REPORT
ON
THE SITUATION IN OCCUPATIONAL SAFETY AND HEALTH IN
REPUBLIKA SRPSKA

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Introduction

According to the Constitution of Bosnia and Herzegovina and the Constitution of Republika Srpska, the field of labour and employment, occupational safety and health is fully under the jurisdiction of Republika Srpska.

This field is laid down by the series of regulations, most important among them being the Law on occupational safety passed in 1993, which is still effective with three not so important changes made before the reform of employment legislation in Republika Srpska. This Law provides for occupational safety as the activity of particular social interest, establishes who would implement and improve occupational safety, their rights, obligations and responsibilities, as well as other issues related to the occupational safety.

The second important regulation is the Law on health protection, also passed in 1993, which particularly provided for the issue of protection of workers/employees as a part of preventive health protection which enlarged: prevention and rehabilitation in case of a professional disease or injury on duty, medical examinations in order to establish general and special health ability before starting the employment, examinations in order to establish health abilities of workers for employment at specific duties, systematic and check-up examinations of employees, evaluation of working conditions at certain posts in order to protect employees from professional disease, as well as other prevention measures related to the work conditions.

After the implemented reform, the new Law on occupational safety has not been passed, although there was a need for this regulation to be issued in accordance with the new reform solutions in the field of labour and employment, and this is the only law passed in the period of establishing Republika Srpska which is still effective. The regulations in Republika Srpska providing for the field of labour and employment during the reform process have been fully complied with the international labour standards and reflect the new social and economic relations occurring in Republika Srpska as a consequence of transition in all forms of social and economic life.

Starting with this statement, it is necessary to adjust the occupational safety to the new social and economic relations, and to re-examine it from the aspect of international labour standards, having in mind the new position of the employer and employee in the system mainly characterized by the private ownership.

The fact is that occupational safety as an activity of particular social interest has suffered changes caused by transition, and that it has to be observed in the context of reform and changes in the field of employment as a whole.

Neither the fact should be ignored that in the time of social and economic difficulties occupational safety gets neglected and placed aside because the implementation and insurance of occupational safety is a very expensive process. According to the opinion of the Trade Union, in the conditions of poverty, occupational safety is seriously under the question mark, and occupational safety is one of the rights of employees which some of the employers never use.

It is particularly important to add that, by passing the new Law on health protection in 1999, the main carrier of preventive health protection of citizens has become the family medicine centre where the health protection of labourers on duty is currently performed. By establishing the Institute for occupational medicine and sports by the Government of Republika Srpska at the end of 2006, occupational medicine is again getting a deserved place in the health protection system.
1. Legislative framework and policies

Occupational safety and occupational health in Republika Srpska, as activity of particular social interest, has been regulated and laid down by the domestic legislation. Considering the legal power of domestic sources, they can be presented in the following sequence: the Constitution of Bosnia and Herzegovina, the Constitution of Republika Srpska, laws, by-laws and other general regulations of Republika Srpska.

Pursuant to Article 3. paragraph 3. of the Constitution of Bosnia and Herzegovina, the field of labour and employment is under the full jurisdiction of the entity, that is, Republika Srpska. Article 2. of the Constitution of Bosnia and Herzegovina stipulates that Bosnia and Herzegovina and both of its entities shall ensure the highest level of internationally recognized human rights and fundamental freedoms.

1.1. The Constitution of Republika Srpska

The Constitution of Republika Srpska, in its Article 40. paragraphs 2. i 3. guarantees to the employees the right to occupational safety, while guaranteeing the right to special protection to youth, women, and disabled persons in accordance with the law. In its Article 37. the Constitution guarantees the rights to health protection and protection of health in accordance with the law. Children, pregnant women, and elderly persons have the right to health protection from public income, while other persons have this right on the conditions provided for by the law. The right to health protection in accordance with this Article also implies the occupational health safety in accordance with the responding regulations.

1.2. Law on occupational safety

The Law on occupational safety of Republika Srpska (Official Gazette of Republika Srpska no. 25/93, 14/94, 15/96, 21/96, 3/97 and 10/98) is a special law (lex specialis) which provides for occupational safety as activity of particular social interest. This law establishes the carriers of implementation and improvement of occupational safety, their rights, obligations and responsibilities, as well as other issues related to the occupational safety. The occupational safety, in the meaning of this law, enlarges the set of organized measures and activities directed towards creating conditions that they ensure: occupational safety; prevention and removal of dangers and damages which can cause injuries at work, occupational and other diseases and health damages of employees at work; health protection and occupational ability of labourers.

Occupational safety and health safety at work are ensured and implemented by all employers in Republika Srpska who perform business activities regardless of the form of organization or character of ownership, institutions and other organisations that deal with public services activities, domestic and foreign legal entities which employ people, as well as state bodies, unless otherwise provided for by the law. All of these subjects have the obligation to, within their development plans or special programme of protection measures at work, ensure the needed resources for implementation and improvement of occupational safety, with the deadlines for their realisation.

Occupational safety and health safety at work, which is guaranteed by the Constitution and proscribed by the Law on occupational safety, is ensured to all employed citizens without exception in Republika Srpska, in all the fields and types of activities regardless of the type of organisation or form of ownership. The right to occupational safety have, besides the employed persons, and persons who are at work
on whatever basis, students and athletes doing practice learning and professional practical training with the employers, pupils and students doing practical learning and professional practice in educational organisations (workshops, farms, laboratories, demonstration rooms), persons at in-service training, re-training and additional training, persons at voluntary rehabilitation, participants in voluntary public constructions organized in public interest (road constructions, water supply system works, etc), youth work actions and competitions (sports, production, etc), persons serving prison sentence (workshops, construction sites, etc), and at other place. Out of the total number of 417,000 active population in Republika Srpska, the number of 280,000 labourers or 66% is enlarged by the legislation dealing with occupational safety and health protection at work.

The law clearly sets out the rights, obligations and responsibilities of employers and employees as the main actors of the system of occupational safety and health protection at work. The employer has the obligation to organise duties of occupational safety for own needs in order to ensure conditions for safe work of the employees. The duties of occupational safety and health protection at work are performed by professional individuals or organisations that can be entrusted, in accordance with the Law, to perform tasks of occupational safety and health protection at work. The worker, that is the employee, or other person with the right to occupational safety, is due to adhere to the established measures of occupational safety, to use the work materials for their purpose and to use protection equipment as instructed by the producer and instructions for safety at work.

Special protection is proscribed in order to preserve the undisturbed psycho-physical development of juvenile employees, protection of women from risks which could jeopardize motherhood, protection of disabled and persons with occupational diseases from further damage of health and reduction of work capacity, and to preserve work capacities of elderly employees within the limits appropriate for their age. Regulations contain provisions to guarantee and ensure special occupational safety and health protection at work for individual categories of employees considering their age and working conditions (young employees, labour at tasks with special work conditions). These regulations ensure special protection for employed women.

**The Law on labour of Republika Srpska**

The Law on labour of Republika Srpska (Official Gazette of Republika Srpska no. 38/00, 40/00, 47/02, 38/03 and 66/03), as a systematic regulation in the field of labour and employment, provides for the issues of occupational safety and health protection at work of the employed persons. The protection of employees in the meaning of the Law on labour implies occupational safety, special protection of juvenile workers, special protection of women and motherhood, and special protection of ill and disabled employees.

Occupational safety enlarges obligations and rights of employers and employees related to the measures and activities they take with the aim of safe work and prevention of injuries at work and accidents at work. The employer is obligated to enable the employee to get familiar with regulations on labour relations and provisions on occupational safety within 30 days from the date s/he started to work, including the rights and obligations that follow from the collective agreement and rule book on work. The employer is responsible for the consequences of accident at work which may occur due to defective facilities and machines and other material sources used in the working process. This responsibility implies, besides the misdemeanour also the material
responsibility of the employer towards the worker who suffered the work injury, according to the general rules on responsibility.

With the aim of complete protection the obligation has been proscribed for employer to register all employees to health insurance, retirement and disability insurance, and insurance from unemployment in accordance with the law, and to provide collective insurance against accidents at work with the appropriate insurance agency. Special protection of juvenile employees guaranteed by the Constitution has been regulated by the Article 69. of the Law on labour which states: The employee under 18 years of age can not be distributed to work in extremely difficult physical tasks, works performed under water or under ground, nor any other work which may present the increased risk to his/her life, health or psycho-physical development.

Special protection of women and motherhood in this law has been provided for by provisions of Articles 70 – 79, and encompasses protection of employed women against difficult physical tasks, before child birth and during the use of maternity leave after the child birth, as well as protection of motherhood in the segments of children care. The Law guarantees special protection of ill and disabled employees within its provisions 80 -82, taking care on the causes of the disease and disability, and the rights based on remained work capacity.

It should be particularly pointed out that it is not possible to terminate work contract to the employee during the period when s/he is prevented to work, if this prevention is caused by the injury at work or occupational disease.

**The Law on inspection services**

The Law on inspection services (Official Gazette of Republika Srpska no. 113/05), provides for performing the inspection supervision in Republika Srpska for the purpose of ensuring the execution of laws and other regulations and general legislation, organisation of inspection bodies, the scope of inspection duties, rights, obligations and responsibilities of inspectors, inter-relations among inspection services, and other issues important for functioning of inspection activities in Republika Srpska.

The inspection over the execution of laws and other regulations from the field of occupational safety and health protection at work is performed by the Republic Inspection of labour within the Inspectorate.

The labour inspection performs supervision over the application of provisions related to:

- The obligation of concluding the work contract between the employer and employee, exercising the employees’ rights; the obligation of the employer to register the employees within the proscribed deadlines to the competent bodies of retirement and health insurance; working hours, holidays and leave of absence, salaries, employment of and work of juveniles, women, pregnant women, women at maternity leave, disabled persons, foreign citizens, etc, working conditions, safety and health protection of employees; special health protection of juvenile employees, wives of disabled employees; implementation of protection measures at work and trainings of employees in occupational safety; termination of work, severance payments at termination of work, cancellation of work contract and period of notice, exercise of the rights to strike; collective agreements and general rules of employers; production and other resources for work and equipment and periodical examinations of their technical operation;
- Application of technical norms in occupational safety, safety of employees and other persons, property and environment protection; inspection of the difficult accidents at
workplace and accidents which consequence in the death of the employee; use of personal protection means, work and auxiliary premises; control of the working conditions and environment regarding the light, noise, microclimate, chemical and biological damaging substances, as well as danger from electrical and lightning rods; development of construction and technical documents regarding occupational safety; site organisation; control of the places with special working conditions; training and education of employees for occupational safety; performance of other duties of inspection in the field of labour and occupational safety when defined by the special law.

The Law on employees' councils

The Law on employees' councils (Official Gazette of Republika Srpska no: 26./01) gives some rights to the employees' councils which reflect, among other things, in the right of the council to provide opinion and proposals to the employer with the aim to improve working conditions of the employees and occupational safety, as well as other issues which the Council considers important for exercising and protecting the rights of employees.

According to this law, the employer is required to inform the council on the conditions of occupational safety and work conditions of employees, changes of salaries, and other issues important for material and social position of employees, thus providing some supervision of the employees over the occupational safety.

The Law on retirement and disability insurance

The Law on retirement and disability insurance – consolidated text- (Official Gazette of Republika Srpska no. 106/05) determined the obligatory retirement and disability insurance and regulated the rights and obligations on the basis of this insurance. The obligatory retirement and disability insurance ensures, on the basis of employment and on the principles of reciprocity and solidarity, the rights for the case of old age, reduction and/or loss of work capacity and death of the insuree, in accordance with this Law, in order to ensure social safety of the insurees and the members of their families.

The insurees, in the meaning of this law, are the persons who have obligatory insurance to retirement and disability insurance in the Fund, and the persons who, according to this Law, are recognized the status of insuree in the voluntary insurance. The employed persons are obligatory insured with retirement and disability insurance, which in this system also provides very important protection and defined rights.

One of the essential rights is the right to insurance years of service with the increased period that is calculated to the insuree who works at particularly difficult and health damaging working posts, or in some activities in a particularly difficult posts and duties at which, after reaching certain age, the insuree can not successfully perform his/her professional activities. The degree of increase of the insurance period depends on the damaging degree of work, or the nature of work, and can amount to the maximum 50%.

As working posts, or the tasks for which the years of service count with the increased insurance period, because the work they require is extremely difficult and health damaging, are the working posts with the established following conditions:

1) That related to the performance of duties there are large damaging influences to health and work capacities of the employee, in spite of the application of
all general and special protective measures as established by regulations, as well as other measures which can influence to the removal and decrease of damaging effects;

2) That work under difficult and health damaging conditions is performed in the immediate vicinity of the source of damaging influences continuously during the work process;

3) that the duties under the circumstances mentioned under items 1 and 2 of this paragraph are performed by the same insuree during full time hours, while considering as full-time hours the decreased working hours determined for individual duties for the reason of special working conditions.

