner appropriate for collection and assessment of the required information on these processes and equipment according to the current situation.

The description includes:

- 1) Buildings used as the work or ancillary facilities, including outdoor facilities with all belonging installations'
- 2) Work equipment (machinery, devices, plants, installations, tools etc.) used in the work process and their classification;
- 3) Constructions and facilities for collective safety and health at work (protection at crossings, passages and accesses, barriers to heat or other emissions, protection against electric power hit, common ventilation and air conditioning, etc.) description of their purpose and utilization method.
- 4) Ancillary constructions and facilities, as well as the ancillary constructions and facilities which are temporarily used for the work and movement of employees (scaffold, work platform, tunnel support, construction for preventing rock fall when digging deep trenches etc.) ;
- 5) Other means for work used in the work process or which are in any way connected with the work process, their purpose and utilization method;
- 6) Work equipment and equipment for personal safety at work;
- 7) Row materials and materials used;
- 8) Other required elements.

Recording the work organization

Article 6

Recording the work organization includes insight in the act of the employer, governing its internal organization and systematization of workplaces for performing jobs from the employer's scope of activities, as well as other documentation of employer related to the work organization and immediate inspection of prescribed, i.e. established work organization and factual status of the work organization with employer.

Recording the work organization contains jobs, names and location of the workplaces where the jobs are performed, the conditions for establishment of employment relationship and number of employees working at these workplaces, out of which number of women, men, persons of less than 18 years of age, the disabled, working hours and the time spent on certain jobs, deviations of the prescribed, i.e. established work organization from the factual status of the work organization with employer etc.

Recognition and identification of hazards and harms at workplace and in work environment

Article 7

Hazards and harms at workplace and in work environment are to be recognized and identified according to the data collected from the documentation in possession of employer, by observing and monitoring the work processes at workplace, by collecting necessary information from employees and information from other sources and by classification of the data collected and of possible hazards and harms to which these data indicate.

When establishing the data on hazards at workplace and in work environments, the starting point is the current status of safety and health at work (current expert findings of examination and testing the work equipment, and on completed examination of the work environment conditions, reports on previous and periodical medical examination of employees, data on injuries at work, professional and work-related diseases, personal protective equipment, analysis of the measures taken in order to prevent the injuries at work, and professional and work-related diseases, inspection findings on the supervision completed, instructions for safe work, prescribed documentation for use and maintenance, i.e. packing, transport, utilization, storage, destruction etc.)

Hazards and harms shall be classified per their type and nature.

Article 8

Hazards shall be classified as follows:

1. Mechanical hazards, which occur during utilization of work equipment, such as:

- (1) insufficient safety due to rotating or motile parts,
- (2) free motion of parts or materials, which may cause injury to employee,
- (3) internal transportation and motion of work machinery of vehicles, and moving certain work equipment.
- (4) Use of hazardous work equipment, that may cause explosion or fire,
- (5) Impossibility or limitation to timely leave workplace, exposure to closing, mechanical blow, or coping etc.,
- (6) Other factors that may appear as mechanical source of hazard;

2. Hazards which occur in relation with characteristics of the workplace, such as;

- (1) hazardous areas (floorings and all types of treads, areas with which employees are in contact and have sharp edges - curbs, pinnacles, rough areas, cambers etc.),
- (2) working at height and working depth, in the context of the regulations on safety and health at work,
- (3) work in small, limited or hazardous area (between two or more fixed parts, between motile parts of vehicles, work in a closed area with insufficient lighting or ventilation etc.),
- (4) possibility of sliding or stumbling (wet or slippery areas),
- (5) physical instability of the workplace,
- (6) possible consequences or hindrance due to mandatory use of personal protective equipment,
- (7) influences due to job performance by using inappropriate or unadjusted work methods,
- (8) other hazards, which may occur related to characteristics of the workplace or work method (use of personal protective equipment that burdens employee etc.),

3. Hazards which occur when use electric power, such as:

- (1) hazard of direct contact with parts of the electric installation and equipment under voltage,
- (2) hazard of direct contact,
- (3) hazard of thermal effect caused by electrical equipment and installation (overheating, fire, explosion, electric arch or sparking, etc.),
- (4) hazards due to thunder hit and effects of atmospheric depletion,
- (5) hazards of harmful effect of electrostatic electricity,
- (6) other hazards that may occur related to the use of electric power.

