

Checklist
Section 02



Relevant ILS	Legislative element	YES	NO	If YES: Cite the relevant law and article (if applicable)	If NO: Explain why (describe the issue and related challenges)	Recommendations on how to address the issue and related challenges	Other observations/ notes
C155, Arts 1-2	1. Is the main OSH law applicable to all branches of economic activity and to all workers (is your main OSH law a framework, universal OSH law)? <i>Please list any exclusions, with reasons, and indicate whether OSH in the excluded economic activities or categories of workers is regulated in other laws.</i>						
⁻¹	2. Is the scope of application of your OSH law based on the employment relationship?						
	(a) If "yes": How do you ensure OSH for workers who are not in an employment relationship?						
	(b) If "no": How is the scope of application defined? <i>Check all that apply:</i>						
	- employing new concepts instead of or in addition to "employer";						
	- enlarging the employer's duty to cover persons who are not in an employment relationship with that employer;						
	- expanding the definition of "employer" beyond the traditional employment relationship;						
	- establishing joint liability; or						
	- broadening the term "employee" or "worker" to include persons who are not in an employment relationship in addition to those who are.						
	- Other? <i>Please explain:</i>						

¹ General reflection on the scope of application bearing in mind various country practices.

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- ¹	3. Does the definition of “workers” in your (draft) OSH law refer to:						
	(a) only employees in a direct “employment relationship” with the employer?						
	(b) any workers who perform at the workplace or whose work or work tools are under the direct/indirect control of the employer?						
	(c) supply labour/agency workers and contractors and subcontractors’ workers?						
	(d) any other category of workers? <i>Please explain:</i>						
C155, Art. 12	4. Does the OSH Law foresee other duty holders such as designers, manufacturers, importers and suppliers of machinery, equipment and substances?						
- ¹	5. Does the OSH law include any other rights holders that may be affected by the operations of the undertaking?						
C155, Art. 3	6. Does the OSH law include a definition of “a workplace”? Are there any challenges associated with that definition?						
C155, Art. 3	7. Is the scope of the regulated topic (OSH) defined?						