As working posts, or duties for which the years of service count with the increased insurance period, because the course of performing professional activities is limited to the years of age, can be considered the working posts in those professions in which, for the sake of the nature and difficulty of work, the physiological functions of the body decrease in such a measure that they prevent the insuree from performing successfully the very same professional activities.

One of the rights from retirement and disability insurance, among other things is, in case of disability – the disability pension, retraining or additional training and re-assignment, or employment at some other adequate duties, as well as the right to monetary compensation on the basis of the use of the right to retraining, additional training or re-assignment, or employment at some other adequate duties, or on the basis of waiting to be re-assigned, or employed at other duties.

**The Law on health protection**

The Law on health protection (Official Gazette of Republika Srpska no: 18/99, 58/01 and 62/02), provides for the system of health protection and the organisation and work of the health service. As health protection are considered the measures of improvement and preservation of the health of people as well as control of diseases and injuries, early detection of diseases, timely treatment and rehabilitation.

The carrier of the primary protection and care is the family medicine clinic with one or more teams of family physicians who ensure the health protection for all members of the family and take care of the health of the community in which they work.

Detection and removal of health damaging factors in life and work environment are the measures of special social interest in the field of health protection. The Law provides for the opportunity of founding the specialized institutes as health institutions in charge of specific areas of the wide social and medical importance, among them being the occupational medicine.

**The Law on records in the field of labour and health insurance**

The Law on records in the field of labour and health insurance (“Official Gazette of Republika Srpska”, no: 18/96 and 64/06); the records are established in the field of labour and health insurance which contain statistical data of importance for Republika Srpska. Among these records, there are records on employed persons, records on accidents at work, and records on insurees and persons enjoying the rights from health insurance.
The records on employed persons, as well as the records on accidents at work are kept by the companies, institutions and other organisations who deal with business or social activities, associations, banks, insurance companies, cooperative business, and other domestic and foreign legal and physical entities which employ people.

The records on insurees and persons who enjoy the rights from health insurance are kept by the Public Fund for Health Insurance. The data contained in the records based on this Law can be used for statistical research and other official purposes.

1.3. Regulations which directly enlarge essential aspects of occupational safety and health protection at work

Regulations which directly enlarge the essential aspects of occupational safety and health protection at work, issued by the Ministry of labour as the ministry competent for the field of occupational safety and health on the basis of the Law on occupational safety consist of the Books of rules and instructions.

*The Book of rules on the mode and procedure of performing the periodical reviews and examinations of the work resources, equipment, work and auxiliary premises in the field of occupational safety*

The Book of rules on the mode and procedure of performing the periodical reviews and examinations of the work resources, equipment, work and auxiliary premises in the field of occupational safety (Official Gazette of Republika Srpska no: 10/94), proscribe the mode and procedure of performing the periodical review and examination of the machines and facilities with mechanized propulsion, tools and other means and equipment for work, physical, chemical and biological hazards and microclimate in working premises, as well as means and equipment for personal protection at work, as well as the form and contents of the licence on the performed reviews and examinations in the occupational safety.

*The Book of rules on the record keeping, keeping documents and contents of the annual report in the field of occupational safety*

The Book of rules on the record keeping, keeping documents and contents of the annual report in the field of occupational safety (Official Gazette of Republika Srpska no: 20/96), proscribe for the fashion of record keeping on occupational safety established by the Law on occupational safety, as follows: records on workers trained in occupational safety, record on the workers re-assigned to working posts with special conditions, records on performed earlier and periodical medical examinations of workers re-assigned to working posts with special occupational conditions, records on the performed examinations of occupational environment in working and auxiliary premises and workplaces, records on the performed examinations and reviews of working means, records on the performed examinations of the means and equipment for personal protection, records on injuries of workers at workplace, records on occupational diseases of workers, and records on disabled workers under the established disability criteria.

The Book of rules requires from the employers to submit their annual reports on all cases of injuries, diseases, deaths, and occupational diseases of employees at work, to the Labour and occupational safety inspection.
The Book of rules on the conditions which in regards to the personnel and technical equipment have to be fulfilled by the organisations which perform periodical examinations and reviews in the field of occupational safety

The Book of rules on the conditions which in regards to the personnel and technical equipment have to be fulfilled by the organisations which perform periodical examinations and reviews in the field of occupational safety (Official Gazette of Republika Srpska no: 24/02), provides for detailed conditions in the sense of the regulations on occupational safety which should be fulfilled by the legal entities authorised to perform examinations and reviews of working means and equipment, electrical and lightening installations, physical, chemical and biological hazards and microclimate in working and auxiliary premises, means and equipment of personal protection, and training of workers in occupational safety.

Instruction on the forms for record keeping in the field of labour

Instruction on the forms for record keeping in the field of labour (Official Gazette of republika Srpska no: 14/97), prescribes the forms for record keeping in the field of labour, among them being the records on accidents at work that the employer is responsible to keep, containing all data necessary to exercise rights of the worker in the process of health protection and treatment, as well as follow up of the statistics in the field, and taking measures in order to improve occupational safety.

The Book of rules on the list of physical damages

The book of rules on physical damages (Official Gazette of republika Srpska no: 6/94), which provides for the establishment of physical damages based on which a person exercises the right to monetary compensation in accordance with the regulations on retirement and health insurance and regulations on social protection, as well as the percent of the damage. Monetary compensation for physical damage, in the period till 31 December 2001 has been exercised in the system of retirement and disability insurance, and after that period in the system of social protection.

The Book of rules on the list of occupational diseases

The book of rules on the list of occupational diseases (Official Gazette of Republika Srpska no: 6/94), provides for establishment of professional diseases and jobs at which these diseases appear, as well as conditions on which these diseases are considered occupational.

1.4 Laws and regulations covering the aspects of OSH, issued by other ministries.

The field of agriculture

Occupational safety and health of workers in agriculture has not been regulated by any separate provisions in the area. All the regulations which in this field have been passed by the Ministry of agriculture, water resources management and forestry of
Republika Srpska, as far as protection and safety of workers employed in agriculture refer to the general regulations on occupational safety and health protection of workers, that is to the Law on occupational safety and the Law on health protection.

**The field of mining industry**

Occupational safety and protection of health at work in the mining industry has been additionally provided for by the Law on mining industry (Official Gazette of Republika Srpska no: 107/05). This Law in a high quality manner provides for protection and stipulates the obligations and measures that the mining company has to take in order to protect lives and health of the workers. The company has to take in a timely manner all measures of occupational safety, arrange in the book of rules on occupational safety the functioning of protection and the protective measures at work in accordance with the specifics and hazards which may occur, organize the service for occupational safety, ensure to their workers personal protective means and equipment, organize the rescue service and fire fighting service, and provide the needed equipment for these services.

A special inspection has been established in this field which, besides supervision and control over the implementation of the Law on mining industry additionally controls the implementation of measures of occupational safety at work in mining facilities. The mining inspector has full authorities and tasks of the labour inspector as envisaged by the Law on occupational safety.

**Protection of living and working environment**

The issue of the protection of working environment of the employees, besides the Law on labour, has also been provided for by regulations relating to the environmental, air and water protection, which relate to the waste disposal management, because in the working process living environment, air and water come to risk, and waste is produced as a consequence of industrial production.

**The Law on environmental protection**

The Law on environmental protection (Official Gazette of Republika Srpska no: 53/02), provides for protection, restoration and improvement of quality and capacity of living environment, as well as the quality of life, the framework of legal measures and institutions for preservation, protection and improvement of environmental protection, financing the activities related to the living environment, duties and tasks of administrative bodies envisaged by the law and by-laws, as well as obligations of the public administration bodies. Among other issues, the protection of human health and improvement of the conditions in the living environment for better quality of life has been promoted. The implementation of the Law should ensure that every person has a healthy and ecologically acceptable living environment.

**The Law on protection of air**

The Law on protection of air (Official Gazette of Republika Srpska no: 53/02), provides for the protection of air against pollution in order to protect human health,
climate and living environment against the damaging effects of the polluted air. The protection of air ensures the protection of the quality of air in order to avoid, prevent or reduce the damaging influence of the pollution to human health, climate and living environment as a whole. Although the term «air» defines the outside air (the set of all gases) in the atmosphere, and does not include the air in working facilities, its protection is also very important for safeguarding health of workers, because during the production process the pollution of working facilities is going on too.

**The Law on protection of water**

The Law on protection of water (Official Gazette of Republika Srpska no: 53/02), provides for the protection of water against pollution, irrational and unreasonable exploitation. Protection of water encompasses preservation and regulation of the needed quantities of water, good condition, maintaining of the shore and water soil, and making decisions on achieving the rational and sustainable exploitation. The aim of the protection of the quality of water is to ensure good conditions of water and living environment in order to protect human health.

**The Law on waste disposal management**

The Law on waste disposal management (Official Gazette of Republika Srpska no: 53/02), provides for the system of activities and actions which imply prevention of waste occurrence, reduction of the quantity of waste and its hazardous characteristics, treatment of waste, planning and control of the activity and process of waste management, transportation of waste, establishing, working, closing and maintaining the machinery for treatment of waste after the closing, monitoring, counselling and training related to the activities and actions related to waste disposal management. The aim of the planned waste disposal management is to reduce risks for the lives of people and environment, and to avoid the degradation of living environment.

**The field of industry**

Occupational safety and health protection of workers in industry has not been provided for by any special regulation in the field. All provisions in the field issued by the Ministry of industry, as far as protection and safety of industrial workers is concerned, refer to general regulations on occupational safety and health protection of workers, that is the Law on occupational safety and the Law on health protection.

**The field of civil engineering**

Occupational safety and health safety of workers employed in civil engineering has not been provided for by any special regulation in the field. All provisions in the field issued by the Ministry of civil engineering, as far as protection and safety of workers employed in civil engineering are concerned, refer to general regulations on occupational safety and health protection of workers, that is the Law on occupational safety and the Law on health protection.
1.5. National policy on OSH

National policy and programme on occupational safety and protection of health in Republika Srpska does not exist as a written document, but it makes a part of the economic and social policy of the Government. In the economic policy occupational safety is not observed separately, but it follows from other measures related to employment and entrepreneurship, while health protection as a field has been given more importance.

With the aim to reduce the risk in the implementation of the initiated reform and to contribute to strengthening the quality of health protection, the main focus of health policy has been directed towards:

- establishing and practical realisation of the minimal package of the basic health protection, in accordance with the realistic material possibilities; planning of the budget of the Fund for health insurance according to the priorities defined within the health policy;
- further activities on the implementation of the Project of technical support to the social sector (development of the framework policy for the institutions of social sector and their organisational strengthening);
- efficient and effective implementation of the Project of strengthening the health sector (dissemination of the family medicine model, education in family medicine for physicians and nurses, training for staff from the Department of family medicine, reconstructing and equipping of family medicine offices, education in health sector management, developing the system for monitoring and evaluation of the health sector);
- further strengthening of the primary health care through the affirmation of the family medicine model, as well as realisation of the programme for prevention of diseases and health promotion through regular work;
- development of the proposal for more rational network of health institutions with the aim to make further rationalisation and reduction of expenditures of the funds from the Fund of health insurance; activities on further establishing the network of the centres for mental health;
- increase efficiency of the centres for physical therapy through staff strengthening and provision of material and technical equipment;

Although the level of allocations for health protection is getting close to the level of allocations at the national level recommended by the World Health Organisation, the quality of health protection in Republika Srpska does not follow this level of allocations. The proposed measures of economic policy should contribute to the increased efficacy and improvement of public expenditures in the health sector by means of increased support to primary health protection, better control of consumed funds, more efficient purchasing procedures, and further rationalisation of the designated use of health facilities, including both privatisation and/or sale.

Furthermore, it is essential that the occupational safety and health policy is developed and implemented at the level of employers, coordination in this direction has been ensured through the programme measures of this policy with the authorities, particularly labour inspection, and competent organisations dealing with safety, Trade Unions and other stakeholders.

Under Article 4. of the Law on occupational safety of Republika Srpska it has been proscribed that the employer is obligated to ensure the needed funds for implementation and improvement of occupational safety with deadlines for its implementation within the development plan or special programme of measures for
occupational safety. Provision of Article 49. of the Law on occupational safety of Republika Srpska states that the Trade Union has the right to participate in organisation, initiation and improvement of occupational safety of workers in accordance with the Law and regulations issued on the basis of the Law, while the representative organisations of workers and employers shall be consulted only when passing laws, and so far they have not been consulted in relation to development of plans or adoptions of the reports submitted by the labour inspection.