Article 9

Harms are classified as follows:

1 Harms occurred or appear during the work process, such as:

- (1) chemical harms, dust and smokes (inhalation, suffocation, intake in organism, penetration in a body through skin, scalds, intoxication, etc.),
- (2) physical harms (noise and vibrations),
- (3) biological harms (infections, exposure to micro-organisms and allergens),
- (4) harmful effects of micro climate (high or low temperature, humidity and air circulation speed),
- (5) inappropriate – insufficient lighting,
- (6) harmful effects of the emissions (thermal, ionized or unionized, laser or ultrasonic),
- (7) harmful climate effects (outdoor work),
- (8) harms occurred by use of hazardous substances in production, transport, packing, storage or destruction,
- (9) other hazards, which occur in work process, and which may cause injuries to employee at work, professional disease or work-related disease;

2. Harms arising out of mental and psycho-physiological efforts that are caused by work place and by the jobs performed by employee, such as:

- (1) efforts or exertion of body (manual weight handling, pushing or drawing of the weight, various long-lasting intensified physical activities etc.),
- (2) non-physiological position of the body (long-lasting standing, sitting, kneeling, squatting etc.),
- (3) efforts in performing particular jobs that cause psychological efforts (stress, monotony, etc.);
- (4) responsibility in receiving and communicating information, use of appropriate knowledge and skills, responsibility in code of conduct, responsibility for fast changes in work procedures, intensity of work, spatially conditioned workplace, conflict situations, work with clients and money, insufficient motivation for work, responsibility in management etc.;

3. Harms related to the work organization, such as: the work exceeding full working hours (overtime work), work in shifts, reduced working hours, overnight work, readiness in a case of interventions, etc.

4. Other harms which occur at workplace, such as:

- (1) harms caused by third parties (violence against employees working at windows, security personnel etc.),
- (2) work with animals,
- (3) work in atmosphere with either high or low pressure,
- (4) work near water or under the water.

Risk assessment in relation to hazards and harms

Article 10

Risk assessment is based on the analysis of the probability of occurrence and seriousness of eventual injury at work, harms to health and work-related diseases of employees caused at workplace or in work environment.

Based on the data collected and recognized i.e. identified hazards and harms and the established list of the hazards and harms in the work environment at each workplace, by selection and application of appropriate methods, the risk assessment is carried out – assessment of probability of the occurrence and seriousness of eventual injury at work, harms to health and work-related diseases of employees.

The risk assessment is carried out for each recognized, i.e. identified hazard of harm, by comparing with the allowed value figures prescribed for by appropriate regulations in the field of safety and health at work, by technical regulations, standards and recommendations.

Probability of the occurrence of injury at work, harms to health and work-related diseases of employees, in relation to work and caused by hazards and harms at workplace or work environment, shall be assessed on the basis of previous analysis, considering frequency and duration of the exposure of employees to hazards and harms, probability of occurrence of hazardous event, or technical or other possibility to evade or restrict them.

Seriousness of eventual injury at work, harms to health and diseases of employees shall be assessed on the basis of previous analysis, which takes in account foreseeable type on injury (lethal, serious, collective or common injures at work) that may be expected.

If it is established that although the measures related to safety and health at work and other measures have been applied in full or in part, there are still hazards and harms at workplace, which, according to the findings of the risk evaluator, may cause injury or to affect health of employees, such workplace is considered a high –risk workplace, which is to be established by the risk assessment act.

Establishment of methods and measures to eliminate, reduce or prevent risk

Article 11

Based on the assessed risks at workplace or in work environment, employer shall establish methods and measures to prevent, eliminate or minimize such risks.

Provided that the risks assessed are of such nature that does not seriously affect life or health of employees, and which elimination requires large investments, the risk assessment act may prescribe the measures and time limits for their implementation, which will either fully eliminate or minimize such risks.

Employer shall ensure the implementation of the measures for elimination, reduction or prevention of the risks either directly, or through a person appointed for safety and health at work, or other person appointed in the risk assessment act.

Article 12

Employer shall prescribe the measures for elimination, reduction or prevention of the risks, on the basis the risk assessed, identified priority and observance of the principle of prevention, in conformity with the regulations on safety and health at work, technical regulations, standards and generally recognized measures.

The measures for prevention, elimination of reduction of the risks are as follows:

- 1) maintaining the integrity of work equipment, carrying out examination and testing of the work equipment;
- 2) ensuring prescribed work conditions for safe and health work in work environment;
- 3) qualification of employees for safe and health work;
- 4) providing personal protective equipment, their maintenance and examination;
- 5) sending employees to preliminary and periodical medical examination in accordance with the evaluation of the Labour Medicine Service etc.

Article 13

Based on the evaluation of the Labour Medicine Service, employer shall in the risk assessment act prescribe special health conditions that employees working at the high-risk workplace or for use, or handling with particular work equipment, must meet.

Conclusion

Article 14

After the completed procedure of the recording the work organization, recognition and identification of hazards and harms, the risk assessment in relation to hazards and harms and prescribing method and measures for risk elimination, reduction or prevention, in conformity with this Code of Rules, the employer made the conclusion.