1.6. Summary

The Law on occupational safety proscribes the effective protection of workers against the exposure to hazardous processes, machinery and equipment and risk of chemical, physical and biological substances related to:

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<th></th>
<th>Yes</th>
<th>No</th>
<th>Applied?</th>
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<tbody>
<tr>
<td>- identification and determination of occupational hazards?</td>
<td>yes</td>
<td></td>
<td>yes</td>
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<td>- prohibition, limitation or other means of reducing exposure?</td>
<td>yes</td>
<td></td>
<td>yes</td>
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<td>- assessment of risks?</td>
<td>yes</td>
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<td>no</td>
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<tr>
<td>- prohibition or limitation of the use of hazardous processes, machinery, substances, etc?</td>
<td>yes</td>
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<td>yes</td>
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<td>- specification of occupational exposure limits?</td>
<td>yes</td>
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<td>- surveillance and monitoring of the working environment?</td>
<td>yes</td>
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<td>yes</td>
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<td>- notification of hazardous work, and related authorisation and licensing requirements?</td>
<td>yes</td>
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<td>Yes</td>
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<td>- classification and labelling of hazardous substances?</td>
<td>yes</td>
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<td>- provision of data sheets?</td>
<td>yes</td>
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<td>- provision of personal protective equipment?</td>
<td>yes</td>
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<td>yes</td>
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<td>- safe methods for handling and disposal of hazardous waste?</td>
<td>yes</td>
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<td>- working time arrangements?</td>
<td>yes</td>
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<td>yes</td>
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<td>- adaptation of work installations, machinery, equipment and processes to the capacities of workers (ergonomic factors)?</td>
<td>yes</td>
<td></td>
<td>yes</td>
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<tr>
<td>- design, construction, layout, maintenance of workplaces and installations?</td>
<td>yes</td>
<td></td>
<td>yes</td>
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<td>- provision of adequate welfare facilities?</td>
<td>yes</td>
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1.7. Situational analysis and recommendations

To analyse the legislative framework and policies in the field of occupational safety and health means to make an overview of all indicators. The strength in the system of occupational safety and health at work in Republika Srpska is presented by the legislative framework which provided for this field as well as the institutions in charge of the implementation of regulations and exercise of protection as well as positive legacy of the legal system of the ex SFRY, in which this field has been provided for in a high quality manner, and whose legal successor is Republika Srpska.
The Law on occupational safety which is presently effective in Republika Srpska has been passed in 1993, and has been through three minor changes made before the reform of labour legislation in Republika Srpska. This Law has provided for the issue of occupational safety very well, because it implemented the international standards based on the legal succession and obligations from international documents taken by the ex SFRY, that being a reason why it persisted all this time within the regulations in the field of labour and employment in Republika Srpska.

Concerning the health protection of workers, till 1999, it was provided for in a high quality manner by the Law on health protection from 1993, which specially dealt with the issue of protection of workers as a part of preventive health care which encompassed: prevention and rehabilitation in case of occupational diseases or injuries that occurred at work, examinations in order to find out general and special working capacities before the employment is concluded, examinations in order to establish health capacities of workers for work in special duty posts, systematic and control examinations of workers, evaluation of working conditions at specific posts in order to protect from occupational diseases, as well as other preventive measures in relation to the working conditions. However, by passing a new Law on health protection in 1999, the basis carrier of preventive health protection of citizens became the family medicine centre, which is now in charge of health protection of workers, which does not have a special place of its own in the system any more, what means that this way of health protection of workers as a special form of health protection has been abandoned, what will certainly reflect to the quality of health protection of workers in Republika Srpska.

Weaknesses in the system of occupational safety and health primarily reflect in the fact that the occupational safety as an activity of special social interest has been through changes due to the transition, and therefore should be observed in the context of reform and changes in the field of work and employment as a whole. Neither the fact should be ignored that in the time of economic and social disturbances occupational safety gets neglected, and pushed behind because implementation and insurance of occupational safety is a very expensive process, what is also the weakness in the system. The need to comply the existing legislation in this field with the new social and economic relations and reviewing from the aspect of the international labour standards, having in mind the new position of the employers and employees in the system characterized by prevailing private ownership, makes a way to remove the weaknesses from this system.

The uncoordinated implementation of reforms in some areas which are closely connected as, for instance, the reform of health protection can also be observed as a weakness of the system now when health protection of workers has lost its importance. These reforms are often directed by the international authorities while the local actors do not take care on the close connections between the problems and consequences of uncoordination among specific issues during the reform.

The issue of the implementation of Law is very complex for the reason of privatization, non-existence of the services of occupational medicine, the expensive process of occupational safety for the new employers, the cessation of functioning of the big companies which had the organized services for occupational safety, changes in organization and manner of work of the labour inspection (previously divided authorities among municipal and Republic inspection), organization of the labour inspection at the level of Republika Srpska, and consequent organization of the separate Republic administration outside the labour administration.

Occupational safety, in the opinion of the Trade Unions, in the conditions of poverty seriously comes into question, thus the occupational safety is one of the rights
of workers which some of the employers never use. The Union of trade unions of Republika Srpska has started the initiative before the Economic and social Council of Republika Srpska several times, as well as before some other competent bodies, to start proceedings for passing a new law on occupational safety, and to review the issue of occupational safety from the aspect of the international standards and the role of trade unions and their representatives in implementation and improvement of occupational safety as activity of particular social interest.

The contemporary law on occupational safety should be based on the following principles, which would ensure the high rate of safety and health at work.

The first principle is the principle of irrefutable responsibility of the employer for the implementation of the Law on occupational safety which implies the obligations of the employer that have to be clearly defined and established.

Determination of working positions with special working conditions is the principle which in law creates obligation for the employer to issue a regulation on assessment of risks in writing for all working positions in the working environment, and to establish ways and measures for their removal.

The regulation on the assessment of risks is based on the establishment of possible types of hazards and exposure to risk at working place and working environment, based on which the assessment of risk of injuries and health damage of workers is performed.

A very important principle of the new law should be the focus on prevention and preventive activities of inspectors, therefore the obligation of the inspector should be to do the examination, indicate to omissions, and order their removal before injuries or hazards to workers' health occur.

What lacks in the currently effective law should be corrected in the new law, which means that occupational safety and health protection at work should be unified and regulated since they are presently separated and falls under the authority of the different ministries. Both of these components are equally important because the employer is responsible for their implementation.

The obligation of employer to manage risk is one of the key principles of the new law. The employer manages risk in a way that s/he is obligated to issue a document on the assessment of risk in writing for all working positions in the working environment, and to establish the way and measures for their removal. The document on the assessment of risk is based on determination of all possible hazards and damages at working positions and working environment, based on which the assessment of risk of occurrence of injuries and health damage of workers is estimated.

New law should provide more favourable treatment for small scale and medium scale companies, but in no way to detriment of workers and their rights in the system of occupational safety and health at work, what makes one of the principles a modern law should be based on.

New law, particularly the by-laws which take care of its implementation have to be clear, comprehensive, and they should be prepared by social partners who have different interests in the process which need to be harmonized in a certain manner.

Based on this law the legislative framework would be created and new possibilities for development of unified policy in the field of occupational safety and health at work, because, according to the new law, both components would be put together in one legislative framework what implies the authority and responsibility of one state body for the overall problem area.
2. Compliance with international standards

2.1. Incorporation of requirements of international standards into national law and practice

Bosnia and Herzegovina has been a member of ILO since 1993. On the basis of the succession, Bosnia and Herzegovina has taken from the ex SFRY a certain number of Conventions and later ratified some of them, so that there are 68 ratified Conventions in total, while effective being 67. The number which relates to the occupational safety and health protection at work has been incorporated into the legal system of the entities and the District, considering the authorities in the field. The Constitution of Bosnia and Herzegovina stipulates that international agreements have the priority over the national legislation, while the Conventions which have been ratified are transposed into domestic legislation. According to the provision of Article III item 3 of the Constitution of Bosnia and Herzegovina, the entities are in charge, among other things, to autonomously provide for the field of labour and employment.

Constitution of Bosnia and Herzegovina in Article 2 states that Bosnia and Herzegovina and both of its entities shall ensure the highest level of internationally recognized human rights and fundamental freedoms, what means that also in the field of occupational safety and health protection of workers the minimum of rights established in international standards have to be ensured.

Starting with the fact that Republika Srpska, by signing the Dayton Peace Agreement, became a constituent part of Bosnia and Herzegovina, it is important to point out that even in the period before that, it respected the international standards and norms. Republika Srpska, after the dissolution of the ex Socialist Federal Republic of Yugoslavia, and after being constituted itself, passed its own legislation in the field of labour and employment in which it incorporated international standards from the Conventions of the International Labour Organisation, ratified by the ex SFRY before 1992.

Until it passed its own regulations in all areas, Republika Srpska applied the regulations of the ex SFRY and ex SRBiH, which comply with the Constitution of Republika Srpska, thus the continuity of application of regulations and legality in Republika Srpska were maintained, and therefore the continuity in application of the convention of the International Labour Organization as well.

2.2. Summary

Bosnia and Herzegovina ratified just a certain number of the conventions of the International Labour Organization related to the field of occupational safety and health at work and transposed them into its legislation. However, a certain number of unratified conventions is also being implemented into the legislation based on taking over this legislation from the ex common state, whose legislation contained most of the ILO conventions in the field. Besides the table which presents the degree of compliance of our legislation with the Conventions, we shall indicate to the Conventions which have not been ratified but are partly or fully included into the legal system, in a previously explained way.
### 2.2.1. Status of compliance with ILO Conventions on OSH

<table>
<thead>
<tr>
<th>Convention No:</th>
<th>Ratified</th>
<th>provisions incorporated in national law</th>
<th>Provisions used as guidance</th>
<th>Intention to ratify in near future</th>
</tr>
</thead>
<tbody>
<tr>
<td>155 on Occupational safety and health, 1981</td>
<td>02.06.1993</td>
<td>Art.1.&amp; 2. and art 4. to art 21.</td>
<td>Submitted report on application</td>
<td></td>
</tr>
<tr>
<td>161 on Occupational health services, 1985</td>
<td>02.06.1993</td>
<td>Art. 1.to 5., art 7. and 8. art.9. to 16.</td>
<td>Submitted report on application</td>
<td></td>
</tr>
<tr>
<td>81 on Labour inspection, 1947</td>
<td>02.06.1993</td>
<td></td>
<td>Submitted report on application</td>
<td></td>
</tr>
<tr>
<td>129 on labour inspection (Agriculture) 1969</td>
<td>02.06.1993</td>
<td></td>
<td>Submitted report on application</td>
<td></td>
</tr>
<tr>
<td>115 on Radiation protection, 1960</td>
<td>No</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>119 on Guarding of machinery, 1963</td>
<td>02.06.1993</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>127 on Maximum weight, 1967</td>
<td>No</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>136 on Benzene, 1971</td>
<td>02.06.1993</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>139 on Occupational cancer, 1974</td>
<td>02.06.1993</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>148 on Working environment (Air pollution, noise and vibration), 1977</td>
<td>02.06.1993</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>162 on Asbestos, 1986</td>
<td>02.06.1993</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>167 on Safety &amp; health in construction, 1988</td>
<td>No</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>170 on Chemicals, 1990</td>
<td>No</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>174 on Prevention of major industrial accidents, 1993</td>
<td>No</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>176 on Safety and health in Mines, 1995</td>
<td>No</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>184 on Safety and health in agriculture, 2001</td>
<td>Ne</td>
<td></td>
<td>unknown</td>
<td></td>
</tr>
</tbody>
</table>

### 2.2.2. Degree of compliance with EU Directives

<table>
<thead>
<tr>
<th>EU Directives (and their individual amendments)</th>
<th>Requirements transposed entirely</th>
<th>partially transposed</th>
<th>requirements used as guidance</th>
<th>intention to transpose in near future</th>
</tr>
</thead>
<tbody>
<tr>
<td>89/391/EEC &quot;Framework Directive&quot; on OSH</td>
<td>Yes</td>
<td>All provisions</td>
<td>To the new Law on occupational safety</td>
<td></td>
</tr>
<tr>
<td>89/654/EEC on minimum safety and health requirements for the workplace</td>
<td>Yes</td>
<td>Article 2-8</td>
<td>- II -</td>
<td></td>
</tr>
<tr>
<td>89/655/EEC on use of work equipment</td>
<td>Yes</td>
<td>Article 3-8</td>
<td>- II -</td>
<td></td>
</tr>
<tr>
<td>89/656/EEC on use of</td>
<td>Yes</td>
<td>Article 2-5</td>
<td>- II -</td>
<td></td>
</tr>
</tbody>
</table>
European Directives are not obligatory for Bosnia and Herzegovina, but the principles and grounds of the almost all analysed Conventions, most of them partly and some fully, are included into legal regulations of Republika Srpska. This fact follows probably from compliance of European Directives with the Conventions of the International Labour Organization which have been ratified and have as mandatory been applied in Bosnia and Herzegovina.

2. 3. Analysis of the situation and recommendations

The legislative framework in the field of labour and employment, occupational safety and health protection at work in Republika Srpska has been to the great extent in compliance with the conventions of the International Labour Organization and the Directives of European Union. Republika Srpska, on the basis of the legal succession of

<table>
<thead>
<tr>
<th>European Directives</th>
<th>Yes/No</th>
<th>Article</th>
<th>- II -</th>
</tr>
</thead>
<tbody>
<tr>
<td>90/270/EEC on work with display screen equipment</td>
<td>No</td>
<td>Article 3-8</td>
<td>- II -</td>
</tr>
<tr>
<td>90/269/EEC on manual handling</td>
<td>No</td>
<td>____</td>
<td>No information</td>
</tr>
<tr>
<td>90/394/EEC on carcinogens</td>
<td>Yes</td>
<td>Article 3-9</td>
<td>To the new Law on occupational safety</td>
</tr>
<tr>
<td>2000/54/EEC on biological agents</td>
<td>Yes</td>
<td>Article 5-13</td>
<td>- II -</td>
</tr>
<tr>
<td>92/58/EEC on safety signs</td>
<td>Yes</td>
<td>Article 5-9</td>
<td>- II -</td>
</tr>
<tr>
<td>92/85/EEC on pregnant workers</td>
<td>Yes, in the Law on labour</td>
<td>Article 1-6</td>
<td>- II -</td>
</tr>
<tr>
<td>92/91/EEC on mineral-extracting industries (drilling)</td>
<td>Yes</td>
<td>Article 1-11</td>
<td>- II -</td>
</tr>
<tr>
<td>92/104/EEC on mineral extracting industries</td>
<td>Yes</td>
<td>Article 1-12</td>
<td>- II -</td>
</tr>
<tr>
<td>93/103/EEC on fishing vessels</td>
<td>No</td>
<td>Article 1-17</td>
<td>- II -</td>
</tr>
<tr>
<td>98/24/EC on chemical agents</td>
<td>Yes</td>
<td>Article 1-12</td>
<td>- II -</td>
</tr>
<tr>
<td>92/57/EEC on temporary or mobile construction sites</td>
<td>Yes</td>
<td>Article 1-36</td>
<td>- II -</td>
</tr>
<tr>
<td>2002/44/EC on physical agents - vibration</td>
<td>Yes</td>
<td>Article 1-8</td>
<td>- II -</td>
</tr>
<tr>
<td>2003/10/EC on physical agents - noise</td>
<td>Yes</td>
<td>Article 1-10</td>
<td>- II -</td>
</tr>
<tr>
<td>91/383/EEC on temporary workers</td>
<td>Yes, in the Law on labour</td>
<td>Yes</td>
<td>Article 1-8</td>
</tr>
<tr>
<td>94/33/EC on young people</td>
<td>Yes, in the Law on labour</td>
<td>Yes</td>
<td>Article 3-8</td>
</tr>
<tr>
<td>99/92/EC on explosive atmospheres</td>
<td>Yes</td>
<td>Article 3-8</td>
<td>- II -</td>
</tr>
<tr>
<td>83/477/EEC on asbestos</td>
<td>Yes</td>
<td>Article 3-8</td>
<td>- II -</td>
</tr>
<tr>
<td>2000/39/EC on indicative occupational exposure limits</td>
<td>No</td>
<td>No information</td>
<td></td>
</tr>
</tbody>
</table>
the ex SFRY incorporated into its legislation the standards from the conventions ratified by SFRY. After the Dayton Peace Agreement, Republika Srpska, as part of the state of Bosnia and Herzegovina, which is the member of the ILO, continued to implement international standards into its legislation.

The entities and Brčko District do not have the obligation to inform on the application of the conventions or to prepare ratification, since it is the responsibility of the common bodies of Bosnia and Herzegovina, but they participate in preparing reports and ratification, because international standards are applied through the legislation of the entities and District.

There is a need to continue further with ratification of conventions, because there is a number of very important conventions, the ratification of which affecting to the domestic legislation.

For the purpose of timely reporting and preparing conventions for ratification, the Government of Republika Srpska authorized the Ministry of labour and veteran and disability protection to cooperate on behalf of the Government with the Ministry of civil affairs of Bosnia and Herzegovina in preparation of report and ratification of conventions. The other ministries and bodies have the obligation to cooperate with the Ministry and contribute to these activities.

3. Organizational frameworks and mechanisms for implementation

In Republika Srpska, the issue of occupational safety and health at work are primarily dealt with by the competent state bodies, in other words the ministries, funds and institutes which manage schemes of insurance for ensuring and financing occupational safety and health protection at work. This issue is also dealt with by other competent bodies such as inspection, services of occupational medicine, scientific and research institutions, various centres and agencies.

3.1. Competent bodies for OSH

Ministry of labour and veterans and disability protection

In Republika Srpska, the Ministry of labour and veterans and disability protection is sector competent for the field of labour, employment and occupational safety on the basis of the Law on ministries which has established competencies of the public administration bodies. These competencies include performance of all administration duties related to the field of occupational safety, implying the preparation and development of Law on occupational safety and other by-laws to ensure the enforcement of the law and measures of occupational safety and health at work. Ministry of labour and veteran and disability protection has been actively working in the last five years on normative upgrading of the field of labour, employment and occupational safety, developing social dialogue and process of collective negotiations and normative regulating of occupational rehabilitation and training of disabled persons.

Ministry of health and social welfare

Besides Ministry of labour, the role of the Ministry of health is also important as being in charge for the duties of public administration in the field of health protection of
the population, which also implies protection of health of workers. The activities of this Ministry reflect in preparation and production of legislation in the field of health protection, by-laws and establishment of measures of health policy and health protection policy in Republika Srpska. This ministry has been actively working in the last five years on the reform of health protection in Republika Srpska, and activities for founding of the Institute for occupational medicine. However, the role of other ministries cannot be ignored, as sectorally in charge of some areas providing for occupational safety and health of workers, for instance the field of mining industry, agriculture, civil engineering and environmental protection.

3.2. Labour inspection service

Pursuant to the Law on inspection services (Official Gazette of Republika Srpska no. 113/05) the inspection supervision over the enforcement of laws and other regulations in Republika Srpska in the field of labour and occupational safety is performed by the Republika Srpska labour inspection, as part of the Republika Srpska administration of inspection tasks, which is organized as a sector. Sector of labour inspection and occupational safety has 34 employees in total, out of which 25 graduate lawyers and 9 inspectors with technical professional background. The field of occupational safety is controlled by 9 inspectors who, in the previous period, besides occupational safety, also dealt with control of employment procedures. The Republika Srpska administration for inspection tasks has 6 departments:

1. Department of Banja Luka with 4 occupational safety inspectors employed,
2. Department of Prijedor has no occupational safety inspector,
3. Department of Doboj has no occupational safety inspector,
4. Department of Bijeljina with 3 occupational safety inspectors,
5. Department of Istočno Sarajevo with one occupational safety inspector,
6. Department of Trebinje with one occupational safety inspector.

The public competition is open for the selection of three additional occupational safety inspectors in the departments in Banja Luka, Doboj and Prijedor.

The Book of rules on the internal organization and systematization of the Republika Srpska administration for inspection tasks has envisaged that for the labour inspector or the occupational safety inspector can be appointed a person who graduated law or adequate college education, technical, mechanical engineering, civil engineering, architecture, electrical engineering, technology or college of occupational safety. While establishing the conditions for employment and assigning to duties the educational background for performing specific inspection is taken into consideration. The required work experience in five years in the field. Special conditions for employment are the possession of licence exam for public administration service, licence exam for inspector, computer skills, driving licence of «B» category.

The labour inspector issues a procedural decision on removal of the shortages after s/he establishes that there are violations of the Law on occupational safety. The decision on prohibition of work in some installations or the whole working process follows when it is established that there is the immediate hazard to life and health of the employees. In case if employer does not act upon the decision and order of the inspector, a request is submitted for initiating offence proceedings and the criminal charges filed (with most difficult violations that consequence in death cases).
According to the legislation, should the inspector establish and states in the minutes that there has been a violation of the Law on occupational safety, s/he has the obligation to take adequate sanctions.

Case study:

Before the control, the inspector has to announce her/his coming by telephone to the employer. After coming to the company in question s/he reports arrival to the employer or person authorized by the employer, and they make a tour of the production process together. The manager sends the inspector to risky companies according to the degree of risk from the aspect of the occupational safety (wood processing companies, construction companies...). After reviewing the situation, the inspector has to make minutes, and take adequate measures accordingly. In case of serious injuries at work and injuries with deadly outcome, the employer is obliged to invite the inspector to make the examination of the scene of accident.

According to the Law and other legislation, the inspector may perform control with the employer without previous announcement, particularly if there has been reported information or tip that there may be some accidents or serious injuries.

Summary:

Summary of labour inspection services

| Total number of staff in labour inspection services | - |
| Number of inspectors | 9 |
| HQ versus total staff (%) | |
| OSH versus employment inspections (e.g. 100:0, 50:50, 45:55...) | 34:66 |
| Percentage of economically active population covered by labour inspection services | 42% |
| Inspectors/1,000 enterprises | - |
| Inspectors per 1,000 employees | 6,5 |
| Inspections/1,000 workers/year | 2,4 |
| Visits by one inspector per year | 66 |
| Inspectors per computer | - |
| Internet access? | - |
| Inspectors per office car | - |
| Own car used? | - |
| Own car use remunerated? | 1:4,5 |
| Inspector salary versus minimum wage (number of time more than minimum wage) | worse |
| Inspector salary versus private sector salary (worse, same, better?) | 49;17 |
| Average age of inspectors | Yes |
| Annual report produced for public (yes/no) | - |

First, we have not been able to separate the number of inspectors in the main office in relation to total number of employees (%) regarding the line in the table where
it is asked to provide the total number of employees in labour inspection services (number of inspectors and the number of employees in the main office), because the employees in the main office, 37 of them in total, support the work of 215 inspectors (10 different inspectors covering 20 different fields). Computers have been installed in the main office, and there are more than three inspectors per one office car.

The employers have the obligation to submit their annual report on occupational safety to the competent inspection service with the record on injuries at work.

During the period from 1 January 2006 to 30 November 2006, the labour inspection performed 591 controls, issued 268 decisions on removal of shortages and submitted 88 offence proceedings to the Magistrate's Court. During the same period there were 8 death cases (three in mining industry) and 22 severe injuries at work.

3.3. Occupational health services (professional health)

The Law on health protection (Official Gazette of Republika Srpska no: 18/99, 58/01 and 62/02), provides for the system of health protection and organization and functioning of the health services.

One of the measures of particular social interest in the field of health protection is detection and removal of health hazards in living and working environment. Provision of Article 39. paragraph 2 of this Law provides for the possibility to found specialized institutes as health institutions for some areas of wider social and medical importance, among them being the occupational medicine. Occupational medicine services existed in the previous system of health protection as special health institutions with clearly defined aims and competencies.

Occupational medicine presently exists in Republika Srpska within the framework of Health Care Centres at primary level, and specialist private practice offices. Out of all Health Care Centres in Republika Srpska, in 19 of them there are 37 specialists in occupational medicine employed, five of them at managerial functions. According to the available data, in private specialist practice offices, there are ten physicians specialised in this field. It appears that a significant number of physicians have been going through family medicine training, but there are no reliable data on this. For now, there is only one physician who as currently specializing in occupational medicine, what indicates to the scarce education of young physicians in this.

The occupational medicine service in Health Care Centres and private specialist practice offices performs the contents of primary level of occupational medicine activities, pre-employment, periodical and systematic examinations, evaluations of working capacities at requests, completion of medical documentation for evaluation of working capacities in disability insurance, etc.

In Republika Srpska, there is neither institution for verification of occupational diseases, systematic follow up of the working environment influence to the health of workers, control of health of workers who were exposed to radiological and other electro-magnetic radiation, nor any systemic preventive actions in the meaning of protection of health of workers and prolongation of working age of the employees, etc.

For the purpose to ensure functioning of occupational medicine services as special medical institutions, regardless of the fact that the basic carrier of primary health protection of the population is the family medicine office, on the basis of the Law, the Institute for occupational medicine and sports has been established.

By the Decision on the foundation of the Institute for occupational medicine and sports of Republika Srpska («Official Gazette of Republika Srpska», no 39/00, 21/01
The Government of Republika Srpska has founded the Institute for occupational medicine and sports of Republika Srpska as a specialized public institution of particular social interest owned by the state.