The conclusion contains:

- 1) all workplaces where the risk assessment was carried out;
- 2) workplaces identified as high-risk workplaces;
- 3) priorities in risk elimination;
- 4) statement of the employer, who undertakes to implement all the measures prescribed for safe and health work at workplaces and in work environment, in accordance with the risk assessment act.

Amendments and addendums to the risk assessment act

Article 15

The act on the assessment of risks at workplace or in work environment shall be subject to amendments and addendums in a whole, after each collective injury at work with lethal consequences, which occurred at workplace or in work environment of the employer.

The act on the assessment of risks at workplace and in work environment shall be subject to amendments and addendums in a part, (in the chapter related to specific workplace, and the workplaces linked to it) as follows:

- 1) in case of lethal injury at work and in case of grave injury at work;
- 2) in case of occurrence of each new hazard or harm, i.e. changed risk level in the work process;
- 3) when the measures prescribed for prevention, elimination or reduction of risk are not suitable or do not respond to the situation assessed;
- 4) when the assessment is based on the data, which have not been updated;
- 5) when there are possibilities and methods to advance, or to supplement the risks assessed;

Article 16

The act on the assessment of risks at workplace and in work environment shall be subject to amendments and addendums in a whole or in a part, based on the measure ordered by the labor inspector.

Initiation of the risk assessment procedure

Article 17

Employer shall initiate a risk assessment procedure by rendering a decision to initiate the risk assessment procedure.

Appointment of persons responsible for carrying out the risk assessment

Article 18

Employer shall appoint one or more persons responsible for carrying out the risk assessment by the decision to initiate the risk assessment procedure, in conformity with this Code of Rules (hereinafter: professional expert).

Employer shall select a professional expert from among its employees, who passed professional examination and is qualified to carry out the jobs related to safety and health at work.

Employer may engage legal entity i.e. entrepreneur, who was granted a license in the field of safety and health at work, to carry out the risk assessment.

In a service contract engaging legal entity i.e. entrepreneur, there shall be appointed one or more professional experts from among the employees of such legal entity i.e. entrepreneur, who have appropriate qualifications and knowledge required to carry out the risk assessment, and who shall be responsible for carrying out the risk assessment procedure.

Plan of carrying out the risk assessment

Article 19

Professional expert shall make a plan of carrying out the risk assessment, which is to be approved by employer and which contains:

- 1) legal grounds to carry out the risk assessment (regulations in the field of safety and health at work, national and international standards etc.)
- 2) organization and coordination, amendments and addendums of the risk assessment procedure;
- 3) list of natural persons and legal entities, competent to assess the risk (hereinafter: risk evaluators);
- 4) risk assessment methods ;
- 5) phases and deadlines for the risk assessment;
- 6) method of gathering documentation necessary of the risk assessment (instructions for safe work, instructions for maintenance, expert findings on examinations and testing the work equipment, inspection of work environment conditions etc);,
- 7) providing information to risk evaluator;
- 8) coordination between risk evaluators;
- 9) method of collecting information for the risk assessment from employees;
- 10) consultations with representatives of employees, and informing of the employees' representatives on the results of the risk assessments and the measures taken;
- 11) other actions necessary for the implementation, amendments and addendums in the risk assessment procedure.

If the employer engages a legal entity, i.e. entrepreneur to carry out the risk assessment, such legal entity, i.e. entrepreneur shall attach a photocopy of license to perform jobs related to safety and health work, to the plan of the risk assessment implementation.

Plan of carrying out the risk assessment is an integral part of the documentation on the risk assessment.

Overview of efficient implementation of the risk assessment act

Article 20

Overview of efficient implementation of the risk assessment act is done permanently, by checking-out the efficiency of the measures implemented and by evaluating efficiency of its implementation in eliminating or reducing risks.

The overview of efficient implementation of the risk assessment act shall be done by the person appointed for safety and health at work with employer.

Provided that the by the person appointed for safety and health at work established inefficient implementation, he/she will recommend correction of the measures.

Correction of the measures shall be carried out by amendments and addendums to the risk assessment act.

Transitional and final provision

Article 21

Employer shall be bound to pass the risk assessment act, which is to be adjusted to the provisions hereof, within a year after this Code of Rules enters into force, in conformity with law.

Until the risk assessment act is passed in conformity with this Code of Rules, the measures of safety and health at work, which are implemented in order to prevent work injuries, professional diseases and work-related diseases, shall be implemented in conformity with the provisions of the general act or employment contract, by which employer stipulated rights, duties and responsibilities in the field of safety and health at work.

Article 22

This Code of Rules shall enter into force eight days after it is published in the "Official Gazette of the Republic of Serbia".

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In Belgrade, August 15th 2006

Minister,

Slobodan Lalovic