The Institute as referential health institution is a highly specialized health institution in the field of occupational medicine and sports medicine, for diagnose and treatment of occupational diseases, which follows up on and studies occupational diseases, work related diseases and injuries of the workers at work, conditions in and the quality of working environment, the influence of working environment to the health of the employees, proposes and takes adequate actions in order to protect and improve the health of the workers, as well as protection and improvement of health of athletes.

### Summary of key activities

<table>
<thead>
<tr>
<th>Activity (functions)</th>
<th>YES (on compulsory basis)</th>
<th>YES (on voluntary basis)</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workplace surveys, workplace visits, exposure assessment</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk assessment and management</td>
<td></td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Preventive health examinations (general surveillance)</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Risk-based health surveillance</td>
<td></td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>Registration of health data, reporting of occupational diseases and injuries</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Workplace health promotion, health education, counselling</td>
<td>Yes</td>
<td></td>
<td></td>
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<tr>
<td>Rehabilitation</td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>First aid, accident management</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curative services</td>
<td></td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Education, training, information campaigns</td>
<td></td>
<td>Yes</td>
<td></td>
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<tr>
<td>Quality assurance of occupational health processes, audits</td>
<td></td>
<td>Yes</td>
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<tr>
<td>Safety inspections</td>
<td></td>
<td>Yes</td>
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<tr>
<td>Initiatives and advice for management of workplace safety and health, safe workplace design</td>
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### Summary of occupational health professionals

| Number of occupational health physicians (full-time equivalents) | 37 |
| Number of occupational health physicians/1,000 employees         | 0.2 |
| Number of occupational health nurses (full-time equivalents)     | 50 |
| Number of occupational health nurses/1,000 employees              | 0.3 |
| Number of private OSH services                                   | 10 |
| Number of companies with own OSH service                          | 3  |
3.4. Other agencies of enforcement institutions

In Republika Srpska, there are authorized organizations which control safe work and operation of machinery and equipment. The Book of rules on the conditions related to the personnel and technical equipment that have to be fulfilled by the organizations performing periodical reviews and examinations in occupational safety (Official Gazette of Republika Srpska no: 24/02), provides for detailed conditions which, in the meaning of regulations of occupational safety should be fulfilled by legal entities in charge for performance of reviews and examinations of machinery and equipment, electrical and lightening installations, physical, chemical and biological hazards and micro-climate in working and auxiliary premises, means and equipment of personal safety, and training of workers for safe work. Currently, there are 19 organizations with the authorization issued by the Ministry of labour and veteran and disability protection for these tasks.

3.5. National Advisory Bodies on OSH

There do not exist special advisory bodies in Republika Srpska for occupational safety and health protection at work, if we exclude those in charge of periodical review of legislation, policies, and activities in occupational safety and health.

To some extent, this role is performed by the Economic and Social Council of Republika Srpska. The Economic and Social Council is a consultation and advisory body of the Government, trade Union and employers of Republika Srpska, and was formed on the basis of the Law on labour. Economic and social Council encourages collective negotiations and conclusions of collective agreements, presents opinions and proposals on the contents of collective agreements concluded at the level of Republika Srpska, considers and analyses the measures of the economic policy, follows up on the conditions in the implementation of the social policy, conditions and measures in other fields of economic and social policy of interest for the partners in social dialogue.

The economic and social Council follows up on, considers and gives opinion on regulations in the field of labour, employment and social protection, as well as other regulations of interest for performing its advisory and consultation function. The decision on nomination of its members in the Economic and social Council is issued by the competent body of each of the partners.

3.6. Occupational Accident and Disease Insurance (Workers' compensation) Schemes

According to the provision of Article 68 of the Law on labour, the employer has a duty, with the aim of full protection, to register all employees for health insurance, retirement and disability insurance, and insurance from unemployment in accordance with law, as well as to provide collective insurance against accident at work, with the responding insurance organizations. According to the provision of Article 64 of the Law on labour, the employer is responsible for the consequences of the accident at work.

| Number of public OSH centres (for example at municipal level) | No data exist |
| National Institute of Occupational Health? | No data exist |
| Percentage of economically active population covered by occupational health services? | Unknown |
which may occur caused by defective machinery, facilities and other material means used in the operation process. This responsibility implies, besides the offence, also the material responsibility of the employer towards the employee who suffered injury at work, in accordance with general rules on responsibility. The employer has to pay workers' compensations for all the employees according to the Law on workers' compensations, which are the obligatory compensations for the insurance of the employees, and which enable social safety and safety in different schemes of social insurance. From the aspect of occupational safety and health, the most important compensation is health, and retirement and disability insurance, while the scheme of collective insurance against accident at work with the responding insurance organization is very important because that compensation is paid by this insurance organization and not the employer.

The compensation for health insurance is paid at the rate of 15% from the basis established under the Law on compensations. The payers of compensations for employees are the employers, because in Republika Srpska this insurance is obligatory, and this payment ensures the financing of health protection of the employed workers. The Health Insurance Fund of Republika Srpska is the institution authorized to manage the health insurance scheme, it has its bodies, and is supervised by the central authorities in Republika Srpska. To manage this scheme means to ensure functioning of the health protection system in Republika Srpska, because the system has been financed from the compensation payments.

Compensation for retirement and disability insurance is paid according to the Law on compensations at the rate of 24% of the basis (net salary). By payments of compensations and other sources established under this Law, the funds are ensured for exercise of rights in retirement and disability insurance.

The basic rate and compensation rate for retirement and disability insurance are determined by the law. Compensation rate for insurees who work in such work posts for which the years of insurance are calculated with the increased period, is increased in accordance with the increase in period of years of work. Entity under obligation to pay compensations who does not manage her/his financial deals through the payment transactions organization, has the obligation to pay for compensations for retirement and disability insurance latest till the seventh day in the current month for the previous month. Entity under obligation to pay compensations that does not make the payment within the maturity date, has the obligation, apart from the current amount, to pay the interest at the interest rate proscribed by the effective regulations.

Entity under the obligation to pay compensations has a duty to pay compensation for retirement and disability insurance for all employees – insurees, while paying salaries and other fees on the basis of work to which, according to the law, compensations are to be paid. If the employer in some month did not pay salary and other fees on the basis of work to the workers, s/he is obliged to pay compensations latest till fifteenth day in the current month for the previous month, based on the basic rate which is the amount of salary for this month, according to the law and collective agreement.

Retirement and disability insurance Fund of Republika Srpska is the institution in charge to manage the scheme of retirement and disability insurance, having its own bodies and being under the supervision of the central authorities in Republika Srpska. To manage this scheme means to ensure functioning of the system of retirement and disability insurance in Republika Srpska, because the system has been financed by the compensation payments.
Funds for exercising rights from obligatory insurance in case of unemployment are ensured from the compensation for insurance against unemployment at the rate of 1% to the net salary paid fifty per cent by the employer and fifty per cent by the employee, according to the law. The employment institute of Republika Srpska is the body in charge to manage the scheme of unemployment insurance, having its own bodies, and being under the supervision of the central authorities in Republika Srpska. To manage this scheme means to ensure functioning of the system of compensation in case of unemployment, which provides for health insurance and the rights from retirement and disability insurance to the unemployed person during the time of exercising rights based on this insurance scheme.

Collective insurance against the accident at work is paid by the employer from her/his funds, and it is obligatory. Labour inspection controls whether the employer has collectively insured the employees against accident at work in accordance with the Law on labour. In case of occurrence of the accident at work, or the insured cases, the obligation of payment of damages upon this scheme of insurance is at the cost of the insurance organization, and not the employer, what reduces the risks of misuse and agreement between the employer and the employees regarding the compensation of the damage that occurred.

Employers, Labour inspection, Institute for occupational medicine, and institutions which manage the schemes of obligatory insurance are due to keep and collect statistical data on injuries at work and accidents at work.

The Book of rules on the list of occupational diseases (Official Gazette of Republika Srpska no: 6/94), establishes occupational diseases and works at which they occur, as well as conditions under which they are considered occupational. As occupational disease, this Book of rules identified the disease under 26. Asbestoses occur at workers who work at duties performing of which causes the occurrence of asbestos dust.

3.7. OSH information centres

Information centres for occupational safety and health do not exist in Republika Srpska.

The functions of information centres in the field of occupational safety are partly done by National coordinators for prevention of some types of diseases, as, for instance, the national coordinator for prevention of cardiovascular diseases and conditions, as governmental services acting with the Ministry of health and social protection.

However, there are some foundations and associations who also have a role in promotion of prevention and safeguarding of health, as, for instance, the foundation «Health and heart», and associations of women with breast cancer «Iskra» as nongovernmental organizations.

3.8. Specialized technical, medical and scientific institutions with linkages to various aspects of OSH

There are two important specialized professional and scientific institutions in Republika Srpska, linked with different aspects of occupational safety and health at work, and they are, in the health field - the Institute for health protection, and in the field of occupational safety and environment – the Institute of ecology and occupational safety.
**Institute for health protection of Republika Srpska**

Institute for health protection of Republika Srpska is a highly specialized Health institution which: follows up on the conditions of health of the population, epidemiologic situation and hygienic situation, proposes and takes actions to prevent the sources of spreading infectious diseases, for removal of damaging factors in living environment, and improvement of health of population, performing trainings and scientific and research work. The Institute performs systematic sanitary control of drinking water and surface waters, foodstuffs and air, and functions as the school of peoples’ health.

**Institute of ecology and occupational safety**

The Institute of safety, ecology and informatics science – scientific and research institute in Banja Luka, by its concept, programme composition, internal organization, technical and technological equipment, scientific and research staff potential, structure of business partners and users of services is a: scientific and research, consulting, project and educational institution, in the field of occupational safety, protection and quality improvement of living and working environment, protection of human health, occupational safety, risk management and system of quality management.

For the purpose of as efficient protection and improvement of living environment as possible, the Institute of protection, ecology and information science in Banja Luka possesses licences for performing the following activities: environmental protection, occupational safety, surveillance and examination of machinery and equipment for work, personal safety and training of workers in occupational safety, examinations and testing physical, chemical and biological substances and microclimate in working and auxiliary premises of the employer; they are qualified of typical and first verification of signal safety installations and machineries incorporated at the spot of crossing of the road and the railroad at the level; performance of examinations and servicing of fire alarm and stable systems for fire reporting; development of studies and plans for protection against fire; development of the part of technical documentation – machine, electrical and technological phase, for the constructions for which the building permits were issued by the municipal administration body.

By the Decision of the Ministry of science and technology of Republika Srpska, no. 06/6-61-224/04, dated on 29 June 2004, the Institute has entered the Register of scientific and research institutes.

The Mission of the Institute is to develop concepts of reliable entrepreneurship, and the implementation of the principles of management by risk in practice of entrepreneurship and institutions, as well as permanent development and improvement of overall knowledge in the field of risk management, in accordance with the modern world trends.

The Institute has set its goals very high, as well as criteria at the market of knowledge and professional services, and tries to beat the competition by playing open and fair market game, providing quality maintained through effectiveness and innovative spirit. Projects, programmes, and consulting services serve the function of reliable programme, structural, technical, technological, and organizational transformations of economic and service activities.

Projects and all programmes are conceived and organized as polyvalent and phased: research – scientific and professional verification of results – training and
innovations of knowledge – consulting – publication of results. The Institute deals with research in order to find the best solutions for reliable improvement of practice, with variety of forms, programmes, and methods of consulting and education. It motivates, directs and qualifies actors of the reliable application of the research results, firmly convinced that investing in knowledge produces the best interest rates.

The Institute has a team of young, extremely talented and creative researchers with high level of information technology and linguistic literacy, and the team of famous scientists, experts and university professors from the country and abroad. The Institute is permanently working on their systematic and continuous professional development.

The Institute of protection, ecology and information science, particularly the science and research institute, pay due attention to staffing with the aim to contribute to forming the European scientific and research area.

The Institute of Ecology

The Institute of ecology within the Institute has been existing since 1985. After the new organization of work and activities, it is able to respond to all set tasks and challenges in ecology, occupational safety and protection of living and working environment. Following scientific and technical achievements and requirements for improvements of the conditions of healthy working and living environment, the team of young and highly educated experts in the field of protection of air, water, soil, biodiversity, as well as waste disposal management, has achieved enviable success in improving living and working environment. Their experience and interdisciplinary approach to resolving problems guarantees that every task shall be completed successfully. In their own laboratory, using the most modern stationary and mobile devices, machines and instruments, it is possible for them to identify different parameters, proscribed by European standards, which have harmful effects to working and living environment.

Within the framework of its activities, the Institute of ecology deals with developing:

1. Plans of activities with measures and deadlines for gradual decrease of emissions, or pollution, and harmonization with the best available technology; Evidence to the Request for issuing ecological permit; Previous assessments on influences on living environment; Studies on assessments of effects on living environment for all types of buildings and machineries, whether it is construction of new or extension of the existing capacities: solid waste dump, base stations of mobile telephoning, bridges, gas pumps, gas stations, asphalt basis, quarries, water factories, chemical industry, high voltage tower line, sawmill, brewery, water electric power plant, thermo-electric power plant, mines, etc.

2. Development of plan for working positions with special conditions of working environment.

3. Measuring microclimate conditions of the working environment.

**Field of quality control of air**

Continuous measuring of emission concentration of basic polluting particles in the air ($O_3$, $SO_2$, NO, NO$_2$, NO$_X$, CO, CO$_2$, total sediment and floating particles, soot, moisture, etc.) for the purpose of systematic analysis and follow up on the quality of air in the living environment.

Occasional measuring of emission concentrations of polluting substances released to the air from machineries of process industries and thermo-electric facilities, for the purpose of the Cadastre of emission and Cadastre of air polluting substances.

Designing of facilities, development of studies on assessment of effects and expert opinions on concrete facilities and constructions to the quality of air separately, or within the framework of the Study on assessment of effects to living environment.

Production of Expert opinions on ecological validity of raw materials and imported operational means, which can, in any possible way endanger the quality of air.

The review of conditions of working environment and measuring parameters which affect positively or negatively to the quality of working environment (microclimate factors, illumination of working premises, total level of noise and vibrations, absorbed dose of radioactive radiation in the air, concentration of dust gravimetrically and conimetrically, concentration of chemical hazards, presence of biological hazards, review of general conditions in working environment etc), according to the concrete requirements of the ordering party.

Development of professional and scientific papers in the field of protection of the quality of air and living environment in general, production of information for public media related to the conditions of the air pollution at the locality where the quality of air is continuously monitored.

Follow up on the world achievements in the ecological science and practice for the purpose of education of staff dealing with protection and improvement of the quality of air and living environment.

**The field of water quality control**

Systematic analysis and monitoring of the quality of water courses and accumulations, that are used for water supply system. Preparation of projects and auditing of projects in the field of water supply and purification of waste water, new systems for purification of water and regeneration of the existing ones. Systematic analysis and monitoring of water for drink in the network of city water supply system, in village wells, in other natural sources and underground water. Systematic analysis of communal, industrial and atmospheric waste water. Activities on collection of data on water polluters for the purpose of developing Cadastre of polluters.

**Education in ecology**

Education and training of workers in: handling flammable, explosive and toxic substances in working and living environment, transportation, storaging, and depodeposition of flammable, toxic and explosive substances, protection of materials against corrosion, labour in special conditions of the working environment, provision of expert advice to optimize production processes, reduction or exploitation of by-products of the production process, lectures for the purpose of popularization and introduction to the public the problems related to living environment protection, organizing scientific
conferences, seminars and workshops related to environmental protection, follow up on world achievements and their application in environmental protection.

**Field of occupational safety:**

Periodical reviews and examinations of production means and equipment in the meaning of issuing permits for use;
Periodical reviews and examinations of production means, equipment, devices and machines in fire-fighting protection (Ex) for the purpose of issuing permits to use;
Periodical reviews and examinations of all types of cranes and elevators;
Expert witnessing in the field of occupational safety;
Control of the applied measures of occupational safety at project planning, construction and production of production means and equipment (guarantees, receipts);
Control of compliance of the imported production means with international conventions, technical regulations, and Law;
Development of technological projects;
Measuring noise in working premises;
Measuring and mapping (making a map) of communal noise in compliance the European directive 2002/49/EC;
Examination of sound protection of construction buildings;
Measuring parameters (velocity of streaming, quantity of air flow, noise,) of ventilation systems;
Measuring vibrations at working place and working environment according to the European Directive 2002/44/EC;
Influence of vibrations to the human body (general, local);
Mechanical vibrations on machines (rotating, unrotating).

**Field of protection in power supply industry**

Review and measuring at electro-energetic installation of buildings (in standard and pEx performance);
Review and measuring at lightening installation of building;
Measuring the existence of electro-statical potential an technological procedure;
Examining conductivity of antistatic pads of all types;
Examining protection of high voltage equipment;

**Field of protection against fire and explosions**

Development of project for Protection against fire (PAF);
Project development and development of municipal plans for PAF;
Protection against fire for enterprises with the PAF plan;
Operational and technical plan of fire-fighting and saving persons and property
Book of rules for PAF;
Expert opinions;
Project development of the system for detection of dangerous and explosive fumes and gases;
Engineering;
Design of hazard zones of PAF;
Attestation – certificate on control and compliance of equipment and means for fire fighting.
Field of education in safety

Education/training of workers in:

Occupational safety and protection against fire;
Handling of flammable liquids;
Handling explosives, flammable liquids and gases in traffic;
Handling central heating of pressure to 0.5 bars;
Transportation of hazardous substances in road traffic (ADR);
Operation with protective means;

Training of workers in:

Providing first aid and self-aid;
Work on the lines for technical examination of vehicles (controllers);
Professional duties in the field of occupational safety and protection against fire;
Construction occupations:
Training of workers who deal with electrical installations in Ex performance;
Licence exam for additional training of workers who work in construction and other machines;
Organization and holding of seminars and consultations in occupational safety and protection against fire;
Purchase of instruments and equipment for personal safety of workers;
Expert witnessing on injuries at work, cases of death at work, etc;
Participation in changing and amending the Law on occupational safety;
 Provision of expert opinions and proposals with the aim to improve and affirm occupational safety and protection against fire in working environments.

Research and development

Development and implementation of scientific and research projects in the filed of occupational risk management;
Fundamental, development and applied research in the field of occupational safety and environmental protection;
Development and implementation of scientific and research projects in the filed of risk management of technological systems;
Functional education and knowledge innovations in the field of occupational safety and environmental protection;
Organization of local and international scientific and expert events;
Scientific and economic valorisation of effects of delivered services in the field of occupational safety and environmental protection;
Organization of international cooperation in the field of sustainable development;
Publishing activities

3.9. Coordination and collaboration

Collaboration between competent bodies in charge of development and implementation of policy in occupational safety and health is not sufficient. Although there are very few competent bodies in this field, collaboration among them is reduced
to formal cooperation while working on regulations related to this issue, and obligatory cooperation between the labour inspection and competent ministries.

Scientific and research institutions are involved if needed, when concrete problems need to be resolved, and during preparations of regulations in occupational safety and health. Particularly poor cooperation exists among competent bodies of Republika Srpska and various agencies and centres which have lately started training in the field of health protection supported by the international organization dealing with this issue.

Each organization performs duties only for itself, they neither share experiences and data nor participate in common activities with the purpose to overcome the current situation in the field.

3.10. Situational analysis and recommendations

Institutional framework for implementation of regulations and policies in the field of occupational safety and health is insufficiently developed and established. Apart from the competent state bodies and competent inspection services, there almost do not exist any other bodies, advisory services or information centres at the level of Republika Srpska dealing with this issue.

Although, at the level of Republika Srpska, there is the Economic and social council, it still does not even closely perform tasks in the field of occupational safety and health as do the tri-partite bodies in other countries in our immediate environment. A good example in the institutional framework for implementation of these policies is the Institute of protection, ecology and information science in Banja Luka, a highly specialized scientific and research institution in the field of protection and ecology.

We need to state that higher education institutions still have not decided on the direction of introducing these issues into their curricula. Institutional framework for implementation of policies in the field should be upgraded in parallel with the upgrading of the legislation framework with the purpose of creating good policies in occupational safety and health, and their implementation.

For the purpose of achieving higher quality of occupational safety and health at work it is necessary to ensure maximal collaboration among the institutions responsible for development of individual policies in the field, because occupational safety and health are inseparable when it comes to the right of workers to safe and healthy working place and working environment.

4. The role of the social partners in OSH

4.1. Social partners' programmes on OSH

Social partners in the field of occupational safety and health do not have their own programmes. Their activities are mainly reduced to legal possibilities which are very modest. It is typical for this field that social partners have influence by means of the social dialogue to passing regulations which provide for labour and employment and which regulate the issue of occupational safety and health.

The partners also have influence to this matter through the process of collective negotiations at the level of Republika Srpska, because the General collective agreement to a certain extent regulates the issue of occupational safety and health of the workers.
4.1.1. Employers' organisations

There are two employers’ organizations in Republika Srpska: the Union of the associations of employers of Republika Srpska and the Confederation of employers of Republika Srpska. The members of the Union of the associations of employers of Republika Srpska are the majority of employers with different form of organization and ownership, what makes over 90% of the total number of employers in Republika Srpska.

Union of the associations of employers of Republika Srpska is the independent, non-profit association of employers, founded on 2 April 2004 in Banja Luka. The contract on the foundation of the Union was signed by 13 branch associations of employers, with currently existing 264 members and 45000 employees.

The founders of the Union are:

1. The association of employers of civil engineering and construction materials production of Republika Srpska.
2. The association of employers of agriculture and food industry of Republika Srpska.
3. The association of employers of print-making and information activities, film industry, production of cellulose, paper and paper products of RS.
4. The association of employers of textile, leader and leader processing industry of RS.
5. The association of employers of forestry of RS.
6. The association of employers of trade, tourism and catering of RS.
7. The association of employers of power supply industry of RS.
8. The association of employers of traffic and communication of RS.
9. The association of employers of banking, financing and insurance organizations of RS.
10. The association of employers of electrical, chemical, rubber and industry of non-metal production and processing of RS.
11. The association of employers of wood processing of Republika Srpska.
12. The association of employers of communal and service activities of Republika Srpska.
13. The association of employers of metal industry and mining of Republika Srpska.

The goals of foundation of the Union are:

- The initiation and participation in a tripartite social dialogue with the Government of Republika Srpska and the representing Trade Union,
- Representation of interests of employers in the field of labour and social legislation,
- Conclusion of general collective agreement (common grounds of economic and social policy at the level of RS), or approving the conclusion of the agreement, according to the Law on labour,
- Nomination of own representatives in the tripartite bodies (Economic and social Council, Commission for monitoring the implementation of the general collective agreement, and other bodies),
- Through its representatives in the tripartite bodies it follows up on the situation and proposes measures in the area of economic and social policy.

The chair person of the Union has a mandate of two years.
The members of the Confederation of employers of Republika Srpska are mainly private entrepreneurs, and they represent approximately 10% of the total number of employers in Republika Srpska. It is very important to point out that these two associations are on the same side as the partner in a social dialogue, and in the process of collective negotiations at the level of Republika Srpska.

4.1.2. Workers’ organisations

There are two associations of trade unions in Republika Srpska, and they are: The Union of the trade unions of Republika Srpska, which is the member of the Economic and social Council of Republika Srpska, and the party in the concluded general collective agreement, and the Confederation of the trade unions of Republika Srpska which has also been founded on the level of Republika Srpska, and which seeks for its place in the process of social dialogue and collective negotiations in Republika Srpska.

The Union of the trade unions of Republika Srpska is the association of the voluntarily associated trade unions (member of UTURS) for the purpose of exercising common interests and goals. It consists of the 14 branch trade unions, as follows: the trade union of education, science and culture of Republika Srpska; the trade union of administration of Republika Srpska; the trade union of judiciary of Republika Srpska; the trade union of internal affairs of Republika Srpska; the trade union of health and social protection of Republika Srpska; the trade union of financial organizations of Republika Srpska; the trade union of metal industry and mining of Republika Srpska; the trade union of construction, housing and communal activities of Republika Srpska; the trade union of traffic and communication of Republika Srpska; the trade union of textile, leader and footwear industry of Republika Srpska; the trade union of forestry, wood and paper processing of Republika Srpska; the trade union of agriculture and food industry of Republika Srpska; the trade union of media and print works of Republika Srpska.

The members of trade unions are the members of branch trade unions who apply for membership through trade union organization as the basic form of trade union organization in enterprises and institutions. The Union of the trade unions is active at the whole territory of Republika Srpska through 56 trade union municipalities and two trade union towns, which organize executive and professional tasks for the members of the Union.

According to data and records of the trade union membership, the Union of the trade unions of Republika Srpska, through its members, unionized over 65% of workers in Republika Srpska.

The Union of the trade unions of Republika Srpska, within the framework of its goals and tasks, among other things, deals with the issues of protection of the rights of workers from labour and on the basis of labour, issues of insurance and improvement of occupational protection, provision of legal aid, and education of trade union members through trainings, courses and seminars.

Since Republika Srpska has recently got out of war, the issue of health and occupational safety did not get enough attention. In all the fields, the Law on occupational safety from 1993 is still applicable, according to which trade unions do not have their representatives who deal with occupational safety and health, but instead, it has been dealt with by the officers of occupational safety employed by the employer.
The government of Republika Srpska has submitted the draft Law on occupational safety in July 2006 for the Union of trade unions to comment and propose changes, and based on this Law (if adopted as such), trade unions will have their representatives or board for occupational safety.

The Union of the trade unions of Republika Srpska accepted to participate in ELMO project as one of the social partners, and is ready to get actively included in all the phases of development and issuance of the law, accepting support and suggestions from European experts in this field.

Confederation of the trade unions of Republika Srpska

The Confederation of the trade unions of Republika Srpska which has also been founded on the level of Republika Srpska, consists of the trade union of metal and mining workers of Republika Srpska, trade union of joint workers in power supply industry, Union of independent trade unions of Republika Srpska, Independent trade union of radio and television, Independent trade union of health and social protection of republika Srpska, which participate in the process of social dialogue and collective negotiations in Republika Srpska.

The members of the trade union are the members of the branch trade unions who join the trade union by means of trade union organization as the basic form of trade union organization in enterprises and institutions. The Confederation of the trade unions is active at the whole territory of Republika Srpska through its branches and regional centres which organize executive and professional tasks for the members of the Confederation.

Having in mind that the Law on occupational safety from 1993 which is still effective in Republika Srpska does not provide for the trade unions' representatives who deal with occupational safety and health, but this is dealt with by the officers of occupational safety employed by the employers, the trade union influences this process through the chairperson of the trade union organization.

4.2. Participation at national and sectoral level

The role of advisory national body to some extent belongs to the Economic and social Council of Republika Srpska. The Economic and Social Council is a consultation and advisory body of the Government, trade Union and employers of Republika Srpska, and was formed on the basis of the Law on labour. Economic and social Council encourages collective negotiations and conclusions of collective agreements, presents opinions and proposals on the contents of collective agreements concluded at the level of Republika Srpska, considers and analyses the measures of the economic policy, follows up on the conditions in the implementation of the social policy, conditions and measures in other fields of economic and social policy of interest for the partners in social dialogue.

The economic and social Council follows up on, considers and gives opinion on regulations in the field of labour, employment and social protection, as well as other regulations of interest for performing its advisory and consultation function. The decision on nomination of its members in the Economic and social Council is issued by the competent body of each of the partners.

There do not exist any bodies at the sectoral level which deal with the problems of occupational safety and health.
4.3. Participation at enterprise level

According to the Law on occupational safety there is no possibility for workers to select their representatives for occupational safety and health. Neither the trade union has the right to appoint its representatives for occupational safety and health. The trade union has the right to require from the employer to take actions on the measures of occupational safety established by the law. The employer has to consider the initiative of the trade union and take responding measures, and inform the trade union and administration body in charge of labour inspection within the time frame of 30 days from the date of submission of the initiative.

However, workers have the right to select the Council of workers which has some rights when it comes to occupational safety. The Law on workers' councils (Official Gazette of Republika Srpska no: 26./01) gives some rights to the selected representatives of workers in the workers' council, which reflect in the right of the council to provide its opinions and proposals to the employer, among other things, in order to improve the working conditions for the workers, occupational safety, as well as other issues which the council considers important for performance and protection of the workers' rights.

The employer, according to this Law, has the obligation to inform the council on the situation in occupational safety and working conditions of the employees, rates of salaries, and other issues important for social and material status of workers, what is the way of ensuring some supervision of the employees over the system of occupational safety.

4.4. OSH in collective bargaining

Collective agreements at the level of Republika Srpska and the level of branches and activities are very important for occupational safety and health. Separate collective agreements may also provide for some issues of occupational safety with the employer, if they are not thoroughly enough regulated in the branch or activity (sectoral level) collective agreements.

Pursuant to article 130. and 131. of the Law on labour (‘Official Gazette of Republika Srpska’, no: 38/00, 40/00, 47/02, 38/03 and 66/03), the Government of Republika Srpska, the Union of the trade unions of Republika Srpska, the Union of the association of employers of Republika Srpska and the Confederation of employers of Republika Srpska have concluded the General collective agreement (Official Gazette of Republika Srpska no:24/06), which provides for specific issues of occupational safety and health.

Accoording to this collective agreement, the employer has the obligation to ensure all necessary measures of occupational safety in order to protect physical and psychical health of workers in the working process.

The way and procedure for performance of occupational safety, as well as means and measures which for this purpose have to be taken by the employer, are in more details provided for by the separate collective agreements, the Book of rules on the labour, and the Book of rules on occupational safety.

Duties and tasks to which a worker who is under 18 years old can not be assigned, are established by the branch, or the separate collective agreement and the Book of rules on labour.
While establishing such tasks, there needs to be taken into account the complexity of work, mode and place of performing this work, as well as its influence to health and physical and psychical development of the worker.

With the aim of full and better quality health protection of women workers, the employer shall, from her/his funds, enable a regular annual medical examination, to prevent and detect on time women specific diseases and conditions.

The employer is obligated to assign the disabled worker, or the worker with remaining working capacities to the post suitable to her/his working capacities within the time frame of 30 days from the date of the effectiveness of the decision which established disability or the remaining working capacities.

The disabled worker has the right to compensation of salary of at least 80% of the basic salary in the period until the employer assigns her/him based on the results and opinion.

From the above stated provisions of the General collective agreement, it can be seen that the issue of protection of workers are more precisely regulated by the branch and separate agreements, which means at all three levels of collective bargaining.

4.5. Summary

4.5.1. Summary of individual employer responsibilities

The issues of responsibilities of the individual employer are regulated in detail under the Law on occupational safety, by-laws, Books of rules, and instructions issued by the competent ministries and other institutions. The employer ensures and implements occupational safety, ensures funds for implementation and improvement of occupational safety, as can be seen in the following table:

<table>
<thead>
<tr>
<th>Does the employer have the responsibility to:</th>
<th>provided for in law? (yes/no)</th>
<th>generally taken up in practice? (yes/no/sometimes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>- establish an OSH policy?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- implement preventive and protective measures?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- provide safe machinery and equipment?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- use non-hazardous substances?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- assess risks and monitor them?</td>
<td>yes</td>
<td>To establish tasks with increased risk</td>
</tr>
<tr>
<td>- record risks and accidents?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- report occupational accidents and diseases to the competent authority?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- ensure health surveillance of workers?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- inform workers on hazards and the means of protection?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- consult with worker representatives on OSH?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- educate and train workers?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- establish joint OSH committees?</td>
<td>no</td>
<td>No</td>
</tr>
</tbody>
</table>
4.5.2. Summary of workers' rights and duties

The worker in the system of occupational safety has a number of duties and rights which are specified under the Law and by-laws, as far as the exercise of rights is concerned and regarding execution of duties in the system of occupational safety and health, as can be seen in the table:

<table>
<thead>
<tr>
<th>Does the worker have the:</th>
<th>provided for in law? (yes/no)</th>
<th>generally taken up in practice? (yes/no/sometimes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>- duty to work safely and not endanger others?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- right to compensation for hazardous work (e.g. hazard pay, reduced working time, earlier retirement, free foods and drink to combat the effects of exposure to hazards)?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- right to be kept informed about workplace hazards?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- right to be provided with personal protective equipment and clothing?</td>
<td>yes</td>
<td>sometimes</td>
</tr>
<tr>
<td>- right to incur no personal costs for OSH training, personal protective equipment, etc?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- duty to make proper use of personal protective equipment?</td>
<td>yes</td>
<td>Sometimes</td>
</tr>
<tr>
<td>- right to select worker OSH representatives?</td>
<td>no</td>
<td>No</td>
</tr>
<tr>
<td>- right to remove themselves from danger in case of imminent and serious risk to health?</td>
<td>yes</td>
<td>Yes</td>
</tr>
<tr>
<td>- duty to report to the supervisor any situation presenting a threat to safety?</td>
<td>yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

4.5.3. Summary of worker OSH representatives' rights and responsibilities

<table>
<thead>
<tr>
<th>Do worker OSH representatives have the right to: (According to the existing solution they are the members of the workers' council)</th>
<th>provided for in law? (yes/no)</th>
<th>generally taken up in practice? (yes/no/sometimes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>- access to records the employer is obliged to keep?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- access to information related to risk assessment?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- access to the list of accidents and diseases and reports of these in the enterprise?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- access to information of the authorities responsible for OSH inspections?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- call in the authorities responsible for OSH inspections?</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>- participate in observations to inspectors during inspection visits to the work site?</td>
<td>no</td>
<td>no</td>
</tr>
<tr>
<td>- consultation by the employer?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- submits proposals to the employer?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- appropriate training?</td>
<td>no</td>
<td>sometimes</td>
</tr>
<tr>
<td>- facilities and time off with no loss of pay to be able to carry out their duties as OSH representatives?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>- stop dangerous work on behalf of workers?</td>
<td>no</td>
<td>no</td>
</tr>
</tbody>
</table>
4.6. Situational analysis and recommendations

The activities of social partners in the promotion of occupational protection and health is not important, and does not have sufficient influence to the policies in the field. The interests and activities of the partners are different and can mainly be reduced to participation in the work of Economic and social Council during the preparations of regulations in this field, and in consultations with the partners on specific issues, as well as in the process of concluding collective agreements.

The Law on occupational safety does not provide for the possibility that the trade union, as one of the social partners, participates more actively in the process of occupational safety. There is neither the possibility for the creation of policies and their implementation in this field to be participated by the workers’ representatives, or their commissioners for occupational protection.

The workers can have some influence only via the members of the workers’ council, through specific proposals to the employer related to occupational safety, but the councils have been establishing very slowly.

5. Regular and ongoing activities related to OSH

5.1. Promotional OSH programmes and activities

There are no stimulative programmes and activities on improvement of the level of prevention and occupational safety in construction, mining and agriculture in Republika Srpska. Occupational safety in these areas is not different than in the occupational system in other economic fields, they are at the same level of development, and burdened with the same problems. The activities on promotion of prohibiting and elimination of child labour have been implemented in republika Srpska in spite of the fact that such forms of labour do not exist here. Concerning the asbestos protection it has been implemented within the general measures of occupational safety.

There are no regular activities on raising awareness at the national level like Safe days or Safety weeks (EU Safe week in October every year or ILO World day for safety and protection on 28 April).

The cause of such situation is the events at this territory, transition, and other problems which burden the system of occupational safety and health.

Concerning the health protection, the situation is somewhat better thanks to the Ministry of health which takes regular activities on raising awareness of citizens regarding safety and protection of health, such as:

- A week of campaign against tuberculosis from 14 to 21 September;
- World heart day marked on 24 September 2006;
- Children's week marked 2 October 2006;
- World day of campaign against diabetes 14 November 2006;
- World day of campaign against HIV/AIDS, 1 December 2006,
- A day without a cigarette marked 31 January 2007.

The purpose of these events is raising awareness of citizens on the need of saving their health and improvement of health protection. These dates are traditionally marked in Republika Srpska.
5.2. **International capacity building, technical cooperation activities directly related to OSH**

The Government of Republika Srpska has been preparing and developing the reform of legislation in the field of labour and employment with the advisory services and technical assistance of the International Labour Organization, through different seminars, consultations, trainings, or direct participation in development of regulations.

Successful collaboration has been established within the project SITAP (Social Insurance Technical Assistance Project). This is the first project in retirement sector in Republika Srpska and the Federation of BiH, and Bosnia and Herzegovina in general, and has been funded by the World Bank. The development goal of the SITAP project is strengthening efficiency and effectiveness of the system of health and retirement and disability insurance, through provision of training and high quality technical assistance for the implementation of the on-going reforms and development of options for future reforms of the system of health, retirement and disability insurance. The project has been implemented in parallel in both entities of Bosnia and Herzegovina, while in Republika Srpska it has been implemented by the Ministry of health and social protection, the Ministry of labour and veteran and disability protection, the Fund of health insurance, the Fund of retirement and disability protection, and Tax administration. The implementation has started in September 2003 and will last till December 2007.

The project has been funded from IDA loans of the World Bank (the amount of US$ 7 million) and the grant from Great Britain Department for international development (DFID) which has been administrated via the World Bank (in the amount of US$ 1.73 million), with co-funding of the budget of Republika Srpska and the budget of the Federation of BiH (the total amount of US$ 0.94 million). The total value of the project for both entities amounts US$ 9.67 million, while 40% of the funds is allocated to Republika Srpska, and 60% to the Federation of BiH.

This project is a unified operation consisting of the two parts, implemented separately for each entity.

In the activities which will be supported by this project in Republika Srpska, the following institutions are taking part:

- Ministry of labour, veteran and disability protection,
- Ministry of finance – Tax administration,
- Ministry of health and social protection,
- Fund for retirement and disability insurance,
- Fund of health insurance.

The project of technical assistance for social insurance has three components:

1. Development of framework policy for social insurance,
2. Organizational management, and
3. Support to implementation of projects.

Each of the above components of the project contains some sub-components in the framework of which are defined the concrete project tasks. The project tasks related to the system of retirement and disability insurance are:
At the same time, there is a Project of promoting mobility of the labour market (ELMO) in Republika Srpska, concluded among the Ministry of labour and veteran and disability protection of the Government of Republika Srpska, the Ministry of finance of the Government of Republika Srpska, the Ministry of health and social protection of the Government of Republika Srpska, and the RS Administration for inspection services of the Government of Republika Srpska, on one hand, and USAID, on the other.

The aim of this project, which all the parties intend to achieve by joint implementation, is to contribute to the reform of the labour market in Republika Srpska, primarily by means of:

1. improvement of legislative framework providing for the labour relations in order to improve the work of the formal economy;
2. improvement of the enforcement of the legislation in labour – legal field by the social partners and improvement of execution of fiscal liabilities of the employer;
3. improvement of social dialogue in Republika Srpska in a way that the Economic and social Council becomes sustainable, and the venue for effective dialogue for the Government of Republika Srpska, associations of employers and trade unions, where the key economic and social issues shall be discussed and resolved;
4. rationalization of the rates of compensation for social insurance through the extension of data base of persons for whom the compensations are paid.

This project shall provide advisory and technical assistance to the improvement of occupational safety and health, among other things.

5.3. Situational analysis and recommendations

Promotional activities and capacity building in occupational safety and health is insufficient, particularly in the field of occupational safety. In the field of health protection, promotional activities and capacity building are on-going, a great deal owing to the activities of the World Health Organization. The activities of 24 national coordinators for health raise awareness of citizens on safety and protection of health. Social partners are involved into the implementation of international projects with advisory and technical assistance.

6. Occupational safety and health outcomes

6.1. Recording and notification of occupational accidents and diseases

Recording and notification of occupational accidents and diseases is the obligation of the competent bodies and institutions, following from the Law on record keeping in the field of labour and health insurance (“Official Gazette of Republika Srpska”, no: 18/96 and 64/06), and other regulations. This Law provides for records containing statistical data of interest for Republika Srpska in the field of labour and health insurance. Among these records are also the records on the employed workers, records on occupational accidents, and records on insurees and those who enjoy rights from health insurance.

Records on employed workers, and records of accidents at work are kept by the companies, institutions, or other organizations performing economic or social activities, associations, banks, insurance organizations, cooperative farms, and other domestic and foreign legal persons which employ workers.
Records on insurees and persons who enjoy the rights from health insurance are kept by the Fund for health insurance. The data kept in these records established upon this Law can be used for statistical research and other official purposes.

The most important regulation in this field is the Book of rules on record keeping, document filing and content of annual report, which prescribes the fashion of record keeping in occupational safety established under the Law on occupational safety, as follows: records on workers who are trained for safe work; records on workers assigned to the working posts with special conditions; records on performed pre-employment and periodical medical examinations of workers assigned to the working posts with special working conditions; records on the performed examinations of working environment in working and auxiliary premises and working positions and sites; records on the preformed examinations and reviews of working means; records on the performed examination of the means and equipment for personal protection; records on injuries at work; records on occupational diseases of workers, and records of disabled workers based on the established categories of disability.

The Book of rules obligates the employers to submit annual reports on all cases of occupational injuries, diseases, cases of death, and occupational diseases of workers to the Labour and occupational safety inspection.

Instruction on the forms for record keeping in the field of labour (Official Gazette of republika Srpska no: 14/97), proscribes the forms for record keeping in the field of labour, among them being the records on accidents at work that the employer is responsible to keep, containing all data necessary to exercise rights of the worker in the process of health protection and treatment, as well as follow up of the statistics in the field, and taking measures in order to improve occupational safety.

Records on insurees and persons who enjoy right from health insurance is kept on the individual insuree on the basis of registration to insurance, or cancellation of registration, and on the basis of the report on disability, or impediment to work, and treatment in in-patient hospital, in accordance with the Law on health insurance.

All the data from the field of occupational safety and health, according to the Programme of statistical research, have to be submitted to the Republika Srpska Statistical Institute, which is the competent body of Republika Srpska in charge of statistics and statistical research in Republika Srpska in all the fields and areas of social and economic life.

Records on occupational diseases are kept by the medical institutions which provide medical services according to the regulations on health insurance.

### 6.2 Statistics relating to occupational accidents and diseases

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Value</th>
<th>Unit e.g.: per 100,000 employed or % or per million hours worked</th>
<th>Year</th>
<th>Trend (increasing/decreasing/stable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fatal accidents</td>
<td>8</td>
<td></td>
<td>2006</td>
<td>decreasing</td>
</tr>
<tr>
<td>Injury at work (resulting in more than 3 days absence)</td>
<td>22</td>
<td></td>
<td>2006</td>
<td>decreasing</td>
</tr>
<tr>
<td>Compensated workplace accidents</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commuting accidents</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serious work accidents causing</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
disability of over 30 days
Notified occupational diseases (total)
Compensated occupational diseases
Repetitive strain injuries
Noise-induced hearing loss
Respiratory diseases
Skin diseases

The rest of the data in the table we are not able to deliver because we do not have them, for the reason of specific position of the occupational medicine services, and the fact that the Institute for occupational medicine and sports of Republika Srpska has just been founded, which will be able to provide such data in the future period.

**Indicators of working conditions**

Social partners have the following attitudes regarding the indicators of working conditions, having in mind the current situation in the economy in Republika Srpska, and the on-going transitional changes.

<table>
<thead>
<tr>
<th>Indicator</th>
<th>widespread serious problem</th>
<th>serious problem for some workers</th>
<th>moderate problem</th>
<th>minor problem</th>
<th>not a problem</th>
</tr>
</thead>
<tbody>
<tr>
<td>exposure to noise above legal limit (<em>please indicate legal limit</em>)</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>exposure to vibration</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>exposure to radiation (ionising)</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>exposure to high temperatures</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>exposure to low temperatures</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>breathing in dangerous vapours, fumes, dusts, infectious materials, etc.</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>handling or touching dangerous substances or products</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>exposure to asbestos</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>exposure to pesticides</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>inadequate lighting</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>regular exposure to solar radiation (e.g. in construction work)</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>painful or tiring positions</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>lifting or carrying heavy loads</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>repetitive hand/arm movements</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>non-adjustable workstations (e.g. work bench, desk, chairs, etc.)</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>working at high speed</td>
<td>yes</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
working to tight deadlines | yes |
stressful work | yes |
changing work organisation | yes |
working time | yes |

6.2. **Situational analysis and recommendations**

Record keeping and reporting on occupational accidents and diseases is regulated by legislation. Legislative framework in the field of occupational safety and health has clearly and precisely defined bodies and institutions who have the obligation to keep records and report on occupational injuries and diseases. Laws and by-laws define the procedures of record keeping and reporting, deadlines and bodies to which the reports should be submitted.

The reports of the Labour inspection and Health inspection which are submitted to the government of Republika Srpska for consideration are particularly important. The problem is insufficient coordination and collaboration between the bodies responsible for record keeping and reporting on occupational accidents and diseases, and irresponsible relation towards delivery of data to the Statistical institute of Republika Srpska.

In the future period, it is necessary to improve the collaboration among the competent institutions responsible for these issues, and increase the degree of their responsibility for the delivery of data to the Statistical institute of Republika Srpska, so that the data on occupational accidents and diseases can become a part of the overall statistical data, which may be used for the situation analysis and policy-making in occupational safety and health.

7. **Basic information**

Republika Srpska has been founded (proclaimed) on 9 January 1992. By signing of the Dayton Peace Agreement in 1995, it became a constituent part of Bosnia and Herzegovina. The territory of Republika Srpska is unique and inseparable, and there are 1.479 634.000 inhabitants. The capital and administrative centre is Banja Luka. The official language is Serbian, as well as the languages of the constituent nations who live in RS.

### 7.1. **Demographic data**

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Value</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total population (million)</td>
<td>1 479 634</td>
<td>Estimation</td>
</tr>
<tr>
<td>• Men (%)</td>
<td>720 205</td>
<td>Estimation</td>
</tr>
<tr>
<td>• Women (%)</td>
<td>759 429</td>
<td>Estimation</td>
</tr>
<tr>
<td>Labour force (million)</td>
<td>417</td>
<td></td>
</tr>
<tr>
<td>Employed (million)</td>
<td>298</td>
<td></td>
</tr>
<tr>
<td>• Men (%)</td>
<td>62.4</td>
<td></td>
</tr>
<tr>
<td>• Women (%)</td>
<td>37.6</td>
<td></td>
</tr>
<tr>
<td>• Young workers ≤ 18 years old</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>(million or %)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• in agriculture, forestry, fishing (%)</td>
<td>20.5</td>
<td>Field of activity: A,B</td>
</tr>
</tbody>
</table>
• in primary production (%)  
14. in manufacturing (%) 30,8 C, D,E,F  
15. in construction and energy (%)  
16. in services 48,7 G,H,I,J,K,L,M,N,O,P,Q  
Active in the informal economy (estimated %)  
Unemployed (million) 119  
Unemployment (%) 28,5  

### 7.2. Economic data

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Value</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross National Product (GNP) per capita (USD)</td>
<td>2256</td>
<td>2005</td>
</tr>
<tr>
<td>Gross Domestic Product (GDP) per capita (purchasing power parity in USD)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>GDP produced by agriculture (%)</td>
<td>16,2</td>
<td>2005</td>
</tr>
<tr>
<td>GDP produced by industry and construction (%)</td>
<td>21,9</td>
<td>2005</td>
</tr>
<tr>
<td>GDP produced by services (%)</td>
<td>61,9</td>
<td>2005</td>
</tr>
<tr>
<td>Number of enterprises in operation</td>
<td>4,10%</td>
<td>XII 2005/XII 2004</td>
</tr>
</tbody>
</table>

5,20% I- XII 2005/I-XII 2004  

### 7.3. Health statistics

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Value</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Life expectancy (years) at birth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Men</td>
<td>71</td>
<td>2003</td>
</tr>
<tr>
<td>• Women</td>
<td>74</td>
<td>2003</td>
</tr>
<tr>
<td>Infant mortality per 1,000 live births</td>
<td>3,4%</td>
<td>2005</td>
</tr>
<tr>
<td>Standardised death rate (SDR), cardiovascular diseases, 0-64 years/100,000</td>
<td>0,87%</td>
<td>2005</td>
</tr>
<tr>
<td>SDR, respiratory diseases, 0-64 years/100,000</td>
<td>0,06%</td>
<td>2005</td>
</tr>
<tr>
<td>SDR, cancer, 0-64 years/100,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>SDR, external causes of injury and poisoning, 0-64 years/100,000</td>
<td>0,5%</td>
<td>2005</td>
</tr>
<tr>
<td>Total health expenditure (% of GDP)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Physicians per 1,000 population</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dentists per 1,000 population</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nurses per 1,000 population</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Conclusion:

Occupational safety and health in Republika Srpska reflects the situation in social and economic relations as well as on-going changes. The Law on occupational safety which is presently effective, has been passed in 1993, and to a large extent contains legal solutions from the previous system of organization of occupational safety which did not encompass occupational health as equal component at working place and working environment.

After the implementation of the reform in the field of labour and employment in Republika Srpska, the new law has not been passed, although there is a need to pass this legislation too, in accordance with the new reform solutions in the field of labour and employment. The regulations on labour and employment in Republika Srpska have been fully harmonized with the international standards during the reform process, and they reflect new social and economic relations that occurred in Republika Srpska as a consequence of transition in all forms of social and economic life.

Starting with this statement, it is necessary to adjust the Law on occupational safety to the new social and economic relations and re-examine it from the aspect of international labour standards, having in mind the new position of employers and workers in the system characterized by prevailing private ownership, since occupational safety as an activity of particular social interest has been through changes caused by the transition, and since it has to be observed in the context of the reform and changes in the field of labour and changes in labour and employment as a whole.

The fact should neither be ignored that in the time of economic and social disturbances occupational safety gets neglected, and is put aside, because implementation and insurance of occupational safety is a very expensive process. Occupational safety, according to the opinion of the trade union, in the conditions of poverty, is seriously in question, therefore occupational safety is one of the workers' right which some of the employers do not use at all. The Union of the trade unions of Republika Srpska has several time initiated activities before the Economic and social Council of Republika Srpska and other competent bodies, to approach the issuance of the new law in occupational safety, and to re-examine occupational health from the aspect of international standards and the role of trade unions and their representatives in implementation and improvement of occupational safety as activity of particular social interest.

For the purpose of improvement of occupational safety and health in Republika Srpska, it is necessary to upgrade the existing legislation and institutional framework for occupational safety and health, and observe both these components as equally important for exercise of rights to safe work and healthy working environment. Individual policies in the field should be developed in one place by one competent body, as a unified occupational safety and health policy with the stress on prevention of occupational accidents and diseases.